

said city, was fully, fairly and uniformly equalized and made to represent the fair cash valuation of all said property so returned upon said assessment roll.

And your petitioner shows to the court:

That thereupon the power of said Mayor and City Council, sitting as a board of equalization, or otherwise, was exhausted and nothing further was authorized in the premises, save the certification of the said assessment roll so equalized as aforesaid to the assessor and collector of said city.

That, notwithstanding, on the 16th day of September, A. D. 1891, the said City Council, with the Mayor presiding, without complaint being made and without evidence, passed and adopted, and caused to be spread upon its records the following resolution:

"Resolved. That the assessment roll be corrected and revised by reducing the valuation of all real property and improvements to 80 per centum of the valuation as assessed, except on such real estate and improvements as have before been, or may hereafter be, reduced in value by this board for special reasons, the valuation of which to be reduced to 80 per centum of the corrected valuation thereof; and that it be the sense of this board and the City Council to instruct the proper official to refund to all taxpayers who have heretofore paid their taxes, 20 per centum of the taxes paid by them on real property and improvements."

That the said City Council, with the Mayor aforesaid, has adjourned its sittings as a board of equalization aforesaid, and has refused, and does now refuse, to reconsider or rescind the resolution aforesaid.

That in the premises it acted entirely without jurisdiction, and that the said resolution and order was and is void, and your petitioner shows that notwithstanding, the said J. F. Jack, city recorder as aforesaid, has noted upon the said assessment roll a reduction upon all the real property within the corporate limits of said city, returned upon said roll as required by said order, and is about to certify the same, and unless stayed by an order of the court, will certify the same to the assessor and collector aforesaid, as the full, complete and equalized assessment roll of said city.

And your petitioner shows to the court that he owns no real estate within the corporate limits of said city, and was assessed only upon personal property; that his personal property was assessed at its full, fair cash valuation; that all of the property, real and personal, within the corporate limits of said city, returned in said assessment roll as the same was revised, corrected and equalized by the City Council and Mayor as aforesaid, was and is assessed at the fair cash valuation thereof; that the change or reduction in the assessed valuation of all the real property in said city, as contemplated by the resolution aforesaid, is discriminating, unfair and inequitable, and if carried into effect, would make the taxation of property within said city for the current year not uniform; that there are a number of other persons, taxpayers of said municipality, who are the owners only of personal property which has been assessed, as equalized by the said

Mayor and Council, sitting as a board of equalization, at the full cash valuation thereof; that the order of the said City Council, if enforced by the assessor and collector, and acquiesced in by the taxpayers benefitted thereby, will result in reducing the valuation of all the real property within the corporate limits of said city to 80 per cent. of the true cash value, and in all about \$3,000,000, thereby discriminating against those taxpayers who are assessed solely upon personal property and adding to their burdens; that petitioner has a right, in common with all the others aforesaid, similarly situated, to have a fair, just and uniform adjustment and equalization of valuations for taxable purposes, and personally has a beneficial interest in preventing a discrimination in the values of real and personal property, and in the equalizing of the burdens of taxation; that there is no appeal or other plain, speedy or adequate remedy. Whereupon your petitioner prays that a writ of certiorari be issued, directed to the Mayor and City Council of Salt Lake City, and J. F. Jack, the recorder of said city, commanding them to certify fully to the court, at a time and place in said writ to be specified, a transcript of the record of said city council made on or about September 16th, 1891, and purporting to reduce the assessed valuations of all the real property within the corporate limits of said city 20 per centum, that the same may be reviewed by this court, in the meantime, the said council and the said recorder be required to desist from further proceedings in the premises, and particularly to refrain from certifying the assessment roll for the current year to the assessor and collector of said city; and that upon the hearing, judgment be given annulling the resolution and proceedings heretofore mentioned and set out and the whole thereof; and that plaintiff recover his costs in this behalf incurred.

CHAS. S. VARIAN,
Attorney for plaintiff.

On hearing the petition, Judge Anderson ordered a writ to issue, and set the hearing for Friday next.

The writ was issued and served upon Recorder Jack last night.

Mr. Johnson, the petitioner, is a member of the firm of Remington, Johnson & Co.

DE WITT TALMAGE AGAIN.

THE people of Utah are somewhat acquainted with the vagaries of De Witt Talmage, the Brooklyn preacher, who has paid two visits to Utah. After his first visit he returned home and advocated heroic treatment of "Mormonism." That is, he suggested that "the leaders of the Church be gathered into the Tabernacle and United States artillery be turned upon them to thunder into them the seventh commandment." He also wrote a book in which he gave a description of the women of Salt Lake City, portraying them in vigorous style as ugly, crabbed, sour and decrepit specimens of feminine humanity, and supposing that in doing so he was picturing "Mormon" women, oblivious of the fact that the population here is mixed.

On this occasion he has changed his manner of dealing with the "Mormon" question and the "Mormon"

people. At his "Friday evening talk" immediately after his return to the East, he gave his "experience in Mormonism" in the chapel of the new Tabernacle in Brooklyn, a lengthy report of which appears in the *Eagle*. He said:

"We had no sooner been switched off at the railroad station than the chiefs of the Mormon Church called on us, as well as a delegation of those who are, in distinction from the others, named Gentiles. There are no more beautiful courtesies in America than those extended by the disciples of Joseph Smith. That night the lecture was in a Mormon temple, a gal-leried, commodious and cheerful building. Some two hundred young men and women, with hymn books under their arms, ascended an elevation back of the platform, and with strong and accordant voices sang a hymn, the sentiments of which no Christian man could refuse. The Mayor of the city, who was also a Mormon bishop, presided and made a prayer, then the choir sang again, after that and at about 9:30 o'clock at night I began my lecture. A more genial audience I never confronted. This was the more remarkable as some one had found in print what I had said many years ago about polygamy and scattered it that day all through the city."

There are several statements here that are as amusing as they are inaccurate. We will pass by the call of "the chiefs of the Mormon Church," and come to the "Mormon temple." This is a singular name for the Salt Lake Theatre, in which Mr. Talmage delivered his lecture. But the statement that the Mayor of the city is a "Mormon" Bishop and that he opened the ceremonies by prayer, will be news to that gentleman and to the "Liberal" party of which he is a member. Bishop Scott will be a new title for him which we trust he will wear with becoming modesty. We hope also that he will appreciate the accuracy of the pious lecturer, and take it as an indication of his reliability in other matters.

It was not what Mr. Talmage had said about polygamy that was "scattered all through the city" but the *DESERET NEWS* simply quoted his language about the ladies of this city, verbatim, from his book, and the proposition he made as to the artillery method of arguing with "Mormonism."

The lecturer informed his Brooklyn audience that "Mormonism has changed." It appears that he has changed also. He now thinks that

"When Mormonism shall also admit its antagonism toward the Constitution of the United States, it will be treated as any other form of religion and Utah from being a Territory will become a State and its star will beam in the constellation of our national banner. * * * Then the long war on that religion which was begun when President James Buchanan sent an army under General Johnston to command obedience in the valley of Utah and the denunciatory legislation which has been continued under all the succeeding Presidents against the offenses of that religion will cease, and the multitudes of Gentiles in Utah, in many of their cities now far outnumbering the Mormons, will have the advantage of living in a State regularly constituted instead of dwelling under the disadvantage of a Territory. When that day comes, Mormonism must be treated as any other religion is treated. * * * Freedom to worship God in any way they wish was purchased for the people at too dear