

## THE RULING ON THE TAX CASE.

Our readers will find in this issue, the decision of Judge Hunter in the Sutherland tax case. He sustains the validity of the Revenue Law, but rules that the uncollected taxes assessed under the old law must be collected under section 23 of the new law, and therefore cannot be collected by distraint. This is virtually a decision against the Assessor. His Honor is clear on most of the points in his decision, but does not establish definitely his ruling on the necessity of procedure under the 23rd section. If taxes not collected under the old law must be collected under the provisions of the new, why does not section 19, which provides for distraint, apply to those delinquent taxes? The seizure was made December 3rd, and the Collector is not required to settle until December 31st. Distraint is the method of collection between October 31st and December 31st, after which, as the Collector will have then paid up the full amount of the taxes, the uncollected amounts become his own private property, and he must enforce collection by suit and not by seizure. We have no further space at our command for comment to-day.

## A NEW WAY WITH THE "MORMONS."

We notice that many of the public journals are congratulating themselves and "Mormon" haters generally, on a section of the Laws of Utah, by the operation of which convictions against the "Mormons" can be had, without let or hindrance, or any possibility of escape for the accused. And an additional source of joy is that this sure and certain engine for the punishment of the Saints is one of their own legislative enactments.

These glad tidings to "Christian" souls were first announced in the columns of the New York Tribune, and have been repeated throughout the land with that parrot-like intelligence that distinguishes the press when touching on Utah affairs. The Christian Weekly, referring to the Tribune says:

"There has been moreover, a change in the Territorial law relating to jurors, which puts it into the power of the prosecuting attorney to exclude unscrupulous jurors about to try a man for polygamy. The main difficulty now in the way is to obtain proof of plural marriages, as the ceremony is conducted in the remotest house with great secrecy."

Is not this a matter for true rejoicing among the pious and the enlightened of the land? A plan has been discovered by which jurors may be excluded on account of a certain form of religious faith! A scheme has been devised by which the right of an accused person to be tried by a jury of his peers may be entirely ignored! The way is open to convict "Mormons" by a jury composed of their bitterest enemies! There is no chance for them to escape! Hurrah! Hallelujah! Thank God!

But stop a moment, there is still a difficulty in the way; that is, the little matter of evidence, which is generally considered an essential to a trial by jury. The Bureau Sentinel, after dilating upon the change in the law above named, says:

"One impediment remains, the removal of which is imperative, and that is the difficulty in proving the polygamous felony after the forms prescribed by law. Mormon marriages are celebrated with all possible secrecy, and consequently evidence of their celebration is extremely difficult to obtain. It seems as though the law might probably be amended so as to admit notoriety of celebration as proof of the polygamy which has been made a penal offense."

For the comfort of those whose ardor is dampened by this consideration, we will say that evidence is of small moment in the trial of a "Mormon" by a packed jury. Rumor, common fame, newspaper stories and popular gossip will do the business, as in the celebrated Miles case, in which a conviction for polygamy was had without any definite proof whatever of any marriage but one. Still there is another "impediment" in the way, that is, an appeal to the Supreme Court of the United States, not on the validity of the law against polygamy, but on the errors occurring in the trial; and prejudicial as that Court may be against the practice of plural marriage, it is hardly to be thought that the highest tribunal in the land will endorse proceedings utterly at variance with established rules of judicature, or sanction an entire departure from the principles of the jury system, made sacred by the practice of centuries.

The Sentinel wants the "impediment" of evidence removed entirely out of the way. Of course; many others are in the same mind. But we do not think the suggestion as to the means of removal will be widely commended. If the fact of cohabitation is proof of marriage, there are certain blatant anti-polygamy interests here in Salt Lake, and perhaps some in Europe, who will tremble in their boots. The loudest-mouthed opposers of plural marriage are generally the loudest in their social habits. Ribald, lustful, brutal fellows who boast of a seduction as a triumph and are eager in pursuit of other men's wives, are usually rampant against "Mormon" polygamy. It will be a poor law that will not work both ways. Let such a change as the Sentinel proposes be made in the law, and more "Gentiles" than "Mormons" will find their way into the penitentiary; and should such a law be made general, the whole revenue of the United States would have to be used in prosecuting culprits and building prisons to hold them.

But before congratulating too much, would it not be as well for the kind souls who are so anxious to punish the "Mormons" by extra-judicial means, to learn something of what they are boasting about? We think so, and will therefore explain the matter in another article, which we will write for their special enlightenment, and for which we have not room in to-day's News.

## BY TELEGRAPH.

## EASTERN.

## FOREIGN.

## NEW YORK, 8.—The Sun's Pittsburg special says: Several county conventions in the State have lately declared for Tilden for the presidency.

This morning the Post claimed Pennsylvania for Tilden, and this afternoon the story is published here that Wallace, who is a candidate for the vice-presidency, is opposed to Tilden, has captured nearly the whole State, and that even Allegheny county, which was supposed to be one of Tilden's strongholds, has yielded to Wallace. It is the belief that Tilden is against Tilden, and that Henry Meyer, chairman of the county committee, is for Wallace. She first Tilden due to the contrary for the campaign of 1880, was started there, and the county was supposed to be for him. It is now stated by the State delegation against Tilden. This is supported by other testimony. The Sun gives the details of the plot.

The Albany special reviews the prospects of the Syracuse convention, and states that the strong feeling in the rural districts against Tammany, on account of the recent threat to bolt if Robinson is nominated. The organization of the convention being Tildenite, it is expected that the Tammany delegates will find some difficulty in getting admitted. It is certain that they will be required to abide by the choice of the convention. It looks very much as though Robinson will be re-nominated. With this view the World and Herald agree. The latter says he cannot be elected.

The World gives the California election the following cold shoulder: In California the issue was complicated by local questions, deals and splits, and finally determined in a vast measure by an unexpected attack on the De Young-Kaloch affair; besides which the columns of the Union is so far removed from the east, that it seems almost like a foreign country, with a history and politics of its own.

## General News.

A Washington special says: Nine hundred tons of standard silver dollars are stored in the Treasury. The amount increased last month, notwithstanding the payment of one-tenth of the current redemption fund.

Interest in the silver question, for banks in the capacity of national depositors, who shall have received deposits in silver dollars from officers of the government.

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## FOREIGN.

## GREAT BRITAIN.

## THE AFGHAN REVOLT.

The British, after a desperate fight, are all killed.

LONDON, 8.—A correspondent at Bombay asserts that symptoms of discontent have been noticed at Kabul for some time. The bearing of the population toward the members of the embassy has been defiant.

The force defending the embassy numbered but 70. They fought with the greatest bravery. It is said that the Amer's son was fatally injured. A large number of the mutineers were killed after the buildings of the embassy were set on fire.

The survivors called out and demanded themselves desperately, but all were killed, including Major Cavagnari.

Intense excitement prevails throughout the city. It is believed at Paris and Vienna that the outbreak is due to Russian intrigue.

Lady Cavagnari has received a telegram from the Viceroy of India, dated Sunday last, announcing the death of her husband.

Simla, Sept. 7, noon.—The troops have all been recalled from Peshin and are occupying Candahar.

Yah Khan has asked for British aid.

Benajah Khan, who holds the country beyond Shatargardan Pass, has offered his assistance to the British.

Major Connolly reported at a quiet yesterday to and beyond Shatargardan Pass.

Simla, 6 p. m.—According to authentic intelligence received from Kabul, some of the British have been in the city, and have seen the dead bodies of the British officers at Kabul. It is rumored that nine troops belonging to the escort escaped.

The latest intelligence communicated by the India office is to the effect that the attack on the British embassy at Kabul, was effected by three Afghan regiments, which were joined later by nine others.

The Viceroy of India telegraphs on the sixth, that General Roberts will march to Peshin from Simla in five days and will be met by the rapid advance on Kabul.

General Stewart has been ordered to hold Candahar and threaten Ghuznee, if necessary.

The Amer writes that the troops at the first outbreak, after storming the city, rushed to the British embassy, and were fired on. Several volleys were sent from the embassy in return.

A second letter from the Amer dated September 4th, says: "Thousands had assembled to destroy the British embassy. Much life was lost on both sides. I, with five attendants, have been besieged all day yesterday and up to now, I have no certain news of the enemy, whether he was killed in his quarters or captured."

A dispatch from Allahabad states that the nine troops of the escort, who escaped, were absent from the city, collecting forage at time of the outbreak. The mutineers finally turned down the gateway of the embassy an swarmed in.

It is reported at Simla that three of the mutineers regiments have marched from Kabul.

In the official circular, Ayub Khan and other chiefs are suspected of complicity in the outbreak.

The British mission to Afghanistan, Maj. Cavagnari, his secretary, Jenkins, Dr. Kelly, Hamilton, commanding the escort, consisting of 20 cavalry and 50 infantry, and a spy guard of troops of the embassy, were lodged in two houses in the city, joined by a quadrangle. The houses were spacious, but unfortunately, chiefly constructed of wood.

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