

the variety show people. The pretence that it was wanted for a separate firm, who were to sell liquor in the basement of the building and not in the theatre itself, was too transparent to deceive the public. The evil of such places would be aggravated tenfold by association with the liquor traffic.

But sentiment is one thing and law is another, and very often a different thing. We scarcely think that all the members of the Council who voted for the license were in favor of the business itself. But they believed that the city had no power to refuse the license asked for and grant licenses for the same purpose to other persons and places. And it was this question that was at issue and which so evenly divided the members and made it necessary for the Mayor to give the casting vote. It will stand to his credit that he was on the side of law and order and public morality.

The Court rules, with but one dissentient out of four Justices, that the City Council "possesses the power to license, regulate, and tax the liquor business, and that in the use of such authority it may exercise a reasonable discretion in determining who are suitable persons to entrust the business to, the places where it may be conducted and the number of licenses it may issue." This is power enough to restrict a business that throughout the civilized world is recognized as one that should be held within certain limits. The Council need no longer be under any doubt or apprehension as to exceeding its authority in determining who may or may not receive a license to sell intoxicants or where or where not it may be sold.

Of course this power must not be exercised in an arbitrary way or with any species of favoritism. A general principle must govern and the authority must be used rationally and for the public benefit.

There are many people in Utah who favor entire prohibition of the liquor traffic. Their arguments may be sound in theory, but they are not applicable to such cities as this in practice. In the first place, the city charter confers no powers of prohibition upon the Council. That settles the question thus far. The liquor business cannot be legally suppressed in this city because the municipal authorities have no powers except those conferred by the charter. But if this power were included in their functions the city fathers would have a hard time in attempting to enforce a prohibitory ordinance. It could not be done in a mixed population like that which now resides here.

It is useless, then, to discuss the

theory of prohibition as applied to Salt Lake City. The only thing to do is to favor a full enforcement of the ordinances regulating the traffic. This should be expected of the city authorities. They can not only keep saloons closed on Sundays and see that they are conducted when open in an orderly manner, but they can refuse licenses to improper persons and improper places, and limit the locality and the number of places where the traffic may be carried on.

All this is ably set forth in the Opinion of the Court and fortified by numerous authorities. City Attorney Merritt did good work in taking so strong a stand in favor of the right, and it is gratifying to see that he was as sound on the law as he was on the moral side of this important question.

Chief Justice Zane has always stood firm for the lawful powers of the city government in relation to the liquor question, and his decisions, both in the District Court and Supreme Court, have been a strong barrier against the flood of intemperance and disorder that threatened to sweep away all civic restraint. We are glad that so many of the Judges are in accord with him.

For the sake of the good name of the city, and in view of the great preponderance of public sentiment, it is hoped that the City Council will use not only the power but the discretion which it is now judicially decided that body possesses, and that the result will be a wise restraint on a traffic that has been much abused and is growing into a great and crying evil.

A NEW THING UNDER THE SUN.

IN answer to the question, "Is there anything new under the sun today," a friend responded, "Yes, there is the action of non-'Mormons' in this city to refute the slanders against the 'Mormons.'" Come to think of it, this is new. Of course there have been instances where persons not connected with the "Mormon" people have defended them from false accusations and boldly testified as to their good character and intentions. Some papers and preachers have been fair and just enough to do this. But the instances are rare, and they have been individual efforts.

Now, however, a concerted movement among "Gentiles" of all shades of political and religious opinion, right here, at headquarters, has been made to vindicate the "Mormons" and refute the slanders which an eastern illustrated magazine, with a wide circulation, has culled from papers published in this city. It is a "new move" and speaks well for the gentle-

men, official and otherwise, who have taken measures to correct this great wrong.

It is true that most of them have been prompted more by material considerations in which they are more or less personally interested, than by any sentimental views or feelings on this subject. It matters not why they have taken this step, it is a good one and will do more to harmonize conflicting classes here than anything that has been done for some time.

It is the more remarkable because it is made in the teeth of a snarling, vicious and slanderous journal, which has been the prime source from which these slanders have emanated. It is a sign that its lash is not dreaded as it once was. That there are non-"Mormons" here who are men, and not cringing slaves, fearful of the dictum of a clique of adventurers holding the power of a prostituted press.

Of course there are officials here who do not like to endorse expressions which, however true and just to the majority of the people of Utah, would be out of harmony with former utterances of the same persons. We do not expect that public officials will endorse anything that may pave the way to their own relief from official power—and its emoluments. That would be too much to look for from ordinary official human nature. But we do hope to see some aid from them in refuting slanders that are likely to injure the public interest.

We are encouraged by the action of the City Council, the Chamber of Commerce, the Real Estate Exchange and the gentlemen who have joined with them in this good work, because it shows that there is progress in public sentiment here, and that influences are at work to neutralize the bitterness that has prevailed, and promote that good feeling which should exist among people of the same city no matter what may be their differences as to politics and religion. Let the good work be done thoroughly.

ANOTHER REBUKE.

ON January 30 the *Times* (Non-"Mormon" and "Liberal") resumed its strictures in relation to the demoniacal course of the Salt Lake *Tribune* in asserting the correctness of the *Illustrated American* "libels" upon the people of Utah. After showing that the "Liberal" expositor of the policy of hate and falsehood offers a gratuitous insult to all the well known gentlemen who have joined in a movement, looking to the refutation of the slanders of the pictorial paper, it thus fittingly concludes: