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SALT LAKE CITY, - MARCH 9, 1906

GENERAL CONFERENCE.

The seventy-sixth annual Conference of the Church of Jesus Christ of Latter-day Saints will convene at the Tabernacle, Salt Lake City, April 6, 1906, at 10 a. m. A full attendance of officers and members is requested.

JOSEPH F. SMITH,
JOHN R. WINDER,
ANTHONY H. LUND,
First Presidency.

THE SUPREME LAW.

The Constitution of the United States is the Supreme law of the land. All statutes passed by Congress and signed by the President must be in accord with that instrument or they are void. The Supreme court of the nation is the interpreter of the provisions of the Constitution, and the judge of the validity of Congressional enactments, testing them by that standard. When it is asserted, either by an orator or an editor, that the will of the people is the supreme law, and that "the biggest thing in the republic is the will of the people," and further, referring to the written Constitution that "below it, and above it, and all around it rises the will of the people," a fundamental error is not forth which is too grave to let go unchallenged.

We have recently seen in print such expressions as we have quoted, with the flat assertions that, "In this land it is enough for a man to stand on the broad platform of the people's will;" also that "this is true just the same if the demand of the nation is unexpressed in the written document, as if it were penned there in permanent black and white." Is that sound doctrine? If so, there is no need for a written Constitution nor a court to decide upon the validity of national laws. For, upon that hypothesis, if it can be shown that a given measure is demanded by the popular voice, the Constitution does not count and its provisions are no more than opinions put upon paper. Such a notion ought not to be entertained by any party or paper, for it is adverse to the theory of our government, and contrary to the principles of every platform framed by statesmen or enlightened politicians.

The two great political parties which under whatever name have contended for the mastery in this country, have divided on the question of the manner of construing the grand governing instrument of the nation, but have never denied its supremacy above popular demands. One party has held to a "strict construction" and the other to a liberal or "elastic construction" of the Supreme law, but neither of them has claimed that it was of secondary importance, or to be subject to any popular demand whether claiming to be "below, or above, or all around" it. There is nothing in the nature of law in the United States that is "above" the Constitution.

Associated with the notion about "the will of the people" is the similar error that the President of the United States stands as the expression of the will of the nation, that "what he demands of the Congress is but the mighty-tongued utterance by him of the many million-voiced demand of his fellow men in these United States." Both are rank heresies in the light of the Supreme law. The President may make recommendations to Congress, but he does not make "demands." He is the Executive of the nation to enforce its laws. The "million-voiced demands" of the people are expressed to and through their chosen representatives in the law-making department. And their "demands," however forcibly and extensively expressed, must not be permitted to override the written Constitution, which governs them and the President alike. He is sworn to uphold and yield to that instrument, and anything emanated on his request or suggestion if contrary thereto would when contested become a nullity.

This does not reflect upon the authority, or the wisdom, or the action of the present Executive. He knows better than to assume any such position as that intimated in the expressions we have quoted from a contemporary. He has the undoubted right to favor measures that he believes will be for the public good and that are desired by the people. But we do not believe he would undertake to press upon the national Legislature anything that he considered unconstitutional, no matter how many million-voiced demands were made for it. He understands full well that such a measure would prove futile when the court of last resort compared it with the Supreme law. In the constitutionality of a statute lies its strength and force, and not in the mere clamors and demands by "the will of the people."

It may be asked, cannot the people of the United States have what they want in "a government of the people and by the people and for the people?" The answer is, certainly if they seek for it in the right way. They must obtain it through the Congress as the Constitution provides, and if they want something that the Constitution

forbids or for the enactment of which there is no provision in that instrument, the only way to obtain it is to amend the Supreme law in the manner provided therein. The fact is, the people of the United States established a government to be guided and limited by the Constitution, which they framed through their chosen representatives. And that document is indeed "the palladium of human rights," the standard of freedom, and the test of all law and authority in the land.

"The will of the people?" How is it to be ascertained? While there are opposing parties, opposing interests, opposing opinions, who is to say what is "the will of the people?" Is popular clamor to rule? Is mobocracy to be exalted above that which is set at the head of all departments of the republic? Is the majority to rule by the shouts of the multitude? Or is not the popular will to be expressed in a constitutional manner, and its requirements be granted only so far as the Constitution permits? The right of petition belongs to the people. And the right to judge whether it is right to comply with a petition rests with the body that receives it. If it is contrary to the Constitution it ought not to prevail, no matter how "many million-voiced demands" are behind it. Because it is the written Constitution which in its letter and spirit, as construed by the court established for that purpose, that is the Supreme law for Congress, for the judiciary, for the President and for all the people of the United States. In the preservation and supremacy of that splendid instrument is involved the liberties of the citizens and the perpetuity of the grandest government under the sun.

THE WHITE PLAGUE.

The movement to provide sanitariums for people suffering from tuberculosis is now almost world-wide. In London meetings have been held for the discussion of the subject, and appeals are being made in favor of the establishment of such sanitariums for the benefit of the sufferers among the working classes. At a large meeting, where even royalty was represented, it was pointed out that the prevention and cure of pulmonary tuberculosis was before all things a working class question, because affecting workers more vitally than any others in the community.

The same general fact has been brought out through a recent elaborate investigation made over a considerable proportion of the area of the French republic. It was demonstrated there that tuberculosis is the direct outcome of economic conditions of the people; that its prevalence is in inverse ratio to the income of the affected classes, and that the most potent factors in its production are the conditions which seem to be inseparable from modern industrial life. The manifestations of the disease were found to be in direct relation with bad air, bad food, small wages, long hours, and poverty. In London it was shown that from 7,000 to 8,000 persons die annually from this disease, and it was estimated that about 80,000 are suffering from it in some form.

In this country it has been proved that there are 11,000 deaths annually from tuberculosis. Seventy per cent of all cases, it is claimed, can be cured with the right kind of treatment, if taken in time. Hence the importance of sanitariums to which patients can be sent as soon as the symptoms are recognized. Medical authority tells us that one person of every two has tuberculosis at some time in life, and if this is true, it is no wonder that so many succumb to that plague. Utah's mountain air should be a veritable "balm of Gilead" to all persons afflicted with lung trouble. The erection at the mouth of some canyon of a sanitarium with facilities for the modern treatment of that class of diseases, should prove a boon to many sufferers who now wander aimlessly about in search of health and life.

LIFE AND HEALTH.

Statistics have been quoted recently to prove that human life has been notably prolonged, by means of the advance made in hygiene and the medical science in general. It seems, however, that mankind is not to be permitted to enjoy this comforting assurance undisturbed. For Mr. William Curtis, the well known correspondent of the Chicago Record-Herald, says that actuaries of the big insurance companies, and others in a position to know, assert that the conclusion alleged does not follow from the premises. They admit that science has succeeded in reducing the death rate among the children, but they declare that nevertheless we do not live, as a general rule, live as long as our fathers. The reason for this, they say, is, in their opinion, are weakening the human race to a degree greater than medical and sanitary science can counteract.

To come down to particulars, it is admitted that some diseases have become less deadly than they were at one time. Among these are phthisis, typhoid fever, liver diseases, and paralysis, in some sections. But all other causes of death affecting principally the lives of adults, it is claimed, show increases amounting to almost 10 per cent on the average. From the attainable data it is argued that during the last twenty-five of thirty years the population of our cities has shown a decreasing death rate from phthisis, but an increasing death rate from diseases of the heart, kidneys and lungs, from violence and from cancer. Women, after the age of 21, live longer than men, according to the data of the insurance statisticians, and this is so generally accepted as a fact that all life insurance companies charge higher rates for annuities on the lives of women than for corresponding ages on the lives of men, showing conclusively that they are expected to and actually do live longer than men.

It is probably beyond dispute that the sumptuous living of our age, coupled with strenuous activity engendered by business competition and social demands, more than offset the advantages which have been made in science, in the triumphs of surgery, in the devel-

opment of sanitation and the increased ability to cope with disease. Every living being, to attain strength and health, and to overcome possible inherited physical weakness, must, as soon as in a condition of independent action, take part in the general struggle for existence. That is the general law which, to transgress is to incur the penalty of weakness, disease and death. The violation of that law is the reason why modern civilization is favorable to the debilitation of the human constitution, rather than the contrary. The leisure procured by wealth is not used for improvement, physically and mentally, but is devoted to idleness and frivolity. And so it is probably true that the better understanding of hygienic rules has not brought about all the desired results. It takes continued physical exertion, as well as the application of the laws of health with regard to fresh air, cleanliness, temperance, etc., to render the human race fully capable of resisting to the utmost the influences of disease and death.

INDIANS CIVILIZED.

After the dissolution of the tribal organizations of the Cherokees, Chickasaws, Choctaws, Creeks, and Seminoles, these Indians, to the number of 90,000, will be full-fledged American citizens. Indian Territory will be part of the State of Oklahoma, when statehood is obtained, and gradually the red and the white citizens will merge and become one. The following figures relating to the Indians, and published by Leslie's Weekly, are of interest: There are 270,000 Indians in the country. Of the 170,000 who are outside of the Five Civilized Tribes of the Indian Territory and outside of the State of New York, 30,000 are attending school. Civilized clothes are worn wholly by 120,000 of these 170,000 Indians, and are worn partly by 30,000 more; four-fifths of these reside in dwelling-houses of civilized style; 70,000 talk English enough for ordinary purposes, and most of these can read it; and 40,000 are members of churches. Practically all the members of the Five Tribes talk English, all wear civilized clothes, all have good schools, and all live in dwelling-houses the same as true of the few thousand Indians in New York.

"Since 1877, when the government began its work of educating and preparing them for citizenship, the Indians have made far more progress than the whites ever did in any equal time. The Cherokees, Chickasaws, Choctaws, Creeks, and Seminoles have been governing themselves for two-thirds of a century. They will do the same thing on a larger scale and under somewhat different conditions in the coming State of Oklahoma."

The New York World pays the following tribute to the Indians:

"Of all aboriginal races our Indians are the finest, except perhaps the Maoris of New Zealand. They are more enduring than the South Sea Islanders, more intelligent than native Africans, more resourceful than the Indians of South and Central America. They have furnished strategists in plenty, orators, a creative scholar in Sequoyia, the inventor of the Cherokee syllabary, and a brilliant diplomat in Red Jacket. The Indians are favorites in fiction, in music, in the arts. The Indian football-players from Carlisle or the Indian grid-basketball team from Earlham College can play anywhere and be popular favorites. In such dramas as 'Strongheart,' 'The Squaw Man,' 'The Girl I Left Behind Me,' 'The Redskins' and 'John Emme of the Yellowstone,' and in the performances of 'Hiawatha' in native garb, Indian characters make a romantic appeal far different from that of the stage negro. As it has been years since there was any outbreak to revive the old belief that there is no good Indian but dead one, it is not surprising that the Indian became a citizen. He will be less picturesque but more comfortable."

Uncle Sam proposes to give the elevator combine a "lift" it never expected.

Certainly Fallera was entitled to say of the cabinet's resignation, "This is so sudden!"

Some of the supposed friends of the Hepburn-Doolittle railway rate bill seem to be switching.

And now Dr. Parkhurst announces himself as opposed to strenuousness. Is there anything to which he is not opposed?

The San Jose scale is seldom found in San Jose, says the San Francisco Chronicle. San Jose is to be congratulated.

It isn't stated whether France, in sounding her note of warning, primarily intended for Germany, regarding the ministerial crisis and her policy in Morocco, used a French horn or a German flute.

It is said that John D. Rockefeller is willing to advance \$200,000.00 to the czar in order to acquire railroad concessions in Russia. If he once gets a foothold there it will not take him long to acquire the rest.

Senator Armstrong thinks that his committee will make no attempt to call Andrew Hamilton before it. Which must make Andy feel like saying, "It is so soon that I am done for, I wonder what I was begun for."

So some of the big corporations that are said to have violated laws cannot be prosecuted because of the statute of limitations, thus proving the truth of Burke's remark, "Corporate bodies are immortal for the good of their members, but not for punishment."

During the next four months enough surplus water will run down the North Temple conduit to furnish Salt Lake City with all the water it could possibly use during a dry summer. Some day this surplus water will be stored up. The way to abundance of water is through saving.

Chicago has voted a \$1,000 yearly license for saloons. The ordinance was adopted by a vote of 40 to 28. The hope of the friends of the high-license reform is that it will drive out thuggery, thievery and general terrorism. Whether it will have the desired effect remains to be seen.

Western traveling men have started a movement to secure safer hotels.

Members of the Illinois Commercial Men's association have agreed to constitute themselves a body of fire inspectors, with roving commissions to see that fire regulations are observed in all hotels in which they stop, and to "kick" when dangerous conditions are discovered. The West Hotel fire in Minneapolis started this movement, and the Illinois traveling men have already heard from Iowa and other associations that the campaign for safer hotels will have the support of the traveling brotherhood everywhere.

The proposition to pay members of parliament continues to grow in favor. Sir Campbell-Bannerman himself having declared in favor of it. It would be an innovation in cherished British ideals, but the conditions that gave rise to the idea have radically changed. They were conditions based on the theory that the right to govern belonged exclusively to the aristocracy and the upper and middle classes, to whom the idea of a monetary compensation was revolting. But the extension of the franchise has changed all that. There is now no reason why members of parliament should not be paid for their services, and no doubt sooner or later they will be.

There is some discussion of the proposition to introduce the study of French and German into the grade schools. A member of the board of education is quoted as saying: "The young boy or girl can learn a language much more easily than a grown person." The statement is only partially true. The boy or girl who is taken to a foreign country and mingled with the children of that country undoubtedly acquires the language more readily than do the parents. In a school it is different. There the languages or rather the rules governing it, is taught from books, and the older the person and the better trained the intellect, the more easily is the language learned. In the foreign country the child learns the language; in the school in its own country it chiefly learns rules.

A REAL COMPLIMENT.

London Black and White. After all the only person whose opinion of the American woman matters is—the American man! He is well content with his sister and partner, and with the bright, full, comradelike home life that he obtains with a woman as well educated and as intelligent and free in spirit as himself. The fact is that the American women are the best educated, brightest, most interesting, and most adaptable of the women of the present day, and the men who know them best appreciate them most!

"WELL DONE!"

Boston Transcript. All the women's clubs and all the club women in the land may and should greet each other with a hearty "well done!" after reading that the pure food bill has passed the senate. That the bill will become a law there is little doubt, so the rejoicing may be passed about without hindrance. No matched political women will find in a formal and official way in recognition of the reward that has attended their labors till all the clubs meet together and praise the women of the biennial (the general federation of women's clubs). And then the triumph will be carried modestly, not boastfully. For these earnest women will find in the passage of the bill just enough reward to give them splendid courage for their future endeavors.

A CRYING NEED.

Century Magazine. In every community there is crying need of men, young and old, who will take a hand in civic concerns, not for the graft that is in them, not merely for the glory that is in them, but in a pure and patriotic spirit and with the love of and the reward of legitimate fame. Our institutions are making much more of these examples are now living and greatly honored among us—inspiration to all. One of these men has been the president of our country, and now its president. The country that has found and used and honored such men is capable of producing more of the same fiber—and, in fact, is doing so before our eyes. In this is the hope of America.

THE WILY CHINESE.

New York Tribune. It is reported from San Francisco that a well drilled army of 19,000 young Chinamen will soon leave the Pacific coast for China, going in small detachments so as to attract as little attention as possible. No one seems to know the real reason for this sudden heave, for among the things John Chinaman has learned in his long experience is how to keep a secret. It is a fair presumption that these returning orientals at least know Americans better than Americans know them. Perhaps we may yet honor the Chinaman by studying him as carefully as he studies us.

KIND OF SPORT WE ENCOURAGE

Oakland Enquirer. Harry Tenney, who was knocked out in an exhibition of the "manly art" in San Francisco for the defeat of a highly civilized audience of "human" beings, has been the effect of the "punishment" which he received. This is another item which ought to convince the Oakland Board of Police Commissioners of the "manly," humane and elevating" influence of prize fights.

RECENT PUBLICATIONS.

In the current number of Leslie's Weekly, Staff Correspondent Gilson Willett, denounces an outspoken term, what he calls the "scandalous rape of Niagara Falls by greedy power companies through concessions from corrupt legislators. He makes a stirring appeal to the public to come to the rescue of the famous cataract. An impressive drawing by H. L. Pettit shows how deplorable the condition of the falls will be unless the diversion of the water is stopped. Phases of the White House wedding are depicted in this issue in a drawing by H. G. Butt, and a page of photographs. Eleanor Franklin's article on the curious street life in Korean cities is accompanied by a page of interesting pictures. The various departments present good reading matter that adds to the value of the number.—New York.

The American Boy for March is very attractive. The cover page shows a typical young line in happy mood. The continued stories are "Shaggy," the biography of a heavy, by Clarence Hawkes, "Adventures of Joe and Dan," and "A French Frog and an American Eagle." Other stories are: "My Last Game of Ball," by the editor; "The Downfall of Denale," "A Will and a Way," "A Stepmom of the Boys' Club," and many others. There are a multitude of shorter articles, all helping and interesting. The department of stamps, coins and curios; the boy

photographer; amateur journalist; boy mechanic and electrician; order of the American boy; boys' brain sharpeners; boys' books reviewed and tangles are filled with matter which will delight the boys. There are 78 illustrations. The Sprague Publishing Co., Detroit, Mich.

JUST FOR FUN.

Identity in a Street Car. The car was crowded, and there being two or three polite men left in Indianapolis, one of the two or three gave her a seat in the forward end of the car. He remained on the platform to finish a cigar. She always lets him do that. When the conductor came along the smoker presented two tickets. "Who is this for?" "The lady up in front." "Yes, but there are several up there." "Oh, well, let's see! I'm paying for the one under East-em-Quick Biscuits." —Indianapolis News.

Had the Figures at Hand. Statistical Boarder—Have you the remotest idea, for instance, what the world's supply of honey is? Sentimental Boarder—Yes, sir. The world's supply of honey weighs exactly 115 pounds and her name is—well, I'm not going to mention it in this crowd.—Chicago Tribune.

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