

Friday, June 24, 1874.

DAVID O. CALDER,
EDITOR AND PUBLISHER.

NEWS OF THE DAY.

CONGRATULATORY dispatches, on the establishment of telegraphic communication between Brazil and the United States, were exchanged yesterday, between the Emperor of Brazil and President Grant.

Fifty persons, at Fort Washington, were injured yesterday by the blowing over of the tents of Fort-pugh's show.

Severe storms are reported in portions of Ohio, and in northern Indiana and southern Michigan, doing great damage to property; three persons were killed by lightning.

The old adage which says, "Set a thief to catch a thief," seems to work both ways, for Governor Moses of South Carolina, recently arrested on a charge of larceny, has just pardoned three county commissioners, convicted of corruption in office and sentenced to the penitentiary. "A fellow feeling makes us wondrous kind."

Two of the police commissioners of New York City have been convicted of violating the election laws of the State.

Night before last a large stone grist mill, near Mount Sinai, I. I., was blown down, killing five, and injuring two, persons.

A fire at Madison, Ind., yesterday destroyed \$20,000 worth of property, and one at Columbus, O., this morning, did \$15,000 damage.

An express train was badly smashed by being thrown from the track, near London, Canada, night before last; the fireman was killed, and every other person on the train more or less injured.

A Calcutta dispatch says the distress through famine is every where decreasing.

It is now expected that the contemplated Congress for the codification and modification of the law of nations in times of war will assemble, Great Britain having waived her objections thereto.

A bill has been passed in the upper house of the British Parliament for the regulation of public worship.

A postal convention between France and the United States has been ratified by the French Assembly; it goes into operation on the 1st of August.

A contract has been concluded by which the Pullman palace cars are to be placed on all the lines of railway in Upper Italy.

There was considerable excitement in Rome on the evening of the 24th inst., in consequence of an anti-papal demonstration; the ring-leaders were arrested and quiet restored.

The Atlantic and Great Western Railway has been leased to the Erie Company for ninety-nine years.

Eight persons were struck by lightning in various parts of the east, during storms yesterday.

Mr. Hale, it is said, has accepted the postmaster generalship, and will enter upon the duties of the office on the first proximo.

Thirty two lives were lost and four barques and nine schooners stranded during gales last week, on the eastern coast of New Brunswick.

DISGUSTED.—The Gold Hill News, June 24, is thoroughly disgusted at the shaven and shorn condition of the Poland bill as it passed the Senate, and takes no pains to conceal that disgust, thinking that such legislation is a disgraceful shame. We can't reproduce all the deprecatory outpourings of the G. H. News, but here are a few words.

"Congressman Poland's bill passed the House last evening, but was unconnected with amendments that it is regarded as impetuous."

"A Washington dispatch says that public sentiment in that city was opposed to the passage of the original bill."

"But in reference to the Poland bill and this Washington public sentiment the telegraph further says: 'It is thought that the Mormons went out into the wilderness and reclaimed the desert they should be unmolested for the present at least.' What does this mean?"

Our disappointed, disgusted, and irate Nevada contemporary concludes that Washington sentiment depends upon dollars.

HEARD OF IT, BUT NOT ALL.—The Sacramento Union, of June 24, heard of the passage of the Poland Bill, and thus indulged—

"The Utah bill passed through both houses of Congress yesterday, and has doubtless been approved by the President. It substantially enfranchises and decimates all disfranchises and decimates all who practice polygamy. They can't serve on any jury, and are put under such disabilities as will result in depriving them, through present and future, of all the property they may possess. And in addition to all this, they will not be safe in their liberties. No man can say that this is unjust. It is strictly just, and the conduct of these people in Utah for the last twenty years has constantly demanded such legislation, or at least been a continued temptation for it. Nevertheless, its policy is a debatable question, and more so now than ever before. The result will be that Utah will be the scene of a civil war, or that the Mormon population will be driven from their homes and their works of improvement to a class who are altogether likely to be them to go to ruin, and the Territory will fall into

a retrograde movement. Whether it is sufficient compensation for all this polygamy and Mormonism are disputed. From the United States, it is a matter that only time and experience can determine."

Our Sacramento friend had not heard in what condition the bill passed. As to that "strictly just" idea, we must say something another time.

INCONSISTENT AND UNOCCUPATIONAL.

THE salaries or emoluments of federal appointees for a Territory are properly paid out of the federal treasury. Congress appoints these officers and of course pays them, in preference to entrusting the people of the Territory with a State government, though Congress takes good care to repay itself by exercising a rather searching supervision over the affairs of the Territory, and by imposing upon the inhabitants thereof certain onerous restrictions, as to the common rights and privileges of American citizens. Congress also pays the legislature of a Territory.

In the discussion concerning the admission of Colorado, it was urged that while a Territory Congress paid these dues, but as a State Colorado would have to pay them out of her local taxes. Therefore it was a good thing for Colorado not to be a State. As regards Utah, Congress refuses her admission as a State, and actually passes a law for her to pay the fees, etc. of federally appointed officers. What let her have State officers and pay them but foists upon her numbers of federal officers and expects her to pay them! This law for the Territory to pay U. S. officers is about equal to the act of a stingy, selfish, tyrannical father, who wants to spend his son's five cents for him. Rather than allow business for the Federal Congress to go into.

But further, this provision of the Poland bill is not only inconsistent, it is really unconstitutional. Congress has no constitutional right to thus dip its hand into the treasury of the Territory. Indeed such an act is positively forbidden, and the Territory can constitutionally refuse to yield to such a demand upon its revenues.

The eighth section of the Constitution of the United States reads—

"The Congress shall have power to levy and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and the general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States."

Congress therefore is forbidden to levy or collect any sort of impost upon a portion of the United States, that it does not upon the whole.

"The power to levy and collect taxes, duties, imposts, and excises, is coextensive with the Territory of the United States," Loughborough vs. Blake, 5 Wh. 317.

Thus Congress has power to lay impost upon a Territory, but only uniformly with the other Territories and States.

Again—

"Congress is not empowered to tax for those purposes which are within the exclusive province of the States," Gibbons v. Ogden, 9 Wh. 190.

The State universally tax for the payment of their own, not U. S. officers. This power is exclusively confined to the States, Congress taxes for and pays federal officers, and the States tax for and pay State officers. This is the universal constitutional principle.

Congress has no right to obtain territory only in the view of its ultimately becoming a State. It is admitted, and the local self-government of the Territories is preparatory to their becoming States. Hence in the Utah Organic Act it is provided "that the legislative power of said Territory shall extend to all rightful subjects of legislation, consistent with the Constitution of the United States and the provisions of this Act." The legislature of the Territory, therefore, has full power, as in a State, to raise taxes in the Territory for local purposes, and disburse those taxes for those purposes.

Congress, however, has not this power. It has not power to levy and collect any tax or impost upon this Territory, unless the same is uniformly levied and collected in every other Territory and State in the Union. But this Poland bill lays a special impost upon the local taxes of Utah to pay the salaries of United States officers acting there.

In this is an impost laid and collected in no other Territory or State in the Union, and therefore is expressly forbidden by the Constitution. If United States officers in Utah are to be paid out of the local taxes, the same impost must be laid and collected in every Territory and State in the Union, or it is clearly unconstitutional.

MORMON'S PROPHECY VOICES.

(CONCLUDED.)

Bishop Jonathan Shipley, 1778, in a discourse, said—

"The colonies of North America have not only taken root and acquired strength, but seem hastening with an accelerated progress to such a powerful state as may introduce a new and important change in the world."

"It is difficult even to imagine to what height of improvement their discoveries may extend. And perhaps they may make as considerable advances in the arts of government and the conduct of life."

"May they not possibly be more successful than their mother country has been in preserving that reverence and authority which are due to the laws—to those who make and to those who execute them? May not a method be invented of securing some tolerable share of the comforts of life to those inferior useful ranks of men, to whom industry we are indebted for the whole? Time and discipline may discover some means to correct the extremes of wealth and poverty, between the rich and the poor, as dangerous to the innocence and happiness of both."

THE POLAND BILL.

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"These measures have, in all probability, hastened the disruption of the empire. The disruption of the empire will be a disaster of the first magnitude, and will produce a revolution more important, perhaps, than any that has happened in human affairs."

"A great people, likely to be formed, in spite of all our efforts, into free communities, under government, which will be a disaster of the first magnitude, and will produce a revolution more important, perhaps, than any that has happened in human affairs."

In 1784, in a tract upon the American revolution, the Doctor said—

"With heartfelt satisfaction I see the revolution in favor of universal liberty which has taken place in America. It is a new prospect in human affairs, and begins a new era in the history of mankind."

Governor Thomas Pownall wrote to Benjamin Franklin, in 1786, concerning the Revolution—

"A revolution that has stranger marks of Divine interposition, surpassing the ordinary course of human affairs, than any event which this world has experienced."

Sir William Jones, 1781, whose appointment to a high judicial station in India was called "the greatest blessing ever conferred by the British Government on the inhabitants of the East," in his Ode, in "imitation of Alcaeus," doubtless in reference to America, wrote—

"What constituted a state? Not high-risen battlements on towering mounds, Thick wall or moated gate; Nor men, high-towered and armed, Men, who their duties know, But know their rights; and knowing, dare maintain."

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Alexis de Tocqueville, 1846, spoke of American affairs thus—

"The most fearful of all the evils which menace the future of the United States springs from the influence of the blacks on their soil. When we seek the cause of present embarrassments and of future dangers to the United States, we arrive almost always at this first fact, from whatever point we depart."

"The American people, whatever they do, will become one of the greatest people of the earth; they will cover with their footsteps almost all the globe. The continent which they inhabit is their domain; it cannot escape them."

"In the midst of the uncertainty of the future there is at least one event which is certain. At an epoch which we can call near, since it concerns the life of a people, the Anglo-Americans will cover all the lands of the North American continent, whatever they do, will become one of the greatest people of the earth; they will cover with their footsteps almost all the globe."

"There will then arrive a time when there will be seen in North America one hundred and fifty millions of people, all of whom will belong to the same family, who will have the same point of departure, the same civilization, the same religion, the same manners, and over which thought will circulate in the same form and point itself in the same direction. A single destiny will be theirs. Here is a fact, the truth of which is certain. Here is a fact, the truth of which is certain."

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"Mexico will be, without doubt, a land of promise, and will be the most fertile soil for the growth of the new world. It is a land of promise, and will be the most fertile soil for the growth of the new world."

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