

## DESERET EVENING NEWS

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## RELIGION DICTATING LAW.

In the reports published of the proceedings before the House committee on the judiciary, at the seat of government, for the consideration of the proposed constitutional amendment in reference to polygamy, we find the following:

"The Rev. Dr. T. E. Hamlin said that no argument in behalf of the constitutional amendment seemed necessary. He spoke of the unanimity of opinion of all denominations upon this subject."

That appears to be the position taken by the sectarian advocates of the movement. It shows the spirit in which the agitation has been conducted, which resulted in the recent action of the House of Representatives on the exclusion proposition. All that appears to be necessary in order to influence the law-making power of the nation, is to make sure that the religious sects of the country unite in demanding it.

We have heard for many years a great deal of a so-called "union of Church and State," whenever "Mormonism" has been under consideration. The entire separation of religion and politics has been strongly advocated, whenever it was thought that the "Mormon" people were in any way influenced by their Church leaders in political affairs. Our investigations on this subject have led us to the conviction that there is a thousand-fold more reason for objection to sectarian interference in governmental affairs, than can be rationally offered against anything that has occurred among the "Mormon" people.

In the quotation from the remarks of Dr. Hamlin, we find the very essence of the animus in the present case. All the denominations, which are usually engaged in theological controversies and sectarian disputes, are united in demanding legislation which they imagine will affect, injuriously, a religious system that they regard as their common foe. This unity of feeling between those religious bodies is deemed sufficient, as a reason why Congress shall take action in the direction they desire. No argument to support it seems to be necessary, according to the avowal of the Rev. spokesman.

The same speaker made the statement that he had been told by a gentleman from South Carolina, that there had been fifteen hundred "Mormon" converts in that State and ten thousand in the South. That appears to be the great disturbing factor among the various contending churches. Whether the figures quoted are correct or not, the success of the "Mormon" missionaries angers the preachers whose efforts in proselyting are chiefly failures. The falling off in their church attendance and the lack of increase in membership are the subject of numerous comments and lamentations. This spurs the sectaries to animosity against the successful promulgators of a despised faith, and hence the combined demand upon the law-making power by the churches endeavoring to dictate national legislation.

The plea under which they make this attempt at directing the action of Congress, is that the "Mormon" Church is "systematically propagating the doctrine of falsehood despite all denials." This is a falsehood for which, perhaps, a number of the speakers before the judiciary committee are not directly responsible. They say they have been told this by persons "engaged in missionary work in the West." We have no doubt that they have been so informed. But if called upon for specific cases of this systematic teaching, they would utterly fail to present one authentic instance. It is positively untrue, no matter by whom it is asserted, that any "Mormon" missionary is authorized to preach or advocate polygamy. The Church positively forbids its ministers to do anything of the kind.

If, as is supposed, the "Mormon" Church was engaged in resisting the movement for a constitutional amendment against polygamy, there would be able counsel, no doubt, to question the witnesses before the committee, to elicit how much they actually know on the subject of their testimony, and show how utterly without foundation are the rumors which they have adopted as veritable facts. But this Church, having formally and authoritatively declared against further plural marriages, and the State of Utah having effectively legislated against them, providing heavy penalties against polygamous practices, the passage of the amendment which so many religious people imagine would stop the spread of "Mormonism," is of very little consequence in its bearing upon the "peculiar institution."

Therefore, the "Mormon" Church is taking no active steps in that direction. The idea that federal administration of laws against polygamy will have any effect upon the spread of "Mormonism," is utterly fallacious and springs from a misconception of the whole matter. "Mormonism" is far more likely to spread abroad and prevail in the world

without that feature of the faith which obtained for a time, than with it. The unpopularity of the doctrine and the prejudice against its practice, barred the way to a large extent to the successful promulgation of the principles of the Gospel, that the Elders are sent forth to proclaim to mankind.

That the nation has rejected and stamped under foot the system of marriage once incorporated in "Mormon" doctrine, is not the fault of those who proclaimed it. But that rejection has to be regarded as a potent fact, and in yielding submission to the laws of the land concerning it, the "Mormon" people have opened the way to much wider opportunities for the spread of their religion than were available before.

The only objections we have to the proposed amendment are its non-necessity, and the false impression it conveys as to conditions in Utah. Polygamy is stopped here by Church edict and State legislation. To change the Constitution of our country for the purpose of suppressing something that has no existence, except the few evidences of its effects that time only will obliterate, is a farce so utterly absurd that it cannot even smile at it. And the spectacle of the ministers of the country combining to set it in motion, is evidence of their complete ignorance of the whole matter that is truly deplorable.

At the same time, their endeavors to direct and command action by the law-making power of this government, showing that religious influence does seek making power of this great country, and control affairs that belong only to the State. If this can be done in relation to one unpopular Church, when occasion requires it can be done to another. This should prove a note of warning to the supporters of free republican institutions and to all lovers of liberty throughout the land!

## ENGLAND AND FRANCE.

According to a London dispatch, there seems to be some apprehension of a clash between Great Britain and France concerning Egypt. The latter country is said to regard the present time opportune for a demand on England for the evacuation of the country of the Khedive.

It is not impossible that the question has again been brought up between the two governments, but it seems highly improbable that France should at this time seriously contemplate the interruption of friendly relations with her neighbor. The risk would be too great.

It is not probable that France will carry her Egyptian agitation beyond the diplomatic stage, but there is always some danger that reason will be dethroned by popular clamor. William T. Stead, in the Review of Reviews, hits the mark when he says, first, that the French are just as capable of underestimating the fighting strength of Great Britain, as was this country of underestimating the strength of the Boers; and, secondly, that France is quite capable of going mad at times. France certainly was temporarily insane when she raised the battlecry, "On to Berlin!" only to finish at Sedan, and under certain circumstances that feat might be repeated, with such variations as an attempt to reach London would necessitate.

The negotiations with Italy to replace the English garrisons in Egypt would seem to furnish a ground for complaint. Egypt is technically a Turkish dependency. Great Britain turned the rebellion of Arabi Pasha to advantage, and occupied the country, ostensibly in order to help the Khedive to preserve the peace. English troops were to hold the country as long as such precaution was deemed necessary, but no longer. If now the time has come for Great Britain to use her Egyptian troops elsewhere, the responsibility for the maintenance of peace and law in Egypt falls really on the Sultan, who is the sovereign, and if his power is insufficient, Europe must again interfere. Great Britain's supervision of Egyptian affairs, it will be contended, was only temporary. She does not own Egypt and cannot replace her troops there with those of any one of the European powers.

In France an idea prevails that Great Britain may have to give up Egypt in order to hold South Africa. But as far as can be seen, at this stage of the war, there is no such probability. Great Britain has now about 200,000 men on South African soil. Against this vast army the Boers, according to the best estimates, cannot muster to exceed 60,000 men, including the foreigners that fight with them. Great Britain is preparing to send another force of not far from 100,000 men to the scene of war, while the Boers have no reserves to draw on. How long can the Boers under such circumstances continue to be a menace to Great Britain's power and prestige?

And then, what is a force of 300,000 men, or even half a million, to a country like Great Britain? As far as human foresight can tell, France has no prospect of obtaining revenge for Egypt or Fashoda, in the near future. But the future is often hidden to the view of even the most trained observer of human events. It is never safe to build forecasts on mere appearances. There is a Providence that shapes the destiny of nations, notwithstanding the calculations of both statesmen and demagogues.

## JAPAN'S POSITION.

A representative of the Japanese government, traveling for the purpose of learning everything about ship-building, recently visited Ottawa, Canada. The gentleman, whose name is Hirata, is, according to all reports, unusually liberal in making his views of current events public. He does not speak officially for the government, but it may be presumed that he reflects the public opinion of his country fairly well, and for that reason what he says is of interest.

According to him, the Japanese soldiers would like to go to South Africa and fight for Great Britain. If the British would accept Japan's aid, this country could send 30,000 to 40,000 troops trained to mountain warfare, and with these troops the war would soon be brought to an end. Japan would transport her troops and land them without any outside aid. And for this service Japan would only ask Great

Britain, as an ally in a war with Russia, to employ part of her fleet in assisting the Japanese fleet to protect the ports of Japan against the fleets of Russia and France, and thus enable Japan's entire military strength to be used for the recovery of Port Arthur, the occupation of Manchuria and the overthrow of Russia's power in China.

Mr. Hirata is free to say that Russia and France are behind the Boers and making war upon England through them. Their object is to weaken the British military power until Russia and France shall be able to march through India. But Japan will never forget the injury inflicted on her at the close of the war between Japan and China until that shameful wrong is rectified, and it will never be rectified without war. In that war Great Britain's material interests are inextricably involved, and its hour seems near.

Mr. Hirata, it is safe to say, was not authorized to speak thus for his government, but there can be no doubt that Japan is a factor to be reckoned with in any future settlement of international disputes in Asia. Russia is well aware of Japan's attitude. The situation is singular. Russia would like to take revenge upon Great Britain for depriving her of the fruits of victory after the battle of Plevna, but she must be careful, because Japan is watching her and would gladly embrace an opportunity of striking her for stealing the fruits of Japan's victory over China. It is a case of hawk watching hawk. And indeed, that is the international attitude of most nations. Their influence, their power is founded on wars, on deeds of violence, on injustice. A final adjustment must come, and if that can not be by arbitration, it will be by other means. And there is every indication that the nations are preparing for some kind of final accounting.

## TIMBER ON PUBLIC LANDS.

We have received inquiries concerning the cutting and removal of timber on government lands, and also as to whether citizens of Utah would be liable to prosecution for purchasing timber in Idaho and conveying it into this State. In reply to these questions, we have received some information through the courtesy of Special Agent John S. Stidger, by which we are able to make the following replies:

Question 1.—"Can Utah citizens go into Idaho or other neighboring States and cut timber on government land and haul it into Utah?"

See act of June 3, 1878, chap. 150, 20 Stat., p. 83. This is known as the "Mineral act," and the following regulation-circular, Aug. 5, 1886, issued by the honorable commissioner of the general land office, answers the question fully:

"No person not a citizen or bona fide resident of a State, Territory, or other mineral district, provided for in said act, is permitted to fell, or remove timber from mineral lands therein. And no person, firm, or corporation felling or removing timber under this act shall sell or dispose of the same, or the lumber manufactured therefrom, to any other than citizens and bona fide residents of the State or Territory where such timber is cut, nor for any other purpose than for the legitimate use of said purchaser for the purposes mentioned in said act."

For cutting timber on non-mineral public lands, see act of March 3, 1891, (26 Stat., p. 93), and act of February 12, 1893 (27 Stat., p. 444). See also circular of March 17, 1895.

"Rules and regulations governing the use of timber on non-mineral public lands under act of March 3, 1891," paragraph 3rd reads as follows:

"2. Settlers upon public lands and other residents of the States and Territories who have not a sufficient supply of timber on their own claims or farms for use thereon for such domestic purposes as fire wood, fencing, or building purposes, or for necessary use in developing the mineral and other natural resources of the lands owned or occupied by them, may procure timber free of charge, from unoccupied, unreserved, non-mineral public lands within said States or Territories, strictly for use on their own claims or lands, or for the purposes enumerated in this section. They may sell or dispose of the same, or the lumber manufactured therefrom, for use on other lands or by other persons, nor for export from the State or Territory where procured, to an extent not exceeding, in stumpage valuation, \$100 in any one year."

These regulations further state that "it was not the intention of Congress to authorize the taking of timber from public lands to serve as an article of merchandise or traffic whereby profits might be secured."

Question 2.—"Can a citizen of Utah buy timber in Idaho or can that State prosecute him for using timber thus acquired?"

To this the agent replies that while he is not acquainted with the laws that govern this matter, under the authority of the several States and Territories, he is sure that the general government has the exclusive right to control its own timber and regulate its commerce between the States.

In addition to the foregoing, we are able through the kindness of the land office authorities in this city, to present the following rules and regulations issued by the Acting Commissioner, Jan. 18th, 1900, from the Department of the Interior, Washington, D. C. These rules are prescribed by virtue of the act of Congress of June 3rd, 1878. We think this will entirely cover the ground of the questions asked of us on this subject.

1. The act applies to the States of Colorado, Nevada, Montana, Idaho, Wyoming, North Dakota, South Dakota, and Utah, and the Territories of New Mexico and Arizona, and all other mineral districts of the United States.

2. The land from which timber may be felled or removed under the provisions of this act, must be known to be of strictly mineral character and "not subject to entry under existing laws of the United States except for mineral lands." Parties who take timber from the public lands under assumed authority of this act must stand prepared to show that their acts are within the prescribed terms of the law granting such privilege, the burden being on such parties of proving by a preponderance of evidence that the land from which the timber is taken is "mineral" within the meaning of the act.

3. The privileges granted are confined to citizens of the United States and other persons, bona fide residents of the States, Territories and other mineral districts, provided for in the act.

4. The uses for which timber may be felled or removed are limited by the wording of the act to "building, agricultural, mining, or other domestic purposes."

5. No timber is permitted to be felled or removed for purposes of sale or traffic, or to manufacture the same into lumber or other timber product as an article of merchandise, or for any other use whatsoever, except as defined in

section 4 of these rules and regulations.

6. No timber cut or removed under the provisions of this act may be transported out of the State or Territory where procured.

7. No timber is permitted to be used for smelting purposes, smelting being a separate and distinct industry from that of mining.

8. No growing trees of any kind whatsoever less than eight inches in diameter are permitted to be cut.

9. Persons felling or removing timber under the provisions of this act must utilize all of each tree cut that can be profitably used, and must dispose of the tops, brush and other refuse in such a manner as to prevent the spread of forest fires.

10. These rules and regulations shall take effect February 15, 1900, and all existing rules and regulations heretofore promulgated under said act by this department are hereby rescinded.

The Filipino rebels must be growing quite weak. Starving and exhausted Spanish prisoners have risen in revolt and dispersed their guards.

The atmosphere in Washington seems to be clearing for American mediation in the South African war, which would be surely acceptable to Britain in case of the development of European complications.

With the returns of the national plebiscite in Mexico, it would appear that President Diaz is so near the unanimous choice of the people that the presidential election there will be merely a matter of legal form.

The announcement comes from Cape Town that General Roberts and Kitchener have gone to the front. It would gratify a general curiosity to know where the front is at present in the South African campaign.

Now the Chinese emperor has not been deposed, but is going to be. The original announcement was a feeler of Chinese diplomacy to see how a change would be received by the other nations, and since it excited only a passing interest, will probably be made with little delay.

Lord Roberts has issued a proclamation offering Free Staters and Transvaalers British protection, and restoration to their farms on British occupation of republican territory. So far as any indication yet given, those Boers are fairly well satisfied with the protection they give to themselves.

Senator Morgan says some of the members of the United States Senate would amend the Ten Commandments if these were presented to the august body. Evidently the Alabamian thinks some of his colleagues are not controlled in their actions by the revelation of Divine law which he names.

"Red and Black," published by the students of the High School, is a "smallpox" number, its pages being almost entirely devoted to that pleasant subject. If the smallpox microbes can be laughed out of the city, he will surely go, after the appearance of this little paper, in which he is treated to liberal doses of ridicule, sarcasm and humor.

Great Britain's request for Italian soldiers to relieve the British garrisons in Egypt, so these can be spared for the war in South Africa virtually amounts to an appeal to Italy for assistance. With an agitation of the Egyptian question just now, Britain would have a hard time holding down both ends of the African continent.

An exchange notes that Gen. Buller, after the Majuba hill disaster, said that Gen. Colley was just the kind of a fool to climb up a hill and be trapped on top. Twenty years have elapsed since that, but Nemesis seems to have overtaken the general at last. Colley did not survive his blunder, but Gen. Buller did.

The censor has allowed another Boer announcement of victory on the Tugela to come through. Heretofore these announcements have been accurate, hence it may be concluded that in this third attempt at least a part of Gen. Buller's army has met another reverse, but it has not been sufficient, so far as reported, to cause him to relinquish the effort.

A Chicago man has supervised the construction of the biggest dredge in the world, and the machine has surprised the engineers of Europe. There are a good many other things Chicago engineers have done that would surprise those same people if they were to come and note the engineering operations in and around the great city by Lake Michigan.

Says the New York World: "And now it really is a church trust, following on the heels of the Bible trust. The strong churches are to combine to cut off the weaker." This is surely nothing new. The "strong" churches have tried to do that ever since the spirit of persecution took possession of their pastors. They were thus engaged when they stained American soil with the blood of martyred Latter-day Saints.

Gov. Taylor of Kentucky prolonged the agony today by neither signing nor refusing to sign the agreement formulated at Louisville. Many people on either side feel that the gentleman should either "fish or cut bait," but he appears to believe that delay will have the effect of allaying public excitement and lessening the danger of violent disturbances. Yet too much holding back will awaken slumbering animosities.

Now appears that senators who were at first inclined to oppose the Hay-Pauncefote treaty because it prohibited fortifying the Nicaragua canal have thought better of the subject on closer examination, and find that the surrounding conditions are such that with its naval stations, present and prospective, the canal will be practically fortified at either entrance, while kept free along the actual route of the waterway. With this change of position on the part of senators the treaty probably will be ratified at an early date, though it is likely also that there will be some amendment.

## THE KENTUCKY TRAGEDY.

Cleveland Plain Dealer.

It is difficult to decide on which side the most wrong was done in the late election and in the subsequent manipulation of the returns. Fraud and intimidation at the polls and dishonesty in the count were freely charged against

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T. G. WEBBER, Supt

both sides, and the probabilities are that there was too much ground for the charges on either side. The first result was the organization of a legislature in which the Goebel Democrats outnumbered the Republicans and anti-Goebel Democrats combined, and at the same time the installation of Taylor, the Republican candidate for Governor, and the whole Republican State ticket. The next step was the election of Blackburn as United States senator, whose certificate Gov. Taylor refused to sign. Then came the unseating of Republicans in the house on the charges of a preliminary to the caucus of the votes for governor by the legislature in joint session. This was regarded as making the ousting of Gov. Taylor and seating of Goebel a certainty.

St. Paul Pioneer Press.

The assassination of William Goebel was a dastardly and horrible crime, for which it is impossible to find a shadow of excuse even in his own wicked and high-handed defiance of the law. In the pursuit of his selfish ends he had trampled on the obligations of law and good citizenship; he had robbed his fellow citizens of rights guaranteed to them by the most sacred constitutional and statutory enactments, and endeavored to make his own will the law of the commonwealth.

Denver Post.

There are many things in the Kentuckian character which one cannot fail to admire and not a few which are worthy of emulation, but the shotgun theory which has played so conspicuous a part in its public life cannot be too heartily condemned. It is a theory which public sentiment has sustained more's sake than even its expediency.

Peoria Journal.

The assassination of Goebel should be avenged by the law. It should be the earnest effort of every decent citizen of the State of Kentucky to bring to the bar of justice the men who were in a conspiracy—if conspiracy it was—and the murderer, whoever he or they may be.

Omaha World-Herald.

In the light of the systematic protection given to the assassin the public is justified in the suspicion that Senator Goebel's destruction was due to a deliberate and cold-blooded conspiracy, and that responsibility cannot properly be monopolized by the man who did the shooting.

Chicago Times-Herald.

The shooting of Senator Goebel brings about a condition of affairs in Kentucky so full of menace to the peace and order of the commonwealth as to excite the gravest apprehension of the whole country. The cowardly deed opens up possibilities of violence and revolution that call for the exercise of the greatest prudence and firmness on the part of Governor Taylor. His position under the circumstances is one of embarrassment and perplexity. He must preserve order and save the State from further disgrace without seeming to promote the interests of his own contest.

St. Louis Globe-Democrat.

By the undoubted sanction of a majority of votes and of a certificate awarded by the State election board, Governor Taylor was inaugurated as chief executive of Kentucky, and he will continue in the place until a successor of unquestionable legal rights presents his credentials. The mysterious shooting of Goebel does not affect Governor Taylor's title to office in the least, and the hurried action of legislative boards can not relieve him from the obligations of his oath.

Chicago Record.

This is Kentucky doubly disgraced. Goebelism was bad enough, but the offenses of Goebel were not equal to those of Taylor. Taylor's action in using the State militia to disperse the legislature when the members of that body were attempting to assemble peaceably was an intolerable outrage, discreditable even to a South American revolutionist. When a man acting as governor, whose title to that office is in question, can freely use the militia to interrupt the proceedings of the legislature, a co-ordinate branch of government, republican institutions are little more than a name. Taylor's associates should hasten to repudiate his acts if they desire to avoid sharing in the responsibility for them.

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