

To illustrate: Suppose that A owns \$20,000 in money or personal property, upon which the assessor and collector has levied the tax, and that by the time the collector undertakes to collect this tax, the taxpayer, A, has secreted the money or property in such a way or place that the collector cannot find it, and therefore impossible to seize or sell the same.

The collector having used due diligence in the matter he certainly should not be charged with the amount of the taxes, and not being so charged, in such cases the law should provide a remedy at law in the courts in favor of the city against such delinquent taxpayer for the amount of such taxes, as in causes of actions for debt between ordinary persons.

By the law as it now is, I am of the opinion that the Legislature should be appealed to, wherein the revenue laws might be amended in this respect, affording not only to cities the remedies above suggested, but to give the same to the counties and Territory, in like cases, as to county and territorial taxes.

Very respectfully submitted,
W. C. HALL, City Attorney.

PUBLIC PARKS.

A resolution signed by eleven members of the council was submitted, as follows:

Whereas, Salt Lake City has acquired by purchase and otherwise certain lands situated in City Creek and Emigration canyons, amounting to several thousand acres, and

Whereas, in order to protect the rights of the city against occupation of these lands by settlers on the same, be it

Resolved, That it is the sense of the City Council that all of said lands are hereby set apart and dedicated to the use of the citizens of Salt Lake City as public parks and to be used and improved by the citizens of Salt Lake City for the purposes of public parks only.

Referred to the committee on public grounds.

APPROPRIATIONS.

The following appropriations were made, after which the council adjourned for one week:

J. F. Brim.....	\$ 65 00
Holy Cross Hospital.....	81 00
Mrs. M. Merrill.....	418 80
A. J. Burl.....	112 20
Herald Company.....	13 40
Union Pacific Railroad.....	23 13
Eagle Foundry & Machine Co.....	35 23
Western Hotel Company.....	132 98
M. H. Henney.....	413 00
DeBois & Williams.....	15,648 88
Grant's Slagolithic Co.....	140 20
Elias Morris.....	
Grant's Slagolithic Co. }	197 26
Total.....	\$17,288 88

JUDGE ZANE'S CHARGE TO THE GRAND JURY.

It was three o'clock Tuesday afternoon when Chief Justice Zane charged the grand jury of the Third district court, whose names were given in Tuesday's NEWS. His Honor's remarks, which are here reported verbatim, will be read with the deepest interest and satisfaction by all law-abiding citizens, dealing a deservedly severe blow, as they do, at the lawlessness which has been so rife in our midst for the two years past.

Judge Zane said—Gentlemen: You have been selected and qualified as grand jurors for this term of court. Your duties as such are very important to society. The only way by which the laws of the United States and of this Territory, defining and prohibiting crime, and punishing it, can be en-

forced is by an indictment by the grand jury, except as to some of the more petty offenses, which justices of the peace have jurisdiction over. Your oath in a general sense prescribes your duties. It requires you to diligently inquire into and true indictments make of all persons who have committed offences within this district, of which you may have any information, and in doing so you are to be governed by one motive only, namely a desire to reach the truth. You are not to be governed by hatred, prejudice or passion, nor by fear, timidity or affection, by any reward or the hopes of it. You are to go forward in the discharge of your duty fearlessly and impartially.

The various crimes that may be committed within this district are defined in the laws of the United States and in the laws of the Territory. Some of them I will call your attention to, because when any class of crime becomes common in a community, it is the duty of the grand jury to give careful attention to that class of offenses—extraordinary attention.

This community, more particularly this city, has been infested with thieves, robbers, burglars and house-breakers, and the lives, property and liberty of the people have been rendered insecure.

There are some offenses that are not of as high a grade, which I am constrained to believe have not received the attention that they should have received by former grand juries and by the police power of the city. Men have been recreant to their trust and have disregarded their oaths as grand jurors and as public officers. There is a class of business that is injurious to society, but, nevertheless, it is permitted under license. I refer to the liquor trade. It is regulated for the protection of society, and no man has a right to sell intoxicating liquors without a license; and if you find any class of persons so engaged, it is your duty to indict them. The law also prohibits the sale of liquor on Sunday. Nevertheless it is a common saying that there are more drunken people on the streets of Salt Lake City on Sunday, when the law prohibits the sale of intoxicating liquors, than through the week when it is lawful to sell them. If you find any sufficient proof against any persons for selling liquor on Sunday, it is your duty to indict them. You have no discretion. Grand jurors suppose sometimes that they have some discretion, though they may believe that there is sufficient evidence to indict. Under your oaths you have not the slightest discretion. You are to ascertain the truth, and you have no right to say that a man shall not be indicted, when there is evidence enough to indict him. If you do, you disregard your oath, and have a disregard to the welfare of the community.

The law also prohibits the sale of liquor to minors. The statute is that "Any person licensed as hereinbefore provided, who shall knowingly sell or otherwise dispose of any intoxicating drinks to any insane or idiotic person, or to any minor, apprentice or employe under twenty-one years of age, or who shall permit any of said persons to be and remain in his place of business where liquors are sold, without the

consent of the parents, guardians or employes thereof, shall be held and deemed guilty of a misdemeanor, and on conviction shall be punished and fined."

There is another provision of the statute that prohibits the sale to a minor, whether with or without the consent of his parents, if it is to be drank by the minor as a beverage on the premises.

It is your duty further, and I wish to call your attention to that class of crimes, to take notice of gaming or gambling. That is a common offense, as it is believed, in this city. Gambling houses are open, and public officers pass them by and know that there is gambling in them and fail to enforce the law against them. In many instances men and boys are inveigled into these gambling houses, and when they are intoxicated by drink, and deceits and by fraud, they are deprived of their money under circumstances that have all the characteristics of larceny, except the mere fact of stealth. Fraud is substituted for stealing. It is your duty to enforce this law against gambling. The legislature has passed a law upon the subject, and it is your duty to enforce it.

The statute also provides that: "It is not lawful for any person or persons keeping public house or room or drinking place, either licensed or unlicensed, in any city or county in this Territory, to sell, give away or furnish spirituous or malt liquors, wine or any other intoxicating beverage on any part of any day set apart or to be set apart for any general or special election for territorial county, municipal, district or precinct officer, except school trustees, by citizens in any election district or precinct in any of the counties or municipalities within this Territory."

This law does not seem to be enforced. A great many drunken men are seen around the polls on election days, and they must get their liquor somewhere. It endangers the safety of society, and it is calculated to create riots and disturbance of the peace and is often used to influence votes. If you find any evidence that anyone sold liquor on yesterday, which was election day, it is your duty to investigate it and indict him, no matter whom he may be.

There is also a complaint (to what extent it is well founded I am hardly prepared to say, but I call your attention to it) that repeaters pass from poll to poll and vote, and others vote upon the names of men who have the right to vote, and when the right man comes he finds that somebody has voted on his name, and fraudulent votes are in that way put in. It is your duty to protect society by protecting the ballot box, for it is upon this ballot box that the safety of society rests in this country. The government stands on the sovereignty of the people expressed through the ballot box; and if you have reason to believe that any person votes who is not entitled to, or if any person procured another to vote by buying the vote, you should look into it. Every man that is entitled to vote ought to have the opportunity to do so, and no others; and if anybody wrongfully prevents him from voting it is your duty to inquire into that. You represent the government, you represent it as its grand jury and it is therefore your duty to enforce these laws intended for the protection of the people.