

fatal, the doom falling on the later law.

But will it be contended that there can legally be only one class of citizens? The laws of the United States recognize several classes. There are: First, all persons born in the United States except Indians untaxed. Second, Indians born here and taxed. Third, those born in this country, but over twenty-one years of age; these may vote under such qualifications as the States or Territories where they reside may prescribe, those who are under this age being debarred from this privilege. Fourth, persons of foreign birth who have become naturalized by taking a certain oath and obtaining a certain paper certifying to a judicial act in their case. Fifth, their adult children, who have come to this country before the age of twenty-one years, who are citizens without taking the oath or obtaining the certificate. Sixth, those who have served in the United States army and been honorably discharged, who need not declare their intentions, nor prove more than one year's residence previous to application for citizenship. Seventh, those of foreign birth who arrived in the United States three years or more before reaching the age of twenty-one, and whose parents are not naturalized, who may be admitted to citizenship without declaration of intentions, after five years' residence and arriving at the age of twenty-one years. Eighth, foreign-born women, the wives of native-born or naturalized citizens, who, if they might lawfully be naturalized, become citizens by virtue of their marriage, without taking any oath or going into any court or receiving any papers. There are some other classes that we need not mention. Where is the exact "equality" and "uniformity" in the laws on citizenship, using these terms as presented by the objectors to our election laws?

But it may be argued that this does not touch the suffrage question, it only affects citizenship. This is very true, but the principle involved is the same in both cases. Now let us apply it to the suffrage. Must the qualification of voters be exactly the same in every instance? Can there not be different classes of voters as well as different classes of citizens, and does not the uniformity of laws demanded apply rather to all voters in each class than to all of every class? We think so. The Utah statute, specifying the qualifications of male voters is acknowledged by the objectors to be valid. Well, that establishes two classes of voters, with a special qualification for one class not required of the other. This we referred to above. It is in regard to officers and soldiers of the United States, who cannot vote, if they have all the qualifications required of the other class, unless their home and place of residence were in this Territory at the time of engaging in military service. On the "inequality" theory and the "separate class" objection, would not this be just as void as the woman suffrage act is claimed to be?

Judge Boreman in his dissenting opinion makes the following admission:

"If the Legislature had power to make one set of qualifications for one class of voters and another set for another class of voters, then the two laws can stand, but if the Legislature has not such power, its attempt to do so is nugatory and void."

But he does not attempt to prove that the Legislature has not this power. A New York election law provided that white male citizens may vote without a tax qualification, but required colored voters to possess a freehold of \$250, and to have actually paid a tax thereon. This color discrimination is void, not because of "inequality" or non-"uniformity," but because of the Fifteenth Amendment to the Constitution. Rhode Island only requires a native born citizen to be a taxpayer to the amount of one dollar in order to vote, but a naturalized citizen must be possessed of real estate to the value of \$134, over and above all incumbrances or property which rents for seven dollars per annum. Pennsylvania and Delaware have or had each, one "qualification" for voters over twenty-one years of age, and another for those between twenty-one and twenty-two years of age, the former being required to pay taxes and the latter being exempt. Here is the very same principle against which objections are now raised in the election laws of this Territory; that is, one class taxed, another class untaxed. There are, no doubt, reasons why voters in

those States between the ages of twenty-one and twenty-two years should not necessarily be taxpayers. There are many reasons why women voters in this Territory should not necessarily be tax-payers, and one is, because they generally hold property only through or with their husbands, who pay the taxes thereon, which is sufficient, as no property ought to be subject to the same tax twice.

Is it contended that all laws must be equally applicable to both sexes in order to make them "uniform and impartial?" Why then should male citizens be 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 answer would be those laws are uniform in their application to the class of citizens which they are intended 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. So with the poll tax. A citizen 20 years of age may not vote, while a citizen twenty-one years old, under prescribed conditions, may vote. The laws of Congress require a male alien, in order to become a citizen, to take a specified oath and obtain papers attested by a court of competent jurisdiction. But they do not require this in all cases of female aliens who become citizens through marriage with a citizen, without taking the oath or obtaining the papers. Do the laws which make these distinctions lack uniformity or impartiality? No. Because all persons of the class they are intended to reach are equally affected by them. So it is with the laws of this Territory under consideration.

Valid reasons can be given why the laws of Congress are varied to meet different cases. So they can in regard to our statutes prescribing the qualifications of voters. Women generally do not hold property in their own right, because it is usually owned by their husbands, who pay the taxes upon it. The law, therefore, being framed with the intent of conferring the elective franchise upon women, very properly did not impose the tax qualification upon them, because that would have measurably defeated 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.

The Legislature of this Territory is empowered by the Organic Act and the laws of Congress to prescribe the qualifications of voters, subject only to certain specified restrictions. The election laws have been enacted within those powers and limits. The "uniformity" and "equality" contended for are not alluded to in those powers or restrictions. They merely express certain principles of law recognized by jurists and which are just and reasonable when properly applied, but are unjust and absurd when wrested from their true signification and misapplied, as in the arguments of those who are so anxious to deprive the women voters of Utah of the rights conferred upon them by enactments which, in our opinion, cannot be fairly invalidated.

LOCAL AND OTHER MATTERS.

FROM FRIDAY'S DAILY, OCT. 1.

Temperature of September.—Sergeant Craig's Summary for September gives the mean temperature of last month as 64.1°. The highest was 88°, the lowest 39°.

A Church Hospital.—At the meeting of the Bishops, last evening, the subject of a Church hospital came up for discussion. It was conceded by all who spoke that a necessity existed for such an institution among the Latter-day Saints and it is not unlikely that active steps will be taken, at an early day, toward its establishment.

Horrible Death.—From the Logan Leader of to-day we clip the following:

On Monday evening last between 7 and 8 o'clock, a special train on the U. & N., while running north, and when at a point about one mile and a half south of Camas station, ran over the body of a man who was lying prostrate across the track, killing him instantly. The train was immediately stopped, when it was discovered that the body was all cut up in pieces, which were scattered along the track for some distance. The remains were

immediately gathered up and taken back to Camas, and the next day were sent to Blackfoot, the nearest place at which a coroner could be found, and an inquest was held. The name of deceased was Joseph Riley.

The inquest is to the effect that the man was intoxicated at the time and that no blame can attach to any one for the fatality.

Releases and Appointments.—The *Millennial Star* of Sept. 13, has the following:

Elders released to return to Utah with the company that will sail October 23d, 1880:

George Crane from being President of the Liverpool Conference.

Andrew Ferguson, from being President of the Dundee Conference.

Edward E. Brain, from being President of the Bristol Conference.

William H. Haigh, from being traveling elder in the Liverpool Conference.

William Robertson, from being traveling elder in the Dundee Conference.

Hyrum R. Bennion, from being traveling elder in the Norwich Conference.

James Houston, from being traveling elder in the Glasgow Conference, to gather with the body of the Church in Utah.

John Donaldson, heretofore traveling elder in the Newcastle Conference, is appointed to succeed Elder Crane in the presidency of the Liverpool Conference.

James Finlayson, heretofore traveling elder in the Dundee Conference, is appointed to succeed Elder Ferguson in the presidency of that Conference.

Mark Beazer, heretofore traveling elder in the Bristol Conference is appointed to succeed Elder Brain in the presidency of that Conference.

Lyman R. Martineau, heretofore traveling elder in the Liverpool Conference, who has recently been assisting in the business department of this office during portions of the emigration season, is appointed to continue in the latter position, for the time being.

George M. Spencer is appointed a traveling elder in the Nottingham Conference, to labor under the direction of Elder O. F. Hunter.

William Woods is appointed a traveling elder in the Norwich Conference, to labor under the direction of Elder G. S. Grant.

Edwin Harmon is appointed a traveling elder in the Welsh Conference, to labor under the direction of Elder J. R. Mathews.

William Cooper is appointed a traveling elder in the Sheffield Conference, to labor under the direction of Elder H. Margetts.

Joseph Robinson is appointed a traveling elder in the Leeds Conference, to labor under the direction of Elder Hugh Watson.

W. C. Rydall is appointed a traveling elder in the Leeds Conference, to labor under the direction of Elder Hugh Watson.

Stephen Tucker is appointed a traveling elder in the London Conference, to labor under the direction of Elder Samuel Roskelley.

Joseph Holbrook is appointed a traveling elder in the Newcastle Conference, to labor under the direction of Elder W. R. Webb.

John M. Wiser is appointed a traveling elder in the Birmingham Conference, to labor under the direction of Elder Joseph Goddard.

FROM SATURDAY DAILY, OCT. 2.

Potato Crop.—The potato crop is being gathered. It is above the average yield.

"Exponent."—The *Woman's Exponent* for October 1st is being mailed to its subscribers. It is one of the best numbers yet issued, and is brim full of indignation at the latest "Liberal" attempt—the disfranchisement of women. The subject is treated in several strongly written articles, editorial and communicated, which will be read with interest by the sex whose rights have been so bitterly assailed.

Boreman, the Dissenter.—Judge Boreman breathed his last as an Associate Justice of this Territory, yesterday. We bid him a hearty good bye. Whatever may be said against him, we will say this much in his behalf—he has ever been consistent—to himself. As a pious member of the Methodist Church and a bitter enemy to the people of Utah, his career in this Territory, from first to last, has been the same. We have never known him to give a decision from the bench favorable to the

"Mormons," when he could possibly get out of it, and we have never known him to miss a Methodist Conference, even if held at the North Pole, if he could by any means manage to slip away from his work long enough to be there. True, both the "Mormons" and the United States Government have had to stand the trouble and expense of these little capers, but the Judge no doubt "dissents" from their views, has a clear conscience, or thinks he has, and all else must fall to the ground.

Priesthood Meeting.—The regular monthly meeting of the priesthood of the Salt Lake Stake of Zion, was held in the Assembly Hall this morning at 11 o'clock, President A. M. Cannon and Counselors presiding. Present also, President John Taylor, Apostles Orson Pratt, F. D. Richards, Geo. Q. Cannon and Jos. F. Smith, Presiding Bishop Edward Hunter, President J. D. T. McAllister, of St. George, and others. After singing, Bishop E. D. Woolley delivered the opening prayer. The roll of wards was called, each one being represented by some of its presiding authorities excepting the 15th, 19th, 20th, 21st and Draperville wards. The statistical report of the Stake was read, showing a net increase of 180 souls during the last quarter. The report of the Jubilee Fund was also read, showing the amounts contributed by the various wards of the Stake for distribution among the worthy poor, and also the various amounts recommended for distribution among the several wards. The total of means contributed is \$5,669.34; the total of amounts recommended for distribution, \$6,074.93. The difference recommended is \$405.59. The reports in detail will probably be published in due time. The business of the meeting being dispatched, President John Taylor arose to speak. He explained some matters in connection with the Territorial Jubilee Fund, and announced that in all probability a full report would be submitted at the coming conference. He then spoke of the building of the Assembly Hall. Its total cost was \$80,000; \$20,000 of which had been donated by the 35 wards of the Stake, the remainder by the Trustee-in-Trust. There was yet owing on the building \$4,500 in cash and \$1,000 in orders on the Trustee-in-Trust. The building of the Temple was also mentioned, and the Bishops and all interested urged to be alive to the importance of going ahead with the enterprise and the various Stakes of this Temple district were urged to bring forward their donations to assist in the work. He closed by expressing an earnest desire for the welfare of Israel.

President A. M. Cannon also remarked upon the matter of the Assembly Hall, and was followed by Apostle George Q. Cannon on the same subject. He spoke of the indebtedness yet hanging over the building and the necessity of its being liquidated. He thought the Stake, for whose especial accommodation the house was erected, should pay off this debt and not depend upon the general Church. He suggested that each member of the Stake deriving income, assess himself one day's wages or income to be devoted to the paying off of the debt.

It was moved, seconded and carried that the suggestion be adopted by the meeting and that each Bishop present the subject to his ward and report the result to the presidency of the Stake.

A notice was read from Bishop Hunter, requesting each bishop to send to his office a list of persons who had donated to the Temple during the year 1879, together with the amounts so donated.

The Doxology was sung and the meeting adjourned until the first Saturday in November.

Benediction by Apostle Joseph F. Smith.

FROM MONDAY'S DAILY, OCT. 4.

The Territorial Convention.—The People's Territorial Convention will meet at the City Hall on Thursday evening next, at 6 o'clock, to nominate a Delegate for the 47th Congress.

The Pipe Creek Shooting.—Mr. O. W. Warner, of Moab, Emery County, is in town. He informs us that the boy Wilson, son of Alfred Wilson, who was shot by Indians in Pipe Creek Canyon, several weeks ago, as described in our recent correspondence from Elder F. M. Lyman, is fast recovering from his wounds.

He was shot through the nose and through the left foot. The Indian, who it is supposed did the shooting, is an old chief, who is noted for stealing and killing, and does not belong to any of the reservations. There were seven others who helped him make the raid, and they also are said to have nothing in common with the Indians on the reservations. After the shooting, they struck off for the Blue Mountains, an uninhabited locality, and have not since been heard from. The U. S. Indian agent says he could capture them if he had orders from the Government. The same band are implicated in the murder of the Green boys, of Grand Valley, several years ago.

Fatal Occurrence.—Mr. L. Gee, of Tooele, under date of the 2d inst., writes:

On Thursday last, while at work at the molasses mill in this place, John G. Williams, a lad 15 years of age, was kicked in the abdomen by a horse. At the time the injury was not thought to be very serious, from the fact that he walked about half a mile to his home, after the occurrence. But he continued to grow worse and suffered much pain until about 4 p. m. yesterday, when his sufferings were ended by death.

He was an orphan, his father and mother, John G. and Margaret Williams, having died some years since. He resided with Mr. James D. James, of this city, his grandfather. He was a bright, intelligent boy, a member of the Sabbath school and much respected. His grand-parents and family and an only surviving sister deeply mourn his loss, also his associates and all who knew him.

Cold Blooded Murder.—The following special was received this afternoon:

Silver Reef, Oct. 4th, 1880.

Editor Deseret News:

Yesterday morning, as Michael Carbis, foreman of the California Mine, was on his way to work, he was stopped near the Buckeye boarding house by a miner named Tom Forrest, who had a revolver in his hand. When the latter got within a few feet of Carbis he put away the pistol but immediately drew a large sheath knife and plunged it into Carbis' side, inflicting a frightful wound, from the effects of which he died last evening about five o'clock. It was a deliberate, cold blooded murder. Forrest had freely expressed his intentions to commit the deed, because, for good and sufficient reasons, he had been discharged by Carbis, the day previous. Forrest took refuge in a tunnel of the Tecumseh Mine, but was subsequently brought out and put in jail. Carbis was a quiet, peaceable man, and universally esteemed throughout the camp. He leaves an estimable family, who were deeply devoted to him, and his death has rendered them frantic with grief.

Funeral Services.—The funeral services over the remains of the late James Pitt were held yesterday morning at 11 o'clock in the 17th Ward Assembly Rooms. The hall was densely filled, there being besides the family relatives of the deceased, a multitude of friends and associates, including the officers and employes of the Utah Central and Utah Southern Railroads. The services were under the direction of Bishop John Henry Smith. There were also present, Bishop Edward Hunter, Elder Joseph E. Taylor, of the Stake Presidency, Bishop John Sharp, and other prominent men. The coffin, which had been carried from the residence of the deceased to the Meeting-house by a number of the railroad hands, fellow workmen of the deceased, was literally covered with flowers, and around it sat his family members and nearest friends. The opening address was made by Bishop John Sharp, followed by remarks from Elders Joseph E. Taylor, S. H. Hunt and Bishop John H. Smith. Their words were of a very interesting and comforting character. Previous to his death, the deceased had made known a desire to be ordained to the Priesthood, which was accordingly done. This and his last words, wherein he expressed his satisfaction at having always been faithful to his trust and the performance of his duties at the railroad, were mentioned by some of the speakers, all of whom spoke in high terms of the dead, corroborating his own claim to fidelity and honesty, and dwelling upon kindred subjects thereby suggested. A concourse of between 50 and 60 carriages followed the corpse to its last resting place.