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BALT LAKE CITY, - AUGUST 7, 1903

AN IMPORTANT LEGAL POINT.

The validity of the city ordinances as published in the revision of 1892 is called question, in an effort to liberate two soners convicted of battery. A writ habeas corpus has been applied for, d the case is before Judge Lewis, ut will probably go up to the Supreme

ourt before it is finally disposed of. That, however, remains to be seen. It may not be improper to show the principal points involved in the dispute, although no decision has been rendered in this particular case, because the validity of the entire Revised Ordinances of 1892 is called in question, and that is of general importance. It is claimed, so we understand, that there was no aye and nay vote called on the passage of the revision, and therefore It was not enacted according to law. The record, it appears, does not show that this requisition was complied with. Whether an omission in the record would serve to invalidate the entire set of city ordinances, is a question for a court of competent jurisdiction to de- of the world in order to encourage them cide.

But there are some provisions of law that are open to everybody's examination, and are proper to be cited in a newspaper and elsewhere. The Salt Lake City charter of Jan. 20, 1860, contains this provision:

Sec. 72, All ordinances of the city may be proven by the seal of the cor-poration, and when printed or published in book form, purporting to be printed or published by the authority of the City Council, the same shall be re-City ceived in evidence in all courts or places without further proof.'

The same provision is found in the charter of 1888. In the Revised Statutes of 1898 the following proviso is given to Section 205: That whenever a revision is made ad the revised ordinances are published by authority of the city coun cil, no further publication shall b deemed necessary. The city recorder shall record all ordinances in a book for that purpose, together with affidavits of publication by the publisher or his agent, or if posted, with certificates of the due posting thereof; and said book, or a certified copy of the ordinances, under the sea of the city, shall be received as evi-dence in all courts and places without further proof, or if printed in book or pamphlet form by authority of the city

operation must be performed, the soondons his duty in the time of war. Pos-Ibly, many of the recent deserters er it is over with, the better. The Turks govern Macedonia only for the yould, if there had been war, been forerevenue that can be extracted from the most in places of danger, where the interests of the country would have depeople. They give some war-like tribe, like the Albanians, power to collect the manded their presence. One cannot always judge, in times of peace and ne taxes, and when the people complain of the atrocities committed by tax-gatherdanger, of who are the real heroes, ers, they simply reply, that the Turks The fact of the matter is that the American soldier is too much of an invery much deplore the villalny, but it dependent citizen to take kindly to the is committed by the Albanians, who are

banians! The further news from this

LOOKING FOR A CHANGE.

A French writer, quoted by the Bos-

region will be watched with interest.

iresome routine of a soldier, or sailor vithout the excitement of batttles, or the prospect of preferment. An American has not the submissiveness of a European soldier. He can no more feel satisfied with life in the barracks or the hold of a vessel, than a lion cap-

ured in his native jungle can be made reel at ease, hitched to a plow. amel may be made to bear patiently a leavy burden, and follow the lead of a

onkey, content with a few cactus eaves as food; but the king of animals cill not be treated that way. Militarism s foreign to the American spirit. These acts must be taken into consideration. when the question of desertion is dis-DOMNEL.

IN RUSSIA.

The situation in some parts of Rusis is one of chaos. The dispatches

state that a "strike" is on, which afets a quarter of a million men. They call it a "strike," in the dispatches, but it is evident that the mavement is alnew Pope will ignore the theory of immost a revolution. The authorities view it in that light, for otherwise they would not order the soldiers to cut down resume his old functions as bishop of the dissatisfied as so many dangerous Rome. This was written before the animals election, and the result seems to verify Reports from Odessa say that al

the prediction made. The change may Pranscaucasta is in a state of unrest The peasants are in revolt, and other faborers are joining them. Georgians are said to be leading the movement Many of them have been killed by Russian police, and this has enraged the others. The Georgians are well armed, and they have a revolutionary prepaganda of long standing. It is feared that the discontent will spread the goal is only one. to the ports on the Black and Caspian seaa, and the harsh treatment accorded the people makes this fear well founded, especially as the Georgian revolu-

tionaries outside of Georgia keep their friends at home informed of Russia's gathering difficultles in various parts to keep up the fight throughout Trans-

caucasia Russia is an immense colossus, and its rulers exercise absolute power. They have every means of crushing little rebeltions, and drowning the insurgents in torrents of blood, and they do not

hesitate to use their power to the full extent, to save the throne. The Georgi ans have, therefore, but little chance. But such conditions weaken the empire, for all that. It makes it more difficult for the authorities to plan wars of agression. And some time the disturbances may tell, were they to break out simultaneously in many places, Uncle Sam took when he went to the slands. An Atlanta doctor claims to have discovered how to turn flesh into stone.

best subjects. If drunken, foul-mouthed and abusive men were not permitted to ride on the street cars the general public would be exceeding glad, Decent people should "Christians." In Armenia the Kurds not be annoyed by them. are responsible; in Europe the Al-

Another conspiracy has been discovered in Belgrade, and a number of officers arrested on susplcion. Peter must feel that the foundation of his throne has not had time to settle.

ton Herald, predicted some time ago Holding a man for vagrancy who that a reconciliation between the Italhas a thousand dollars in cash on him lan government and papacy was imis something rather new in police court minent. His idea was that Leo, during circles. If a man with a thousand dolhis last years, was, in fact, almost relars is a vagrant how much money conciled to the existing situation, and would a man have to have to be wellthat it will be possible for the present to-do? pope to enter into friendly arrange-

ments with the King of Italy that A New York judge declares that he would have been difficult, if not imposwill not naturalize any one who can sible, for Pope Leo, who was bound not speak the English language sulto quite a degree by the policy laid ficiently to make himself understood. fown by Pius IX. At the present time Surely that is not unreasonable. It is the Italian Catholics are only authormacssible for one to know a countryized to vote in municipal elections. It its people and institutions-without is held to be at least probable that unknowing its language. The demand ler the next Pope they will be permitthat an applicant for citizeuship shall ted to vote at all elections, and it is know the English language so as to be also said to be quite possible that the able to make himself fairly understood is guite different from the demand that prisonment, will visit the celebrated he shall be able to read and write it Basilica in the imperial city and will correctly.

CUBA'S REVOLUTION.

Kansas City Times.

Serious consequences are hardly to be xpected from the incipient uprising in not come at once, but that is no sign that it will not come. It must be re-So far there is no evidence of uba membered, though, that whatever polia general organized purpose on the part of the soldiers of the revolution against Spain to make a hostile procy is chosen is done with the object in view of reaching the supremacy test against the delay in their payment claimed by papacy. On that question for past services. The revolution against Spain attracted a considerable number of the adventurous class, of there is not, and cannot be, difference of opinions. Methods of procedure may course-persons who followed the army not so much through patriotic impulses vary; different roads may be tried, but as for the excitement it afforded and the sort of living it provided. But it must

LAW AGAINST IDLENESS.

Rev. Dr. S. D. McConnell, writing from Easton, Md., to a Brooklyn paper, suggests that negroes be compelled to work, if they have nothing to do for rass the republic by hostile demonstrahemselves, He argues that they are but children

in many things, and need looking after. He says they have "the careless in difference and lack of forethought, that dislike of sustained and continuous la bor, those feeble and fickle moral ideals, which it has taken ourselves thousands of years to outgrow." He thinks it would be just as right to compel a negro to work in the field, or the shop, as it s to compel a child to go to school. And he argues in this manner:

"Within sight, as I sit here, are the cabins of dozens of negroes. It is har-vest. The farmers are unable to secure laborers to save their grain. The road-master cannot get men to regair the highways. The housekeeper can get no help in her kitchen. Here, also, are among the several conquered nations that have been robbed of their inde-







TIME CARD.

eave Salt Lake: lo. 2 10:30 a.m. Arrive Salt Lake 10:30 a.m. 2:20 p.m. 3:45 p.m 5:45 p.m 7:45 p.m 6 4:20 p.m. 8 6:20 p.m. 10, 8:00 p.m. 12* 9:45 p. m. No. 9 9:30 p. m. No. 11* 11:30 p.m "Sunday's last train leaves Saltair at Trains from 1st South and 4th Wes treets. ROUND TRIP, 25c. J. E. LANGFORD, Mgr. PALACE THEATRE. Best 25c



ouncil, they shall be so received.' We turn to page 512 of the book containing the Revised Ordinances of 1892, and find a certificate with the seal of the city as follows:

"Passed and approved by the city council of Salt Lake City, Utah Ter-ritory, December 9th, 1892, and referred to the mayor for his approval.

"C, E. STANTON, "City Recorder.

"I. C. F. Loufbourow, president of the Sait Lake City Council, do hereby certify that the bill for "An Ordinance Revising the Ordinances of Salt Lake City, was passed by the city council of Salt Lake City, Territory of Utah, on December 20, 1892, notwithstanding the objections of the mayor thereto, two thirds of said council elect voting in

the affirmative. C. F. LOUFBOUROW, President of the Salt Lake City Council, Attest: C. E. Stanton, City Recorder.

That certificate bears also the seal of the city. The originals of these documents can doubtless be found, and, to an ordinary but careful reader, would seem to be conclusive evidence as to the passage of the revision as required in the charters from which we have quoted. But supposing that they are not so received, and the Revised Or dinances of 1892 are declared invalid secause of some negligence in recording he manner of their passage, what then Why it will be found that every ordinance previously enacted by the City Council will be in force, unless repealed subsequent to the passage of the re vision of 1892. For their repeal by that revision is void if the whole revision is vold. Those ordinances are of record and among them are the ordinance providing a penalty for assault and bat tery, passed February 14, 1888, and one on two previous occasions. The punshment for that crime is a fine not exceeding one hundred dollars, or imprisonment not to exceed one hundred inys, or both, whether the Revised Ordinances as they appear in book form with the seal of the city are pronounced

salid or not. These citations are given for genera formation. If they have been conidered in the conduct of the case we inve not heard of it. We do not prosume to suggest anything to counse ingaged, but we think every point that elates to it ought to be considered b he public, who are as much interested n the matter as are the lawyers. And are know that in some quesilous for udlelat decision the city has not alsays had benefit of thorough and complete representation.

AS TO DESERTERS.

Numerous desortions have taken place ately from the army and mavy of the country. Desertion is niways bad. - it neans the abandonment of duty, the weaking of obligations and oaths, and he same detestation as one who abah- aginy is delayed. When a surgical currency. This is strange seeing how

rders.

THE DENVER MISSION HOUSE

short time ago the "News" published a picture of the new mission house about to be erected in Denver. An opportunity was given for all per sons to help the good cause. Some few subscriptions have been received There is still a chance for any one willing to lend a helping hand to do so no matter what the amount may be Every little helps. If you cannot subscribe for a thousand bricks try a lesser number. I will take any kind of cook? available pay on subscription. It is a worthy cause; we should be creditably represented in the beautiful city of

benver. A little help from Utah, with the vigorous work now being done in colorado will produce an edifice that we shall all be proud of. Send small amounts in postage stamps or postal cially. They are denied the right of trial by the courts. And now we hear I can also use some tithing C. R. SAVAGE,

orders. Agent for the Committee, President McRae, Chairman,

We cheerfully give prominence to the foregoing appeal. We are well aware that there are numerous calls upon the generous in this city for aid in similar indeavors. New wards have been orconized and new meetinghouses are a necessity. The energies and means of nany have been stretched to the limit. But there are some members of the

Church who live in the older wards, plication. and who have not been arged to donate or any such hurpose as that in view n stocks sho might step forward and do son e hing towards the building now needed Is Professor Langley's airship merea Denver. There are others, not rey an airy nothing? iding in this city, who may wish to Whittaker Wright seems to be the my a brick or two for place in that tructure, and their "mites" will be Wright man in the right place. hankfully received. All who wish to

help in any way to this derivable proeet, may forward their contributions o C. R. Savage, Salt Lake City, who an convented to not as agent for the Derver building committee; That which thou doest, do quickly;

WAR RUMORS FROM TURKEY.

The latest news from the Balkan states is rather alarming. From Sophis omes the report that the Macedonian ommittee has proclaimed a revolution in Monastir, and that the telegraph wires have been cut, to prevent the outside world from receiving news speeduy, if what is, going on. It appears that Turkey takes the matter seriously. For the Porte is reported to be making vircrons proparations to meet the revolutionists with a sufficiently strong fores of soldiers. War between Turkey and Bulgaria seems to be feared as the

pussible outcome of the trouble at pres-Macedonia is the last failying point if the Turks in Europe. They have eally lost their provinces one by one, until this is about the only one remain

ng. Bulgaria would like to have Maceionia, and so would the Greaks. Perhops in this fact Turkish possession is neure, for Macadonia cannot free itself. in h neither. Bulgaria . nor Greeve has hown any willingness to help the other carty to take passession of the covoted

Why is always deplorable, but the Sustern question," as the Palkan probnow, peace may possibly be established | man scrap! o on, but it is impossible to regard one | under the augulces of some strong civwho deserts in the time of peace with diffed power. If it is postponed, the Tas Filipinas do not take to the new

Color and St. St. Str. aller

idle colored men and women sitting Milwaukee Wisconsin

out the doors of their cabins or lying The uprising does not seem to have in the sun. Next winter, as last, they will be begging and pilfering. Why should not a truant officer for grown children have the power to send this attained much headway before prompt measures were taken to put it down President Palma has the confidence of the stable element of the population stalwart young negro whom I see saunand is conducting the affairs of the young republic with a mixture of firmtering about to Mr. Blank, who wants a man in the wheat field, fix the terms of ness and moderation worthy of a statesman. The necessity at the preslabor and payment and see to it that they are kept? Why should he not send this strapping colored girl to work in Mrs. Blank's kitchen upon the terms that she be paid a certain wage which he shall fix, and that she be taught to ent time of a call upon States to put down an armed uprising

able.

Are we drifting back to slavery times hope that Palma's administration with again? It is certain that the negroes as to nip disorder in the hud are denied the right of citizenship in keep the Cuban craft from shipping many places. They are ostracised, so-

voices for the re-establishment of inoluntary servitude. Are we going back to ante-bellum conditions? No such law should be enacted, unless it could be made to cover all cases of idleness, both white and black. But what would then become of the thousands with plenty of noney but no desire for honest work? It would go hard on them? Idleness is a root of much evil, and any successful measure for the suppression of that vice, would be a boon to the country. But it should be made of universal ap-The more liquidation the less water

ace and order, it is that we should asten to redeem our pledges and give o the island those economic concesions which it has been solemnly prom-

New York Mail and Express.

The stock market's stomach has dried against the undigested securi-Pennsylvania can sympathise with

China in her efforts to suppress those Shanghui editors.

Two of the escaped Folsom convicts have been captured. The others are till delegates at inrge.

Canada favors compulsory voting That is a form of computsory education o the duties of good citizenship.

No one scenn to know just who h and that turned on the tap that let the water out of so many stocks,

Scitator Heyburn of Idaho will wed a Quaker lass. This shows that the nductor is unklous to lead a quiet life.

There is to be an international concross of weather prophots. Will if he is or foul weather during its slittings

It is proposed to erect a monumen a the memory of Emile Zola. Of barso it will be built upon La Terra.

When Putti slugs she receives wonty-rour dollars and four cents a and. Euroly nor high notes are bank

to the presents a very good treasury port, and the condition of the treas-Ty is the thuchstone of successful gov-

"Gere have been so many fake fistic on sometimes is called, cannot be bouts that the police have taken as ofved in-any other way. If it coules their slogan in future: Let no guilty

in the Island would be regarded the world over as ominous of Cuban in-capacity for self-government. All friends of independence will sincerely ntinue to be so alert and cautious any heavy seas. Boston Transcript. We are not sure but this little demonstration on the part of a few malontents may be a good thing for the lew government and have a strengthning effect upon it. It has proved the existence of a strong national feeling, and the call to revolt does not seem to tempt many. The government is get-ting all the assistance it needs from its volunteer soldiery to handle any outbreak likely to occur. The fact that members of the revolutionary army are to a large extent still unpaid is unfor-tunate, because it can be made to seen to the ignorant and thoughtless a rea grievance; but the fallure of the Unit-

d States to keep faith with Cuba is argely responsible for that. If there is any moral for this country to draw, even from this small infraction of

The real peril is in the future, not in he present. The peril is contingent pon the possible failure to pay that elerans of the rebellion against Spain. should be understood that the reat body of these veterans realize that hey cannot extort by violence what hey consider to be their just due. They re aware of the orderly steps that have en taken by the government of Pres Palma to satisfy their claim they are content to await the result which would be halted, they well know c an overt demonstration against exting authority. For this reason, there an be as yet no strength, either of numbers or of respectability, behind he isolated disturbance near Victoria las Tunna.

RECENT PUBLICATIONS.

The North American Review for Au

gust deals with a number of subjec-that have a leading place in the pub-mind. "The Proposed British Zo-verein" is the title of a symposium, hich the Right Hon, Sir John E. Gorst M. P., opposes that policy as "A Crusi-ing Burden to the British People, while Archibaid, R. Colquhoun adve utes it as "A Philey that erve the Empires' and Henry Loon Nelson, professor of political sciences Williams College, considera "Its Effe on United States Trade." Wolf ve Schlerbrand discusses the "Results he German Elections," Brig.-Gen. Y H. Carter, U. S. A., enumerates some he influences which have retarded t Anglo-American Friendship." Jam P. Kimbail denounces recent "Agress ive Forest Reservation." Archibald S Hurd describes the phenomenal growt of "Russia's Fleet" in recent years J. Kcir Hardle, M. P., gives interesting J. Kur Hardie, A. F., gives interestin information regarding the purpose and operation of "Federated Labor in Brit ish Politics." Mrs. Kate T. Wobisej deprecates "Woman's Inferior Position in a Republic." Lord North concludes his personal memoir of his grandfather who was Prime Minister of England during the Revolutionary war Traduring the Revolutionary war. The number concludes with the eighth part of Mr. Henry James's novel, "The Am-bassadors."-New York.

