EVENING NEWS. ed Daily, Bundays Hos AT FORE O'OLOCE. RINTED AND PUBLISHED BY THE DESERET NEWS COMPANY. CHARLES W. PENROSE, EDITOR. Thursday, . August 24, 1982.

REVIEW OF "THE MAIN QUESTION."

doubt as to its meaning or is suscep-In another part of this paper will isw firm of this city to stiffen the is not susceptible of two construcabone of the small party which tions, it leaves no doubt as to its defy any one, however acoustomed has an itching for the local meaning in any mind but one who offices, and which has become much has, to use their own language, no ings which no other eyes perceive, as the prospects of fill- " better foundation than his own to prove that the Amendment does ing or controlling them has gradu- wishes." Such vacancies as may ally faded. The "opinion" will sur- be caused by the failure to elect, and prise some of these gentlemen to none other are to be filled by apwhom the leading partner of that pointment. If there are none, then firm has expressed himself very hone can be so filled. It doesn't emphatically to the reverse of his take a lawyer to determine that. nor shall appoint and the appointees present atterances. But we shall not take time now to speak of the cause for this sudden "flop," to use a common expression in relation to "We have the strange and humiliating" out doubt that these lawyers admit cause for this sudden "flop," to use protects chickly industry that the change of views exhibited; that, we believe, is pretty generally understood. The "opinion" opens—after a statement of the constitution which was then, and must forver remain

Well, who is responsible for that? statement of the question, which is, Is the law to be twisted from Its Has the Governor the right to fill by appointment the office should have been filled in August? election general remarka some with and a quotation bearing upon the principle governing the construction of Amendments to the Constitution, which does not connec very intimately with the question under consideration, and which is entirely unnecessary as there is no dispute upon that point. The Edmands blil is then taken up, under the erroneous impression that the enactment on which the appointing is lation. power of the Governor is predicated is "an amendment to the Edmunds law," which it certainly is not.

And the powers of of the Commis sion are also incorrectly stated. The legal gentlemen who have under taken to enlighten the public of this subject either misunderstand i themselves or they misquote the law for a purpose. The Edmunds Act confers power on the five Commissioners to appoint "proper persons" to do the things enumerated but this does not authorize those Worse than that, They proved in their remarks, which we have algentlemen to perform those eady published from the Record, dutien themselves. H the

ory member of the conference committee inted that the inw inself provided ; for the is I culy sought to make it more specifi-to give it a construction it more specifithat a failure to elect his successor does not cause a vacancy. This is the whole case in a nutshell and is conclusive of the argument Where there is a vacancy, then in the case considered, the Governor

The intent of the law is, can fill it; wherein the law provides very clear, It was stated in the for holding over there is no vacancy To prevent "anarchy." for anybody to fill, whether author-Not to make any vacancies in office ized by Act of Congress, the terribut to provide for filling such vacantorial statutes or even by the emides as might be caused by the failnent law firm that pleads with such are of the election. The language of the statute is too plain to leave remarkable sophistry.

We do not dispute the power any dubiety. The law firm makes an argument beginning, "If the amendment upon its face leaves a Hoar Amendment no territoral tible of two constructions." But it statute is set saids and no vecancy is created.

As to the scare held up to office holders about the terrors of the law, if they do not act on the Opinion of this law firm, as soon as the Goverces held by these incumbents, and that being the case is it not beyond dispute that there is nothing for the Governor to fill? In their last para-

graph they give their whole argument away. If there is a vacancy mains and miterit to save the which the governor can hil it was who, in the closing hours of a long was open on the 11th of August. If session were hurrled into a piece of there was none then and there is supposed necessary legislation and none now, as the law firm admits, not having time to investigate the how can the Governor put anything matter, enacted something that was where there is no place to put it? not required? We think not. Courts The law firm has been singularly do not generally construe laws sim- unfortana's in thus rushing into ply to sustain the consistency of the print. Every candid legal mind promoters thereof. If the grave that considers their argument will and reverend Senators "engaged in perceive the weakness of their cause. child's play," that will not aller the The gentlemen who wrote it have a lang uage nor the effect of their leg- well-carned reputation at the bar. That they should put forth such a

This law firm assumes that

Congress had full knowledge of the stat-utes of Utah author zing certain officers to hold the offices until their successors were duly elected and qualified. Now that is nothing but assump-

tion. The facts are that the gentle have undertaken to defend. This men who engineered this Amenda better exposed to the light of day ment were not familiar with the laws of the Territory, as is glaringly than by anything that could be said manifest in the debate and the inon the other side. They have no ability to answer questions which joubt done the best they could with some members propounded bearing poor, weak cause. But if we had the on the very question in dispute. legal reputation of those gentlimen.

and Central Avenue, was destroyed by fire this forenoon. Loss, \$40,000; rance, \$20,000.

Pollingel Read Look.

ST. Louis, 24.-The Democrats in the sixth and fourieenth districts of this State, after a two days' seas ing out. The Gree of getting out. The G two weeks unable to agree.

NEW YORK, 24,-The President and members of the cabinet visited and intermediate points can seeme Half-far-to Salt Lake City and roturn by applying the the Committee. Those who desire can stop over Ten Days by, pising Half of Regular Fare additional edo station this morning and also theCasino and atte Congress to set aside any territorial tion given by Mr. Gardiner Brewer statute, but we do affirm that in the of Byston, and Mrs. J. H. Dickey New York. This evening h dines with the Vanderbilts and will then go to a clambake at Squantum, Political.

GALVESTON, Teres, 24.—The denated A. H. Jones for Congress, Cattle Plague.

AUBURN, N. Y., 24.—Twenty-five domestic cattle died here of Texas fever and many are sick.

FOREIGN. LATEST FROM THE SEAT OF PART ARISES

Nativos Shot.

PORT SAID, 24 .- Two Arabs have an shot here for not answering the challenge of the sentry. The

ismailia, 24. - The advance eavy cavalry and marine artillery 188 00 The fresh water canal ut since vesterday,

A Mest of Borgtan

on trial at Gross Beckskirch, Hungary, on the charge of poison-ing their husbands. The guilt of 35 women has been proven

Ransacking Ramiol.

J. W. Lowell, Esq., Alexandria, 24.- Bedouins, it is eported, several hundred in num-Dear Sir .- The J. I. Case Agitareported, several hundred in num-ber, entered Ramleh to-day and plundered several houses. The out-posts are now exchanging shots with thresh it better and cleaner than any other machine we have ever seen, and we can confidently recom-mend it to any persons wishing to purchase a good Thresher.

DeLessops the Pacificator. Ismalia, 24. - DeLesseps visited the Duke of Connaught and assured him of the friendly sentiments he string of assumptions and sophisms, entertains towards England.

in paragraphs some of which are turgid and obscure, would be surprising if it were not for the in-LIST OF LETTERS ubstantial nature of the cause they

Burnard E Bex'er H A

droet J Asruett A B Sucham M 8

Bennett S J Lovatt B Campbell Mrs Lindgreen N

REMAINING IN THE POST OFFICE AT Salt Lake City, Aug. 24, 1885, which if by their attempt to champion it not called for within one mon to the Dead Letter Office.

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R. SIMPSON

S. SKIDMORE

H. ADNOLD.

Pioweer Knoine Co.

Tickets can be obtained at Dwyer's. Ba bould's, and of the Committee, and at Fin

COMMITTEE

WANTED.

WARTED.

A GOOD HEALTHY WOMAN TO WE nurse a child. Good remuneration to the proper person. Apply at this office.

THE CASE

Ahead of all Other

Competitors !

Yours, etc.,

ohn W. Lowell,

G. W. LUFKIN, W. A. BARRON

ASHLEY'S FORK, UINTAH Co., Feb. 26th, 1882.

BALT LAKE CITY, August 12th, 1882.

A talm, TO WORK AND TEND JOHN MCDONALD, Five doors below Walker House. dins a

V. J. HOOPER.

Q. OPENSHAW.

H. J. MUZZELL

We beg to inform our patrons and the general public that we are exclusive Agents for, and carry regularly in stock a line of Stoves which are unexcelled in this or any other Territory or State in the Union. We are offering them at prices that defy competition. A heavy per centage of the popula tion of Utah already are using our renowned Monitors and Champion Monitors, both Plain and Extension. Also, om

Charter Oaks---Royal Charters and other Stoves, both Cook and Heating Manufactured by the well known firms, "Wil liam Resor & Co." and "The Excelsior Manufacturing Co." The superior construction, economy in use of Fuel, Heating and Baking qualities, and the increasing demand, warrant the opinion, that ere long these celebrated Stoves will occupy position in every well conducted household in Utah.

STOVES

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Dear Sir.-The Agitator Separator and Woodbury Power that we IN ACCORDANCE WITH THE PROVIS-ions of Sections 15 and 16 of "An Ordin-nase to provide for Assessing and collecting city taxes," passed March 13th; 1878, the City Council of Salt Lake City will sit as a Board of Equalization on Monday August 58th, 1868, at 2 follock p.m., in the Council Chamber of the City half of sald city, "to determine all compliants made in regard to the assessed where of any property" as assessed for city bought of you, we can truly say give entire satisfaction. It beats any-thing that we over saw to threah and clean. We have run seven different kinds of machines, but this is the champion. The cleaning and the sep-arating are perfect. We have not had

value of any property," taxes for the year 1882. During its session said consider any pattions. a man find fault with it yet, and we ion said board will hear an stitions: which may be to believe that the people here will tes-tily to our statement as being the truth. It comes as near being perconsider any petitions, which may be tra-mated to "remit or abate the taxes of any in-sane, idiotic, infirm or indigent person, to nt not exceeding five dollars for th

nos take due notice and govern

In testimony whererf I have here-unto set my hand and affired the corocrate scal of Sait Lake City this flat day of August, A. D. 1982.

JOHN T. CAINE,

Let all pe

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vriters of the article contend, after the losse fashion of their argument further on, that whether the Com-missioners appoint officers to per-form these duties or perform them not affect the plain letter and inin person it is "all the same," then by the same rule the Governor need

And, to go behind the position of not appoint any officers to fill vacancertain members of Congress on this cies that may have occurred through subject, it is evident that even the the failure of the August election; Judges who applied to them for he can attend to all their duties legislation did not understand the himself and so save the trouble of law and the situation-for it would making appointments. When law- be out of the question to suppose making appointments. When law-yers attempt to explain the law they ought at least to quote it cor-rectly. They go on to state further that the officers who should have been chosen successors to all the elected in August were to "hold the Territorial Auditor and Tressu-elected in August were to "hold the Territorial Auditor and Tressu-

their offices under certificates or rer as directed by the territoother evidence of election from the Commissioners and not otherwiss." Their request Wrong again, gentlemen; there is nothing in the law to justify such an assertion. Neither the Edmunds bill, the Hoar amendment nor the local statutes contains anything of other evidence of election from the Tial statutes." the kind; you read law very loosely offices would have expired at that

the kind; you read law very loosely if you are sincere in your opinion. But passing by their incorrect rendering of the Edmunds law—for that is not the matter to be consid-ered at all—let us come to the Hoar amendment to the Sundry Civil Appropriation bill, the real subject at issue. They ask, "What was the evil which this amendment was de-signed to remedy?" Now, gentle-men, you are coming down to busi-ness. The evil, as stated in the ness. The evil, as stated in the of inwisseness would ensue brief debate over the Amendment No. in both houses, was a supposed con-dition of "anarchy" alleged to be a sume that "Congress had full knownecessary consequence of the failure ledge of the statutes of Utah." But of the then approaching August even if they had it would not affect election. A letter had been received the question of the application of the from the judges of the Utah Sup- law nor permit its wresting away reme Court, setting forth that the failure of the election was "liable to cause general disturbance and trouble," and asking for measures to "provide for legal successors to all the statute "presupposes that a failthe incumbents in office whose suc-cessors would have been chosen at certain offices." It presupposes nothe August election."

The object in view, then, was to vacanties, and under such a contin-prevent this "general disturbance gency it supplied the possible void. The object in view, then, was, to and trouble," which, by the by, ex-isted only in the imagination of the writers of the epistic. The Amend- event." It was quite possible and ment was framed with this intent, probable and almost certain if the ples and and that the predicted trouble might information (?) published by the forced be averted, the Governor was Judges had been correct. They ask ment. authorized to fill vacancies in further whether Congress designed a cortain possible contingency. Sup-postog that no provisions enisted by which the offices to be filled at the August election could be occupied are for any such thing unless the August election could be occupied need for any such thing unless the and sustained, the Governor was Governor attempts to go beyond authorised to supply the deficiency what the law provides. That is the that the local government might only thing which will produce the be continued. But it was expressly "confusion worse confounded." They shows in the debate, from which then intimate that Congress designed the legal firm take great care not to to rep.al certain acts and parts of quote, that wherein the law already provided for such continuation it would prevail. So when Mr. Con-intermediate the such continuation of the second to do anything of the bind

the second

in this case for any other, to induce that they were unfamiliar with the us to place our name at the foot of so lame and halting an attempt at a legal argument. BY TELEGRAPH. tent of the Amendment.

> PAR WEATSAN UNION TELEGRAPH LINE AMERICAN. LATHOT DISPATCHES. Speech of Judge Holley.

Creer K Crouse L Christians D Casity M

it would take a much larger retain-

ing fee than they are likely to get Adams M

Drake H Davis J W Elder Mrs Fire In Chicago.

Friekson C Erickson I Elkington

Lynched. Jibbs 8 A Greenwood Gunn H B Gray A A Little Rock special says: Adattempted to outrage a white lady, had been lynched by a disguised party who shot him to death. Hill L J

Beath by Molten Iron. By the explosion of an iron mould n the North Chicago Rolling Mills,

Adams A D Fowler J Alegander O GFarnaugh S I Almond J B Fuller W H in the North Chicago Kolling Mills, at South Chicago, yesterday, three pitmen, Albert Dabbins, William Roche and Geo. Hay, were horribly barned, one will die, the others may recover. The molten metal was thrown all over the unfortunates by tien S R Allan W affairs the explosion. Chiey W T The New Prohibition Party With Brown J M

Red Hos Plaiform The National Prohibition Conven-Sinyon Mill Bailey J C

tion reconvened at 9 this morning. Additional States were represented and added to the rolls. A telegram and added to the rolls. A telegram of greeting was received from the Knights of Temperance in Atlanta. Reports were received as to the temperance of the States and Terri-tories. A platform was then read, which, with amendments, was from its laoguage and intent. There is another assumption made

by the law firm which is equally baseless; that is that the wording of dopted subsequently and is as follows: thing but that it might cause such

such condition of

The planks having been discussed and amended separately, all ques-tions not of a national character betions not of a national character be-long to the party within the several States and Territories to define ite views and policy and action respect-ing them not inconsistent with this national platform. We declare in fa-vor of the following national princi-ples and measures to be is corporated in the national constitution and en-forced by Congress and governforced by Congress and govern-

1st.-The prohibition as public crimes of the importation, exporta-tion, manufacture, sale, and supply, and taxation of all alcoholic bever-2nd .- The prohibition of all tax,

e, regulation or legal sand in any form, of them or any other public crimes. 3rd.—The civil and political equal-ity and enfranchisement of women, this so far as it concerns. the States

severally as remitted to the party in

tect as it is possible for a machine to be. We cannot tell you upon paper all its superior qualities or how much we think of it, but can say this, that could we not get another like it, no money would buy it. Yours truly, GEORGE BROWN, S. J. CAMPBELL, WM. P. REYNOLDS, ROBERT BODILY.

CEDAR OITY, Sep. 23rd, 1831. John W. Lowell, Dear Sir.-Our machine, Agita-tor, is doing excellent work. Cleans the best and threshes faster than

any Thresher we ever saw. We remai CORRY & HUNTER.

LEHI, Utah County, February 7th, 1882.

To John W. Lowell, Esq., To John W. Lowell, Esq., Deer Sir.—As our opinions have often been asked about the merits of the Agitator Threshing Machine we purchased from you last fall, we take pleasure in sending you the fol-lowing as our experience with it. To answer the numerous inquiries, and perhaps others who would like to know, we recommend the following points of superiority over all other points of superiority over all other machines we are acquainted with-

machines we are acquainted with-lst.—Lightness of draft. Our team of five span of average native horses and mules, being fully equal to the work, and without crowding or hurrying them, they gave us all the speed and power we needed. 2nd.—Thorough threshing and cleaning, and that without extra sf-fort on our parts such a thing as the fort on our pari; such a thing as the sieves being crowded or clogged, or requiring the attendance of one per-son at the tail end of machine hav-ing never occurred or been needed. Srd.-Lightness of wear. After having thereshed 18000 bushess of grain, lucern seed, etc., the general wear on the machine being scarcely perceptible.

4th.-Lightness of running ex-penses. By comparing notes with our friends of other machines, we find ours have not exceeded half of theirs. We also consider the capacity for

we also consider the capacity for threshing in quantity, superior to other makes of machines. Although the farms here are small, necessita-ting a great deal of moving, and often to distant points, yet we threshed as high as 800 bushels per

day. We also consider the Straw Stack-er, End Shake, Elevator principle and many other points are all worthy of notice and examination of any and all persons who may con-template purchasing a machine.

A. J. EVANS, M. T. WOODHOUSE, II. M. ROYAL, M. B. BUSHMAN,

I have helped wear out four ma chices of other kinds, and I heartily endorse all of the foregoing points. A. D. RHODES, JR. CEDIE CITY, March 18th, 1892.

Mr. J. W. Lowell.

We bought one of the J. I. Case 82 Inch Agitator Threahers last year and consider it by far the best Thresher ever brought to this coun-try. It runs very light, saves all the grain and is a very durable ma-chine. We threshed grain at the rate 2} bushels per minute. Yours, etc., CORRY & HUNTER

CORRY & BUNTER.



AND OUR DELIVERY WACONS WILL CALL FOR THEM. S. P. TEASDEL.

C REAR AN ALLER AND A

JOHN P. SORENSEN & CO.

Have Just Received a our load of goods from the East, besides a large quantity of

HOME MANUFACTURE.

the some Becond-Hand Goods, all of which I be sold very chesp. Call and see for principle of live and let live, and we guar-tee satisfaction. Centre tables, extension lies, beds, bureaus, chairs, longes, sofas,

PATENT

JORN P. SORENSEN & CO.

Notice No. 180.









AND THEREFORE OFFER

50 Pieces Tapestry Brussels at \$1.00 per Yard.

50 Pieces Body Brussels at \$1.50 per Yard.

50 Pieces Axminsters

