

Monday, we consider his remarks so sound that we reproduce them here. It will be remembered that a bill, which is virtually a copy of the Edmunds act, was introduced in the Council and also in the House, and referred in each instance to the Committee on the Judiciary. On Monday the Council committee reported in favor of the bill and recommended its passage. Mr. Baskin a member of the committee, dissented and presented the following:

"The Judiciary Committee, to whom was referred C. F. No. 1, a bill for an act to punish polygamy and other kindred offenses, have reported the same back and recommended its passage. I do not concur with the majority of the committee, and therefore respectfully ask to submit a minority report, in which my reasons for not concurring are stated.

"The sovereign power of the Territory is in the Congress of the United States. The Legislative Assembly is simply an agent of the former body, possessing only such powers as Congress has seen proper to delegate. The powers so delegated may at any time be increased, diminished or taken away. This may be done by Congress, either in express terms or by implication. By the well settled rules of the law of agency, performance by the principal before the agent has acted, is a revocation of the agent's authority, and thereafter any act of the agent, covered by previous performance of the principal would be nugatory and void. The passage of the acts of Congress which define and punish the crimes mentioned in the bill was a revocation of the authority of the Legislative Assembly to pass similar acts.

This bill should not pass, because it would render persons accused of its violation liable to double indictments by the same grand jury, double trials by the same prosecuting officer, and double punishment for the same acts in the same court. It would impose the burden of giving double bail. Independent of the constitutional prohibitions, double prosecutions and double punishment in the same jurisdiction are prohibited by common consent in every civilized government on the face of the earth.

Certainly Congress has not delegated to the Assembly power, directly or indirectly, to interfere with the government of the United States in executing its own laws; therefore, conviction by the Territory would not bar prosecutions by the government, and if that were even so, as is claimed by some, then the pardoning power of the President would be interfered with. The Constitution vests the President with power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment. The Governor is invested by the organic act with power to pardon offenses against the Territory and reprieves for offenses against the United States until the decision of the President can be made known thereon. Now, if a conviction by the Territory is a bar to a prosecution by the government, then a pardon by the Governor of one accused of violating this act can likewise be pleaded in bar to a prosecution by the United States. Can it be reasonably claimed that Congress ever conferred upon the Legislative Assembly the power to pass a law which would interfere with the President in the exercise of the pardoning power placed in his hands by the constitution and place it in the power of the Governor, by pardon, to relieve violators of the laws of Congress from punishment? Congress could not do this. The President alone has the power to say who shall

be relieved from the penalty of offenses against the United States, and fix the conditions and terms upon which pardons shall be granted."

In conclusion Mr. Baskin calls attention to the report of the Judiciary Committee of the House at the Twenty-eighth session of the Legislature in which similar ground to his was taken and maintained by the Assembly.

We refrain from making any comments upon this bill when it was introduced, because we knew that our motives would be misconstrued, and anything we might say in opposition to the measure would be so misrepresented by anti-"Mormons," as to make it appear that we were defending polygamy. Such a charge will not be made against Mr. Baskin.

We do not think such a bill as is now sought to be rushed through the Assembly will be of any practical use nor do we believe the Governor would sign it. We venture this opinion, not from any information obtained from him, but because we do not believe he would aid in duplicating an act of Congress, or endorse anything which would appear like an attempt to interfere with or assume a power that belongs only to the President of the United States.

We have expressed our views on this subject when bills of a similar character, framed by members of the faction which Mr. Baskin specially represents, have been proposed in former sessions of the Legislature, and we see no reason to change our opinions. The existing laws on this matter are ample, and it looks like an effort at "protesting too much" to load our statute books with something that is needless, and would either make two penalties for one offense or be practically void and a dead letter.

#### THE LATEST POLITICAL MOVEMENT

THE people of Utah were treated yesterday to another genuine surprise. While the Utah bill, called by its Democratic supporters the "Home Rule bill," was still a subject of animated discussion, news came of the introduction in the Senate by a staunch Republican of a bill for the admission of Utah as a State. We confess to as much surprise at this advanced step as at the half-way measure that preceded it.

It is stated that this bill, like the other, was prepared in this city and forwarded to Washington to be presented to both Houses of Congress, and that while Senator Teller, of Colorado, introduced it in the upper House, Representative Clark, of Wyoming, introduced it in the lower House.

We look upon this movement as a shrewd political maneuver by the Republicans. That the so-called "Home Rule bill" was devised to capture Utah for the Democrats is evident on its face. There could not have been a better plan to influence the people in favor of the Republicans than this which has been clearly prepared to counteract the other scheme. It will recommend itself to citizens as so much better than the half way measure, that people not yet decided as to which political party they favor will, in many instances, throw in their vote and interest with the party that takes a stand for the full liberty of the citizens. It seems needless to argue that if Utah is prepared for the bill framed by the Democrats, they are certainly ready for the measure proposed by the Republicans. Even the strongest "Liberal" opponents of statehood have admitted this, and declared their preference for the full liberty of State sovereignty to that which is neither one thing nor the other.

We do not see how any party or faction can consistently fight the bill introduced by Senator Teller. It postpones actual statehood long enough, in our opinion, to satisfy doubters. It gives Congress an opportunity to pass upon the Constitution that the people of Utah may frame. It affords all classes the right to vote upon the question of statehood, and both parties a chance to struggle for the control of the new commonwealth.

We believe it would do more for Utah's prosperity than anything else that would be devised. It would cement the union with which the people here are connected to the great national government; it would banish the ill feelings that past differences have engendered; it would strengthen the sentiments of patriotism that have been aroused in the breasts of the younger members of society; it would place all our material interests on a solid basis, and it would lift Utah to the position which she ought to occupy as an integral part of the American Union, identified with the whole country for the supremacy of the national laws and the glory and perpetuity of the United States.

#### THE CHILEAN MIXTURE.

THE statements in relation to the statutes of the Chilean question are bewilderingly conflicting. The sensational assertion is to the effect that the little republic is about to take the initiative by opening hostilities against this country. With this object