DESERET EVENING NEWS.

PUBLISHED DAILY, SUNDAYS EXCEPTED, AT 10:30 P. M.

PUBLISHED AND PRINTED BY

THE DESERET NEWS CO.

CHARLES W. PENROSE, EDITOR.

Tuesday, July 19, 1892

THE RATE OF CITY TAXATION.

The question of the rate of taxation, with which the City Council has to contend, is one of great importance to the people of this city. There are two propositions before the Council; one for five mills on the dollar, the other for seven. We do not wish to limit the managers of city finances so that needed public improvements cannot be made, or that the proper expenses of the municipality cannot be met. But the wise among them will take note of the public sentiment and the public capabilities.

We need not remind them that money is scarce; that is to say, difficult to get hold of, and that it is hard to make collections. Neither need we attempt to show that high taxes are unpopular; they always are. The high rate caused a storm of indignation last year. It is likely to do so now.

Money is needed of course to carry on the affairs of the city, but there is no necessity for overburdening the taxpayers. Moderation in expenditure and moderation in taxing will suit the public, and the city officers are supposed to be the servants not the masters of the people.

Give us as low a rate as is consistent with good government, economically administered. Don't feed the lavish and extravagant propositions of real estate boomers. Have some regard to property owners who are not rich in money. Do not oppress the taxpayers. Put the rate down as low as possible under existing circumstances and in view of inevitable expenses. Don't be extravagant.

AN ABSURD CITY ORDINANCE.

The City Council will have to consider this evening the ordinance in relation to receptacles for ashes. We hope it will be thoroughly overhauled before it is acted upon. In the first place it needs charging in principle; in the next place it needs correcting in diction.

As it stands, it requires every tenant or occupant of a building in this city to provide a receptacle for ashes, which must be "a close and secure metallic or earthen vessel or brick or stone room." This will entail great and unnecessary expense, if it means what it says. Why will not a good sub-pail answer the purpose, just as well as a metallic or "metallic" vessel, as the framer spells it all through the ordinance? If it is meant to make a pit of certain depth and dimensions, dug in the ground, meet the law's requirements, why not say so? If not, what reason is there for requiring some kind of a "vessel" when an ash-pit would be just as safe, if not safer, far more convenient and vastly less costly?

The ordinance says:

"Sec. 1. That it shall be the duty of the owner or occupant of every building within the fire limits of said city, and of the agent having the same in charge, to provide a close and secure metallic or earthen vessel or brick or stone room or fire as a receptacle for ashes; and it shall be the duty of such owner or agent or servant and of every tenant or occupant of any building within the fire limits of said Lake City to remove from such receptacle when the same is filled, and no ashes except manufactories where ashes are used, shall be kept or deposited in any part of the city in anything other than such metallic or other earthen vessel, brick or stone room or bin, nor shall any person deposit any ashes upon the street."

Who is the owner of "every building within the fire limits?" Who is the occupant of them all? Must the owner or occupant and the agent in charge, each provide a "metallic" or other vessel? If so why will it need two for "every building within the fire limits?" And is it necessary for every tenant or occupant, also the owner and agent, to get into the "metallic" or other vessel when the ashes are put in? It requires them to "remove from such receptacle when the same is filled." How can they get out if they do not get in?" Then, who are the manufacturers, that are classed as "none?"

Who are the "manufactories where ashes are used?"

The ordinance makes it the duty of the chief or assistant chief engineer of the fire department, or any fire warden, or police officers or health officer of the city," to give notice "to supply such receptacle or remove such ashes." It does not specify which of these is to perform this duty and we do not have "any fire wardens" in this city.

The whole thing is as crude and misspelt and badly worded as even the city attorney could make it, and if passed in its present form would not only prove a cumbersome, expensive and oppressive piece of city legislation, but would be the laughing stock of every intelligent person who reads it. Better refer it to a committee of revision, or make a new ordinance that will provide what is wanted in plain, common sense English.

JUDGE COLLINS of the Chicago Court one day recently granted seven divorces, taking evidence in 52 minutes.

THE United States Senate now consists of 88 members, divided politically thus: 47 Republicans, 39 Democrats and 2 Farmers' Alliance men.

A "LIBERAL" HONSTER.

THE Times-Herald of Ogden, which has been making a sickly attempt to make himself a martyr at the expense of truth and a number of little innocent girls between the ages of four and six years is being exhibited. The same evidence also shows why the Tribune's imperceptible "old lady," who has been indicted not to do service in the anti-"Mormon" social business.

The "Liberal" organ has been sending around its interviewer to obtain a list of expressions favorable to the continuation of that party organization. He got a list of Park City men to speak their little piece. Among them was Police Justice Lockhart, who is credited with saying this:

"Am in favor of putting up a straight Liberal ticket at the next election, instructing Delegate to Congress. If we are to come in for a few years the matter will work out half. The exception given to the family of Judge Powers on his recent removal shows that the old Mormon spirit of revenge still prevails and indicates what the Gentiles might expect if the Mormons are again in power."

The "public charivari," the mythical old female person and the bogus persecution of Powers were fabricated to bolster the "Liberal" cause. Those fellows show that, notwithstanding their perpetual bluster, they are the merest mice compared with what some might to be.

It occurs to us at this point that we ought to suggest that the Tribune old woman, in consideration for valuable service rendered the "Liberal" cause, should be tendered a ticket of admission to the convention to be opened tomorrow. Why not put her out upon the platform and have her make a speech?

KESLER AN OBSTRUCTIONIST.

MAYOR RAMPTON has announced his intention to make the balance of his administration clean. He started in to carry out this resolution by ordering the enforcement of the ordinance against Sunday liquor selling. Up to that point the whisky men had been conducting their business in open violation of the law," unmolested. Chief Paul, Captain Donovan and their aids have been endeavoring to carry out the Mayor's instructions, and a number of violators of the Sunday liquor law have lately been arrested.

At this point an obstruction appears. A number of cases of persons charged with running saloons on Sunday were tried before Police Justice Kesler yesterday, and the highest fine imposed on any one of them was $15. In this means as a notification to the class of violators of the law that they can continue to conduct their business on Sundays with comparative impunity, as they can easily pay a paltry fine and still have a handsome profit? It is said now of the liquor men arrested informed a friend that he sold, on last Sunday, thirteen and a half barrels of beer, and that there were, on that day, as many as seventy-five men in his saloon. Another liquor man remarked to a NEWS reporter yesterday: "Kesler is all right. He is standing in with the boys."

How can the ordinances be enforced under these circumstances? The chief magistrate of the city expressed his opinion of the police justice in his report on the recent police scandals. Kesler's conduct was exhibited in that connection in a manner that showed him to be unfit for the position he holds. His gloaring partiality to some of the whisky men who violate the law is another point in the same direction.

PRESIDENTIAL ELECTIONS AND CONGRESS.

GLANCING at the political situation in the People's party standpoint the prospect seems, to say the least, interesting. The leaders of the party frankly acknowledge that they have no hope of electing their candidates, but they confidently assert that they will throw the election into Congress. The electoral vote this year aggregates 444, 223 of which are necessary to a choice. The certain Democratic States, as conceded by the People's party men, are Alabama 11, Arkansas 8, Connecticut 6, Delaware 3, Florida 4, Kentucky 13, Louisiana 8, Maryland 8, Michigan 14 (half), Mississippi 9, Missouri 17, New Jersey 10, Tennessee 12, Virginia 12, West Virginia 6. These make an aggregate of 123, and should the Democrats carry New York and Indiana also, the result would be 192, or 31 short of the required majority.

The certain Republican States similarly conceded are California 8, Colorado 4, Idaho 2, Illinois 24, Iowa 13, Maine 6, Massachusetts 15, Michigan 7 (half), Montana 3, New Hampshire 4, North Dakota 3, Ohio 23, Oregon 4, Pennsylvania 32, Rhode Island 4, Vermont 4, Washington 4, Wisconsin 12 and Wyoming 3. This makes a total of 172. Should the Republicans carry New York it would give 215, or ten less than required, and if they should carry Indiana as well it would give 228, or five more than required.

The States claimed by the People's party are Kansas, Nebraska, Minnesota, South Dakota, Georgia, North Carolina, and Texas, aggregating 75 electoral votes.

In the House forty-four States are represented, thirty of which are solidly Democratic. The voting there would be by States, each having one vote. Idaho with one Representative would be equal to New York with thirty-four. Twenty-three States are necessary to a choice, and for a quorum (as this occasion twenty-nine States, or two-thirds. There are five silver States that are Republican which, in the event of a House election, might join their forces with the People's party and compelate matters so that the choice of candidates may be difficult.

According to the Constitution the House would elect the President, the Senate the Vice-President, the latter voting by members. Would the latter still be for Cleveland and Reid? But the Constitution says:

"The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom at least shall not be an inhabitant of the same State with themselves."

Reid and Cleveland are from the same State, but does the limitation placed on the electors extend also to Congress? It seems as if it was the intention of the framers of the Constitution to prevent two citizens from the same State occupying the first and second places.

THE MINING CONGRESS.

IN the Mining Congress recently held at Helena, Montana the following resolution was adopted by a vote of 204 to 27:

"Resolved, That workers and producers have a right, that the people of the silver States and the State conventions of all parties therein shall so shape their action as to secure the balance of power at this the position, in the coming Congress, to the end that the Democratic party may act independently in the electoral college so as to defeat the election of any man as President who will not agree that the will of the people as expressed in any future act of Congress in relation to silver shall stand without executive interference or veto."

"That in order to meet the contingency of a possible election of a President by the House of Representatives, the constituents of the members of the present House be appealed to as demands of all members of the present House who are candidates for re-election the pledge that they will support no man for President who will not permit the will of the people as expressed in the future act of Congress upon the silver question to stand without executive veto."

Mr. Newlands of Nevada, a Republican, was the author of the above resolution. In a long speech he outlined the scheme embodied in it, and how the silver States could obtain the balance of power, between the two parties. He wants the Nevada plan adopted in all the silver States. There, a convention representing all the silver clubs was held and three presidential electors nominated, two Republicans and one Democrat. These, if elected, will go into the Electoral College pledged to vote for none but a candidate who advocates the free and unlimited coinage of silver.

The Helena Journal says this plan, if adopted, would demonetize the Electoral College; that it would render electors independent of party obligations, and make the ballot box a bowling force.

R. P. HUTCHISON, known in Chicago as "Old Hatch," at one time one of the most daring operators in the Board of Trade at that City, is now a dealer of second hand furniture in Pearl St., New York City.

THE UTAH COMMISSION.

Argument of Hon. John T. Caine in Congress for Its Abolition.

In the House of Representatives, July 14th, the report of the committee on appropriations being under consideration, Mr. Forney who had the report in charge, yielded ten minutes to the delegate from Utah to speak on the appropriation for the Utah Commission. As reported in the Congressional Record he said:

Mr. Speaker, I have taken no part in the discussion upon this proposition to abolish the Utah Commission; but now that it is proposed to restore this body I feel, in justice to myself and to my constituents, that I should be heard for a few moments.

The board known as the Utah Commission, to which the paragraph under consideration refers, was created by the act of Congress of March 22, 1882, commonly called the "Edmunds anti-polygamy law." The eighth section of that act reads as follows:

That no polygamist, bigamist or any person living with more than one woman, nor no woman cohabiting with any of the persons described as aforesaid in this section, shall be entitled to vote at any election held in any city, town or place over which the United States have exclusive jurisdiction, shall be entitled to vote at any election held in any county, Territory or other place, or be eligible for election or appointment to or be entitled to hold any office or place of public trust, honor, or emolument in, under or for any such Territory or place, or under the United States.

The object aimed at by this provision is clearly expressed in the language of the section; it was to disfranchise all polygamists and prohibit their from voting and holding office in the Territory of Utah.

It was asserted at that time, and generally believed, that many of the officers in Utah were built up by corporate aid, and in order that the law might be put into immediate effect the same section vacated all the elective offices in the Territory, and provided how they should be filled.

This is the language of the section:

"5th. Caine read the section of the Edmunds act relating to the Commission.)

The board of five persons referred to in this section soon became known as the "Utah Commission." Their duties were clearly defined by law. They were empowered to appoint all registration and election officers, canvass the returns, and conduct the whole election machinery of the Territory. All elections, municipal, county, and Territorial, were placed under their direction. Congress power to them regards the law taken to give them they assented, until by a decision of the Supreme Court of the United States the assumed powers were declared illegal.

The whole purpose of the Edmunds act, so far as it relates to elections, was to prevent polygamists from voting or holding office, and put the entire government of the Territory in the hands of the nonpagamists, especially, as all the first women of the Legislative Assembly of the Territory, in violation of a non-resident commission to expect the legislative officers and election judges. The language of the law which I have read makes it very clear that this board was not intended to be a permanent one, but was merely an expedient to accomplish a certain object, to oust all polygamists from the offices they held and to fill their places with non-polygamists, so as to engineer and control the elections so the latter to continue to live within the law—in short, to humiliate and subdue the polygamists and so to hold and exercise the ascendancy. It was never intended that the Commission should be continued for any length of time, much less to become a permanent institution.

The law clearly contemplated that the Commission should be superseded in the near future. They were only to "exercise its office until the Legislative Assembly of said Territory shall make provision for filling said offices." It is a matter of history that at every session of the Legislative Assembly since the creation of the Commission, provision has been made for superseding the expensive, unnecessary and wicked Commission. The assembly of 1884, composed entirely of nonpagamists, passed an act to every way suitable and proper, providing for a return to the Territory of the duties of the Commission, to the appointment of registration and election officers, upon electors of the Territory, who could only be disqualified because the governor refused to approve the bill, and by the governor of Utah has the power of an absolute veto, the bill would not become a law. In 1886 and 1888 similar bills were passed and met with like treatment from the governor.

The session of the Legislature which adjourned in March last passed a very comprehensive election law embracing the best features of the more recently enacted laws of the several States, including what is known as the Australian ballot system. This bill made provision for superseding the Commission by a Territorial canvassing board, to be appointed by the Governor, by and with the advice and consent of the legislative council. The board was to consist of five members, not more than three of whom were to be of the same political party. The bill, like some of the others having the same object in view, was honored with a polite veto. His excellency the governor did not even favor the representatives of the people with a statement of his objections to the measure. He probably could find no valid objection to the bill and thought it unnecessary to place himself upon record.

Now, Mr. Speaker, I submit that as the Edmunds act was solely aimed at polygamy; that as Congress did not attempt thereby to legislate against but rather in favor of and to encourage the monogamists; that as no polygamist has been able to take the oath required by Congress, and consequently has not been permitted to register, vote, or hold office since 1882, that even now that time the law-abiding citizens of Utah, of all classes and creeds, have been unjustly deprived, by the absolute and arbitrary power of the governor, of their right of local self-government in the conduct of their elections.

A great deal of credit has been claimed for the Utah Commission for the wonderful service it has rendered the country in the suppression of polygamy in Utah. Let me ask what these commissioners have done in this regard. The polygamists in Utah, after the passage of the Edmunds law, neither attempted to register nor vote, and there has not been a single conviction of one of the class for illegal registration or illegal voting from that day to this. As the Commission had no duties to perform respecting polygamy, outside of registration and election duties, and as no polygamist ever claimed or attempted to exercise the right to register or vote, I fail to see wherein the Commission can claim any credit for the suppression of polygamy. Whatever external force have occurred about the commencement of that practice, the Utah Commission played a very small part in its suppression.

As a fair, impartial, present-day of the existing status of affairs in Utah, I am permitted to quote from a letter recently received by a distinguished member of this body from two prominent gentlemen, familiar as called, one of whom was formerly a member of this House and who has lived in Utah over twenty years. The other went there some years ago as a federal judge, remained after his term expired, and has become a permanent resident of the Territory. Hear what they say:

"We mistake when the leaders of the members of the Mormon Church, abandoning the practice of polygamy, it became apparent to every intelligent mind that the Mormons were serious in their abandonment of the practice, and were anxious to demonstrate the impossibility and unpredictable right which had so long kept the Mormons and non-Mormons apart. Organizations were formed to gather non-Mormons to preach Mormon to non-Mormons and form their political lines on the People's party. Meanwhile the anti-Mormons, thoroughly organizing the two great national parties, and the Mormons, fearing a third party, formed a national party likely. This movement was supported by the Mormons and their old party was formally dissolved and dissolved in every county in Utah, and the Mormons in the Legislature in Utah have taken a radical change. The old offenses which caused the passage of the Edmunds act have ceased to exist. Polygamy is abolished, and Mormons and Gentiles are now parading and fraternizing together in the Territory, and the Mormons are now seeking admission to the Union, and are now applicants for admission, and are now applicants for admission, and are now applicants for admission