

# DESERET EVENING NEWS

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LORENZO SNOW, TRUSTEE-IN-TRUST.

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SALT LAKE CITY, DEC. 14, 1899.

## UTTERLY UNWARRANTED.

It appears to be considered by a few objectors perfectly proper for any sectarian churchman or church paper, to attack the Representative in Congress from Utah, and to assail the Church of Jesus Christ of Latter-day Saints, of which he is a member, but decidedly improper and wrong for the Deseret News to say anything in rebuttal of the charges that are made—because the "News" is the Church organ. We have had occasion before to remind our irrational critics that this is also a newspaper, with opinions on all subjects that interest the people and that relate to the public welfare. But their objections do not matter. We are well aware that there are individuals and papers which would like to gag the Deseret News, and are quite angry because of their failure to accomplish that object. What they may say or do is not worth while to dwell upon.

The position now taken by nearly all the influential papers of the country, without regard to party—for this rises far above any party question—is that an outrage has been perpetrated upon Mr. Roberts and upon the State of Utah, because the House of Representatives had no constitutional right to prevent him from taking the oath of office, and the seat to which he was duly elected and which was not contested by any claimant for the place. Such papers as do not coincide with this view are unable to offer anything by way of legal argument or precedent, to justify the exclusion of a member of Congress who has the constitutional and statutory qualifications.

It is true that Mr. Taylor, in attempting to give reasons for Mr. Roberts' exclusion, cited the opinion of Judge Peckham, now one of the Justices of the Supreme Court of the United States, who, when on the Supreme bench of New York State, held that: "The provision of the Constitution declaring certain qualifications for office was not exclusive and did not bar the Legislature from imposing new reasonable and proper qualifications." Also that Mr. Taylor quoted from Chief Justice Marshall the opinion that: "He would be charged with insanity, who would contend that the Legislature might not superadd to the oath directed by the Constitution, such other oath of office as its wisdom might suggest." But what has either of these utterances to do with the case in consideration?

It is not disputed that Congress has the power to prescribe certain qualifications for its members other than those already required. But is any body "insane" enough to claim that when a member, duly elected and possessing all the qualifications already established by law, presents himself to take the oath of office, new qualifications can be sprung upon him to satisfy the clamor of the multitude, and having no legal force? While it may be perfectly legitimate for the House of Representatives to duly enact new provisions in reference to membership in that body, such new regulations cannot be adopted except in proper legislative form and procedure, and cannot be made retroactive. And no such added qualifications have yet been prescribed.

Would not the citations made by Mr. Taylor, if attempted at the bar, be denounced by lawyers as "pettifoggery"? And are they any better, when presented in a public journal, as excuses for shutting out a duly elected Member of Congress, and thus denying a sovereign State its right of representation under the Constitution and existing laws of the United States?

It is useless for any one to attempt to dispute the fact, that in the course pursued against the Congressman from Utah, his constitutional and legal rights and those of the State which elected him have been grossly and indecently trampled upon, from a craven fear of popular fury. It is also vain to deny the equally patent fact, that the noise of the multitude, started from the sectarian preachers and their organ in this city, originating in malice, chagrin and falsehood.

If this is unpalatable to either the preachers or the politicians, or both, we cannot help it. It is only one more piece of evidence that when they attack the majority of the people of Utah, either from a religious or a political standpoint, in order to succeed even temporarily, they have to go outside the bounds of truth, precedent and constitutional law.

## CONSIDER BOTH SIDES.

We gave place a few days ago, to a statement from Mr. D. S. Peet, concerning a conversation had by that gentleman with Rev. Jay Pruden of Salt Lake, in which it was disclosed that the clique in this city, which commenced the war on Mr. Roberts and the "Mormon" Church, intended not to proceed against that gentleman by a criminal charge until near the time of the meeting of Congress. Mr. Peet said he asked Mr. Pruden why they did not arrest Roberts if they considered him guilty. Here is what the gentleman said as to Mr. Pruden's reply:

"The missionary looked wise. 'That would not suit our purpose,' he said.

"We might not be able to make a case against him, and that would kill our movement. We shall wait till near the time of the meeting of Congress and then bring our complaint. Then, if Roberts stays to defend himself, he cannot be in Congress to be sworn in at the opening; if he does not stay in Utah to defend himself against our charges, but goes to Washington, he will be a fugitive from justice and we can appeal to the people on that line."

In response we have received the annexed communication, which we give even greater prominence than we gave to the statement from Mr. Peet:

Jay Pruden, Colporteur and Sunday School Missionary.

Salt Lake City, Utah, Dec. 13, 1899.

Editor Deseret News, Salt Lake City: Dear Sir—I was surprised to read in your paper of Monday evening, the 11th, the "surrender" of the "plot" by Mr. V. S. Peet. I would thank you for space to say that Mr. Peet has made a mistake.

A "plot" would hardly have been worked as openly as the opposition to Mr. Roberts has been. I would hardly have given away a "plot" to a man who was leaving the impression with those who heard him talk, that he was a "Mormon" Elder just starting out. When a few of the positions he was taking were met by irresistible Scripture he made hasty retreat and declared he was a Methodist.

I was on my way to Richmond, Va., to meet with our young people in their annual convention. I was taking advantage of every opportunity to get people interested in the putting forth of every honorable effort to hinder a law-breaker from taking a place among our law-makers. Hoping and expecting, that when the people were made acquainted with the condition of things here, that the rejection of Roberts, and constitutional amendment would be prayed for.

Mr. Peet asked the question, "Why don't they arrest Roberts if he is guilty of these charges?" My answer, as nearly as I can remember, was this: "In all probability they will if he persists in taking his seat." "Well, why don't they do it right away?" he asked. My answer was this to effect: "His penalty would amount to but little. The law provides a very light penalty against this crime even if it is maximum. Then, the courts are left to their discretion in inflicting this penalty, so there would be very little satisfaction to those who urge the prosecution. There is plenty time to prosecute if that is necessary."

We passed our opinion. I did not belong to any gang of "plotters," and I did not suppose that he did. I did not know that Mr. Roberts would be arrested, but I had my opinion about the course might be. Mr. Roberts had violated the law. There was a certain amount of time that was at the disposal of the people in which to do this (arrest him). If they chose to do so, a great many guesses were being made as to what would be done. Among the events of the past few weeks some things have come to pass very nearly as they were prophesied. This makes Mr. Peet very certain that it was all "plotted."

I never had a thing to do with a "plot" in my life that I know of.

Yours very truly,  
JAY PRUDEN.

Our readers, having heard both sides of the question, can judge for themselves which to believe. Mr. Peet stated his willingness to testify under oath to the accuracy of his statements. We heard many months ago what the intention was among the schemers against Mr. Roberts. It was exactly that which Mr. Peet says was disclosed to him by Mr. Pruden. The scheme was certainly carried out as closely as possible. The departure of Mr. Roberts for the East a little sooner than the conspirators anticipated, spoiled to some extent the plan that had been concocted, but they took advantage of that turn in the tide of affairs to prefer the charge that he was a fugitive from justice.

Mr. Pruden admits that the events of the past two weeks were some time ago "propheesied." Of course, that is very simple. The gentleman does not seem to relish the word "plot." Very well, call it plan, if that will suit him better. The facts remain. The intention was the same. The dirty details are not altered. The planners are no better. The crime committed against Utah and her Representative at the behest of excited people, deceived and enraged by the utterances of sectarian preachers and Sunday school missionaries, is not palliated. And Mr. Pruden does not exhibit very much prudence, in parading his own connection with one of the most infamous movements ever inaugurated in this country in the name of the Christian religion.

## GEN. OTIS'S REPORT.

If Gen. Otis's pictures of the present status of the Philippine rebellion are not too highly colored, the insurrection must be practically ended. The leaders are either captured, dead, or fugitives. The very head of the movement, Mabini, is said to be in the hands of the Americans, while Aguinaldo, the figurehead, is trying to escape in disguise. The situation is such that the question of the future of the islands forces itself upon Congress at an early date.

With the establishment of law and order, the problem to solve will be, what form of government to bestow upon the islands. Will they be held as a colony, or given a territorial form of government? Or, shall the people be given independence, as soon as the insurgents are utterly routed? Such questions will arise and must be considered in the light of the best interests of all involved. They cannot be settled by any theoretical discussion either. Our dealings with the Filipinos must at the outset be largely experimental. Experience must decide as to what form of home rule can be established, and to what extent. Sentiment and partisanship should have no voice in a matter of such moment to the nation.

Only one thing seems perfectly clear at the outset. The Filipinos should be given every chance practicable to fill offices under American supervision. And the native officers should be given sufficient protection against marauding bands that may prefer robbery, to an honest living. The people should be educated and encouraged to make their demands heard in popular assemblies and through the press, and their tutors should at all times be willing to lend an ear to the public voice. From this starting point, self-government may be developed as speedily as the intelligence and natural adaptability of the race permit.

As for the Tagals who have been in arms against the United States, reasonable leniency will undoubtedly be shown to those who now lay down their weapons, though they, clearly,

are not entitled to be rewarded by remunerative offices. But those who seem to have resolved to band themselves together and carry on pillage and murder can expect no other treatment than that accorded to bandits. On this point there should be no doubt among the Tagals. They may need some severe lessons in civilization to comprehend this principle of self-government.

## THE DANISH INDIES.

There is some talk again in the press of the purchase, by this country, of the Danish West Indian Islands. In 1887 Mr. Seward offered \$7,500,000 for the islands of St. John and St. Thomas, and Denmark accepted that offer. The inhabitants of the islands voted for annexation to the United States, and the treaty was laid before the Senate for ratification. The Senate, however, was so busy with other matters that the business was neglected, and the time limit agreed upon expired without any action being taken.

Since then there have been no official negotiations as to the islands, although in 1892 one of the correspondents of a Danish newspaper, during a brief visit to Washington, succeeded in interesting some members of Congress in the matter. It was soon found, however, that the gentleman had no islands to sell. It is believed Denmark would gladly dispose of these possessions now, because they are thought to be an expense rather than a source of income to the owner.

The islands in question are situated to the east of Porto Rico. St. Thomas is only about forty miles from this island. It contains about thirty-five square miles with a population of 15,000, mostly colored. Its chief value is in its port, which is said to be deep and spacious and securely sheltered from winds from the north and east, while hurricanes from the south sometimes cause destruction. St. John is out of the beaten track of commerce. It has only about 1,000 inhabitants. St. Croix is about forty miles from St. Thomas. It has an area of about one hundred square miles. The soil is fertile and the climate healthy. The population is about 25,000, mostly colored.

The question has been raised whether the United States had not better purchase this group, as otherwise it might be sold to Germany. But there is only a small probability that the Danish people would consent to a transfer of Danish territory to the German empire, as long as the relations between the two countries remain as at present. But if negotiations with Germany should be initiated with a view to such a transfer, the question of the application of the Monroe doctrine would necessarily arise. Perhaps the easiest way of avoiding a dispute on that point would be to purchase the islands. They should certainly be worth to us now as much as they were when Mr. Seward offered seven and a half million dollars for two of them.

## A CATHOLIC OPINION.

We have not space in our columns for a title of the comments made by the press of the country, on the question which appears to interest the American public more than any other just now, but we must give up space enough for the following, which appeared in the Inter-Mountain Catholic of Dec. 9th. That paper received a letter of inquiry for an expression of opinion on this absorbing subject, which was responded to by Rev. Thomas H. Malone. This is what he says in the Catholic:

"The opposition to Congressman Roberts, so far as we have been able to observe, is not based on legal grounds, but had its inception and is finding its fruition in antipathy to his alleged religious practices. Such opposition, as our correspondent must know, can find no legal justification and must therefore be entitled only to the consideration which should attach to sentiment. With Mr. Roberts' religious practices the Intermountain Catholic has nothing to do, but his legal right to a seat in Congress is one which concerns every citizen of the republic whose perpetuity, if it is to endure at all, must be sought in the Constitution of the United States.

"So far as we know, it has not been urged anywhere that Mr. Roberts, and all the circumstances surrounding his election, fail to meet the requirements of the Constitution. He has passed a Constitutional age requisite in a representative of the United States; he has been more than seven years a citizen of the United States; he is an inhabitant of the State of Utah, and he was legally chosen in a legally conducted election to represent the people of Utah in the House of Representatives in the United States. Thus every requirement of the Constitution has been fulfilled in his case.

"It matters not what the teachings and practices of the Mormon Church may be, the Constitution of the United States has affirmed that such practices and teachings shall not be made a test of political eligibility of those who practice and profess them. This is the Roberts case as it stands, stripped of all sentiment, hysteria and gush. If the religious test is to be applied to Roberts, to whom will it be applied next?"

Parsons, Cliff, Owen. There is a saying which begins, "Birds of a feather."

Col. Hayes has had another brush with the Filipinos. He appears to have polished them off in good shape.

The American troops following Aguinaldo seem determined not to leave him enough servants to tell him whether his disguise fits.

The Denver News says "the trusts are trembling." It probably refers to the earthquake trust, since all the others appear to be undisturbed.

Police officials in the East are discussing the merits of the whipping post for footpads. The merits of the whip are all that concerns the robber gang.

Secretary Gage is going to pay another five and a half millions interest in advance. The bondholders will appreciate the donation, or accommodation.

It is said that Gen. Cronje, the Boer commander of Magersfontein, has based his chief study of military tactics on the American methods, both during the civil war and subsequently. He appears to have been an apt student.

Columbus, O., Press-Post. "With the Roberts case as a precedent, what is to prevent the majority in the lower

branch of Congress from 'freezing out' any or all of the minority at any time?"

Pietermaritzburg specials are true sometimes, but it will be remembered that the specials announcing Gen. Joubert's death, his signal defeat by Gen. White, his sudden retreat northward, etc., were all from there and all were untrue.

The announcement comes from London that the Queen's health is endangered by the misery the war inflicts both on British and Boers. There is no reason to doubt this statement, since her majesty is deeply sympathetic, and it was not by her consent that Britain was plunged into the present war.

Winston Churchill is displaying some of the genius of a clever war correspondent. He was captured at last court, was given a trip to the Transvaal capital, and now has escaped from Pretoria. If he can get safely to the British lines, what a thrilling story he will be able to relate.

Count Von Buelow, the German minister of foreign affairs, has found it necessary to state to the German Reichstag that the Sampson treaty contains no secret clause carrying any obligations toward England or America. The demand which elicited the statement shows clearly that German popular sympathy is not with Britain.

The editor of the "News" acknowledges with pleasure the token of appreciation, from the Head Light of this city, of the position taken by this paper on the question of lynching. The "News" is and ever has been the champion of right and the cause of the oppressed, and opposed to mobocracy in any and every form.

Philadelphia Record: "His credentials being in every respect regular, Roberts was entitled to take his seat and participate in the proceedings of the House until such time as the House might deem it a duty to expel him. But with an adverse petition signed by 7,000,000 persons confronting them, the majority of the members did not have the moral courage to stand by their convictions."

From statements in the Cleveland Plain Dealer, it is evident that a considerable emigration of able-bodied Irish-Americans is going on to South Africa. Of course individuals or companies of people can go where they please, within reasonable limits, but if the migration referred to is of men who intend to fight against Great Britain, the avowed of such intention brings them within scope of official surveillance, and probably detention.

It is useless for even the strongest British sympathizer to close his eyes to the fact that man for man and gun for gun, the Boer in South Africa is as good a fighter as the Britisher. This has been demonstrated on every contested field thus far. His methods are different, to suit the circumstances of defensive warfare, but his skill, ability and courage show that he is not an inferior soldier. When the British annex the Boer republics, if at all, it will be when these have been dominated by sheer force of numbers.

## SENATOR HAYWARD.

New York Mail and Express. The death of Monroe Leland Hayward, of Nebraska, is a serious blow at this time to the best interests of his State. He was a man of sturdy character, wide experience in politics, sound business judgment, and enviable reputation at the bar. His election as a United States Senator promised to give Nebraska two able Republicans in the upper house of Congress, who together would have done much to lift that commonwealth, at the national capital, out of the mire in which it has long been sunk.

## OMAHA BOE.

Locating in Nebraska just as it was about to enter into the sisterhood of States, M. L. Hayward at once took rank with its most eminent and enterprising citizens and was chosen one of the framers of the constitution, under which we have lived since 1893, in recognition of his late and high standing in the community in which he had made his home. During more than a quarter of a century M. L. Hayward has been a prominent figure in the political arena and one of the trusted leaders of the Republican party, which in 1898 honored him by a unanimous nomination as its candidate for governor. As the standard bearer in that fierce campaign he bore the brunt of battle and became the logical choice of the legislature for the highest honor within the gift of the State.

## PORTO RICO.

Boston Transcript. It would seem both commercial and political wisdom to give the products of our colonies free entry to our ports. We there will make the colonies prosperous, and induce large investments of capital, while free sugar and tobacco will give us command of the world's markets for those commodities. If justice will not persuade us self interest ought to induce us to follow the course suggested by Secretary Root and the President.

## NEW YORK EVENING POST.

The beet-sugar men have risen to protest against the admission of cane sugar from Porto Rico and the Philippines free of duty. They are gathering unto themselves the producers of tobacco, rice, and semi-tropical fruits, whose industries are threatened by the competition of these islands. At a meeting held at Omaha on Tuesday, Mr. Herbert Myrick made a speech, saying that domestic agriculture, as regards these specialties, is about to have "a fight for life." The immediate cause of alarm is the report of the secretary of war, endorsed by the President in his recent message, recommending free trade with Porto Rico and a reduction of duties on sugar from Cuba. If these concessions are made, Mr. Myrick says, free trade with Cuba and the Philippines may be expected, and then farewell to our rising beet-sugar industry, not to mention tobacco and the other things which can be produced so much more cheaply there than here.

## GEORGIA AND THE NEGRO.

New Orleans Playhouse. Georgia is overwhelmingly Democratic, and there is no effective Republican element in the politics of the State. The negroes are used by Democratic candidates and factions to divide the vote in the State, and the best people determined to free the State from such damaging and dangerous conditions, and they have done so. The Georgia politicians refuse to free their State from such a situation be-

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Everybody is invited. Everybody is welcome. We have opened for inspection the most Magnificent and Extensive Stock of Goods ever displayed in this Market. Every Department in our great Dry Goods establishment is replete with the best and most stylish products of the manufacturer's art. There are creations from all parts of the world, and the highest qualities of the useful, ornamental and beautiful gathered here. For this occasion our spacious rooms are tastefully decorated, and the whole forms a magnificent picture to please the eye and gladden the heart. Come and view it, and bring the children. Come, whether or not you wish to buy. You are welcome. If you wish to be a purchaser, you will find that this Season we have put Everything at our Popular Prices.

Z. C. M. I.

T. G. WEBBER, Supt.

cause, as it stands, it is useful to their individual and factional schemes. That was the way things were done in North Carolina, where there are twice as many whites as negroes, and where negro domination was never feared, but within a year, through the contentions of the whites among themselves, the negroes got into public place and power, and became so overbearing and arrogant that their conduct was unbearable, and bloody revolution was necessary to restore peace and order. Since then the North Carolinians have come to realize the necessity of getting rid of such a political danger. The Georgians are sooner or later bound to come to it.

## Boston Transcript.

It has been claimed that this action was taken to head off the movement to cut down the representation of the South, and this might have been a contributory motive; but we believe that on the abstract merits of this question alone, at this time, the result would have been the same, and that the Georgia house of representatives deserves credit for taking high ground and deciding this very important question in an honest, intelligent, and manly spirit and manner. The State in this test, and we may say in this temptation, has arisen above party prejudice and has discharged a delicate duty honorably and righteously. When men like Candlish and Washington work together great things can be accomplished for the social welfare.

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# SO MANY THINGS

## TO TELL OF



AND SUCH a little time to talk of them. But we know of nothing more interesting today than the hats for gifts. Yes, they make nice presents, don't they? And one thing sure, if the hat has a Gardner label on the inside, the receiver will be satisfied. No old styles to show you here, every hat is direct from fashion's center. Hats are all prices here. Good hats for a dollar; then a \$1.50, all styles, better of course than the \$1.00 ones; not a dollar better, but just 50 cents of Gardner hat value better, equal to \$1.00 better of most stores, however. Then comes our \$2.50 hats, all styles and shapes, the pride of this hat store, guaranteed to hold their shape up to the last minute of wearing time. We've hats at \$3.50, all shapes, that are equal to most \$5.00 hats on the market. Then we have the Knox Hat—its \$5.00.

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SO SENSIBLE, so useful, so much appreciated that we can't help telling of them again. Good things stand repeating, and these gloves are so good we want you to know them as we know them. Some men like lined gloves. Some men like unlined gloves. Some men like the dress kid gloves, and some men like the undressed kid ones. Still there are others who like the woolen kinds. We have the lined kinds from 50 cents to \$2.00. We've the unlined kinds from 75 cents to \$2.50. We've the woolen kinds, 25 cents to \$1.00. We've silk lined Mochas at \$1.25 and \$1.50. Warm and comfortable, light and dressy.

The boys like any kind of a glove—25 cents to \$1.00.

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