

which is another name for snobbery. And those who have come out of the world that they may become the Saints of the Most High will hearken to good advice and "avoid even the appearance of evil."

#### A COMPARISON OF HORRORS.

UNDER this caption the Chicago *News* compares the calamities that occurred at the opening of last year with those of the present. Among the disastrous events which marked the beginning of 1883 was the sinking of a boat, on the 2d, on the North Carolina river, drowning eighteen persons. A similar accident occurred in Germany, whereby thirty-five persons lost their lives. About the same time nearly one hundred and forty persons were drowned by the floods in Germany and Hungary. On the 6th of January the steamer *City of Brussels* was sunk by a collision in the harbor of Liverpool, and twelve lives lost. On the 9th, the ship *British Empire* was burned at sea, with a loss of sixteen lives. On the same day a mine at Coulterville, in Illinois, exploded, killing ten men. On the 10th, the Newhall house disaster occurred in Milwaukee, by which eighty persons perished, and on the 14th 268 people lost their lives by the burning of a circus in Poland. This embraces two weeks, the second being much more disastrous than the first.

The first week of the present year has been as fatal to life as the first week of 1883. On the 1st occurred the breaking of the Huron Mining company's dam at Portage Lake, Michigan, by which five persons lost their lives. On the same day the steamer *Benton* burned at Pittsburg and four men perished. On the 2d a terrible railway accident occurred at Toronto, by which 29 persons were killed. On the same day there were two or three minor accidents on the western railways, by which several people lost their lives. On the fifth the car containing the Yale College Glee Club was telescoped at Charleston, Ind., and although none were killed outright it is feared that the injuries of several of the club will prove fatal. On the 6th, or at a late hour at night on the 5th, occurred the terrible disaster of the burning of the convent of the Immaculate Conception at Belleville, Illinois, by which 22 girls and five sisters perished. On the 6th also occurred the burning of the court house and jail at Jerseyville, Ill., in which four prisoners were consumed. On the 1st the Utah Central Company's coal mine, in Pleasant Valley, Utah, took fire and two men, John McLean and son, perished. This is a partial account for one week in this country and is, although far from full, an appalling exhibit.

#### THE UNIVERSITY VETO.

THE Territorial Auditor's and Treasurer's reports have already appeared in this paper. It appears from them that the total receipts of revenue from all sources for the years 1882 and 1883, amounted to the sum of \$356,657.15; and that the total disbursements during the same time were \$307,669.05, leaving a balance in the treasury on December 31st, 1883, of \$51,988.10.

It will be remembered that one of the reasons advanced by Governor Murray, at the legislative session of 1882, for refusing to sign the bill with an appropriation of \$40,000 for the Deseret University building, was, that it was "beyond the revenue provided by existing law." Our modest (?) Executive assumed to forecast the amount of revenue that would inure to the Territory for the coming two years, and to know more than the representatives of the people from all parts of the Territory what was the prospective value of the annually increasing property. They were personally familiar with it, he was not. They were endeavoring to appropriate the people's money—not his, according to the wishes of the great majority of the taxpayers. But he stood in the way of the citizens and prevented them from doing what they wished to do with their own.

The Governor was quite willing to sign the appropriation of \$20,000 for the Insane Asylum building, and now advises a still further appropriation for the same purpose. And why? Because His Mightiness is one of the Directors and has a finger in the Asylum pie, but was not authorized to figure in the University structure. What noble (?) motives inspire the small minds of some would-be great dignitaries!

The other reasons advanced by the obstructionist Executive were just as fallacious and presumptuous as the financial objection, but we are now merely calling attention to the latter. If the \$40,000 had been expended for the Deseret University building, the erection of which was in progress, there would still be left in the Treasury the sum of \$11,988.10 over and above all expenditures. So that the Governor's estimate and forecast were just as faulty as his other assumptions, and form another illustration of the evils of the one-man-power which has been foisted upon this Territory, in violation of a fundamental principle of republican government.

#### FARMING VS. MINING INTERESTS.

THE Sacramento *Bee* prints in full the decision of Judge Sawyer of the United States Circuit Court, in the celebrated case of Woodruff vs. The North

Bloomfield Hydraulic Mining Company. The question chiefly involved was the right of the agricultural interests to protection against injury from mining operations. The farmers in the Sacramento Valley were suffering greatly from the effects of hydraulic mining in the hills. The debris from the mines on the western slope of the Sierras was discharged into the streams below, and carried into navigable rivers whence it was deposited upon adjacent lands. The amount of this refuse, in local parlance "slickens," thus turned into the streams and washed on to the farming lands has been enormous, and if the process should continue would soon destroy the navigable qualities of Feather and Sacramento rivers as well as render worthless many thousands of acres of arable land.

Leaves have been constructed to protect farmers from the overflow of the slickens, but they were ineffectual against the overwhelming flood of debris, and a struggle between the farming and mining interests was unavoidable. The hydraulic miners were strengthened in their position by the inferred authority of Congress and the State Legislature empowering them to use the rivers as a means of conveying away their refuse. But they had no direct legislation in their favor, and the slickens question became one of public as well as personal moment, the debris constituting a public nuisance, making bars in the navigable streams, thus hindering traffic and commerce, and an infringement upon private property rights.

The farmers appealed to the Courts. A legal battle has been fought. It has been conducted with vigor on both sides. The mining interest with its great backing of capital has been a formidable foe, but the farmers have gained the victory. The voluminous but clear and incisive opinion of Judge Savage, fully endorsed by Judge Deady, is entirely in favor of the agriculturists, and a perpetual injunction is issued against the North Bloomfield Hydraulic Mining Company, which amounts to a prohibition of that kind of mining in every case which has wrought so much injury in the valley counties represented by the plaintiff.

The decision establishes the principle that no industry, however valuable, can be permitted to operate to the infringement of public or private rights. It lays down the law that mining cannot prey upon agriculture. That a nuisance cannot be legalized by long continuance. That forbearance on the part of the persons injured does not constitute acquiescence. That neither a State nor Congress itself can legalize infringements upon the rights of individuals or the public. That the loss which will be incurred to the mining interest by lawfully protecting the agricultural interest cannot be considered in a judicial decision. These are manifest truths and stand on their own merits, but are made doubly valuable and thoroughly practical by the decision rendered in this case, which is one without precedent.

We notice that a movement has been set on foot in the region south of this city to protect the agricultural and stock-raising interests against injury resulting from the smelters there. We think the farmers have good cause for complaint, and that they will eventually prevail if they press their suit. But we believe that the smelting companies can save themselves from trouble, and the farming interests from loss, by the system on which legislation was attempted two or three sessions ago. The metallic fumes which destroy vegetation and kill stock can be consumed by a simple process, and every smelter ought to be required by law to use some process of that character. We are well aware that this will be decried as an attack on the mining interest, but we care nothing for that; it is a necessity, and if a special law cannot be had to reach it remedy can and should be had through the courts.

In the struggle of the farmers in California for their rights they have been ably sustained, if not really led in the conflict, by the Sacramento *Bee*, and that paper is entitled to all the jubilation which it now indulges in over the victory and to the thanks and patronage of the people whose cause it has so gallantly and persistently championed. We have nothing against the mining interest, but agriculture is before it in value and necessity, and if both cannot co-exist—which, however, we do not believe—the older and more absolutely essential industry must be sustained at all hazards.

#### EDITORIAL NOTES.

Recently Chief Bushyhead of the Cherokee Nation, had a wagon and mules stolen by an old man and his one-armed son. The old chief, accompanied by Samuel Sixkiller, chief of Indian police, followed the thieves into Texas, where they were securely jailed, to await trial for the crime. Bushyhead is evidently a man of some enterprise.

A man's memory is like his stomach. To do its best work it must have good treatment. It must neither be neglected nor overloaded. It can easily be so abused by neglect, or by irregular and unsystematic employment, as to become chiefly a cause of annoyance and discomfort; or, again, it can be so overworked and heavily taxed that it becomes practically the chief organ or agent of the entire system; every other portion dwindling in its comparison. The latter course is the great danger of those who value the help of a tenacious memory.

As the laws now exist no person belonging to the army or navy can be elected to or hold any civil office in any Territory of the United States. Senator Cockrell, of Missouri, wants to except officers of the army on the retired list from the prohibition, and has introduced a bill into the Senate providing that such officers may hold and exercise any office "to which they may be elected by the people or appointed by the Territorial authorities." The New York *Sun* thinks retired naval officers should be included in the benefits of the proposed amendment.

It has been appropriately said that when our friends are with us, and able to suffer keenly from our displeasure, or unkindness, or evil report, we do shrink from censuring their conduct and discussing their faults; but, when at length nothing that we can say can any more bring the blush of shame to the cheek or the thrill of pain to the heart, we immediately become delicately reticent and draw a veil over their faults, and openly praise and applaud their supposed merits with but little discrimination. How much better it would be if some of this tender consideration were shown to the living while it has yet the power to give them happiness.

The Earl of Devon, one of the large land-owners in the County Limerick, Ireland, has proposed to his tenants that they purchase their holdings in fee, and by becoming the owners of these lands, make themselves independent of the landlords. Several meetings have been held by the tenants to consider the price at which the lands should be sold to them. Mr. Parnell has advised them not to pay more than sixteen years' rental for the land in fee, and not to pay a greater sum each year than the land would yield. At a meeting the tenants proposed to take the lands at an appraised valuation, one of the appraisers to be chosen by the Earl and the other by the tenants. It is probable that in this estate the land troubles will be settled by the parties themselves.

Mrs. James S. Smith, of Oakland, Cal., was at the Cliff House, near San Francisco, lately with several of her children, walking along the beach. The tide came in with more rapidity, and the water reached in further than for a long while past. Before she could escape a billow struck her prostrate, and the rolling water carried her out seaward. At the same time her five-year-old child was overtaken by the water and swept out after its mother. Happily men were at hand with presence of mind ample to fly at once to the rescue. Steve Maybell, Denis Kearney's partner; "Jack" McAuliffe and G. W. Shaw plunged into the sea, and before the retiring waters had borne the victims into perilous depths, succeeded in laying hold of them and bringing them safely to land. Mr. Maybell is the same gentleman who visited this city in company with Denis Kearney some months since, when the two were on their way to Chicago. There is evidently some good in the man.

Some people entertain a ludicrous idea to the effect that when a crime is committed the best way to detect the perpetrators is to suppress the publication of the fact of the deed having been done. Lately the Cleveland *Herald* counting room was burglarized in open daylight and the proceeds of the sale of the morning edition, about \$200 stolen. Commenting on the incident that paper says: The *Herald* does not believe that the proper manner to detect criminals is to hide up the commission of the crime. William Hawkshaw Hulligan has not been taken aside and his capacious ear pumped full of pointers, on the quiet, nor has Allen Pinkerton Lohrer, or M. Lecof Lawrence been invited to go and secret themselves for fear the disturber of the cash drawer will discover that he has violated the laws of the State. The gory minded person who laid waste the back door, sprung the lock, and devastated the counting-room, is well aware that he did so, and is likewise fully alive to the fact that he was badly left. Knowing therefore that truth will prevail and the right come uppermost in good time, no hesitation is felt in advertising that the *Herald* office was burglarized in the broad glare of noon-day.

#### BY TELEGRAPH.

PER WESTERN UNION TELEGRAPH LINE.

#### FOREIGN.

LONDON, 14.—Earl Shaftesbury, in accepting the presidency of the International Arbitration Peace Society, says despite advancing years, he cannot incur the responsibility of refusing to accept the presidency of the association, the object of which is so nobly, so truly Christian.

PARIS, 14.—The *Nationale* says that Tseng's letter, published in the *Breslau Gazette*, created much discontent at the French foreign office, where it is believed to be impossible that Tseng can longer represent China.

*Patrie* asserts that Ferry has decided to request that Tseng be superseded. It is thought that Tseng is coming to Paris to demand his passports.

VIENNA, 14.—It is stated that the Chinese have definitely decided not to recall their troops from Bacninh, where a decisive battle is expected shortly.

It is reported that members of the imperial family of China have offered a portion of their private fortunes to assist in the war against France.

HONG KONG, 14.—It is reported the French advance has already left Hardzong for the purpose of joining the

main body of French troops from Hainan. Their crossing of the Red river for the attack on Bacninh is expected to occur on Thursday.

Warner of Ohio, for the retirement of trade dollars.

Taylor of Ohio, authorizing National Banks in villages of less than 20,000 population to make loans to the extent of their capital stock on mortgages on real estate.

Miller of Texas, to provide for the redemption of the circulation of National Banks. It provides that whenever a National charter shall expire, or the bank go into bankruptcy, or whenever the bonds deposited by them be called for redemption, it shall be the duty of the U. S. Treasurer to pay such banking association the difference between the amount of the National Bank notes issued to it, which still are outstanding, and the face value and interest due upon deposits thereupon, such bonds to be cancelled and held to be paid. The Secretary of the Treasury is authorized to create printed Treasury notes to an amount equal to the outstanding circulation of the National banks, payable on demand, in gold or silver, at the office of the Assistant Treasurer, New York, when presented in amounts not less than \$100, and receivable for all private and public dues. Whenever any circulation of a National bank be presented to the Treasury for payment, it shall be paid and discharged with the notes herein provided for. All laws are repealed which require a National bank to deposit legal tender notes equal to the amount of its outstanding circulation, in order to withdraw bonds.

Graves introduced a bill providing that the jurisdiction of the United States shall not be deemed to extend to any judicial or other officer elected or appointed under the laws of any State to compel such officers to perform any official act arising under the laws of the State. Also, extending the jurisdiction of the Court of Claims to the adjustment of claims for damages arising from the use or appropriation or injury of property by the army or navy in the late civil war.

Throckmorton, for the appointment of a delegate to the House of Representatives by the council of Indian tribes in the Indian Territory.

ADJOURNED.

LONDON, 15.—The Press Association state the display of energy at Woolwich arsenal, and the arrival there of immense stores, such as are required by an army on the march, has given rise to the belief that the English Cabinet will soon decide to deport reinforcements to the army in Egypt. A mountain battery, harness and pack saddles for camels were shipped to-day.

Suakin dispatch: Abyssinia is tranquil. Insecurity on the border is due to the presence of robbers, with whom the Egyptian officers are in collusion. Baker Pasha dismissed Muktar Pasha from the governorship of Massinah, and appointed in his place Mason, an American, who has had great experience in the Soudan. Baker Pasha declares the situation far more hopeful than he expected to find it.

Advices from Cairo say a committee is formed to protect commercial interests in the Soudan. The committee will address a petition to the Khedive and Consuls General of Egypt, protesting against the abandonment of Soudan by the Egyptian government.

Chamberlain, president of the Board of Trade, delivered a speech at Newcastle to-night. Referring to Irish affairs he insisted the improved state of Ireland is due to the land act rather than to the crimes act. He severely censured the recent language of Parnell toward Earl Spencer, Lord Lieutenant of Ireland, and Tevelyan, late Chief Secretary, and condemned the Orange agitation. Concerning Egypt, Chamberlain said the duty of Her Majesty's government is clear. England has assumed a duty which she cannot neglect. She cannot abandon Egypt to anarchy, and on the other hand must not go back on assurances given Egypt. The task is more difficult than it was supposed to be, and its accomplishment may occupy a longer time than was anticipated; but nothing has occurred to make me think we shall not succeed, with patience, courage and discretion. Regarding home affairs, he said the difficulties in Ireland and Egypt did not justify the postponement of measures of reform in England.

Geneva, 15.—The government of Bernese Oberland, refused to prohibit Mormon missionaries preaching, as by so doing they are not without the pale of law.

Liverpool, 15.—The steamer from Siam, with Barnum's white elephant, has arrived.

Rowe, 16.—The brigand Chief Sissi was shot dead in Sardinia, by the force of carabinieri who were sent to arrest him, but not till after he had made a most desperate resistance.

Hong Kong, 15.—The Chinese officials expect that if Bacninh falls into the hands of the French army the latter will either occupy Yulin Kan, the most southern city on the Island of Hainan, or bombard the city of Canton, but the French repudiate any such intention.

London, 16.—While ten men and a boy were in a cage in the Gamant colliery, Wales, the rope broke and all were hurled to the bottom and killed.

Gladstone has issued a circular to the Liberal members of the House of Commons, requesting their attendance at the opening of Parliament on the 5th of February. He says it is the desire of the government to submit to the Commons at as early a date as possi-

ble after its opening, proposals of much public interest.

LONDON, 17, 5.30 a.m.—A furious fire is raging in the premises of S. W. Silver & Co., colona, merchants and publishers, Sun Court, Cornhill. The whole city is illuminated. Fire engines are arriving at the scene from all parts of the metropolis.

A telegram to the Austrian Consul at Khartoum says all the higher officers at Obeid were massacred.

Paris, 16.—Workingmen's delegates had a conference to-day with members of the party of the Extreme Left in the Chamber of Deputies. The delegates pointed out that 150,000 hands were out of employment, and demanded that the Chamber arrange to provide work for them. Clemenceau advised the delegates to return and obtain a mandate from the workingmen. The delegation refused to withdraw. Other deputies urged the delegates to remain calm, saying it was necessary before taking action, to have an explicit statement of the workingmen's wishes.

It is stated 1,500 additional reinforcements start for Tonquin about the end of January.

Berlin, 16.—Prince Bismarck is now in better health than for many years. The Prince's son, Count Herbert has started for St. Petersburg to assume his duties in the German embassy there.

Vienna, 16.—The Minister of Commerce approved the scheme for a regular monthly line of steamers between Trieste and New York. The steamers begin running February 1st. Railway and shipping rates on goods from Buda, Pesth and Vienna to New York via Trieste will be exceptionally cheap. The Southern Pacific Railroad Company has also taken initial steps for a direct line of steamers from Trieste to New Orleans, via Havana, and propose making preparations for large imports of American cotton, owing to the unsettled state of affairs in Egypt.

Buenos Ayres (via Galveston), 16.—Great alarm was caused at Monte Video by immense tidal waves, one of which caused the death of a woman bather. They are attributed to volcanic movements. Each wave was preceded by a large dark cloud.

London, 17.—A summons was issued against the Park Club for permitting baccarat in its rooms for high stakes. The Club has employed eminent counsel, and will maintain that the prosecution is illegal. The affair has caused a sensation in the principal London clubs, which will be affected by a decision of the case.

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