

DESERET EVENING NEWS

PUBLISHED EVERY EVENING.

(Sunday excepted.)

Corner of South Temple and East Temple

Streets, Salt Lake City, Utah.

Charles W. Penrose - Editor.

Horace G. Whitney - Business Manager.

SUBSCRIPTION PRICES.

(In Advance)

One Year	\$3.00
Six Months	2.00
Three Months	1.25
One Month	.75
Sunday Edition, Per Year	2.00
Semi-Weekly, Per Year	2.00

Correspondence and other reading matter for publication should be addressed to the Editor.

Address all business communications and all remittances to THE DESERET NEWS, Salt Lake City, Utah.

Entered at the Postoffice of Salt Lake City as second class matter according to the Act of Congress, March 3, 1879.

SALT LAKE CITY, - JAN. 22, 1907.

SENATOR HOPKINS' ADDRESS.

The address of Senator Hopkins delivered in the Senate on the 11th of this month, in opposition to the recommendation of the majority of the Senate committee on Privileges and Elections in the case against Senator Smoot, is, on the whole, a very able effort. The Illinois Senator proves in the course of his argument, that the Senate has not been given arbitrary power to determine whether a regular elected Senator can retain his seat or not, as some seem to have supposed. The Constitution gives the qualifications of a senator. He must have attained to the age of thirty years; he must have been a citizen at least nine years and be a resident of the state that elects him. Those are the Constitutional qualifications. The Constitution also provides that each House shall be the judge of the election returns and the qualifications of its own members. That is to say, as the Senator explains this provision, "Section 5 of Article I precludes the idea that a contestant for a seat in the United States Senate could successfully claim before any of the courts of the country, either State or Federal, that his successful competitor for the position of United States senator was not, for example, thirty years of age, or that he had not been nine years a citizen of the United States or that at the time that he was elected United States senator he was not an inhabitant of the state from which he was chosen. Section 5 places the power entirely in the Senate of the United States to determine whether these qualifications have been complied with."

This we take to be irrefutable. The attempt at determining the famous case against the senior Senator from Utah on any other ground than recognized by the Constitution must be considered as an assault upon the prerogatives guaranteed by that sacred instrument of liberty; it is an attempt to set aside for the purpose, if possible, of diverting the greatest legislative body in the world from its high and holy calling, and enlisting it in the service of personal spite and revenge. If the plans laid by the opponents of Senator Smoot were carried out, a dangerous precedent would be established. It would, perhaps, not be impossible for the majority of either House of Congress to refuse, arbitrarily, the admission of any member, or any number of members, for political purposes, and elections in the various states would be somewhat of a farce, as it is in Russia. The possible consequences of an adverse decision in this most important consideration in this celebrated case. Whether Senator Smoot is retained in the Senate or not, is of small consequence to the church of which he is an honored member and trusted official, although a host of antagonists have hoped to injure the Church by assailing him, but an unjust disposition of that case might be of immense importance to the entire American people.

We do not need to enter into the question again raised by the Illinois Senator in another part of his address, when he says that "many things have been done in the name of the Mormon Church in its early history which are condemned by all right-thinking men, not only outside of that Church, but in the Church as well." If that is true, it is also true that many things have been done against the "Mormons" in the early history of the Church, by non-"Mormons," which are condemned by all right-thinking men. Even Governor Ford, speaking of the Carthage tragedy, tacitly admits that conspirators were at work planning the destruction of the "Mormon" community. "It gradually learned," the Governor wrote, "to my entire satisfaction, that there was a plan to get the troops into Nauvoo and then begin the war, probably by some of our own party, or some of the seceding Mormons, taking advantage of the night to fire on our own force and then laying it on the Mormons. I was satisfied there were those among us fully capable of such an act, hoping that in the alarm, bustle and confusion of a militia camp the truth would not be discovered, and that it might lead to the desired collision." The Latter-day Saints have frequently been confronted with just such unscrupulous, cowardly antagonists who have endeavored to arouse public indignation against them by equally low plots. Hence the "long series of troubles," referred to by Senator Hopkins. The Prophet Joseph declared to his friends: "I am willing to sacrifice my life for your preservation," and in the light of history it appears that the sacrifice was made; for the death of the Prophet in all probability prevented the attack upon Nauvoo and the massacre of the Saints, which Governor Ford says had been planned.

Senator Hopkins emphasizes the fact that public sentiment has been worked up against Senator Smoot by the charge that he is a law-breaker. In many pulpits and Christian publications this charge was made for the sole purpose of obtaining signatures to the petition for expulsion, and money to carry on the unrighteous campaign. We have also pointed out this fact. Perhaps 90 per cent of the signatures for expulsion were obtained under that false pretense, and then it was made to appear in the Senate that they were signatures to a protest which charged something else. One weight must be given to this feature of double-dealing on the part

of the personal enemies of Senator Smoot. It is evidence of the inhumanity of the entire proceedings.

THE COAL FAMINE LOSS.

The closing down of smelters, mines, and mills, is beginning to bring home to the people of Utah, the extremity to which the coal famine has driven them. Those who succeeded in getting their cellars and bins filled with the precious fuel in the early part of the season have not yet realized the gravity of the situation. The vast majority of Salt Lake residents are running on "short rations" and a small minority is congratulating itself on being well provided for. This relates principally to domestic consumption. Commercial and industrial demands are along a different line but one quite as important in its way.

That mines in the Tintic district should be compelled, through lack of coal they cannot buy for any price, to suspend operations, is gloomy news indeed. But the Yampa smelter and the Utah Copper company's mill at Bingham, have done the same thing, and the Cactus mine and mill in Beaver county have become idle through a similar cause. This property alone has been producing more than \$10,000 a day, or more than \$300,000 a month. The Salt Lake Valley smelters cannot run to anything like full capacity, and their daily loss is enormous. It is conservatively stated by mining men that the aggregate loss will easily exceed a million dollars a month. If this be true, and it seems to be so in increased, rather than in decreased proportion, then the public is confronted with a condition that involves a problem larger than the mere scarcity of coal. Meanwhile the hundreds of laborers who are being thrown out of employment may look upon the trouble in a light little dreamed of. Again the Deseret News says it is high time for the strong men of the community to arouse themselves and make a searching inquiry into the whole question with a view to affording as speedy and permanent relief as possible.

Bearing vitally upon the general subject of car and coal shortage is the following from an editorial in the San Francisco Call, which, rightly or wrongly, presents a view that many persons are beginning to take of the situation. "It is one, too, that the railroad companies would do well to take notice of and refute before it, perchance, becomes too late to do so. The Call says:

"Interstate Commerce Commissioner Franklin K. Lane said recently that during his investigation of the car shortage, and the resulting scarcity of fuel he found abundant evidence of the existence of a coal trust. There was no doubt that the railroads were the most important factor in this conspiracy in restraint of trade. "San Francisco is today suffering and shivering in the grip of the trust. Some of our chief sources of supply in the past have been cut off altogether, and the single important group of mines that remains open is not being worked to anything like its capacity. "The motive for this policy of the mine owners is not obscure. Practically all the coal mines on United States territory within shipping distance of San Francisco are owned by railroads, and these corporations are not permitted under the rate law to sell coal. That ruling of the Interstate Commerce Commission is bitterly resented by the railroad corporations, or, rather, that is one of their grievances against the recent legislation by Congress. It will be their endeavor to make that law unpopular as possible. They will, wherever they can, make the people suffer for its enforcement. This policy of annoyance and injury is not at all confined to hampering the coal trade. It finds examples all over the country. The object is to get the rate law repealed.

If Utah is to grow as she should, there must be no repetition of this difficulty next year. Her increasing population and new industries demand better treatment than they have been receiving for months past. No matter who or what is responsible, the people of Utah are not going to be forever satisfied with the defense now made. Before contentment will come they must have fuel for their firesides, factories, mines, mills and smelters. And it is time steps were being taken to that end.

MUST SOLDIERS WORSHIP?

A case of military jurisprudence, of more than ordinary interest, is related by the New York Evening Post. Sergeant James Lynch, of a company stationed at the recruiting depot, Columbus, Ohio, has been ordered court-martialed because he refused to obey the order of Lieutenant-Colonel Glenn, the commanding officer, to attend services at a certain Catholic chapel on the 6th of this month. Lieutenant-Colonel Glenn, it is explained, is the officer who, a few years ago, was tried on the charge of having administered the "water cure" in the Philippines, and was sentenced to a month's suspension from duty and to pay a fine of \$50. This adds to the interest displayed in the case.

As reported, the story is, that Sergeant Lynch was directed to assemble the Catholic recruits of his company, and also the members of the permanent party, who are Catholics, and take them to church. The sergeant was evidently required to attend services also, but he only took the recruits and soldiers to the church door. Although he is a Roman Catholic, he stopped at the door of the room where services were to be held, and declared that he would not enter, saying that he was a free American citizen, and that religion cannot be forced upon any one. Sergeant Lynch then proceeded to his first sergeant, Stone, and reported that he had refused to obey the orders of Lieut.-Col. Glenn. Capt. Forse, to whom the matter was reported, having asked Lynch if he had wilfully disobeyed the colonel's order, and being assured that this was so, ordered Lynch's arrest in quarters, awaiting the preference of charges.

It is further stated that Lynch refused to apologize for his conduct, maintaining that he performed his full duty as a soldier when he marched the men to the door of the church. Lieut.-Col. Glenn, it is said, offered all sorts of loopholes out of which Sergeant Lynch might have crawled, but the non-commissioned officer could not see his way clear to take advantage of any of the openings. He stubbornly maintained his position.

The questions involved are, first, whether a commanding officer has the

right to order his men to attend any kind of religious ceremonies he may deem orthodox; does his authority extend to the souls and consciences of the men? Secondly, whether a soldier is, under any circumstances, justified in refusing to obey the orders of a superior officer.

The answer to the latter question will, in all probability, be in the negative. The only business of a soldier is to obey orders. As a matter of course, he is not permitted to reflect upon the motives, or consequences, of a command. An officer may, conceivably, have good reasons for issuing an order which may appear ridiculous to those who do not know the object of it, but he is not under obligation to state his reasons. He has a right to expect implicit obedience, as from a machine without intelligence. That is militarism.

The case is a gentle reminder of the fact that militarism can never flourish in this country where every citizen claims the right of thinking for himself. Americans have proved themselves the best soldiers in the face of an enemy, because they do think and act as intelligent beings, but when it comes to developing, in times of peace, the qualities that are so much valued in soldiers in despotic countries, where human beings are treated as animals, free American citizens are not a success. They feel that they are men, and not beasts. Unless the officers are broad-minded men possessed of the highest wisdom, they will not be able to maintain discipline. Militarism in a free country can never be what it is under the rule of absolute despotism, without becoming a menace to free institutions.

Senator Tillman certainly adds to the gaiety of this nation.

There is bound to be a great deal of slush in the Thaw trial.

So far as known that ill wind on Lake Erie blew nobody any good.

Richard Mansfield would rather be playwright than President.

It is an axiom with the wrestlers that you can't keep a good man down.

Admiral Davis was very unexpectedly submitted to the Swettenham process.

What label is long enough to tell what are the ingredients of canned hash?

That Ohio valley flood does not lead to fortune and to fame. In fact it finally engulfs everything it hits.

The Chicago Chronicle declares "that modern woman is a walking bonfire." At most not more than a firefly.

The Big Four has just shown the Rock Island that it can beat it all to pieces when it comes to horrible wrecks.

The moral of Governor Swettenham's insulting letter to Rear Admiral Davis is, "Don't cast your pearls before swine."

How is it in cold weather the ton of coal always looks smaller than in warm weather? Does the cold contract the weight?

People can never be made to believe that Mr. Rockefeller made his money by abstaining from eating oysters and not from deals in oil.

Last year New Hampshire took in seven and a half million dollars from summer boarders. How badly the boarders must have been taken in.

The anti-"Mormon" organ has not yet accused the "hierarchy" of having caused the coal shortage all over the country. It has missed a grand opportunity. But there is time yet.

General Funston says that hod carriers get more pay than lieutenants. Would the general advise young men who think of taking up the army as a career, to adopt hod-carrying as a profession?

Politicians will be very chary about "sheilding" Governor Hughes with a vice presidential nomination. Such a thing was once tried with a New York governor to the utter consternation of the politicians.

The Marlboroughs have effected an arrangement of their domestic differences. She is to continue to wear the Marlborough jewels and he will continue to enjoy the hundred thousand dollars a year settled upon him by the Duchess' family. And there is every reason to believe that he will "enjoy" it.

It was a fine tribute that President Roosevelt paid to the memory of General Robert E. Lee. Nothing could have been happier than his suggestion that a suitable memorial, at some southern educational establishment, be erected to his memory. Lee's memory has become a possession of the whole American people and not alone of those of the southern states.

The report of Dr. Alfred M. Tozzer on researches in Yucatan and Chiapas, Mexico, during the years 1902, 1903, 1904, and 1905, has just been published for the Archaeological Institute of America. The document covers about 200 pages. It is printed on heavy paper and has numerous illustrations. It is a comparative study of the Mayas and the Lacandonos. The author gives interesting information concerning these American aborigines, their history, language, social customs, and especially their religious observances. The work gives evidence of careful research. It places before the public a number of data concerning a people that must at one time have been the standard bearers of the civilization that flourished in the western world.

DESERVING OF HONOR.

Atlanta Georgian.

It was June 29, 1789, that the eagle was adopted by Congress as the national emblem of the United States, and the great seal of the United States was made to bear the famous bird displayed upon it. The eagle is "the emblem of that strength which uses victory only for peace," and a biography of the American eagle, which has been written by Harry C. Oberholser, assistant ornithologist of the department of agriculture, shows that the bird is one deserving of all honor. It is the so-called bald eagle which the Congress selected as the national emblem. According to Mr. Oberholser, the Ameri-

can eagle is a devoted husband and father, abhors divorce and race suicide, is not unfriendly to man, prefers fish to any other food, and is really a hawk, though a true bird of freedom. The American eagle differs from the German, the Austrian, the Russian, the Napoleonic and the Roman eagle in that they are or were birds of prey.

JAPAN'S ARMY.

San Francisco Chronicle.

Japan has a very big and efficient army, but it costs a song by comparison with the small and inefficient organization of the United States. The trouble with our Army is top-heavyness and high pay. So long as we were satisfied with a modest establishment, the country could afford the luxury of maintaining it, but it will grow tired of a constantly expanding charge for military purposes, and if it is insisted that we should have as big an Army and Navy as the nations trying to outdo each other in the matter of size.

ON EARTHQUAKES.

New York American.

One thing seems plain from these recent experiences—namely, that Humboldt was right in thinking that great earthquakes are periodic phenomena, occurring in more or less distinctly marked groups, somewhat like sunspot maxima. If that be true, whether we like it or not, we must accept the fact that the present is an epoch of maximum seismic disturbance. Some force is at work within the crust of the globe justifying masses, without regard to the resulting shocks, jars and inconveniences felt overhead. It may be simply a consequence of the gradual shrinkage of the earth as its interior cools, or it may be the result of some yet unknown, or not clearly defined, cause; but in any event we cannot interfere with it. We can only study its operation and take precautions.

JUST FOR FUN.

A Slow Reader.

Mr. Hiram Offen—I thought the door bell rang a few minutes ago.

Mrs. Hiram Offen—So it did and Bridget answered.

Mr. Hiram Offen—But what's keeping her so long?

Mrs. Hiram Offen—A postal card, probably.—Philadelphia Press.

At the Water Tank.

Sandy Pike—Dere are lots of things in dis world, pard, dat are paradoxical. Gritty George—What now, pard?

Sandy Pike—Well, why is it de tender of a locomotive is de toughest place to ride on?

Those Dear Girls.

"Yes, Arthur is so thoughtful in some ways; I frequently have to ask him to spare my blushes."

"Surely he doesn't attempt to wipe them off, does he?"—Exchange.

Has His Choice.

First Boy—And because you couldn't find a penny to pay the fare did the conductor make you get off the omnibus and walk?

Second boy—No, he only made me get off. I could have sat in the road if I'd wanted to.—Smith's Weekly.

Gentlemen Callers.

Dick—I know a girl who accepts rings from men she doesn't know.

Clara—I don't believe it. How could she?

Dick—Why, she has to, you know. She's a telephone girl.—Tit-Bits.

Result.

Teacher—A rich man dies and leaves \$1,000,000 to eight nephews and nieces. What does each one get?

Scholar—Automobiles, ancestors and appendicitis.—Life.

HEAR THE BEST!

Leonora Jackson

Concert Company

FIRST

METHODIST

CHURCH

THURSDAY, JAN. 24, 8:30 P. M.

Second number Epworth League

Star Course. Course. Tickets.

Reserved seats, \$2.50; Single tickets, 75c; single reserved, \$1.00.

Remaining numbers of Course:

William Jennings Bryan.

Rogers and Griley entertainers.

Newell Dwight Hillis.

Orpheus Club Concert.

Tickets at Smith Drug and

Dayton Drug Stores.

"Sweet pleasure drives away

dull care."

Roller Skating combines pleas-

ure and healthful exercise.

There will be a Grand Mask

Carnival on skates at the Auditor-

ium, Thursday, Jan. 31st,

fourteen handsome prizes will

be awarded, including a grand

gate prize consisting of a three

place Mahogany Parlor Set,

costing \$100.00, donated by the

Z. C. M. I. Each paid admis-

sion ticket will have a chance

on this beautiful Prize.

Rink opened morning 10 to 12,

afternoon 2 to 5, evening 7:30

to 10:30.

Music by Held's Band.

CONOVER,

Mason & Hamlin, A. B. Chase,

Cable, Mehlin, Kingsbury

PIANOS.

Mason & Hamlin, Chicago Cottage

ORGANS.

Reliable Pianos and Organs sold

by Reliable People.

Chamberlain Music Co.,

51-53 Main St., Salt Lake City

FILL UP EARLY WITH OUR

"Peacock" Coal

CENTRAL COAL & COKE CO.

"At the Sign of the Peacock."

Phones 2600. 38 S. Main.

Pinesalve

Acts Like a

Poultice.

Best Fam-

ily Salve.

Sold by Z.C.M.I. Drug Dept. 112-114 Main

72 West First South,

Both Phones 1762.

Manufacturer and Fitter of

Perfect Eye Glasses.

RUSHMER

It Would Be

A good resolution for you to start

the new year by getting your

eyesight perfected. Let us assist

you in keeping this resolution.

CARTER JEWELRY CO.,

224 Main Street.

THE SAME

Yesterday, today, and always.

Our prices DO NOT ADVANCE

on account of the Holidays.

25 per cent SAVED by purchas-

ing Xmas jewelry of us.

EVERY CITIZEN

of and Visitor to Salt

Lake, is interested

in the Resources and

Products of the State.

The Utah Chamber of

Commerce, 56-58 W.

3rd South St., has a

most attractive and in-

teresting exhibit.

FREE ADMISSION

MEXICO

LANDS FOR SALE

Best proposition ever offered for colonists in the State of Chihuahua. Large tract situated between two of the Mormon Colonies. Agricultural and grazing lands, 5,000 to 10,000 cattle and horses at a bargain.

Fenced and improved lands at \$1.50 per acre. Investigate!

J. N. SMITH, JR.,

20 N. WEST TEMPLE ST.

Agents at Paris, Idaho, and Richfield, Utah.

SALT LAKE THEATRE

THREE NIGHTS, BEGINNING

THURSDAY, JAN. 24,

Charles Frohman Presents

WM. H. CRANE AND

MISS ELLIS JEFFREYS

In a Sumptuous Production of Gold-

smith's Comedy

SHE STOOPS TO CONQUER!

Direction of Liebler & Co.

With a notable company of players,

including George Goddard, Walter

Hale, Fred Thorne, Herbert Sleath,

Leslie Kenyon, Harry Lillford, Mar-

saret Dale, Fanny Addison Pitt and

others.

Seat sale today. Prices \$2.00, \$1.50,

\$1.00, 75c, 50c.

Opheum

Modern Vaudeville.

ALL THIS WEEK.

The Dramatic Sensation "Pals"

John Hyams & Leila McIntyre

Mazur & Mazette Happy Jack Gardner

Neola Three Keltans

Kinodrome

Every evening (except Sunday) 7:30

to 9:30. Box seats \$1.00. Matinees

Daily Except Sunday and Monday, 2:00

to 4:00. Box seats 75c.

Grand Theatre

A. M. COX, Manager

TONIGHT

The Sensational Drama of Life,

TRACY THE BANDIT

Thursday Evening, Engagement Ex-