THE ESTRAY LAW.

Absurdities of the Present Enactment. What Will the Next Be?

SOUTH CITY, UTAH, February 18, 1894.

Editor Deseret News:

The estray law is receiving the attention of the present Legislative Assembly, and the proposed measure is but a slight improvement on the old law. It does not make any provision for the disposal of worthless animals such as are now plaguing a living from the stocks of honest owners of this county. For instance there were several horses taken up which had been doing considerable damage at intervals through the winter, it was the amount of work these—men has done for actual damage that was asked, and horses were taken up and kept a quantity of hay necessary, and are starving slight hay crowded into a certain house and to their owners starved condition before they could get them. Now if these animals had been put up for sale, they would have been sold simply because of their worthless and worthless appearance. The man who had contracted the damage suffered no redress in the proceedings, and prudently refused to receive them, on the grounds that they would not insure the cost if an attempt were made to sell, unless the damage party would pay the cost, which he flatly refused to do—and the animals were turned on the public again.

A law approved March 13, 1890, authorizes the owner of any fence or real property to distrain all animals doing damage on such property, and keep them in some secure place and property care for the cost of their alleged trespass then sent to the owner of the property in which the damage was done. It then goes on to say how to find the owner, if he cannot be known, he must publish or post certain notices and notify of impounded items. If damage be not paid in two days he must enter suit. Suppose the instance the owner resides in Wayne county and the mail service is weekly by the time he gets the notice and has been instituted and an attorney employed, two weeks have passed. The law tells the pound-keeper how to sell, but does not provide a way by which the pound-keeper may be made good on his outlay if the animal does not realize sufficient to cover costs of sale, advertising, etc., but it doesn't forget to say what is to be done with the balance of the proceeds of the sale—that is to go into the county treasury.

A case in point came to my knowledge which took place in one of the precincts of this county. The pound-keeper had an animal brought into the pen, a stripe and very lame. He took the necessary steps as required by law and when the day of the sale came no one came to buy; so he tried it again by advertising and giving a proper notice of time and place of sale. Again no one came. He tried a third time with the same result. What was to be done? The answer came, "Why kill the critter," said a bystander. Next day, he and behold the owner came along. "Where's my horse?" "Dead," "Why, no," and so he did, and got judgment, and the poor pretext cliffed had to stand it and no one came to his relief.

Shall the public suffer the damage done by animals while their owners have used until they are worn out and then turned them on the public, and the pound-keeper have no jurisdiction in the premises? Shall we have a law in 1894 that is no better than that of 1827 or shall we have one that will extract the errors of 1890, and one that any intelligent person can interpret? Let us have a law that will do justice to both farmers and stockmen. But at least the part of the session laws of 1890 may have a permanent existence.

DANIEL B. JONES.

THE QUESTION OF TAXATION.

Better Let Laws Stand Aside Than Justice Be Trampled Upon.

Editor Deseret News:

There is no question before the people today requiring deeper thought and meditation than the subject of taxation. Though it may not occupy the same space in the public press as does the tariff and other questions, yet it is widespread and on an under current is permeating the minds of the people throughout the land. The war has begun—it is useless to hide it—and unless a little more wisdom and the spirit of justice are injected into our legislative bodies, national, state and territorial, the result may shake the very foundations of the nation.

Taxation is the tyrant's axe—and that it can be wielded with despotic power even in a great Republic, we have ample proof. It is this that has made the landlord and tenantry of the old world, and is fast fastening its clutches on the homestead tenantry in this land. Hon. Chauncey F. Black, in a speech at Ogden, May 17 [illegible], 1891, said: "The tax levying power ever gives to any nation a right of taxation. When majority laws it has comes an unbearable burden. There is no authority incorrect to tax and individual or class to avoid the burden that this wrong is inflicted on the time."

This is true. Wealth, with its influence to elect and control the lawmakers, can afford to have taxed what it has to spare, to avoid the losses of the poor, and then in turn make them pay taxes for the wealth they need they taxed, to enhance what was once their own taxes. Wealth today looks on to be office the gold and the silver, the circulating medium, the money to be their home service, expects only to return them in its per cent interest and all other costs, to pay or be wrung from a heavy tax, year, and then and then—a bond-aged tenantry. Wealth, in such form is time and long ago the work of the tiller is the sine of large landed estates, but let taxation on that bit of property, it is over to meet the taxation the landlord offers to the proper tend to meet his claim, or proper claiming to protect them from the evil. Much is spoken and wrote because in expression there is something unlikely wrong in government. In order to maintain our future, I will say we had laws that were written a Missouri and had the power than exercised by credit.

Secretary Carlisle says he wants the "Sun-riding to the stamp to pay." The Senate principle is now before the nation. This eventually is the only just measure. If I have subject been of interest to any reader, I would like the house attached to ask that income—10 per cent if need be instead of the 2 per cent now provided. To pay tax or the income is the good law of the Great Lawgiver.

Look at the present system—its complexity. A certain income taxed in this city made for seven hundred and fifty net profits, and in Ogden or Logan at [illegible]. This is unjust. An aged lady from Ogden lay on this at the office. A person will give her sixty or eighty dollars for her home. It is worth it to her. Income. The taxes are [illegible] and recently recommended, could not take the income. Will any one say the law that forces an old lady from her home is just? Come, if a certain fee income on it? Here is another: Twenty years a widow, has five sons at home—under Uncle Sam's protection for other. The widow has her [illegible] and [illegible] for sale, they would have been sold simply because of their worthless and worthless appearance. The man who had contracted the damage suffered no redress in the proceedings, and prudently refused to receive them, on the grounds that they would not insure the cost if an attempt were made to sell, unless the damage party would pay the cost, which he flatly refused to do—and the animals were turned on the public again.

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