

but nevertheless occupies the seat to which he has no legal title.

Judge Anderson remarked, substantially, that the question involved had already been decided by the Supreme Court of the Territory. Because of this statement a number of persons obtained the erroneous impression that the usurping Councilmen were about to abdicate in favor of the legitimate claimants. We have been asked a number of times why this latter incident did not occur. To answer this question requires a great deal of explanation.

Previous to the city election of February, 1889, the point was raised as to which of the laws the election would be conducted under, the old or the new. An appeal was made on the subject, for information, to the Utah Commission, which body has jurisdiction in all elections in the Territory. The Commission held that the new law enacted by the last legislature, should prevail. A similar application was made to the Supreme Court of the Territory, which decided the matter in the same way.

On the other hand, the manipulators of the "Liberal" party contended that the old election law ought to operate. The reason why this position was taken by the latter was evident. In case their candidates might receive a majority of the votes at large, they fenced in this way so that they might have a shadow of excuse for stealing the offices. Had their candidates, however, been elected by majorities in each and all of the several precincts, they would have insisted that, after all, the Supreme Court and the Utah Commission were correct in their opinions.

It is a notorious fact that the People's candidates in the Third and Fourth precincts received a majority of votes. This is not denied, having been shown by the face of the returns. Notwithstanding this was the case, Secretary Sells issued the certificates of election to the "Liberal" candidates, in opposition to the decision of the Supreme Court, and to the opinion, or ruling, of the Utah Commission. The "Liberal" candidates were seated on this *prima facie* basis, that act being the terminal point of a corrupt conspiracy.

Mr. R. W. Young, one of the People's candidates elected from the Fourth Precinct, carried his case into the District Court, before Judge Zane. It was taken there on an application for a mandamus to compel the Secretary of the Territory to issue the certificate to him on the ground that he was elected. Judge Zane decided that Mr. Young and consequently, the other People's can-

didates in the Third and Fourth precincts were entitled to the certificates, the returns showing that they received a majority of votes at the election. All there was in the remarks of Judge Anderson, in the case of Folland vs. Wolstenholme, was that, as a district judge, he could not do anything in the matter, the leading question involved having been already settled by the Supreme Court, namely, that the new law governed the election, and that being so, the People's candidates were elected. The causes proper, however, either individually or collectively, have not yet reached the Supreme Court. The reason of this has been that the other side—the usurpers—have resorted to a process of delay in order to defeat the law, the ends of justice, and the will of the people. Judge Zane stated in the case of Young against Williams that men who are guilty of such conduct are rascals, and traitors to their country.

#### COUNTER MOVES BY EMPLOYERS.

THERE are indications of contention between employers and labor organizations in this city and perhaps other parts of the Territory, this season. Differences between these opposing classes will, however, be manifested by other means than strikes, though the latter may possibly occur. At the outset of the busy season labor organizations are taking steps to insure high wages to their members, and employers are making counter moves of a strategic character. It is insisted that there are a sufficient number of bricklayers in this city to supply the demand, yet advertisements calling for several hundred more to come here have appeared in Chicago papers. The consequence of a heavy influx of this class of mechanics would of course be to render it extremely difficult if not impossible to maintain the existing schedule of wages.

It is charged that an Ogden contractor has resorted to a similar strategem, having advertised for a much greater number of men than he can employ, his object, if such is the case, evidently being to practice a sort of intimidation in order to avoid paying high wages. The fact, on the one hand, is that the labor market of this Territory is well, and it may be said, abundantly supplied, at the present time; and on the other hand, the "boom" of last year is receding, money is tight, and existing conditions render it doubtful about maintaining the high wages of flush times. If both sides would take a candid view of the situation, and endeavor to adapt themselves to it, it

would be much better for both, as well as the public at large.

In any event, the bringing to this city, under promises of work, of a large number of mechanics for whom there is not employment, is a move that can not be properly countenanced under any consideration.

#### HON. JOHN W. YOUNG'S LATEST ENTERPRISE.

THE *Deming Headlight* of the 11th inst., contains some information of local interest regarding the North Mexican Pacific Railway, the mammoth enterprise in which Hon. John W. Young is the moving spirit. Mr. W. Derby Johnson, Jr., formerly a resident of this city, is general manager of the road and Mr. John Fewson Smith, also an old resident of Salt Lake, is superintendent of construction. Mr. Smith has the reputation of being one of the best civil engineers in the United States, with special reference to every detail connected with the construction of railroads. It will be remembered that he was one of the candidates of the People's Party who were elected to the City Council from the Fourth precinct in this city a year ago last February and whose seats were stolen by "Liberal" corruptionists. His headquarters connected with his present important business position are at Deming.

Mr. A. M. Tenney has taken the contract for the grading of the road from a point nine miles south of Palomas to Corralitos, a distance of ninety miles, to be completed by the 15th of September next, and has probably by this time about one hundred teams and a proportionate number of hands at work.

The *Headlight* says:

"The change in the name of the new railroad into Mexico, of which brief mention has heretofore been made, was for the reason that it was discovered that an organization already existed known as the Mexican & Pacific Railroad, running across central Mexico from the Gulf to the Pacific Coast, and now in process of construction. So, to avoid confusion, which sooner or later would have been inevitable and possibly serious in its consequences to one or both of these enterprises, the name of the road from Deming southward was changed from Mexican Pacific Railroad to North Mexican Pacific Railway, and as such it will hereafter be known."

#### SYMPTOMS OF LABOR AND CAPITAL CONVULSION.

Is the country to be convulsed with labor strikes this spring? The question is suggested by the recent conference held at Pittsburg between miners and mine owners. The eight hour day was the chief topic discussed, and the result of the conference dis-