EDITORIALS.

THE WORK OF THE SESSION

It was after midnight last Saturday night before the Legislature finally adjourned, and when that event occurred the members were in a state of great physical and mental exhaustion. Constructively no adjournment had taken place after the previous Wednesday, and as a matter of fact a quorum remained within the precincts of the building all or nearly all the time from Thursday morning till the hour of adjournment.

Time is the test of work done by legislative bodies, and it is therefore premature to pass with positiveness upon that done at the twenty-eighth session of the Utah Assembly. Some of the features which characterized the labors of the session are, however, legitimate subjects of comment, and it can hardly be amiss to forecast the probable results of some of the laws enacted during it. The most striking contrast between the last Assembly and any one of its predecessors to which reference could be made, probably consists in the disposition to be generous, not to say prodigal, in the way of public expenditures, which was manifested by the Legislature just closed.

Including appropriations which had been made, and others which had been urged and considered, there were pending at one time, in the House alone, exclusive of all fiscal business in the Council, expenditures aggregating over $837,000. This figure included a large appropriation to the insane asylum, which it was finally determined not to make, but those which were made aggregate over $680,000. Unless the Territorial revenue should exceed by about $15,000 the Auditor's estimate, based upon the receipts of the last two years, there will be a deficit, as the Assembly appropriated about that much more than the amount now in the treasury and the receipts for the next two years, including the $150,000 to be borrowed, will foot up to, allowing the revenue to remain the next two years the same in amount as it has been the last two. As there will almost certainly be an increase, however, Auditor's warrants ought not to be discounted prior to the next sitting of the Assembly. Thus Utah has, for the first time in her history, a bonded debt, and her entire revenue for the next two years is expended.

Among the most important measures which became law were the general municipal bill, and the county government bill; the acts providing for a reform school, agricultural college, capitol grounds, fair buildings, and deaf mute institute, all territorial institutions; the bill providing for banking; Hoge's bill regulating marriage; the bill creating a territorial board of equalization and the loan bill.

The legislation enacted and approved would aggregate a fair sized volume, if published as the session laws usually are, but all the laws now in force are to be included in the compilation, which will be published in two volumes, to be out in June. The general municipal bill is designed to serve as a charter for all cities which may hereafter become incorporated, and for as many already incorporated as may wish to discard their present charters and come under its provisions. Probably most if not all the municipal corporations in the Territory will find it to their advantage to do this, as the new law was drawn with great care and a view to providing for every want of a municipality, and every contingency that can arise in connection with municipal government. The law contains provisions which specify the manner in which it may be adopted in place of existing charters, and it provides for amending the latter, should it be the wish to retain them. The new law establishes the democratic system of ward representation in city councils.

The county government bill is designed to establish a uniform system of county governments. It provides for the election of county commissioners by districts, instead of at large as selectmen have heretofore been chosen, which is a step in the direction of local self-government of a thoroughly popular and democratic character. The probate judge is made a member, *ex officio*, of the board of commissioners, whose powers and duties are substantially similar to those of the selectmen now, save that the statute elaborates upon them to a greater extent and in greater detail than do the old laws upon the subject. City and county officials would do well to become familiar with these two laws.

The bill providing for banking admits of the forming of corporations, having a specified capital, for the conducting of a banking business, and prescribes rules for the conduct of the same. Its effect will probably be the establishment of banks in localities in the Territory where now there are none, but it has been pronounced by business men as an unwise measure in some respects.

Hoge's marriage bill, which was materially changed while undergoing consideration prior to its passage and approval by the Governor, is the first statute upon that subject ever enacted in this Territory. It requires a license to be obtained before the performance of any marriage ceremony, and contains provisions designed to prevent fraud and wrong in connection with marriages. The nature of the bills establishing a territorial board of equalization and providing for a loan is too well understood to require further explanation. A considerable number of other bills, varying in general interest and importance, became laws, but lack of space prevents a review of them here.

The school laws now in force were attempted to be replaced by something better, but the attempt at length failed, and they remain precisely as they were before the session opened. The liquor law, propositions to supersede or annul which, were urged with great vehemence upon the Assembly, was amended though not in a manner to materially change its character, and it remains substantially as before. It is doubtful if any legislation passed out of several measures which touch the subject, will satisfactorily settle the question of dealing with estrays and trespassing stock.

It is doubtless but just to say that if errors were made during the session, they were errors of judgment only, and that its work as a whole may be expected to result in good to the Territory.

RANDALL'S TARIFF BILL.

Three of the heaviest interests in the Union are iron, whisky and tobacco, and Randall's tariff bill, a synopsis of which was given in our dispatches yesterday, appears to have been framed in a manner to reduce the surplus while doing the least possible injury to the manufacturers of the three articles named. The vast corporations engaged in the manufacture of iron will support Randall's bill with that immense weight of influence which they are able to command, the South will favor the provisions in it which remove the tax on tobacco, while the whisky producing states will vote Randall a statesman for his effort to make a portion of the products of distilleries free, and to reduce by nearly half, the revenue tax on the remainder. In other words, Randall's bill is in the interests of iron, whisky and tobacco, and it is not unreasonable to surmise that one of the objects of the author is to win to his support in a possible Presidential race, the combined power of those potent factors in the politics and commerce of the nation. The proposition to make Weiss beer entirely free, is a sop for the support of the German element.

Mills' bill to reduce the surplus, introduced a few days ago, was framed in the interests, and in harmony with the views of, those who favor either tariff reduction or free trade, and are opposed to protecting monopolies and rich corporations, at the expense of the people. It claims the support of the temperance, prohibition and religious elements in the nation, because it maintains the present internal revenue taxes on tobacco and intoxicants, and it appeals to the free trade elements in the South and West, because of its tendency in the direction of a low tariff. Thus the bills introduced by Mills and Randall respectively, appeal to the two great divisions of the populace upon the tariff question. Were the two measures to be so laid before the country that the facts could be ascertained which would show the support each would receive from the populace, it would, probably be found that the greater number of votes would be cast in favor of Mills' bill, but that more money would be found on the side of Randall's measure.

The contest between these two measures, in Congress, as to which shall receive the greater number of supporters, will be an interesting one, and may be expected to indicate which influence is the stronger in the national legislature, money or votes. It is not improbable that the result will be the passage of a bill embodying some of the distinctive features of both of those named.

A TESTIMONIAL.

Many of the Saints who have migrated from Great Britain during the last twenty years, and many of the Elders especially who have filled missions to that part of the world during the period named, will remember Mr. G. Ramsden, a managing officer connected with the passenger department of the Guion steamship line. By the courtesy of Hon. Franklin D. Richards we are permitted to reproduce the following communication written to him by Mr. Ramsden. It is dated Liverpool Feb. 22, 1888, and runs as follows:

LIVERPOOL, Feb. 22, 1888.

Dear Mr. Richards:

Your very kind letter of the 3rd inst. I duly received, also this day the souvenir of photos of Salt Lake City, which are very nice, indeed. Please receive my very best thanks for the same. You are right, it is over twenty years since you and I fixed matters in your emigration business, which has worked so satisfactorily on both sides, and I can safely say, not one little hitch or dispute, or unpleasantness has ever taken place since. We have tried to meet each other at all times to make everything work comfortably and satisfactorily, and I have never heard one complaint made from all your people who have traveled in the Guion Line, that they have not been comfortable and pleased with our treatment. On your side, all I have had to deal with of your people are the most honest, upright and honorable gentlemen I ever met, their words are better than most peoples' bonds, and for my part, I would sooner have a promise from you than a bond from others. Is it not a pleasure to have a letter from you like the present, a friend of over 20 years standing, and similar ones from Mr. Eldredge, Mr. N. Smith, Mr. J. H. Smith, Mr. Budge, and all the presidents who have been here, expressing their satisfaction at the manner we have done business together. I have always tried to do to you as I would have you do to me, and not taken any advantage. This has been the grand secret of success. I am now growing older, and must get weaker, and if I live a few years longer will no doubt be called upon to resign my command, which I can do by saying I have honestly done my duty faithfully to you and the Guion Line, and the many pleasant letters from you all, that I hold, will be a comfort to me in my old age, which I value much more than silver or gold. I now conclude with wishing you good health and happiness, and kindest regards to all old friends at Salt Lake City.

From yours truly,

G. RAMSDEN.

ANOTHER PUSH FOR THE NORTH POLE.

Notwithstanding the disastrous results of previous expeditions in search of the North Pole, the crop of adventurers anxious to achieve fame in this direction springs up perennially. The latest on the list is Hugh Cecil Lawler, Earl of Lonsdale, who recently arrived in New York. Being interviewed he said:

"I have come to America to do what no one else has done. I am on the point of penetrating British America from the frontier of the United States to the Arctic Ocean, thence proceeding by water to the north pole, if such be not impossible. My starting point will be at Winnipeg, Manitoba. My companions will be my valet and my dog 'Gypsy.' I propose, of course, to take such guides as I shall need, but only natives, for I have come to the conclusion that it is all wrong to send out large expeditions on such an errand. It is much easier to carry provisions and equipments for two men than for 200. From Winnipeg, I shall go to Calgary, thence up Slave Lake, Great Bear Lake, Mackenzie River, and to Old Fort Good Hope at its mouth. From Old Fort Good Hope, I shall make a strong attempt to reach the polar sea if there be one. I do not doubt that I shall succeed in every point of my plan. I shall make a collection of birds and animals throughout the expedition and I shall report to the Scottish Naturalist Society when I return."

FRICTION IN WYOMING.

All is not as smooth between the indigenous legislature and imported Governor of Wyoming as it might be. In fact there has been a deadlock between the Assembly and the Executive, over questions connected with the appointing power. A late dispatch from Cheyenne to the Denver *News* says:

"Governor Moonlight today appointed George A. Draper, of Cheyenne, territorial treasurer, R. C. Major, of Rawlins, territorial auditor, and J. C. Baird, L. Poole, Andrew Gilchrist, L. R. Breshnam and George W. Baxter capitol building commissioners. The council refused to confirm the appointments except in the cases of Baird, Pool and Gilchrist. The council contains eight Republicans and four Democrats. The Governor will send in no other names to the council than the ones rejected, and holds that the present incumbents can be removed and their successors appointed after the adjournment of the legislature."

We are not familiar with the law under which the Governor of any territory can remove officers between sessions of the Legislature, in order to make room for his own favorites, and doubt if such a one exists.

APPROPRIATIONS FOR ROADS.

A correspondent writes under a recent date from Fairfield, Utah County, in reference to an editorial article which lately appeared in the NEWS under the caption "Money for Roads," and urges that more authority to handle and disburse funds for the benefit of roads should be given to district road supervisors. He argues that those officers as a rule have been found faithful, and that they know better where improvements are needed than a board or commissioners could, who reside a long distance from the locality.

Our correspondent evidently wrote under the impression that the Legislature would probably create a board or commission, and place at its disposal a fund to be used for road purposes. This plan was discussed among members of the Assembly as being one which would not violate the law of Congress prohibiting territorial legislatures from enacting special legislation upon certain subjects, the laying out and constructing of roads being one thing which was prohibited. But there were many objections to that method of improving the roads of the Territory, and a bill was prepared giving a uniform amount—$1000, to each county for road purposes. This bill was of a general character, and in no sense special legislation, and hence was in harmony with the law of Congress. But there were objections to it. Some counties required a great deal more aid than others, and some required none. The House committee on highways, in whose hands the matter was pending, obtained legal advice to the effect that the Assembly might vary at pleasure the amount to be appropriated to the several counties for road purposes, provided the disposal of the money should be left to the county authorities. It was held that, while it would not be competent for the Legislature to cause to be laid out or constructed any particular road, it might lawfully give to any county such a sum as it might see fit, to be expended on the roads of that county as its officers might deem proper.

In pursuance of this view of the matter, the Assembly made appropriations for road purposes to different counties, as follows:

Tooele	1,500	Emery	3,000
Millard	1,500	Sevier	2,500
Iron	1,500	Beaver	2,000
Juab	1,000	San Juan	3,500
Garfield	1,500	Kane	2,500
Morgan	1,000	Summit	1,250
Wasatch	1,250	Davis	2,000
Box Elder	1,500	Rich	1,000
Piute	1,500	Salt Lake	1,000
Uintah	1,000	Washington	2,200
Weber	2,000	Cache	3,000
Sanpete	1,000		

The foregoing sums will be drawn upon the order of the county courts and expended under their direction. Thus the same system which has heretofore prevailed is continued, though for a time it was supposed that the law of Congress referred to would make the adoption of a different one compulsory.

ONE OF THE OLD SORT.

The following occurs in a dispatch sent from this city on the 11th, by the local agent of the Associated Press:

"All the old bills designed to protect polygamists and aid them in fighting United States laws, heretofore passed and vetoed by Governor Murray, were again passed at this session and vetoed by Governor West."

That stuff was penned expressly for the foreign market, for the purpose of manufacturing political capital abroad. Everybody here knows that, judging from its work, a legislative body with a greater anti-polygamy leaning never existed in Utah at any time. A bill providing for the punishment of the offenses in that regard enumerated in the Edmunds law was introduced by a "Mormon" member of the House and referred to an appropriate committee. Subsequently the same branch of the legislature adopted the following which came before it as a report from the committee to whom the measure was referred:

Whereas, the government of the United States has enacted laws prohibiting and punishing bigamy, polygamy, unlawful cohabitation, adultery, incest and fornication, and said laws are in force and supreme in the Territory of Utah, and

Whereas, it is the opinion of His Excellency the Governor of Utah, as well as a majority of the members of the present Legislative Assembly, that said laws upon the subjects named are exclusive and cannot lawfully be added to, diminished or duplicated, so far as said punishment is concerned, by Territorial legislation; and

Whereas, it is the opinion of a majority of the members of said Assembly, that any law passed by said Legislature prohibiting or punishing any or all of said offenses, would not only be in excess of legislative power, in the respect above referred to, but would be unconstitutional in its operations; and if not unconstitutional, would be oppressive in that it might subject the citizen to be twice tried for the same offense, and

Whereas, a bill has been introduced and is now pending in the House of Representatives of said Legislature, by which it is proposed to prohibit and punish each of said offenses already prohibited and punished by the laws of the United States as aforesaid, and

Whereas said Assembly for the reasons above named, have rejected and do hereby reject and disapprove of said bill, and in order that their action herein may not be misunderstood or misrepresented, and for the purpose of emphasizing and reiterating in the most solemn manner within their power as a legislative body the declarations and intentions of the people of Utah concerning the prohibition of said offenses.

Resolved, that said Assembly are in favor of a just, humane and impartial enforcement of said laws of the United States in the same manner as other criminal laws are enforced, under the Constitution and laws of our country to the end that said offenses may be effectively prohibited.

Afterwards the resolution was made concurrent and was adopted with but slight verbal alteration in that shape by both branches of the legislature. There is a wide discrepancy between the dispatcher's fabrication and the closing portion of the foregoing resolution. The tendency of Hoge's ("non Mormon") marriage law, which was passed and approved during the last session, is against polygamous relationship. The fact is that it is not the existence of that family form that disturbs the repose of the red-hot anti-"Mormon" class. Any indication the other way has that effect. They imagine it will spoil the bugbear they have hugged so closely these many years.

THE NATIONAL CAPITAL IS EXCLUDED.

Doubtless many of our readers will remember the case of Surgeon Millard H. Crawford, U. S. N., who, about a year ago, as is alleged, seduced a young girl, at Washington, and was soon afterwards prosecuted for fornication, under the Edmunds-Tucker law. There were no merits on the side of the defense to rely upon. The evidence of the defendant's guilt was not impeached, and his sole hope of escape from the vengeance of the law was based upon the technicality that the statute under which the prosecution had been instituted was not intended to apply to the District of Columbia. Since the prosecution of Crawford began, other cases similar to his have arisen at the National Capital, and it has been reported that considerable uneasiness existed there, relative to the question as to whether the Edmunds-Tucker law embraced the District of Columbia or not.

California papers have received a telegram from Washington to the effect that the appellate court in the Crawford case, Chief Justice Bingham presiding, has decided that the statute in question does not apply to the District of Columbia. The decision holds that "the statute was clearly intended to meet the practices of the Mormons in the Territory of Utah," and that "when Congress passed laws for the District it usually included a statement to that effect." The decision is not reported in full, and we can only cite its salient points, as given in the press dispatch. The latter contains a statement to the effect that "the decision created considerable surprise in the District Attorney's office." The assisting prosecuting officer, who conducted the case against Crawford, declared that the decision left the District without any law prescribing punishment for adultery, fornication and incest.

In view of the circumstances under which it was delivered, Judge Bingham's decision in the Crawford case is a remarkable one. The Edmunds-Tucker act, by the explicit language of its title, is declared to be "An act to amend an act entitled 'An act to amend section fifty-three hundred and fifty-two of the Revised Statutes of the United States, in reference to bigamy, and for other purposes' approved March twenty-second, eighteen hundred and eighty-two" In other words it is amendatory of what is popularly known as the Edmunds law. It does not amend the latter law by limiting or in any way changing its jurisdiction. Not a word in the second law refers directly or indirectly to the territorial jurisdiction of the first, and the purpose of the second law is plainly and clearly to supplement, with additional provisions, the former one, with a view to making it more explicit and effective. The second adds to the scope of the first in every particular touched upon, and does not limit it in any. This point will be made perfectly clear by a reading of the two statutes. It follows, then, that the amending law has, and must, if reason and logic are to prevail, be accorded all the territorial jurisdiction had by the law which is amended, unless the contrary is explicitly expressed.

In no less than three different sections of the Edmunds law does language occur making its provisions applicable "in a Territory or other place over which the United States have exclusive jurisdiction." The clause quoted occurs in section 1, defining and punishing polygamy; in section 3, punishing unlawful cohabitation; and in section 8, disfranchising polygamists. The punative sections of the Edmunds law are in terms made to apply wherever the United States have exclusive jurisdiction, and no intimation diverse from this occurs in the punative sections of the Edmunds-Tucker law, which are amendatory of and supplementary to the former. True, some of the sections of the Edmunds-Tucker law are in terms limited to Utah, but this circumstance is an argument in favor of the view that other sections, not so limited, have the broader scope.

According to this remarkable decision, so apparent in its conflict with the language of the law, the "Mormons" in Idaho, Arizona and elsewhere outside of Utah are not subject to the operations of the statute. If Judge Bingham is right in excluding the District of Columbia on the ground stated by him, by no known process of logic could any other Territory or other place over which the United States have exclusive jurisdiction be included.

If he be correct, then the law is a delusion and a snare and one of the most gross and inexcusable pieces of special, and therefore unconstitutional