

# DESERET NEWS: WEEKLY.

TRUTH AND LIBERTY.

WEDNESDAY, - JULY 21, 1880.

## A VERY IMPORTANT OFFICE.

THE office of Selectman is now one of very great importance in every county of this Territory. It was always one that required a clear head, an honest heart and a diligent hand. But the additional duties imposed upon selectmen by recent legislation make the responsibilities of their position more onerous than ever, and render it necessary that great care should be exercised in choosing candidates therefor.

With the probate judge, the selectmen of a county form the County Court, having the management of all county business, the custody of all county property, the handling and expenditure of all county finances, the laying out of county roads, the arrangement of county bridges, the granting of mill sites and many other things affecting the material welfare of the county, as well as the charge and care of paupers, insane persons, idiots and orphans; also to fill vacancies in certain county offices pending a general election.

In addition to these and other duties under the old statutes, the new irrigation law makes the selectmen *ex officio* water commissioners. The duties of their office are extensive and of vital interest to the public. We do not propose to point them out in this brief article, they are plainly described in the law on Water Rights. But they affect the title of the land owners in the respective counties to the use of water for irrigation, and we know of no public question of greater moment to the people of Utah, than that which relates to their water rights. These ought to be settled and secured with as much care and certainty as titles to real estate.

In the settlement of disputes between individuals, companies, and organized irrigation districts, the selectmen occupy a position requiring tact, judgment, experience, honor and firmness, as well as a knowledge of the locality, and its history and surroundings not usually possessed by the general community.

It is for this reason specially that we call attention to the necessity of having the incumbents of this office really and truly select men, capable, worthy and sound, who can be depended upon to judge righteously, act wisely and deal prudently in all things that come under their jurisdiction. In this case, indeed, "good men and wise men should be sought for diligently," and such men the people should "observe to uphold."

## THE LAW OF REGISTRATION.

THE Supreme Court of Wisconsin has recently rendered a decision of a very singular character. It has announced that the registry law of the State is unconstitutional. This conclusion is not based upon any anomalous provision in the local law or the State constitution, invalidating either, but is reached on broad grounds which, if tenable, affect every State in the Union which has a statute making registration one of the qualifications of voters, but no special constitutional provision authorizing such a law.

The position taken by the Wisconsin Solons is that the constitution of the State fixes the qualifications of voters, and that they cannot be affected by act of the Legislature. The Court says: "The elector possessing the qualifications prescribed by the constitution, is invested with the constitutional right to vote at any election in this State. These qualifications are explicit, exclusive and unqualified by any exceptions, provisos or conditions, and the constitution, either directly or by implication, confers no authority upon the Legislature to change, impair, add to or abridge them in any respect."

The argument based on this position is that if registration is not named in the constitution as a needful qualification of a voter, it is

an added requirement which the Legislature is not authorized to make and is therefore void.

We do not think this will stand the test of a higher tribunal. The Legislatures of the States generally have ample authority to pass such laws and regulations as will preserve the purity of elections. Registration is a measure devised to prevent fraud at the polls, and is not essentially a "qualification" of an elector when that term is strictly applied.

However, it will not affect registration in Utah, whether it be viewed as a qualification of voters or as a provision to protect the ballot box. The Organic Act confers upon the Legislative Assembly power over "all rightful subjects of legislation," and specially provides that after the first election held in the Territory, "the right of suffrage and of holding office at all subsequent elections shall be such as shall be prescribed by the Legislative Assembly."

The registration system was adopted of necessity in Utah when the old system of marked ballots was abolished. The change, so far as the unmarked ballot is concerned, was made to satisfy the clamors of a small minority, and to show that their charges of a desire on the part of the leaders here to trace out the votes of electors with a view to intimidation, was a groundless slander.

It was conceded by all that the old system formed and most perfect method of securing the honest election, by preventing fraud repeating and other devices of political dodgers, but it was claimed by its opponents that registering would answer the same purpose without the objectionable feature of the marked ballot. It was abolished, and a registration law passed to guard the ballot box from fraud. Then the opponents of the old method had another grievance. They did not want what they pleased to call "a cumbersome registration law," and many of them declined to register, and tried to make capital out of the absence of their names on the list, by declaring that they had no show of equal rights at the polls, and similar "Liberal" nonsense.

What they wanted was an unguarded ballot box. This they demanded as "a free election." Freedom to repeat. Freedom to "stuff" the box at will. Freedom for the wily minority to run over the unsophisticated majority. But they did not gain their wishes. We have a sound and fair election law, giving equal rights to all in each class of citizens, and at the same time protecting the polls and preventing fraudulent manipulation of the ballots and tampering with the returns.

Now, we hope that in those districts where the so-called "Liberals" intend to make a struggle for the control of the local offices and finances, those whose duty it is to watch the whole process of the election will be vigilant and unwearied. None should be permitted to vote under any consideration whose names are not upon the registry list, and the closest scrutiny and care should be exercised over the returns. Let no man leave his post when it is assigned to him, and let every registered voter of the People's Party be alive to his or her duty on the Second day of August, in this present year of our Lord Eighteen hundred and eighty.

## OLD BUSINESS AND NEW TRUSTEES.

A CORRESPONDENT requests us to answer through the DESERET NEWS the following question, for the benefit of others as well as himself:

"Are the trustees elected in 1880 required by law to complete the labors of the ex-trustees, namely, to collect the delinquent taxes and pay all former liabilities accrued by the ex-trustees?"

This is rather a broad question as put in its commencement, but is narrowed down towards its close. If it only refers to the collection of delinquent taxes by the new trustees and the payment of proper liabilities of the school district, we should answer in the affirmative. But it is difficult to reply to questions that are not definitely propounded.

It is to be supposed that in the case at issue the assessment made by the former trustees was lawful, and that the liabilities incurred were properly contracted; also that the former trustees made their financial report to the people

at the school meeting provided for in the statute, and that the people accepted and adopted that report. In such case the new trustees will have to take hold of the business of the school district as it came into their hands, collect the tax assessed, and pay the liabilities contracted under the old law, neither of which is made void by the new. Section 22 of the Act of 1880 says: "Nothing in this Act shall be so construed as to interfere with any assessment heretofore made or contract entered into by the parties under the former law," etc.

This shows that both the assessments and liabilities, properly made under the old law, are valid under the new; and since the old trustees went out of office when their successors were elected and qualified, there is no one left to collect the unpaid assessments, nor settle the liabilities unless it be the new trustees, who should, of course, proceed in all their official transactions under the provisions of the statute by virtue of which they were elected. We trust that this reply will be satisfactory to all parties concerned.

## EVERY LITTLE HELPS.

THE Democratic party is likely to receive considerable support during the approaching struggle, from a source which exercises considerable influence, although it has no voice nor vote in national affairs. We allude to the Woman Suffrage Association. Delegates from this organized body were sent to each of the great conventions. At Chicago they were snubbed; at Cincinnati they were welcomed. No recognition was given them by the Republicans, but the Democrats extended to them every reasonable courtesy. The consequence is that the old Quaker's remark is likely to receive another practical illustration, "Honey will catch more flies than vinegar."

The representative women say, "Our delegation was treated at Chicago with positive rudeness," but at Cincinnati, "it was assigned a place in the convention and our memorial was read by the Secretary amid cheering and waving of handkerchiefs from the best men of America and women of wealth and social standing." They consider that the Democrats recognized the claims of woman to the suffrage as nearly as could be expected, and that their efforts secured the wording of the fifth plank in the Democratic platform in a manner leaning to their cause. It reads: "The right of a free ballot is the right of all rights and must and shall be maintained in every part of the United States." This is interpreted by those ladies as intended to cover the ground of universal suffrage, which would properly include all citizens, male and female.

The influence of woman in all the avenues of life cannot be denied and should not be ignored. Although the ladies who are battling for the rights of their sex have no votes to cast, they can exercise great power over many who hold the ballot, and this will have no small weight in the campaign about to be opened. Among the chances to be counted in favor of Hancock is the moral support of the Woman Suffrage Association of the United States.

## SHAMEFUL INJUSTICE.

THERE is a case pending before the United States courts, the merits of which will appeal to the sympathies and justice of the American people. Upon its decision rests the future status of the Indians in this country—whether they are to be ranked in future as human beings, or, as now, as wild beasts, rightless and irresponsible.

It will be remembered that the Ponca Indians occupied lands in Nebraska, and that without their consent, and with great cruelty and injustice, after they had improved their lands, built school-houses and churches and made themselves measurably self-sustaining, they were driven from their homes and compelled to locate in a malarious portion of the Indian Territory, where they are still held prisoners because they attempted to return to their lands.

They brought suit to recover their Nebraska lands, and two lawyers gave their services gratuitously to the case. These lawyers sent a mes-

senger to the Poncas to instruct and advise with them as to methods of procedure, etc. But immediately upon his arrival, the messenger was arrested, imprisoned and ill-treated by the Ponca agent—one Whiting—and finally was driven from the Territory, followed by armed men, and his life threatened if he dared to return. He did not see his clients and they are still cut off, forcibly, from all communication with their counsel.

These poor Indians as plaintiffs in a suit have a right to free and uninterrupted consultation with their counsel, and no petty Indian agent has the right to prevent it, or to imprison any citizen totally guiltless of offense beyond that of working to gain for these serfs of the government the standing of human beings. It is a case founded upon the very principles of our boasted liberties, and the Indian Department may as well understand that the people know the facts and intend to see justice done.

The case of the Poncas is but one among the many crimes of the white race towards the reds, which are recorded on high and will be summed up in the great day of reckoning for men and nations.

## CHURCH INFLUENCE IN POLITICS.

SOME of our very radical Republican opponents make a great outcry against religion having any influence at all in politics. That is, they make a big ado about "Mormon" power in political matters. When the religious force happens to turn in their favor they have nothing to say, unless it be by way of encouragement and endorsement. Yet if the rule is correct, that a man's religion should have no effect whatever on his politics, it should hold good in every direction.

But we notice in some Republican papers approving remarks about the influence expected to be used by the "Brethren," or "Campbellites" as they are sometimes called, in the election campaign for General Garfield. Here is an extract from an eastern journal which illustrates the subject:

"Garfield holds an interest in the heart of every member of this denomination which cannot be satisfactorily explained by themselves or anyone else. Every republican of this membership will of course use all the influence he can bring to bear for his election. Many conscientious democrats in the Southern States who are members of this fraternity will vote for him on the ground they know him to be a faithful Christian gentleman and brother in their church. Many Southern members of this church who have loudly assailed any and every Republican candidate will, with hushed voice and closed lips, withhold their opposition for the sake of the church."

It is further claimed that this denomination numbers 500,000 members in the United States, and it is anticipated that most of them will vote for Garfield on grounds of brotherhood; mark it, Democrats as well as republicans being expected to unite for their co-religionist. This is food for rejoicing among Garfield's non-religious supporters.

Now if it is all right for the "Christian Brethren," or Campbellites," to support one of their number in politics because he is a "brother in their church," why should it be all wrong for the Latter-day Saints or "Mormons" to act on the same principle?

It will be found on investigation that those who prate the loudest about "sheep-like submission to the will of the leaders," who ridicule the union which "Mormon" preachers inculcate, and who declaim so vehemently against the influence of religion in politics, are only angry because they cannot secure the same following, unity and influence of every kind that they hold up for animadversion in others. Your political "boss" is generally a tyrant, and uses as much coercion as the rank and file will submit to; he will resort to all the pressure and every kind of a lever and expedient at his command to secure union in the party; and will avail himself of all sorts of influences, religious, secular, spirituous, moral, immoral and infernal that he can wield or obtain, to carry his point and elect his candidates. His motto is, "It's all right for me, but all wrong for you."

Now we advise our friends and co-

religionists to pay no attention whatever—unless it be to smile at their twisting—to those anti-"Mormon" or semi-"Mormon" politicians who affect to be so opposed to Church influence in civil affairs. Give them a chance and they will exercise a hundred fold more arbitrary authority than they anathematically accuse the priesthood of wielding; and you will find that all their talk amounts to this: "Be ruled and guided and led by me, instead of by the authorities of the Church."

Our only true policy in all our political matters is solid union at the polls. Before a ticket is made, every man and woman should exercise judgment; they have a right to individual preferences. And so far as abstract right is concerned, they have the same afterwards and all the time. But considering our position, small numbers in the country, relationship to each other, duty to those whom we freely vote to sustain as our leaders, obligations to God and His great work on the earth, when a ticket is once made up in the People's Convention, we ought to cease our divisions put aside our personal predilections and go together as a unit to the polls, having regard for the welfare of our Church as well as all other proper considerations, and keeping brightly and clearly before us, all the time, that important injunction of our Great Head; "Seek ye first the Kingdom of God and His righteousness."

Those who think they can construe this in to a "union between Church and State," are at liberty to try their hands at it. In truth there is no such union in Utah. But we are to confess to all the world that our religion has a great effect upon our politics, and it makes little difference to us who likes or dislikes our position in this respect. But it is our firm opinion that if men were guided by true religious impulses in political and all other civil affairs throughout the whole world, mankind would be the better for it; there would be less corruption, bribery, selfishness, office-hunting, office-stealing, jobbery and State evils of every kind, and that the downfall of nations, rapidly impending, would be postponed for an indefinite period. Those who take a different view are welcome to their opinion, but we claim a right to ours, and not only to think as we do, but to act upon our belief, and in all lawful ways to induce others to think and act in harmony with us and the Church to which we belong. And we would like to know who is going to try to prevent it!

## LOCAL AND OTHER MATTERS.

FROM FRIDAY'S DAILY, JULY 16.

**Pastor and Postmaster.**—A correspondent writes that it is rumored the Presbyterian chapel, in Brigham City will shortly be occupied for a post-office, which the Pastor there has long desired. The reverend gentleman has but a small salary at present, which he will increase a little by selling postage stamps.

**Married.**—And now it is our worthy young friend, Joseph T. Bateman, son of Samuel Bateman, of West Jordan, who has become the happy husband, of another of our fair acquaintances, Miss Julia Clara Strong, of Alpine. The ceremony was performed yesterday, in this city, by President D. H. Wells. The young couple are deserving of a life of prosperity and happiness, which we sincerely trust will be theirs.

**Bound Over.**—"Bill" Clays, the fellow arrested for assaulting a comrade named Gus Reinig with a pistol, on the Utah Western, the other day, was before Justice Pyper this morning. He waived an examination, and was bound over in \$500 to await the action of the grand jury.

Last night he was on another "spree," and will answer to-morrow to charges of drunkenness and wanton destruction of property.

**Condolence.**—Elsewhere will be found the announcement of the death of another of the children of Mr. Marion Merrill, of the 17th Ward. On the 4th inst., the parents were called upon to mourn the loss of one of their darlings by diphtheria, and to-day their eldest girl, aged between five and six years, fell a victim to the same disease. They have but one remaining. We deeply sympathize with the bereaved family, and trust their hearts will be comforted to bear their heavy loss with fortitude.