THE EVENING NEWS. USLISHED DAILY, SUNDAYS BEGEPUND. AT FOUR O'CLOUE.

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Tuesday . . February 18, 1979 "UNIFORM AND IMPARTIAL."

LAST evening we printed the opinion of the majority of the Supreme Court of this Territory in the Tooele election case. This evening we give the dissenting opinion of Justice Boreman.

It is very difficult for a "Mormon" Legislature to please a Federal official, or indeed to pass any law, no matter how just and fair may be its provisions, which will suit those who are anti-"Mormon" in their sentiments. A great outcry was raised against the old election law, nominally because one of its features was the marked ballot. "Take this away," said the discontented, "and that is all we ask." When asked what means could be used in its absence to protect the ballot box from corruption, the answer was "Registration." But as soon as it became apparent that the Assembly contemplated passing a registration law, just as much of an outory was raised against the measure as against the law it was designed to supersede. "We don't of conducting elections in this Terwant any registration," said the ritory," because it was passed by malcontents, " it is cumbersome, expensive and unnecessary."

But the law passed and received the signature of the Governor, who considered it a good measure, honestly intended to remove the alleged grounds of hostility to the old statute; but not to play into the

hands of designing persons of any party. Then a plot was laid to break it up by litigation; but that has failed and the only point made against it—and that is clothed in rather doubtful language—is the section requiring a different eath from a male citizen to that required of a female citizen. of a female citizen.

Judge Boreman takes a different view to that of his confreres on the bench. But he is of a more radical cast of mind, and is committed to an anti-"Mormon" policy, which includes hostility to woman suff-rage. Hence he may be expected to go to extremes in his opinions, and the not only carries his argu-ment to a strained degree, but door. view to that of his confreres on the

fication upon them, because that travelers just what the Congress of would have measurably defeated the United States has now done for the chinese immigrants, it would Q.-How do the workingmen the object of the law. If that law had provided a different qualification for persons of the same class, the claim that it was not uniform might be reasonably set up. from the rest of the world, it would Judge Boreman says: "The oath Judge Boreman says: "The oath be a joyful triumph for Chinese excludes all male persons from diplomatists. The abrogation of excludes all male persons from diplomatists. The abrogation of the Burlingame treaty will certain-voting who are not 'native born' or the Burlingame treaty will certain-bly neminate men the democrats can support. In that event we will ly be a long step in that direction, and an abundant reason to suppose persons to register and vote who the victory of the anti-Chinese are neither 'native born' or 'natur- party in the United States is no

less a victory for the anti-foreign alized." The evident intention party which rules China. was to evade or ignore the Act of Congress." Not at all, Judge. The The Washington correspondent of the Cincinnati Commercial says: intention was to give the ladies all the benefits conferred upon them There is little chance of the Presi by act s of Congress, one of which provides that they can become citizens without being either."na-

successfully carried on, the arsenal are handled in these judicial opinat FooChow and another just above Shanghal. Both are superintended ions upon the Tocele case. And a strict rendering of the law in relaby Frenchmen, who amply provide them with everything for the protion to this subject will substantiate the validity of the whole "Act duction of ships and implements providing for the registration of number of foreign artisans were votore, and to regulate the manmer

About the Veto.

supplemented by natives, and at the last account, out of 1,500 work-men employed, not more than 300 were foreigners. At these arsenals have been built ferry boats, revenue cruisers, dispatch boats, and sloover of-war, ranging for the state of the stat the Legislative Assembly, under the powers conferred by the Organic Act and the United States cruisers, dispatch boats, and sloops Revised Statutes, and does not overleap the only restrictions to which those powers are made subwhich those powers are made sub-ject by congressional law or by the fitted with all the latest improvements of machinery. Some of the Constitution of the United States.

position of their relatives fo their seamen. There are two training baptism. The Weekly speaks of the ships at each of the above arrenals, where 200 Chinese youths are be-

the nineteenth century, and in this insurance is and are not dependent English and French officers. and of civil and religious liberty; upon western underwriters for The Russian army train we the advantage of the system of th upon western underwriters for The Russian army train was to reaping the advantage of the sys- begin moving from Adrianople totem. Two such companies are ex-isting, one at Hong Kong, the other at Shanghai; both are well managed and doing a prosperous busin The Bulletin thinks facts like bodies in the country in urging these, unknown to the average Congress and the Courts to exercise this very species of tyranny against which the Weekly now complains. It was all right when used to put down

make haste to do it. There never stand? has been any willing concession by A.-Favorably to the democrats China to foreigners, and if the tra-ditional Chinese wall could once more isolate the celestial empire republican party.

Q.-Will the workingmen and democrats unite?

have no ticket.

In response to further questions, Luttrell informed the Post reporter that the democrats and working-men will control the next legislature and elect a senator to succee Newton Booth, and that he (Lut-trell) had grave doubts whether Mr. Hayes would sign the bill. The Deficiency Bill.

dent vetoing the Chinese bill. has repeatedly expressed himself favorable to the restriction of Chi-for items covering 32 printed pages, for items covering 32 printed pages, was passed by the House yesterday was passed by the rules, with tive born" or "naturalized," that is, by being married to citizens. If there is any lack of uniformity in this, blame Congress and not the Utah Legislature. A little "common right and com-mon reason," which the Judge prates about, would show any rea-sonable person that the terms "uni-form and impartial" as used by cooley, were not intended to be stretched in any such way as they are handled in these indicial opin-



ders at Sheffield, has terminated, the men accepting a reduction in their wages.

: Cheap Meal.

In the House of Commons, Sin largest class are intended for the George Campbell, member for Kir-

CONSTANTINOPLE, 18 .- Measures are being taken to occupy the terri-

RUSSIA."

Strike of Cotton Operatives.

ST. PETERSBURG, 18 .- A strike



Boots and Shoes.

ment to a strained degree, but dogmatically asserts that what he does every one shall be permitted to en-joy the right to worship God accor-ding to the dictates of conscience?" not approve of in the registration law is, "against common right and common reason," and that this, is To which we respond, the Bap-"manifest to every one." When it tists have joined all other religious is considered that his brother Justices do not so decide, the impertinance of his assertion, we think, must be "manifest to every one." The main point of objection to the law, advanced by Judge Emer-"Mormon" religious liberty, but their record, son, and carried to its extreme by all wrong if it interferes in the least Judge Boreman, is that it is not degree with Baptist religious liber-"uniform and impartial" because it ty. One mightier than any sect or ka, says: There exists the anomally imposes a qualification upon male party or government or Court has said "With what measure ye mete it shall be measured to you again," and the Baptists as well as other denominations will find that it holds true with societies and nations as well as individuals. The voters which is not required of female voters. Now there is nothing in the Constitution nor in the laws of Congress, which requires an exact sameness of legislation for male and female | citizens. But quotsnations as well as individuals. The tions are made by the Judges from Weekly should remember that the authority of the efficer supposed to recognized legal authorities to show whole "Christian" fraternity have that, "all regulations of the elective been rejoicing over the judicial defranchise, must be reasonable, unicision against the "Mermons," that form and impartial." If there is anything in the laws of Utah regu- while religious opinions are free, lating the elective franchise, which religious acts may be suppressed. Is is not in harmony with this princi- not baptism a religious act?

ple, it will be found rather in the statutes establishing the qualifica-

BY TELEGRAPH tions of voters than in the law under consideration, which is essentially one to provide for registration and the conduct of elections. There is a statute which has been in force in the Territory without legal question for twenty years

requiring an elector to be "a tax" leader again, to-day, on the Chi-nese bill, declaring that it sets at naught a solemn compact, spurns the obligations of international payer in this Territory." The act conferring upon women the elec-tive franchise, and which does not the obligations of international courtesy, casts reproach upon the good name of the country, and puts an end to the distinctive glory of America, maintained through-out a century, of being the open-gated home of all nations. No one can suppose China will receive this wanton insult without retaliation require that a female voter shall be a taxpayer, has been in force for nine years. If there is anything non-uniform in principle in our electoral system, it is in these two laws, and they should be attacked rather than the registration law, at an hour and in a way to do most the oath section of which is in purharm.

suance of the provisions of these older statutes. But let us see if the objection of non-uniformity really applies to either of these laws. Is it contended that all laws must be equally applicable to both sexes in order te make them "uniform and impartial?" Why then should male citizens be

required to serve in the militia of

The Alaska Excitement.



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> DAVID O. CALDER, Salt Lake City

authority of the ender supposed to represent the government. It was a great mistake to withdraw the handful of troops left in Alaska. The people of the United States do not take kindly to military law, it is true, but in default of this we have during the states to absolute POSTAL AFFAIRS.

have given over Alaska to absolute anarchy. It may not be worth while to organize a territorial gov-ernment for Alaska, and no form of civil government short of that Enter of Bomestic Postage would be possible; but if Alaska is not to be abandoned to primitive barbarism and desolation, the au-

thority of the United States must be there maintained." Drop Letters, single rate,.....

NEWSFAPERS AND PERIODICALS. - The ostage on newspapers has to be paid at the ffice of publication.

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n an almost impassable condition, and has had the effect of causing i duliness in all branches of trade, notable in the business along the wharves, and as a consequence the California market is quite dull, nothing of moment having been

Snow Storm.

done to-day. Opposed to the Anti-Chinese Act. HARTFORD, 18 .- The House, today, unanimously adopted a resolu-tion declaring that the proposed

law restricting Chinese immigra-tion is in flagrant violation of a

trade of San Francisco'is also great-er with China than with kny other country, while the presence of such terday's legislation in the House, required to serve in the militia of the several States while females are exempt? Why require men to pay poll tax and not women? The an-swer would be those laws are uni-form in their application to the class of citizens which they are in-tended to reach. The law varies in many particulars as to different classes of citizens. For instance men of certain ages are required to do militia duty while others are not. Bo with the poll tax. A citiitems in the list as 3,400 boxes of on the river and harbor bill and

Ecgistered Letters and Honey

