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CHARLES W. PENROSE, EDITOR.

Tuesday, July 3, 1893.

A WORD OF CAUTION.

We notice that in several States laws have been enacted against the sale of light and powerful pistols. We ought to have ordinances against the sale in all the cities of Utah. Last year many families in this city were called to mourn through the loss of bright and promising boys destroyed by pistols, the result of trifling wounds from these small but deadly weapons. Let parents use all possible diligence on this year's anniversary of the nation's birthday to guard against similar "accidents." No storekeeper ought to have the toy pistols for sale. Or if he keeps them, he should not sell them to small children. Parents and guardians will do well to instruct the little fellows as to the danger of these instruments of death, and take away and destroy such as may come under their observation. We trust that no such occurrences as those of the summer of 1892 will follow the joyful and merry makings of this year's glorious Fourth.

ASSUMPTION OF LEGISLATIVE AND JUDICIAL POWERS.

The Utah Commissioners have failed to satisfy the expectations of the public class of anti-Mormons, but have done all that was in their power—short of entirely disregarding the restrictions upon their powers defined in the law which created their office—to give the minority all the advantages possible in the schemes that have been attempted to subvert the large majority of the citizens of Utah. They were forbidden by the Edmunds law to "exclude any person otherwise eligible to vote from the polls on account of any opinion such person may entertain on the subject of bigamy or polygamy." Thus the majority of the "Mormon" citizens of the Territory were not deprived of the franchise. But all persons who, by the widest and longest stretch of the eighth section of the Edmunds law, and even by going some distance beyond it, could be excluded from the registry lists and so prevented from voting, have been practically deprived of the right to the elective franchise which they have exercised for many years, and that without any judicial proceeding or proof of guilt, but simply for declining to take a test oath for which there was not the slightest warrant in law. But this is not all. Our territorial statutes provide for the election of certain territorial officers by the people. The Commissioners have assumed the prerogatives of the courts and have pronounced those laws invalid. And in addition to that they have formulated a rule that any ballots voted at the coming general election "containing the names of candidates for other offices than those designated to be filled by the Commission, will be rejected and not counted for any purpose." Here are two things named which the Commission have no authority to do. First, they have no warrant in law for designating what offices are to be filled. The ninth section of the Edmunds law covers the whole ground of the creation of their office and the definition of their powers. It gives them no right to designate the offices to be filled at any election. They are to appoint proper persons to take the places of the registration and election officers of every description in the Territory of Utah. But they are not endowed with the functions of any of these officers save and except in the case of canvassing the votes for and of giving certificates to the members elect of the Legislative Assembly. They have no right to announce an election, to give notice of the offices to be filled, to count the votes or to do anything pertaining to the elections in person—with the exceptions we have named. The County Clerk, under the Territorial law, should give notice of the election, and of the offices to be filled as provided by law. Under the Edmunds Act the Commissioners appoint the officers to give this notice, in the place of the County Clerk. But when appointed he can do no more than the County Clerk could have done. For the Edmunds law provides that the officers appointed by the Commissioners shall perform the duties of these offices "under the existing laws of the United States and said Territory." Thus the election officer acting instead of the County Clerk can only do what the Clerk would have done under the circumstances, simply announce with officers to be filled as designated by law. The Commissioners have no more right to "designate what offices are to be filled" than five attorneys, or five editors, or five merchants have. They cannot find it in the law. They have simply usurped it.

The one thing for which they have no warrant in law is the rejection of any ballot which contains the names of candidates for other offices than those designated to be filled by the Commission. The law provides that there shall not be upon the envelope containing the ballot, "any marks, writing, printing or device." But the voters may place what marks or writing they please upon the ballot. He may add the name of General Jackson for President of the United States, if he chooses, like the old "Democrat" of Missouri; that would not invalidate the vote for such officers named on the ticket as the law provides for. Supporting, for argument's sake, that no territorial officers can be filled by popular election, and that it is the province of the Commissioners to decide on that point, and also to designate what officers the people, by the gracious permission of these dignitaries, may choose to vote for. Would the

presence on the ticket of names for offices not to be filled, invalidate the vote for those persons named upon it for offices that are to be filled? If so, show us the law of the United States or of the Territory of Utah that so provides. Is there any law upon it, whatever? At the last Delegate election the Commissioners took the correct view. They ruled that while they would not count any votes for Delegate for the unexpired term, yet, the presence of a candidate's name for that term on the ticket would not invalidate the rest of the ticket.

There is neither law nor reason why it should do so, unless the Commissioners' rulings are laws, duly enacted and binding upon the citizens, as some of those gentlemen seem to think. They fulfil the duties of law, and are in the nature of new legislation, and pronounce opinions which are judicial in their character and present effect, and yet their powers, clearly and expressly defined and limited in one section of congressional law, do not even hint at any such remarkable authority.

The Commission, not the law, says only county and precinct officers are to be filled at the general election; the Commission, not the law, says, as a qualification to register, you must take an oath concerning your marital affairs; the Commission, not the law, says that no vote for any officer but such as the Commission choose to designate; the Commission, not the law, says all votes for any but such officers shall not be counted.

After such tremendous stretches of authority and assumption of power, ought not the anti-Mormon element to be satisfied with the work of the Commission? But it is not, and the gentlemen who have thus exerted themselves to the utmost to satisfy the "Mormon" voters have signally failed, and we believe have more consistent friends among the people whom they have temporarily injured, than among the virulent and scheming class which has looked to them to be helped and aid in the accomplishment of anti-Mormon designs. For, with all the strictures which we have felt it our duty to make, we look upon the Commissioners as officers of whom a great deal more was expected than the law authorized them to undertake, and who have tried to meet that expectation as closely as possible, without falling into the vindictive spirit and ultra-outrageous methods of the ultra-Mormon and limited conspirators against the peace and welfare of the people of Utah.

GERMAN COLONIES IN THE HOLY LAND.

In the year 1872, a number of immigrants from Wurtemberg formed a colony in Jaffa. In the immediate vicinity of that seaport of Palestine, they commenced farming and established manufacturing for the making of agricultural implements and carriages. They succeeded admirably, and another colony was started at Caesarea, between the old and ruined city of Caesarea and the Cape Carmel. This colony numbers over four hundred persons, and has a local municipal government under the supervision of the German Consul. In the vicinity of Jerusalem there is now a third German colony, chiefly engaged in commercial pursuits. The land in cultivation has produced large crops under Teutonic manipulation, yielding four times as much as under native labor. These colonies are specially favored by the Sultan, who has granted to Germany the old monastery of the Templars near the Holy Sepulchre and the ruins of Caesarea. At Caesarea there is a harbor, lying between the German colonies of Jaffa and Caesarea, so that the whole of the Syrian coast from Cape Carmel to Jaffa, will in all probability soon be in German hands.

BY TELEGRAPH.

NEW YORK, N. Y., July 3.—A special cable from the City of New York, Conn., was destroyed by a cyclone yesterday and it is believed that the Associated Press has been asked for particulars, but thus far nothing has been received. The story is generally discredited.

CHICAGO, Ill., July 3.—The Daily News-Letter special says: A fight occurred at an Indian dance at Bird Creek, Indian Territory, last night at which over 100 Pawnee with drawn revolvers and knives took part. Two Indians were killed and others wounded.

MONTPELIER, Vt., July 3.—The granite shaft which is to mark the spot where Custer and the seven companies of the Seventh United States Cavalry laid down their lives, was shipped to Montana yesterday. The monument consists of a cube of Montpelier granite four feet square resting on a base of the same material; it is inscribed with 1,400 letters; names of the slain.

KILLED WITH A MINE.—Peterburg, Va., July 3.—About midnight last night a difficulty occurred between John Woodson Dunn, James Woodson Dunn and his brother, of having induced his son, wife and daughter to follow them, threatening that improper motives were influencing them in their action. Words ensued, when James seized an old army musket loaded with bird shot, and fired at Woodson Dunn, the charge entering his right groin, passing through the body, making a wound two inches in diameter. Dunn cannot recover.

FOREIGN.

LONDON, July 3.—In intelligence has been received here of a certain calamity which occurred during the funeral of the deceased Duke of

Glasgow to-day. While being launched the keel over on her side precipitating a number of people into the water. According to the dispatches thus far received, 60 persons were drowned. Those who had maintained positions on a portion of the steamer not submerged did their utmost to save those who were lost overhead, and at the same time busily pulled to assist in the work of rescuing the unfortunate people and succeeded in saving quite a number. It is known, however, that there were fifty persons below in the *Daphne* when the vessel went over and they must all have been drowned. Crowds of grief-stricken relatives of the victims are flocking to the scene of the calamity. Another dispatch from Glasgow says the cause of her capsizing was that she had too much topweight. Steamers are dragging her to the bottom.

LONDON, July 3.—Further particulars of the calamity at Glasgow state that the *Daphne* which was constructed for a trader, was loaded with 500 tons of cargo. Two hundred workmen were on board when she capsized.

The *Daphne* left her ways at a very fast rate, and when she got to the water she rolled heavily from side to side. Persons on board, fearing she would capsize, ran to and fro until the vessel finally rolled over and nearly disappeared beneath the water.

ALEXANDRIA, July 3.—Twelve deaths occurred at Mansurah and four at Samarra yesterday from cholera.

TRAFFIC BETWEEN EGYPT, SAID AND SYRIA has been prohibited owing to the outbreak of cholera at the former place.

AID because of the expected arrival there of five steamers from India with pilgrims on their way to Mecca. It is feared they bring germs of cholera.

MUNICIPAL ELECTIONS.

TO BE HELD ON MONDAY, AUGUST 6TH, 1893.

ORDER OF THE COMMISSIONERS:

That for the purpose of holding Municipal Elections in the cities of Mendon, Cache County; Fairview, San Pete County; Springville, Utah County; Tropic, Garfield County; Tooele County, for full terms; and the cities of Morgan, Morgan County; Richfield, Sevier County; Cedar City, Iron County; for unexpired terms; the Judges of Election appointed for each of the several precincts in which said cities are situated are authorized and directed to select as Judges of the municipal election, and are hereby constituted a board of canvassers of said election, and shall make returns of the same to the Secretary of the Territory, who is hereby authorized to issue certificates of election to the persons who appear to be entitled to have been elected. The deputy Registrars for said precincts are hereby directed to post at the three provided by law in three public places in said municipalities, a written or printed notice which shall designate the office or offices to be filled, and stating that the election will be held at the place for holding the polls one hour after sunrise and continue until sunset on the 6th day of August, A. D. 1893. The election on this day of August, A. D. 1893.

Registration Officer.

It is further ordered that the registry list as revised during the week commencing the first Monday in June, 1893, and furnished to the Judges of election for use at the polls, shall be the basis of the said municipal election.

By order of the Commission.

ARTHUR L. THOMAS, Secretary of Utah Territory.

PREVENTION OF FIRE.

CITY MARSHAL'S NOTICE.

It is well known that the liability to fire upon the fourth day of July is greater than upon any other day of the year. Accordingly, I deem it opportune to direct the attention of citizens to the following provisions of the ordinances of Salt Lake City, relating to the prevention of fire, and to announce that they will be rigidly enforced.

SEC. 1.—Be it ordained by the City Council of Salt Lake City, that no person shall set off any fireworks without observing the following regulations, under penalty of not less than one and not more than \$100 for each offense.

SEC. 2.—No person shall be allowed within the limits of the city to discharge or set off any rockets, squibs, crackers or other fireworks without the consent of the Mayor, signifying this when and where the place where the same may be done.

Furthermore, I respectfully invite the co-operation of all citizens to assist in the enforcement of the above provisions upon July 4, 1893, for their own better protection in the prevention of fire upon that day.

ANDREW BURN, City Marshal.

FIRE.

We must increase our insurance or reduce our stock. Rather than pay six per cent insurance, we will first try six per cent additional discount on all cash sales of furniture here and hereafter. No exceptions on board. Seven of the crew were injured, several fatally.

BARRATT BROS.

DIED.

THOMAS.—At Salt Lake City, July 3, 1893, at 2 a. m., at the residence of Albert Mary Elizabeth, the beloved wife of Albert Thomas and daughter of Henry and Ellen Woodcock, 414 Ward. Born November 1st, 1858.

Funeral on Friday, July 6th, at 3 p. m., awaiting the arrival of her father from California. Friends are respectfully invited.

BIDS WANTED.

TO BUILD A LARGE AMENITY OF BRICKS. For particulars apply at my office, No. 15 Main Street.

ELIAS MORRIS.

WANTED.

A MIDDLE-AGED WOMAN TO DO general house work. Must be kind and capable. Apply to Mrs. J. H. Brown, 1500 Main Street, upper floor.

TO THE TAXPAYERS

Salt Lake County, U. T.

THIS COUNTY COURT OF SALT LAKE County, U. T., will meet on a Court of Sessions, at the County Court House, in Salt Lake City, on Wednesday, the 13th day of July, A. D. 1893, at 10 a. m., for the purpose of receiving claims in regard to the assessment of any property for taxation for the year 1892, and for the purpose of receiving claims for the year 1893, and for the purpose of receiving claims for the year 1894, and for the purpose of receiving claims for the year 1895, and for the purpose of receiving claims for the year 1896, and for the purpose of receiving claims for the year 1897, and for the purpose of receiving claims for the year 1898, and for the purpose of receiving claims for the year 1899, and for the purpose of receiving claims for the year 1900, and for the purpose of receiving claims for the year 1901, and for the purpose of receiving claims for the year 1902, and for the purpose of receiving claims for the year 1903, and for the purpose of receiving claims for the year 1904, and for the purpose of receiving claims for the year 1905, and for the purpose of receiving claims for the year 1906, and for the purpose of receiving claims 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