

struction only can a number of statutory provisions, enacted by Congress, be justified. The common sense view is that the Constitution is a charter of liberty for all citizens of the United States, whether they reside in a State or Territory.

Only a portion of the express provisions of the Constitution that have been departed from have been here cited. The subject might be continued with profit, which I may, perhaps, undertake to do at some future time.

Very Respectfully

CONSTITUTIONALIST.

THE COUNTY ASSESSOR SPEAKS.

Editor Deseret News:

In your issue of June 27, 1890, you, in an editorial, make it appear that the assessor of this county has gone beyond reason in the valuation of property. You say that the valuations are excessive, that there is no substantial reason for it, a plain and rational interpretation of the revenue law does not justify it, the effect will be bad, etc.

As to the effect of the operation of the law I am not responsible for, but for the valuation of the property I am, and know that the property is not valued beyond its market value. The property throughout the Territory has been, I believe, put up as a rule from 100 to 500 per cent. The assessors would unauimously have voted against this measure, but being controlled by the laws of the land, were compelled to submit and perform the duties imposed upon them by the following provision of law:

"Sec. 7. That a new section, numbered 2026, is hereby enacted as follows: 2026 c. The assessor and his sureties shall be liable on his official bonds for all taxes on property within or known to the assessor to be assessable within the county, which through his wilful failure or neglect is unassessed, or which has by him been assessed at less than the cash value."

It is and has been known that the property of this county has not been valued by the assessor at more than 50 per cent. of its value before this year. Although our law provided that the property should be valued at a fair cash value, the assessors thought they had some discretion in the matter, and so used it and publicly published that at a meeting of the assessors of the Territory it was agreed to value all property at 50 per cent. of its value.

But the legislature thought best to reduce the rate of tax and increase the valuations to a cash value, and provided that if the assessor did not assess property at a cash value, the county attorneys should commence a suit against the assessor and his bondsmen for the recovery of the revenue lost through his (the assessor's) neglect to assess at a full cash value.

Now, Mr. Editor, I challenge you or any one else to point out a single instance where property is assessed at more than its market value, saving errors, or for more than it could have been sold for on

January 1, 1890—as the law says all property shall be assessed as valued on the first day of January. You say "A plain and rational interpretation of the revenue law does not justify the placing of the property at a cash valuation." If it does not mean this why does it provide a penalty, if the measure is not carried out. I do not wish to be held responsible for the blunders of other people and in order that I might escape being an instrument in the hands of the law to rob the people, I tendered my resignation to the county court, setting forth my reasons and the hardships that would necessarily follow through the operation of the law, but as some one had to do the work the court informed me that they would hold me on my bonds for the return of the assessment rolls, and in performing this work I have only done my duty and placed myself and my bondsmen beyond the reach of the law.

JESSE W. FOX, JR.,

County Assessor.

SALT LAKE CITY, June 28th, 1890.

THE TEST OATH BILL.

The following is the text of the bill reported by Senator Platt on June 28th. It is the substitute adopted by the Senate Committee on Territories, for the Baskin-Cullom disfranchisement measure, and was placed on the calendar and ordered to be printed:

Be it enacted, etc., That no person who is a bigamist or polygamist, or is living in what is known as patriarchal, plural or celestial marriage, or in violation of any law of the Territory of Utah or the United States forbidding such crime; or who in any manner teaches, advises, counsels or encourages any person to enter into bigamy, polygamy or such patriarchal, plural or celestial marriage, or to live in violation of any such law or commit any such crime, or who is a member of or contributes to the support, aid or encouragement of any order, organization, association or society which teaches, advises, counsels, encourages or aids any person to enter into bigamy, polygamy or such patriarchal or plural marriage, or which teaches or advises that the laws of the Territory of Utah prescribing the rules of civil conduct are not the supreme laws of said Territory, shall neither vote, serve as juror nor hold any civil office in the Territory of Utah.

Section 2.—That in addition to the ground of challenge now allowed by law any person offering to vote may be orally challenged by any elector of the county upon the ground that he is not eligible to vote on account of his coming within the proscription of the preceding section.

Section 3.—That if such person shall still insist that he is entitled to vote and this challenge shall not be withdrawn, the board of judges of elections shall administer the following oath or affirmation to the voter: "You do solemnly swear (or affirm) that you will support the

Constitution of the United States and the laws of the Territory of Utah; that you are not a member of, nor do you contribute to the support, aid or encouragement of any order, organization, association, corporation or society which teaches, advises, counsels, encourages or aids any person to enter bigamy, polygamy or such patriarchal or plural marriage, or which teaches or advises that the laws of the Territory of Utah prescribing rules of civil conduct are not the supreme law of said Territory; that you regard the Constitution of the United States and the laws thereof, and the laws of the Territory of Utah, as interpreted by the courts as the supreme law of the land, and that you will support and uphold the same, the teachings of any order, sect or organization to the contrary notwithstanding, so help you God."

Section 4.—That if any person thus challenged shall take the oath or affirmation as tendered him by the board of judges he shall be admitted to vote; and it shall not be lawful after he has taken such oath or affirmation for said board to examine any witnesses touching his want of qualification; but if he shall refuse to take the oath or affirmation as tendered to him, his vote shall be rejected.

Section 5.—That every person who, having taken such oath or affirmation, wilfully and contrary to such oath or affirmation, states as true any material matter which he knows to be false, shall be deemed guilty of perjury and shall be punished by imprisonment in the territorial prison for not less than one nor more than fourteen years.

THE CARNIVAL.

Ogden has on her holiday attire today and presents a gay and festive appearance. Flags are flying at every point, and oceans of bunting and other ornamentation are visible everywhere. Whichever way the eye may turn, it is met by a scene of active, yet withal quiet display. The city is already well filled with sight-seers and participants in the great carnival, and each in-coming train augments the throng to the full extent of its capacity. Of course the trains are not the only means by which the people are coming, as vehicles of all kinds and from almost every point of the compass are adding their quota. It looks as if there was going to be some crowding and not a little inconvenience; yet those who claim to be posted say the guests will be absorbed as rapidly as they appear. Certainly the citizens are bestirring themselves commendably and exhibiting great hospitality, each evincing a disposition to have no displeasure that can be avoided by any kind of effort. There are a great number of tents on hand, some of them in place; but perhaps these will not be brought into requisition until other resources are drawn upon to their utmost extent.

Arriving at the Union depot and proceeding up Twenty-fifth Street, the first attractive object connected