

A SPITE PROSECUTION.

THE verdict of the jury in the Parsons' case, as published in Wednesday evening's DESERET NEWS, was anticipated by every rational and unbiased reader of the particulars in the case. There was positively no evidence against the Marshal. It is surprising that on the flimsy testimony adduced a grand jury could bring in a true bill. It was a former grand jury that presented it and which ignored a graver charge against the defendant. Perhaps they thought they would be considered partial towards him if they failed to do anything in either case, and so indicted him in this.

But one thing was made very clear in the course of the investigation. The cause of this attack on the Marshal was his raids on the gamblers and Sunday liquor sellers, also the hatred with which he is regarded by the paper which he has sued for libel. This was brought out during the trial in a manner that left no room for doubt.

Spite prosecutions are a scandal and a disgrace in any community. They ought to be discountenanced and where possible the promoters ought to be severely punished. The law is not intended to be made the vehicle for the wreaking of private vengeance, and it is always a prostitution of its power when it is used for the gratification of personal animosities.

The fact that the building erected by a number of persons, one of whom was Marshal Parsons, was rented at a high price compared with its cost, is a very silly and paltry excuse for the conclusion that it therefore must have been let knowingly for illegal purposes. Big returns for small investments are what all speculators are striving after, and the cost of a house does not regulate the rental when buildings are in demand.

This prosecution was vexatious and unwarranted, and we believe this is conceded by many people who cannot be counted as admirers of the Marshal. But how about the cost and annoyance to him? This, perhaps, may be some sweetness to its promoters, but after all the charade of their defeat equals, if not exceeds, their gratification at the expense.

PROPER APPROPRIATIONS.

WE are glad to see that the Legislature has allowed the appropriations to remain for the Judges of the District Courts and for the Governor's Secretary. This is as good an answer as can be made to charges of wrongdoing against them in regard to the matter of increase of salary. The work done is Territorial work and should rightly be paid for out of the Territorial treasury. It comes voluntarily from the people who receive the benefit of the service, and is not imposed upon them by any arbitrary authority. And it is no violation of the spirit of the United States statute which forbids any increase of salary of Federal officials, as it is paid for work outside of Federal duties. The Federal officials in the Territories are not paid a

sufficient amount for their labors, and the parsimonious policy pursued in relation to them has not been productive of good results. Fair pay for fair work should be a rule among governments as well as individuals.

ANOTHER MEMORIAL TO CONGRESS

THE Legislative Assembly has found it necessary to send another memorial to Congress. The text of it will be found in our report of the legislative proceedings. The grievances therein set forth are of such a character as to call for immediate attention with a view to effective redress. The bills specifically mentioned therein as having been vetoed by the Governor, are important measures, and it is difficult to find adequate reasons for the course the Governor has pursued in relation to them.

In considering this matter we have no disposition to judge him harshly nor do him an injustice. Great responsibility is placed in the hands of the Executive of this Territory, and it is his duty to exercise it independently. If he were to simply append his signature to every bill passed by the Assembly, without critically examining it in the light of his own judgment, he would be nothing but a figure-head, and would be as much subject to censure as in exercising his authority unreasonably and arbitrarily. But it seems to us that in these instances he has not shown sound discretion, and it is believed that he has been influenced more by the "Liberal" faction than by the interests of the Territory. And the same opinion prevails in regard to some of his appointments.

The right of petition belongs to the Legislature as well as to every citizen. It is a constitutional right that cannot be denied. The Governor had no real cause for taking offense because the memorial in reference to "Home Rule" was not submitted to him before being sent to Washington. When it reached him, however, in an official way, no matter if it was by a blunder, he had the right to express himself in relation to it. The present memorial, however, will not be likely to come to him in that manner.

It would be within the province of Congress to take these bills which the Governor has vetoed and pass them promptly, for the relief and benefit of Utah and as a rebuke to the arbitrary and factional exercise of extraordinary authority. And this ought to be followed by the repeal of the section of Congressional law which gives the Governor the power of absolute veto. Of course if the "Home Rule" Bill should pass this would be unnecessary, and statehood would cure the evil in a more effectual way.

The veto power is all right when the two-thirds overruling power is in the hands of the Legislature. Some of the Governor's changes and suggestions in veto messages have been excellent, and we believe this will be conceded by most of the members. But in other instances, notably in the three cases mentioned in the memorial, this cannot be said, and in these and some of his nominations it seems that he has had bad advisers, and exhibited a lean-

ing towards the disturbing faction in Utah affairs, which is offensive to the great majority of the people and does not comport with that fairness and public spirit which should actuate the Governor of a Territory.

AN EXECUTIVE BLUNDER.

THE Governor has certainly made a great mistake in vetoing the World's Fair appropriation bill. The best lawyers in the city, so far as we can learn, unite in the opinion that the commissioners to expend the money provided for in the bill, are not officers of the Territory within the meaning and intent of the Organic Act. With this view of the case it is not within the province of the Governor to appoint them. It was eminently proper for the people who provide the money to say, through their chosen representatives, what persons shall have charge of its expenditure.

There is no parallel between the commissioners and the territorial officers over whose appointment there was a long conflict between the Legislature and the Executive. It was never denied that the latter were officers. It is denied that the former are. And there are decisions of courts in cases of appointments similar to those now in question which establish this point satisfactorily.

When there is a doubt on such a matter, the benefit of it ought certainly to accrue to the public, rather than to one individual already endowed with extraordinary and undemocratic powers. And it shows a disposition to play the anticpat when one man seeks to grasp authority that justly belongs to the people, particularly when the law appears to be plainly on their side.

This attempted encroachment on the rights and liberties of citizens favors too much of imperialism to suit the times, and ought to receive a check that will be effectual and lasting. The Legislature has shown a disposition to recognize fully the lawful authority of the Governor under section seven of the Organic Act. But in this instance we think they would have been recreant to their duty, to their constituents if they had crouched down at the feet of unlawful autocratic assumption.

Utah cannot remain long under these conditions, and we think good will come out of the evil that may arise over the failure of provision for representation at the World's Fair. And this will not afford much comfort to the advisers of the Governor, who are blocks in the wheels of Utah's progress to liberty.

TALE OF AN OLD FACTORY!

AT the regular meeting of the City Council, last evening, Mr. Evans put his foot in a hole clean up to the ankle, when he made a motion to reconsider a former action directing the removal of the old silk factory, near the mouth of City Creek Canyon. Mayor Baskin, although occupying the chair, gave support to the proposition to reconsider, by suggesting that "we" (the