DESERET EVENING NEWS.

DESERET NEWS PUBLISHING COMPANY, LESSEES.

MONDAY, - February 25, 1895.

SUPREME COURT DECISION.

The action of the Territorial Supreme court, as announced in the NEWS on Saturday, came to the knowledge of men in all political parties with a wholesome sound. The good sense of the immediate issue of the special session which it decided, is seen as another action in all people of the worldly character of the American system of judiciary, and possesses the integrity of those added, even under partisan prejudice, to accept position of the highest importance to the people as affecting their rights and liberties. This perhaps was a necessary announcement in view of prospective conditions in the new State. There are four judges on the Supreme bench. One, in the capacity of a district judge, passed upon the statutes application in an eminently fair manner, rejecting every extreme view. He declares operating favorably in his own political party, the Republican, in the face of partisanship some hoped for or feared a reversal of the ruling. The remaining three judges, who heard the case as stated, were Democrats, and have dealt with the issue in the same honorable, impartial manner. Upon the questions in dispute the four judges are practically unanimous, and their decision is an emphatic declaration that the law, and not partisanship, is paramount.

In the Supreme court's action there is a powerful testimony of the warranties of that high judicial body to the confidence of the public. It is notice that the will of the people is respected in Utah, and that no chicanery or deceit will find support in converting that will expressed at the ballot box; it is warning to thinkers and to unscrupulous persons to keep their hands off, in dealing with this subject the NEWS has not had much to say. It has felt impelled on one or two occasions, realizing the pressure that would be brought to bear for partisan purposes, to note some plain precedents regarding the principles of honor and right that should be upheld, and to which it knew the masses of Utah's inhabitants would give their hearty support. There it has left the matter, confident that whatever the true intent of the law, the Supreme court would give it the designed effect. From the standpoint of independent citizenship, apart from any concern as to which political party shall control the Constitutional Convention, we wish to warmly commend the Supreme court judges for the calm, dispassionate, straightforward attitude they have assumed.

The decision gives a definite idea as to what is expected of the Utah Constitution. It quotes the law regarding their course at election returns, and says:

> We think this means that the judges of election shall canvass the returns and make their return in the manner provided by law, direct to the Utah Constitution, and that they shall thereupon proceed to canvass any such contest in the same manner that the county court is by law expressly required to do. The fact that primary jurisdiction of the county court, formerly possessed, and yet upon the subject of contests provides that the judges shall deal in the numbers of the Legislature, and therefore by the enabling act, be delegated to the Constitutional Convention, authorizes of contests to persons who appear to have been elected by counsel. As we have already seen, the statute also that the primary appeals to have been formerly possessed by the supreme, therefore, at the most properly found there were no appropriate or discretionary influences of a political character appearing upon the face of the returns. Then the main property accorded the presumptory writ against the judges of canvassing their duties to result, let the plaintiff's contention.

There the affair will rest; and the chief powers in the discussion which has grown so are in perfect harmony. There have been mutual misunderstandings among those who participated in the details of the contest, chiefly caused by impulsiveness and the heat of debate. It is sunshine now to let those pass as bygones, forgiven and forgotten in their action rather than later, and that all concerned shall join in good feeling for the general prosperity. Regarding any violation of law in tampering with the ballot boxes or election returns, the responsibility for dealing with that rests with the proper department for appropriate action.

LETTING HONEST POOR SUFFER.

There was a time when every able bodied man in this country who really sought to be honest was industrious could find employment with which to gain a livelihood for himself and family; but that time is off the ground. At least only in the exceptions which must be arrived at from the evidence that comes from every part of the country. With the increased alluring drawn by recent industrial agitation, the condition of the working classes has been given greater publicity than heretofore, and the claims which met ground sympathy of suffering with the statement that a disposition to avoid work was a chief cause of distress among laboring classes has not been borne out by investigation. The assertion of an frequent loss and consequence of idleness emphasizes the fact that at the present time there is a much lamed large class of poverty and suffering among those who would be only too glad to earn a living by honest hard work.

Illustrations of this are found in every part of the country, north, south, east and west. One incident of a great validity that might be cited is given in a more concentrated form in the Freeman, on Friday last, where the inquest was called to a family of hard times, wife and child which occupied two rooms, and where the child, a baby of a few weeks, had died from starvation, while the parents were so nearly incapacitated as to be in imminent danger of following the child within a short time. The rooms were absolutely barren of furniture. One by one the household effects had been disposed of by the unfortunate couple in order to obtain money with which to purchase sufficient food to sustain life. Even the bedding had to be sacrificed, and finally the stove. On a stray pillow in the floor of one of the rooms by the window sat alone form of the little innocent, white and wasted away and dead of starvation. The only consolation the grieved parents had was that it was better off, in that its mortal sufferings were over.

Of the man it is stated that "he is an industrious man when he can find anything to do, and is honest." He had been out of employment for several months. Try as he would he could find nothing to do by which he could earn an honest dollar. His wife for a time succeeded in earning a county living for the little family, but finally she fell ill with pneumonia and was unable to leave her bed. It was then that the household effects went one and more as they were, had to go. With the last of them went all hope of saving the life of the baby. The mother, in her starved and prostrated condition, was unable to bestow the little one the necessary nourishment, and death ensued in the dismal home.

If such as these were isolated cases, there might be hope of correcting the evil with a small degree of effort, and individual conditions in the country would not be a measure to its institutions. But these are not sporadic cases; they are an illustration of the condition that is all too prevalent among workingmen in many sections, and which the year just ended, the waking of the unemployed in San Francisco is not more painful than the cry of distress in the Hocking Valley, Utah, or elsewhere. Both are a warning note of something more tremendous if not more destitute.

Will there be a change, and how and when? is a question often asked. The history of national events on this continent prompt the answer, and prominent they also indicate the manner and the time in a general way. The adoption of America best witness to the glory and magnificence of nations that have flourished here. People have prospered and grown rich; class distinctions have been established; the toiling has been oppressed to his wages, and the poor have been made to mourn in hardship and want at the oppressive burdens heaped upon them, while their cry has been unheeded by the rich and the powerful in this land of plenty; greed of power and wealth has control, and immorality gained full swing. Then came internal dissatisfaction and dissension, and the crushing of national disaster and disruption.

The United States is traveling over the same course as its predecessors, and is reaching the point which marked them to calamity. It was seeing the past and the lessons were seriously reminded to partially blind justice interposed with an avenging hand. The prospect is not very bright for the national legislative power having blind eyes which will notice the evil, and unless relief appears in time there is great danger of another crowning wave. But if they do, the world will have another illustration of sowing to the wind and reaping the whirlwind. Things are just now tend potential to trying to gather grapes from thorns, but some fellow citizens cannot help to a relief result.

RAILWAYS AND SAINTS.

A recent dispatch in the NEWS told of the dissolution of the Italian catholic community in Iowa, as a city for the low interests of all concerned. The members had become tired of the blessings of communism and agreed to a division of their property.

This society dates back to a period before the French revolution, when a number of monkish left Havre and came over to Canada. Here they founded a colony that soon moved to New Orleans. Mr. Odon, the leader of the movement, learning of the abrogation of the religious by revolution, came over from the old country to take charge of their affairs. Later, when the Saints had been expelled from Nauvoo, Ill., the fraternal order to that deserted place and enjoyed occupancy for a short time. The idea monastic, however, succeeded only to the end. Internal dissensions arose, and in 1855 Odon with 170 adherents left Nauvoo and went to St. Louis, where he died the same year. Another faction settled in Atchison county, Iowa, under the name of Icaria. They have raised some crops. In 1878 another faction removed and one into the west of California.

The community has a common fund from which the wants of every member are supplied. A general assembly according to all Christian precepts of age constitutes the highest authority and no religious power is vested in these tribes. The Shakers, Quakers and Amish sects are still in evidence now among the original members.

Thus, once more has been illustrated the impracticability of building a successful social society on the foundation of mere temporal interests. The contrast between the Indians, who come to Nauvoo entirely well equipped but who now have departed away, and the Saints who were driven from that place destitute, seeking refuge in a wilderness and who eventually selected a spot which, as we have shown, is so great as to impress anyone that God gave it special consideration. No doubt the Indians were amazed at good nature and desired to selection happiness among men, but they failed because they had not, as the Saints, grasped the fundamental principle on which true happiness can be built both in this life and hereafter, namely the worship of a religion as have most ever had.

RUSSIA TAKES ACTION.

The news that the Russian government has ordered the Mediterranean squadron as well as one of her from the Baltic ports for duty in eastern Asia is regarded as most significant, in view of the pending negotiations between the European powers to bring the war between Japan and China to a speedy conclusion. When these ships arrive at Port Arthur Russia will be represented in Chinese waters by a fleet of twelve vessels of various patterns. That the gathering of so formidable a force at the scene of trouble is done merely as a precautionary measure in the protection of Russian interests in China is hardly conceivable, particularly when it is considered that all the time the Russian troops on the Chinese border have been withdrawn from all parts of the country.

In Russian circles much interest is manifested in the minority of Uncle Sam's situation. Thus the Novoe Vremya points out that Japan, following with remarkable celerity, has secured western power from interference in her quarrel with China, and now that she is victorious now are masters of Pekin and in a position to march on Pekin without interference of foreign branches, the only course left for the interested powers to pursue is to agree upon a plan whereby China's debts may be divorced of any serious consequence to Europe. But this secured, the paper says, is trifling and Russian diplomacy is fully responsible for its success, being impelled of striking to gain more advantage to the settlement of Russian and French interests.

This view of the situation would explain the immediate display of love in Asia by the Czar's government. For Russia has evidently long ago made up her mind as to her share of the booty in view, as a result of the war, and should the necessity arise for the enforcement of her demands, she will be prepared for a positive emergency.

AMUSEMENTS.

Salt Lake Theater.

Wednesday and Thursday Evenings, Feb. 27 and 28.

George Kennan.

SUBJECTS:

"Sketches of Personal Adventure in Siberia."

"Russian Political Exiles."

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AN EXCITED GAMER.

Recently Mr. J. B. Thomas, of North Dakota, visited the Shenandoah Valley, Virginia, and after carefully examining the country issued in Winchester, he wrote to Mr. V. Bierne, Land and Immigration Agent, Baltimore & Ohio Railroad, Baltimore, Maryland, as follows: "I have been in nearly every state and territory of the United States, and am frank to say opinion that the valley surpasses all other sections in the Union. The farms are fine in order, and produce profitable crops. I think you by all meaning me here, and which these enjoying pleasant and profitable homes to come to this country."

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SILKS FOR WAISTS

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BLACK DRESS GOODS

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Boys' Ready Made Suits, Ages 6 to 13, $5.00 to $9.00.
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Men's Ready Made Suits, - - $10.00 to $18.00.

MEN'S READY MADE PANTS $4, REDUCED FROM $5, $6, $7.

We are the only one making Gents' Made Clothing from Home Made Cloth.
New Spring Cloths just received and made to order by Regular tailors.
Full stock of Tailors Trimmings, wholesale and retail.
Big stock of Blankets, Flannels, Linsey, Yarns and Ladies' Cloths.

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