

## EDITORIALS.

## THE SCHOOL LAW AGAIN.

We give place in this issue to another communication from Judge Z. Snow on the subject of the school law. We do so out of courtesy to him as a lawyer of long experience. But it will be perceived that the same ground occupied in his former letter is gone over again, and, as we think, without strengthening his position in the least. The chief point of his first communication was the alleged ambiguity of the school law in relation to the power to tax property for the payment of school teachers. The Judge, while admitting that a tax for that purpose would not be any "serious violation of the law," that it is virtually authorized by implication in a proviso, and may be included in the general power conferred to assess for "other school purposes," in addition to certain objects specially designated, yet advised trustees; "not to levy a tax for that purpose." We, on the other hand, showed that ample powers for all school purposes were conferred by the law, and supported our view by the Judge's own arguments and admissions.

He now comes to the front again, repeating his quotations from the statute, in connection with excerpts from the law that is repealed, and arrives at the conclusion that "the power of taxation by the trustees" is left "very ambiguous." The fact is that trustees are left without any "power of taxation" whatever. There is no ambiguity about that. Formerly they had power to assess one-fourth of one per cent., and this could be and was used often for the payment of teachers, without any special mention of that expenditure in the law, it being included then, as now, in the term, "for other school purposes." But the trustees have no such power at present. No tax can be levied by the trustees for any purpose. It must be done by a two-thirds majority vote of the property tax-payers present at a meeting called for that purpose. And our position is simply this: That by such a vote a tax may be levied to any amount not exceeding two per cent., for any school purpose that may be agreed upon. If money collected to pay a teacher is not for a school purpose, then a tax for that object cannot be levied. If that is a school purpose, then it certainly can be levied, provided the property of non-residents is not taxed for the payment of teachers.

We are glad to see the Judge calling "Common Sense" into court on this question. We refrained from summoning this witness, though tempted to do so, in our former article, because we did not desire to say anything that might appear offensive. Common Sense says, the term "other school purposes," particularly when "the payment of teachers" is mentioned in the proviso, includes such payment and for everything else necessary for the conducting of a district school. Common Sense says, a teacher is an essential to a school and payment is necessary to secure his services, therefore the payment of the teacher is for one of the school purposes mentioned in the law. And really we see no object to be gained in springing these doubts, but to create uncertainty where before there was none except perhaps in one or two solitary instances.

Now in regard to the notice of school meetings required by law. It is not worth while to spend much time on it, the matter is so plain and simple. The newspaper in which the notice appears must be "published in the county" and have "general circulation therein." It is not a question of grammar, but for our former witness, Common Sense, to decide. If the law requires the paper to have general circulation in the district, then it makes it imperative that it be published in the district. There are not a dozen school districts in the Territory in which a newspaper is published. The law says nothing about either circulation or publishing in a district. The Judge, in his first letter, stated that the word "therein" meant "the district;" which was a bare assumption and, as we showed, contrary to the wording of the statute. We repeat, we have no objection to both publication and posting. But the Judge assumed to advise something not required by

law, and at the same time to counsel the non-exercise of powers that are authorized by law, and seeing that he was so close a stickler for unambiguous provisions and strict interpretation of terms, excluding all powers not specially mentioned, we took occasion to show that he allowed "implication" in one case and not in another in the same statute, and went even beyond the requirements thereof in the case of notice for meetings. Consistency is as admirable in law as in religion.

The Judge admits that "neither section 4 or 5 says in terms" that the "general circulation must be in the district," but says "other parts of the act do require it." He is in error. There is no mention of the matter in any part of the act except section 5, and that is so plain that it is marvelous why any one should quibble over it. And it is clear that mere circulation in the district is not enough; it must have general circulation in the county, or the law will not be complied with. The weak point in the Judge's position is that while insisting upon something that is not stated "in terms" and not even implied, he rejects another thing because it is not stated "in terms" while it is implied.

The Judge must remember that he cited as a rule of construction that, "the intent of the Legislature must govern." Now he says "Legislators must say what they mean when they pass a law." What does he wish to convey by this expression? Does he desire to throw out "implication" entirely? To discard every interpretation of a statute and receive nothing that is not specifically mentioned "in terms?" We think not. Because he gives several rules of construction; says the Court may "learn from the act its object and intent, and so construe it as to give effect to each and every part thereof;" and he further permits the presence and influence of Common Sense in court. That is all we or any other supporter of the school law would ask, on the question of the power of the people (not the trustees, mind) to assess a tax for the payment of teachers, among other "school purposes." And we would not be afraid to risk the decision of any competent, unprejudiced court, or body of intelligent men on the plain meaning and intent of the statute.

In regard to the latter part of the letter we have no objections to offer. We do not know of any disputes concerning the points referred to. And further, we think that when the trustees and others carefully read so as to understand the new school law, there will be few, if any, who will raise any controversy concerning it, but that good citizens will unite to carry out its provisions, for the general welfare and special benefit of the rising generation. We have not taken up the subject again with any desire to dispute with our correspondent, but having published his letter we consider it necessary to make these comments, that confusion may be avoided and that none who desire to avail themselves of the provisions of the law may be deterred. And so far as the arguments on the two points treated of are concerned, we are of the opinion, that both sides having been twice presented, enough has now been said to enable the public to form their own conclusions.

[COMMUNICATED.]

## SECTARIANISM.

It is astonishing how easily human nature slides into division or sectarianism, and apparently there are no ideas of authority, of unity, of philanthropy, or of religion, which can keep the majority of mankind in such a mood as to work together, even for an end which all profess to desire. If you consult political parties, both or all profess to be animated by patriotism, to desire the weal of their country. To listen to the master as to the minor spirits, to those of national, or those of local fame, you would conclude that they are unanimous in their expressed desire to be considered and trusted as the special and only friends of the nation. Now, if these pretensions were more than specious how easy men might assimilate, how easily drop non-essential, misunderstood, or half understood fancies or ideas. If patriotism were really the one force of politics, if the only ambition was to elevate the nation to the

highest pinnacle of national character and life, what is there to prevent all from working on one common platform, and all taking pride in marking the grand results of united effort?

This spirit also invades the domain of professed brotherhood and holy charity, and benevolent society is divided into more sects even than are the politicians, each professing of course the same end, but by virtue of organization and regalia, etc., frittering away much of their substance and in division less able to exercise the professedly lofty purpose of their existence.

It is presumed that no tangible reason can be given why an amalgamation of these societies should not be effected, or a grand combination of the whole, which would be far better. Then expenses would be down, officers less numerous, and charity, benevolence and mutual help largely increased and more powerfully and efficaciously distributed or applied.

By the same spirit we have sectarianism in religion, even if Jesus and the Bible are of no authority; or if religious thought is incapable of unity as to faith or theory, surely the virtues and morality of religion (in Christendom at all events) should be the same. If baptism and other ordinances; if Church organization and discipline, are only measures of expediency and barely matters of life; if the inculcation of faith in God and morality in man; if the cultivation of human character and the diffusion of the Christ spirit; if higher conceptions of human duty, and the development of a Divine ideal in men's lives are alone the objects of religious organizations and an immense ministry, why not throw down all the barriers of sect? why not meet on one common platform? why not in unity devise, then put into activity the best methods of human redemption, and then under the influence of philanthropy, under the brightest thoughts of common brotherhood, wake an inspiration from unity which would shame forever the achievements of the churches as at present formed?

Ah! there is something behind all this outward enthusiasm for the salvation of souls. Far less costly machinery might in this inventive age produce far greater results, for there is a vast waste of power, an uncommon squandering of means; really "much cry and little wool," much pretension and little profit, unless there is a something behind the whole.

That we take to be simply and primarily the increase of membership, devoted to so-called non-essentials, or if considered half essential, yet liable to become obsolete and pass away; here as elsewhere there are struggling congregations of many creeds, and if those who minister to them only minister for virtue, for morality, for manhood and womanhood, a consolidation of many weak forces could make one force which in unity might astonish the whole.

But it may be that there is even a better way yet. It is possible that there is a divine order of government for society. It is possible that the Divine Ruler knows how to establish that order. It is possible that Jesus was sent to his brethren to inaugurate that order. It is possible that history gives account of many of the primary elements, practice, and principles which existed in that old order. There may really be truths and a system, which if now existent would better accomplish what politicians, lodges, clubs and orders, what creeds and sects and churches are professing to seek, than can all their methods singly or in any form of combination bring about.

If there is, and if all this is embraced in what is called "the Gospel of Jesus Christ," are not men who know this justified in rejecting all affiliation and partnership with those who persistently cling to the methods which ignore that gospel? And are not these men measurably justified when they call in question the professions of politicians, social saviors and so-called reverends or divines? Not that they have any quarrel particularly with such, for their faith is that real human interests are identical, and that divine method is as efficient (when accepted) to one man as to another.

If this conclusion was general, how speedily might the names of Democrat and Republican pass away? How soon would secret societies and all kindred organizations become extinct! How speedily would Episcopalian, Presbyterian, Baptist, Methodist, and every phase and variety of religious name and church become obsolete! There would be one gov-

ernment and one king, one religion and one church, "one Lord, one faith, and one baptism," one God and one Father, one Jesus and one gospel, working harmoniously together, controlling all the forces, directing all the energies, producing all the results, and ascribing to the one Great Head the wisdom, the honor and glory for ever and for ever! No sectarianism, no division, no party, no clan, no ring, but God all in all!

## TRAVELLING SWINDLERS.

FARMERS in the States are frequently made the victims of travelling agents who inveigle them into signing agreements and notes, so worded as to make them legally liable for the payment of money which they had no idea of becoming responsible for. The documents—made negotiable—are disposed of at once to some banking firm or broker, and while the farmer is victimized the swindler escapes.

A "new move" in this direction is exposed by the *Prairie Farmer*. An agent for a "Barb Fence Company," calls on a well-to-do farmer with a sample, and, merely to introduce the article, of course, agrees to furnish forty rods free of charge as a specimen to the neighbors. But as a matter of form, wants a little contract for future orders, just to show the company what the agent is doing. Here is the contract which the farmer signs, without the least idea that he is binding himself to pay for two coils of wire:

NEW YORK: BARB FENCE CO., N.Y.  
WESTERN OFFICE, BUFFALO, N.Y.

Agents for the New York Barb Fence Co.

Please ship me by freight at your earliest convenience, via—R.R., two (2) coils of your steel barb fencing, which I have the right to sell in the town of — county of — state of —, only reference being had to the following agreement, which I have this day made with your traveling agent, namely: said company shall furnish me forty (40) rods of barb fencing free of charge to be used by me as a sample fence in some conspicuous place, and I am to give the company or bearer, four (4) cents per foot, for the first order of two (2) coils, which I will sell at six (6) cents per foot. It is further agreed by the parties, that all further orders, are to be settled for with the company, or their traveling agent, at one half the retail price above named; and for the purpose of protecting the vendors, be it understood, that no agent is authorized to make any contract or verbal promise differing in any way with the foregoing, and that this agreement as written and printed, is the only agreement said company will be responsible for. All settlements to be cash, or good bankable paper.

(Signed)

Dated —  
P. O. —

Notice that the "contract" starts out—"Please ship me by freight at your earliest convenience," etc.; afterwards, "said company shall furnish me, forty rods of barb fencing FREE OF CHARGE;" next, "I am to give the company or bearer, four cents per foot for the first order, of two coils." The rest is added, simply to give it length and seeming importance. The cost of the two coils is between \$150 and \$200, and the advice to the company to ship them is the first order, for which—in a blind way—the signer agrees to pay four cents a foot.

Every one should be cautious about signing documents, and traveling agents for unknown firms ought not to complain if they are viewed with suspicion. Our Utah farmers and their folks will do well to be on their guard against impostors and swindlers, and give a wide birth to smooth-tongued strangers who want their notes or agreements.

## NOSTRUMS.

WE frequently receive communications, requesting us to publish nostrums for the sure cure of various diseases, such as diphtheria, smallpox, etc. Often the recipes sent to us are such as have been repeatedly inserted in the NEWS; for instance, the sulphur remedy for diphtheria, and the fox-glove remedy for small-

pox. If our friends would pay attention to what they read, they would know that these so-called curatives have already been made known through this paper.

We will say further, that while we desire to impart all the information attainable in regard to the relief of the suffering and the arrest of disease, we have little confidence in the cure-alls which are so frequently paraded in the public prints. They often fail when put to the test, and those who rely on them blame the source from whence they obtained the recipe. In ordinary cases perhaps benefit results from the use of these remedies, while in cases of a more malignant type they are utterly worthless. Put not your trust in nostrums, nor expect the same results to flow in different cases and varying organizations.

## THE MOON AND THE WEATHER.

THE effects of the moon on the weather are strongly disputed by many scientific men, and as strenuously maintained by a large number of practical observers. The apparent results of the moon's influence are treated by the former as mere coincidences, and by the latter as palpable effects of lunar causes. We do not pretend to be able to decide between the professional philosophers, and the devotees of moonology, but will direct attention to the following guide to observers of the moon's changes in relation to the weather, furnished by a correspondent of the *Cincinnati Times*. Perhaps some of our readers will watch and report:

"The late Marshal Bugeaud, when only a captain during the Spanish campaign under Napoleon the First, once read in a manuscript which by chance fell into his hands, that from observations made in England and Florence during a period of fifty years, the following law respecting the weather, had been proved to hold true: 'Eleven times out of twelve the weather remains the same during the whole moon as it is the fifth day, if it continues unchanged over the sixth day and nine times out of twelve like the fourth, if the sixth day resembles the fourth.' From 1815 to 1830, M. Bugeaud devoted his attention to agriculture, and, guided by the law just mentioned, avoided the losses in hay-time and vintage which many of his neighbors experienced. When Governor of Algiers, he never entered a campaign till after the sixth day of the moon. His neighbors at Excideuil and his lieutenants in Algiers would often exclaim: 'How lucky he is in the weather!' What they regarded as mere chance was the result of observation. In counting the fourth and sixth days, he was particular in beginning from the exact time of the new moon, and adding three-quarters of an hour for each day for the greater length of the lunar as compared with the solar day."

## EDITORIAL NOTES.

The Boston *Post* has discovered a humane butcher, who whistles "Pinafore" airs to the animals and makes them want to be killed.

On the 9th instant five ladies were elected members of the board of education at Middletown, New York. And yet destruction has not overtaken the State, and Middletown still stands.

Here is an item for the ladies: To prevent blue from fading.—Put an ounce of sugar of lead into a pail of water; soak the material in the solution for two hours; let dry before being washed or ironed. Good for all shades of blue.

Dr. Millett, a French army surgeon, recommends powdered aloes as a dressing for wounds, both as a means of favoring cicatrization and for closing them. It is said to relieve the severe pain of wounds almost immediately, and requires to be renewed only at long intervals.

Cincinnati boasts that in the past year she manufactured 25,000,000 pounds of starch, sending it to nearly all parts of the country and of the civilized world. This industry alone gives employment to hundreds of men at all times of the year, and brings to Cincinnati a round million of money each year in exchange for this product shipped to dealers and consumers in all directions.