EDITORIALS.

THE WOOL INTEREST.

THE wool interest of this country is seriously threatened by the contemplated reduction in the tariff. The demand for the raw material has been weak since the opening of the present year, manufacturers only purchasing barely enough for immediate requirements, expecting the removal or the reduction of the duty upon the imported article, and, consequently, low prices, which means increased profit to them at the expense of the home wool growers. It is reported that English agents are canvassing the country and contracting to supply large quantities at a low figure to be supplied as soon as the tariff is reduced.

To meet this it is suggested by Philadelphia dealers that petitions be circulated throughout the country, for signature by every sheep-owner and granger, asking for the retention of the duty both on foreign woolen goods and the raw material, for the protection of home interests. To retain the duty on wool and abolish it on the manufactured article would only be a half measure, and greatly detrimental to the wool growers, as by the closing of many mills which at present cannot compete with the low-priced labor of Europe, the demand for the raw material would necessarily be diminished, and thus the wool interest would be seriously damaged.

The conflict between free trade and protection is a bitter one, and it is a difficult matter for a disinterested person to decide on their relative merits. But it appears to us that in a new country protection is absolutely necessary to the existence of native industries and that, for a time at least, such articles as cannot be produced at a competing figure with those obtained from the labor-crowded marts of older nations, should be protected by a tariff and receive the fostering care of the government, because a nation must remain poor while it depends on foreign products, buys that which it can make for itself, and its imports continue to be greater than its exports.

But when circumstances so change that by proper management home enterprise can successfully compete with foreign industry, free trade should be the rule, so that the masses may not be impoverished for the aggrandizement of a few, that high prices may not be maintained to still further enrich the capitalist and keep up large profits to manufacturers, while the people are deprived of the benefits which should flow to them from the diminished cost of production.

At present the wool interest in this country needs protection, and cloth manufacture has not arrived at a sufficient age and strength to measure arms with the old world experience and low-priced labor, therefore the proposed reduction of the wool and cloth tariff should be resisted by the sheep-raisers and woolen factors of the United States, until these industries can be firmly established upon a fairly profitable basis.

This is a subject in which Utah is interested in common with other parts of the Union, and it should receive the careful consideration of her citizens, particularly the farming community who are nearly all wool growers.

AN IMPORTANT DECISION.

THE following decision of the Supreme Court of the United States is of great importance to the general public, and particularly at present to the people of this Territory. Payment of taxes is very obnoxious to a certain class, and any peremptory method of enforcing it is sure to be resisted to the utmost. The seizure of property and its sale for delinquent taxes without judgment from a competent court, although in many cases the only effectual mode of collection, is considered by some to be unconstitutional, because the Constitution provides that no person shall "be deprived of life, liberty or property without due process of law." The case of Mc-Millen *vs.* Anderson, bearing on the matter, after passing through the courts of Louisiana, was taken to the court of last appeal, and the following decision, rendered by Justice Miller, settles the controversy. It will be endorsed by all law-abiding citizens, will impart confidence to legislators, and strengthen the hands of public officials throughout the Union:

The defendant in error, who was tax collector of the State of Louisiana for the parish of Carroll, seized property of the plaintiff in error, and was about to sell it for the payment of his license tax, as a person engaged in a business liable to a tax of one hundred dollars. In accordance with the laws of Louisiana, plaintiff in error brought an action in the proper courts of the State for the trespass, and in the same action obtained a temporary injunction against the sale of the property seized. Defendant pleaded that the seizure was for taxes due, and was what his duty as collector required him to do. On a full hearing, the court sustained the defense, and gave a judgment under the statute against plaintiff and his sureties on the bond for double the amount of the taxes and for costs.

Plaintiff thereupon took an appeal to the Supreme Court of Louisiana, and in his petition for appeal alleged that the law of Louisiana under which the proceedings of defendant were had was void, because in conflict with the Constitutions of Louisiana and of the United States, and, as he now argues, is specifically opposed to the provision of the Fourteenth Amendment of the latter, which declares that no State shall deprive any person of life, liberty or property without due process of law.

The judgment of the Supreme Court of Louisiana, to which the present writ of error is directed, affirming that of the inferior court, must be taken as conclusive on all the questions mooted in the record except this one. It must, therefore, be conceded that plaintiff was liable to the tax, that if the law which authorized the collector to seize the property of plaintiff was valid, his proceedings under it were regular, and that the judgment of the court was sustained by the facts in the case.

Looking at the Louisiana statute here assailed—the act of March 14, 1877—we feel bound to say that if it is void on the ground assumed, the revenue laws of nearly all the States will be found void for the same reason. The mode of assessing tax in the States, by the Federal Government, and by all governments, is necessarily summary, that it may be speedy and effectual. By summary is not meant arbitrary, or unequal, or illegal. It must under our Constitution, be *lawfully* done. But that does not mean nor does the phase "due process of law" mean by a *judicial proceeding*. The nation from which we inherit the phase "due process of law" has never relied upon the courts of justice for the collection of her taxes, though she passed through a successful revolution in resistance of unlawful taxation. We need not here go into the literature of that constitutional provision, because in any view that can be taken of it the statute under consideration does not violate it. It enacts that when any person shall fail or refuse to pay his license tax the collector shall give ten days' written or printed notice to the delinquent requiring its payment, and the manner of giving this notice is fully prescribed. If at the expiration of this time the license "be not fully paid, the tax-collector may, without judicial formality, proceed to seize and sell, after ten days' advertisement, the property" of the delinquent, or so much as may be necessary to pay the tax and costs.

Another statute declares who is liable to this tax, and fixes the amount of it. The statute here complained of relates only to the manner of its collection.

Here is a notice that the party is assessed, by the proper officer, for a given sum as a tax of a certain kind, and ten days' time given him to pay it. Is not this a legal mode of proceeding? It seems to be supposed that it is essential to the validity of this tax that the party charged should have been present, or had an opportunity to be present, in some tribunal when he was assessed. But this is not and never has been considered necessary to the validity of a tax. And the fact that most of the States now have boards of revisors of tax assessments does not prove that taxes levied without them are void.

Nor is the person charged with such a tax without legal remedy by the laws of Louisiana. It is probable that in that State, as in others, if compelled to pay the tax by a levy upon his property, he can sue the proper party and recover back the money as paid under duress, if the tax was illegal.

But however that may be, it is quite certain that he can, if he is wrongfully taxed, stay the proceeding for its collection by process of injunction—(See Fouqua's Code of Practice of Louisiana, articles 295 to 309 inclusive.) The act of 1874 recognizes this right to an injunction, and regulates the proceedings when issued to stay the collection of taxes. It declares that they shall be treated by the courts as preferred cases, and imposes a double tax upon a dissolution of the injunction.

But it is said that this is not due course of law, because the judge granting the injunction is required to take security of the applicant, and it is said that no remedial process can be within the meaning of the Constitution which requires such a bond as a condition precedent to its issue.

It can hardly be necessary to answer an argument which excludes from the definition of "due process of law" all that numerous class of remedies, in which, by the rules of the court or by legislative provision, a party invoking the powers of a court of justice is requred to give that security which is necessary to prevent its process from being used to work gross injustice to another.

The judgment of the Supreme Court of Louisiana is affirmed.

POLYGAMY IN POLITICS.

REPORTS from Washington from various sources indicate that the "Mormon" question is receiving considerable attention, and that a disposition to hear both sides of it is manifested by live Congressmen and others interested in current public affairs. The misrepresentations of persons paid to labor for the adventurers who have come to Utah with a view to controlling its politics and handling its revenue, are received with a great deal of allowance and "large deductions."

Representatives of the South particularly are well aware of the power of the average carpet-bagger to "shoot with the long bow," and manufacture stories of outrage and wrong for the purpose of inflaming public opinion and procuring legislation and appointments for personal interest. And they can readily see through the sensational fabrications of hired Mormon-eaters, and perceive the motives that prompt the falsehoods gravely stated before committees as facts and breathed into the ears of all who will listen.

It is not very likely that Congress will interfere with our local election matters, the regulation of which belongs of right to our Legislative Assembly. And it is extremely improbable that the national lawmakers will attempt to abrogate vested rights by taking from the women of Utah the elective franchise. Several ladies of eminence have interested themselves on this question, and have represented to the committee on Territories and other members of Congress the views of the large body of ladies who are working for "woman suffrage."

Some of their remarks have been incorrectly reported, particularly in reference to the polygamy question. One of them is said to have spoken of polygamy as "an enlightened phase of the social evil." This would have been an insult to the people of Utah and particularly so to the ladies, who have entered into the system of plural marriage from the purest motives and in view of the most exalted principles. The sentiment really advanced was, that whatever might be said against "Mormon" polygamy it was much better for society than the evils of prostitution, which are winked at and in some instances encouraged by those who fight the "Mormon" system of plural marriage. And one lady boldly arraigned for inconsistency the legislators who sought to disfranchise polygamists while they themselves indulged in practical polygamy of a far worse character.

Between the two systems there is no comparison. They have nothing in common. Plural marriage is an extension to the weaker sex of all the benefits that result from a union with the stronger. Plural wives are married to their husband by a ceremony which each party holds sacred and binding both for this life and the life to come. The offspring of these unions are equally the subjects of parental care, affection and support. The protection, culture and sustenance of the family condition are afforded to wives and children, and those benefits which flow to society at large by the institution of marriage are, under this system, amplified and increased.

What is there in such a system that can be likened to the corrupting and destroying social enemy—prostitution? One saves, cherishes and crowns with honorable motherhood a larger number of God's fair daughters than is possible under the monogamic method; the other pollutes, discards, destroys and renders them incapable or unfit for the blessings of maternity. One tends to health, life and increase; the other to disease, sterility and death. One makes it possible for all women to be active, honored members of society, enjoying its privileges and contributing to its purity and perpetuity; the other thrusts out a large number of the sex beyond the social pale, tramples them in the mire and brands them with shame and infamy. One is born of love and sanctified by heavenly law; the other is the offspring of lust and defies all government human or divine. One imposes restraints on passion and directs the results of its rational exercise to the social welfare; the other regards no rules, submits to no restrictions, and its issues run in channels which sap the foundations of society and honeycomb it with disruption and decay. One is order; the other is chaos. One is from above and leads upward; the other is from beneath, is grovelling and debasing and its path leads down to hell. They are each other's antipodes, and generally the opponent of one is the advocate or practicer of the other.

A lecherous man or an unchaste woman is nearly always a bitter enemy of polygamy. We do not say that all the opponents of that system are impure. But those who are vile themselves impute the vilest motives to others, and the worst men and women we have ever met have been the strongest denouncers of plural marriage, while some of the most intelligent and virtuous members of respectable non-Mormon society, after a fair explanation of the "Mormon" marriage system, have generally acknowledged its many excellencies.

The subject is kept before the attention of the public by means of the repeated attempts to injure and destroy those who believe in and practice polygamy as a religious tenet. Thus while its opponents work for its overthrow they help to spread an understanding of its principles, and their misrepresentations tend to provoke thinking persons to investigation, to the confusion of our maligners and the triumph of the truth. Polygamy perverted by our enemies is used as political capital. We think in the sequel they will find it of little value to their cause and not worth a dime to them individually.

CLIPPING A MUNICIPALITY.

WE notice that the petition to the Legislature of certain inhabitants of the northern part of Ogden City, for detachment from the municipality, and against which a numerously signed remonstrance was also presented, has been reported from the committee to whom both were referred, by a bill to reduce the northern limits of the city. But the reduction contemplated in the bill is not that asked for in the petition. And, singular, to say, it leaves in the city those who chiefly desired to be separated and leaves out those who now desire to stay in. The district defined in the petition is all that portion of the city lying north of the Ogden river. This includes two Bishops' Wards—Mound Fort and Lynne. The people whose names were on the petition who live in the first were the most anxious for separation; those of them living in the second have changed their opinion, and now almost to a man desire to remain within the corporation. Yet the bill would throw out the latter and keep in the former.

When the subject is fairly and fully considered wa think it will be seen that the division movement is exceedingly impolitic, and, as it now stands, altogether unnecessary. The majority of the people in the district proposed for detachment, if left to their free expression of sentiment, would prefer remaining in the city, the reasons assigned for the proposed division not being founded on fact, and a large number of the citizens living or holding property in that district having signed the remonstrance, while many many who were induced to sign the petition would also have signed the remonstrance, after due reflection, only they thought it would appear inconsistent.

We consider that the prayers of petitioners should have their full weight with a legislative body and be patiently heard and considered. But we also think that the general welfare should have preference over sectional interests, and the greatest good of the greatest number should be the object sought and preserved. Cutting down municipalities can be easily achieved by the Legislature, but enlargement or organization of such corporations is, under our present form of government, a practical impossibility. We trust this matter will not be hastily disposed of.

TRIBUTE OF RESPECT

TO THE MEMORY OF THE LATE

HON. BRIGHAM YOUNG,

FOUNDER AND FIRST GOVERNOR OF UTAH.

Adopted by the Legislative Assembly, Saturday, February 9, 1878.

On the 29th of August, 1877, the death of this good and great man transpired. Impressed with a deep sense of the magnitude of the loss sustained through this melancholy dispensation of Providence, not only by this Legislative Assembly and the people of Utah, but also by our nation and the whole civilized world, we offer this tribute of respect to the illustrious dead. As a veteran champion in promoting the good and happiness of universal humanity, and as an earnest, faithful advocate for justice and the equal rights of men, Brigham Young has stood pre-eminently without a rival. In breaking the long impenetrable solitude of this previously unexplored region, by forming an oasis in this great American desert, he succeeded in accomplishing a work of vast importance in the interest of our national government. Under his leadership numerous settlements were organized and established in these isolated valleys, marking an event which the future historian will record as having been one of immense importance in securing the greater stability and prosperity of our American government, by forming a connecting link between the east and west, thus rendering practicable at any early period the commencement and completion of our great national highway. Long before the authorities at Washington considered this project of a railroad feasible, Governor Young, with the Legislature of the Territory, petitioned Congress to adopt measures for this purpose, and when government inaugurated this movement, it was through the influence of Brigham Young that a contract was engaged and completed by the citizens of this Territory of more than one hundred miles of the most difficult portion of this stupendous enterprise. In that unparalleled exodus from Nauvoo to these Rocky Mountains, leading a people who had been ostracised from their homes, and seeking for them a shelter from the bloody hand of persecution, here in a desolate wilderness, unknown to civilization, Brigham Young exhibited courage, determination, and prescience of an extraordinary character, eliciting our highest praise and admiration. His affectionate and fatherly counsels and administrations, sharing, with his people, their fatigues and privations, cheerfully sacrificing his personal interest to promote that of the whole; adopting measures for the good of each and all, during that soul-trying pilgrimage,