

session of the Legislature, provision shall be made for "all officers" not arranged for in the Constitution. But courts will not give to the Constitution an interpretation unrepugnant in character or subversive of the National Constitution.

If section 16 were alone there might be room for controversy; but it is not. Section 2 continues all laws of the Territory until changed, and these two sections must be construed together. That would leave certain State or non-existent officers only to be added under section 16; the election of county, precinct and municipal officers being clearly provided for elsewhere in the Constitution itself, and excepted by the express language of section 16 from the mandatory sentence regarding the first session of the Legislature. The same rule may be applied to section 10, where all persons "now" holding office are regularly superseded under the Constitution, at the expiration of definite terms, by the provisions of section 2. Elective and appointive officers would come and go as now if no law on the subject should be made by the State Legislature.

There has been much said of a "muddle" being the result of the labors of the Constitutional Convention in official matters. Close examination, however, shows that the muddled condition is elsewhere, and that the framers of the Constitution produced what in the main is a clear and comprehensive document whose provisions the courts may apply without fear of serious complications.

TRAVELERS IN PULLMANS.

If the decision of Judge Seawell, of California, be a good one after being tested in the higher courts, the traveling public will be able to invoke in self-defense a principle not heretofore available thereto. The question at issue arose in the case of Charles Peake vs the Pullman Palace Car company. Peake had his coat and vest stolen last July, while he was a passenger in a Pullman car, and brought suit for the value of the garments. The decision was in his favor in the lower court, and the car company appealed. On the appeal the case again went in Peake's favor. In his opinion given on Saturday Judge Seawell held that the defendant company, in the conduct of its business, is bound to supply its cars with sufficient servants of suitable capacity and experience, and to keep, by such servants, a reasonable and continuous watch over its cars and their contents during the night, while the passengers are asleep. The court declares that "it is the duty of the defendant to guard its patrons not only from thieves without, but from thieves within; and defendant recognizes its duty in this respect by requiring the porter to watch the entire length of the car during the night, while the car is in motion. There is no reason why this watch should be relaxed when the car arrives at a station. It is generally known that there is no night watchman in the car while at a station, such a time would naturally be selected for the perpetration of thefts." Upon this statement the judge held that as

continuous watch was not kept, the defendant company was guilty of negligence, and responsible for the loss to the passengers.

The application of such a rule on general principles would make the car company more careful in its employment of porters, both as to their diligence in observing company rules and also as to their reputation for honesty; for it would be difficult to convince travelers that robberies in Pullmans are not sometimes committed by the very persons employed to guard the passengers; just as policemen sometimes are foremost in violating city ordinances. At the same time the doctrine of Judge Seawell must be applied with caution to prevent a more serious abuse than that which it is intended to correct.

THIRTY YEARS.

The receipt of the latest issue of the Juvenile Instructor calls attention to an interesting fact. This is that thirty years ago what probably is the most valuable young folks' periodical in the country was started in Salt Lake City. During that period there have been many difficulties, particularly of a financial nature, to overcome; the Juvenile Instructor has surmounted them all, and now stands before the people as a monument of energy, enterprise, perseverance, and specially of stalwart, efficient work in disseminating accurate knowledge of the principles of life and salvation.

As announced in the initial number of the magazine, its editor recognized among the youth of Israel "a great necessity for suitable literature." Under an inspiration to aid the young people in Gospel paths, he began the work of supplying a portion of this need; and the enviable record of the magazine in its thirty years of steadfast, earnest operations must be a recompense for his arduous labor that cannot be measured by a monetary standard. Although there have been no financial returns above those that were continually made to do service in improving the publication and making it more attractive, the fact of its great influence for good among the people is looked upon as a gratifying reward for the efforts put forth.

Today the Juvenile Instructor is firmly established in the hearts of those familiar with its pages as a household necessity in the homes of the Latter-day Saints; and as the rising generation grow to an age when they can peruse its columns and begin to appreciate its merits, they should be given full opportunity to do so. With the opening of the new year the thirty-first volume will commence; and the News feels that it cannot too heartily commend the Juvenile Instructor as an ably conducted and deeply interesting periodical that should find a place in every family.

THE OLD CONTESTS.

A writer in the December number of Harper's calls attention to the fact that the Christmas of 1895 is different from any that has preceded it since

the Reformation, and, indeed, since English, Spanish, Portuguese and Dutch sea-rovers started out to subdue the nations and bring them into subjection to the cross. They thought they had a right to force their ideas upon the other people and make them happy. Now, other nations are coming into view with big guns and armored ships and more numerous than the Turks, proposing to take a hand in the game, and their ideas are as different from ours as ours are from those of the ancient Egyptians. The article continues:

The old contest is to be renewed. Is it to be carried on by force of arms? Are the heaviest guns to decide which is the better civilization? The nations of the so-called Christian world are still arming themselves—building a bigger and swifter ships of war, and inventing new missiles and machines of destruction to be used to harry and pauperize each other, and to fight for the possession of the bits of earth still unappropriated by the civilization. This is the report on the latest Christmas day. Will the Christian civilization still go on in this way, the way of Cortez and Drake, or will it turn its united guns to uphold and defend the Occidental Christian idea, or, better still, will it have a little faith in itself, and expect by the arms of peace and the spirit of good-will to win the world to the better way?

It is not unprofitable to reflect upon the possibilities of the future, if two nations like Japan and China are to enter upon a contest with Christian nations for the supremacy of their civilizations, and if the struggle is to be carried on by force. Is it not time to consider, whether from now on it would not be safer to conduct the conquest of the world on the lines laid down in the religion of Him who was born at Bethlehem—whether the sun of charity is not a stronger force than the thunders of war. "Blessed are the peacemakers" is a principle announced in one of the first public sermons preached by the great Nazarene.

WAR FOR PRINCIPLES.

A Chicago minister, speaking in his sermon about the Venezuela difficulty, takes occasion to state that wars are no longer waged for aggrandizement, as by ancient Rome; or for pastime, as by barbarians; or for mercantile reasons, but for principles. It should be needless to point out the fact that very few wars have ever been waged for principles either in ancient or modern times. Wars generally have other causes than the vindication of a principle.

The present situation in the Orient is such that were Europe concerned about the honor of the quickly passing century, or about the triumph of the moral and ethical principles that should constitute its crowning glory, there would be a general crusade, surpassing any recorded in history.

A hundred years ago there was a drama enacted in eastern Europe, which filled all the small countries with fear. It revealed the public moral of the last century in all its hideous rottenness. That was the vivisection of Poland, completed in 1795, when Russia, Prussia and Aus-