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THE EXPULSION OF A STATE.

The agitation which has been aroused over Utah affairs and which has not yet subsided, has brought into some prominence the question of the powers of Congress in relation to a sovereign State. This has arisen largely through a misconception of facts and occurrences connected with the admission of Utah into the Union. But apart from that, the subject is one worthy of attention on general principles.

The Constitution of the United States provides for the admission of new States into the Union. It does not provide for their expulsion for any cause. When States secede from the Union they can be treated as in rebellion, and either be kept out as long as necessary, or be required to come to such terms as may be demanded within constitutional restrictions of legislative power. But thrusting a State out of the Union, or reducing it to a Territorial condition, which is much the same, is a totally different thing and is not provided for.

The question is asked, if a State makes a compact with the Federal Government and violates that compact, has the latter no remedy? There is a difference of opinion on that point. Some of the very best constitutional lawyers in the land say there is not. They suggested this as an objection to statehood for Utah. They say now that the State cannot be dealt with in any other way than as a State on an equal footing with every other State.

Others think that when a special requirement is made as a condition precedent to statehood, and that is not fulfilled, or if made in word is not carried out in deed, Congress can take measures to abrogate the compact and expel or reduce the State to its previous condition. They admit, however, that such a thing has never been done and that it would be unprecedented and revolutionary.

Putting aside the question of the powers of Congress in this important matter for the moment, it will be seen by thoughtful minds that the real issue is one of fact as well as of principle. Is there any occasion for the exercise of the disputed power on the part of the Federal government? Has Utah violated any compact made with the nation?

Those who have studied the matter impartially from a legal standpoint decide that she has not. That all the State had to do was to put into its Constitution the provision required by the Enabling Act, and that this was fully complied with and was ratified by the votes of the people, and accepted by the President as a full and complete settlement of the terms of the compact.

But how about violating the provisions of its own Constitution? That also is a question of fact, aside from the discussion of Federal power. It has never been shown that Utah has done anything in violation of its agreement or its Constitutional provisions. Rumor, prejudice, public clamor, do not furnish proof of anything. Before Utah can be officially condemned, she must be officially tried. Evidence would be required in such a case which cannot be adduced because it does not exist. The State stands ready to execute its own laws, and no one has had the temerity to cite before its courts one case of violation of the Constitutional provision required by the Enabling Act.

We are aware that there are people who would joyfully make the attempt to disfranchise and politically destroy the majority of the citizens of this State. But we are of the opinion that they will be very chary about coming to the front in such a questionable proceeding. They may threaten, and fulminate, and try to raise an alarm, but with really nothing of actual fact or legal evidence in their support, they will not be very likely to show themselves in their true colors.

Meanwhile, the people of Utah need not worry. They may enjoy the blessings and prospects of the glad new year, and resolve to promote peace and harmony, respect for the law and regard for each others' rights, and seek to build up and develop their growing community as a loyal, valiant and law-abiding State, on an equal footing with other States, not only in power and authority, but in all things that will crown it as a pattern American commonwealth.

INDEFENSIBLE METHODS.

That laws are enacted to be enforced need not be argued; that, to use a common expression, "goes without saying." Still there are laws and ordinances that sometimes remain "a dead letter." There are others as to which no special or extraordinary effort is put forth by officials or the public. Once in a while, either popular pressure, or private vengeance or personal profit, causes a vigorous effort and offenders against the law are pursued and punished with remarkable severity.

These variations in the execution of the law are not to be commended. Impartiality is one of the essentials to justice. That ought to be kept in view by judicial and executive officers. When offences of a given class are winked at or allowed to pass by un-

noticed and others of a similar kind are followed up with a pertinacity and vigilance that provoke astonishment, and look like invidious partiality for a purpose other than the public benefit, the majesty of the law is not upheld and good government is not greatly promoted.

All good citizens will concede the point that no organization, society or association should combine to violate or defy enactments duly and constitutionally made. On the other hand, just people will not approve of extraordinary and indefensible methods to apply laws in a special direction, for the oppression or injury of a particular class of individuals. Let the laws be fairly and impartially administered, is a sentiment that will be approved by all people who have not a private purpose to the contrary to effect.

There are methods occasionally employed by lawful agencies that do not recommend themselves to high-minded men and women. And those who engage in them cannot be counted among the choicest of citizens, or viewed with a very great amount of general respect.

For instance, we learn of some persons who are making a business of prying into the domestic affairs of citizens, in order to discover, if possible, some thread of evidence which will give occasion for complaint against them, and thus place them on the defense so as to give them trouble and put them to needless expense. And this, not for any good that will accrue to the community.

One of the means employed is to get hold of little children and ply them with questions about family affairs, and inveigle them into saying something that can be worked up into evidence against their parents, on matters that are not usually, in decent society, considered suitable subjects for juvenile conversation and comment. We are of the opinion that no really decent man or woman will get down to that kind of work. And we do not believe it will be approved by any but the lowest grade of minds. That it is being indulged in we have good reasons to allege, and we take the opportunity to express what we believe to be the consensus of popular opinion on this matter.

We join in the declaration that the law should be honored, but we strongly deprecate its partial enforcement, and we emphatically condemn the species of spotting to which we have herein referred, as unnecessary, degrading and despicable. We hope there will not be occasion to refer again or in a more personal manner to the unpleasant part of this subject.

A BRITISH VICTORY.

According to London dispatches Gen. French has gained a complete victory over the Boers, at Colesberg, and occupied that city. Colesberg is situated a few miles south of the Orange Free State border line, and the presumption is that the Boer force gathered there, which consisted chiefly of Cape Colony residents, fell back toward Springfontein, where the main body of the Free State burghers sent to oppose the advance of General French on Bloemfontein, have taken up their position.

The victory is not regarded as important, except in so far as it proves that the British forces with proper tactics may repair the losses suffered, and change the general course of the events of the war. General French has not a small force under his command. But his plan of attack was different from any previously attempted. The enemy found their retreat threatened before the actual attack commenced and concluded to leave the field before completely surrounded. The retreat seems to have been made in comparatively good order.

The incident is important also for this reason that a Boer reverse, however slight, will undoubtedly have the effect of deterring the Dutch population in British territory from joining the Boers. They will hesitate when ultimate success seems improbable.

The war in South Africa, so far, has proved the efficiency of the defense as compared to the attack, in modern warfare. At Modder river, Stormberg, Magersfontein and Tugela, the British were unsuccessful when attacking the strongly intrenched Boer forces, that handled their magazine rifles and cannon with much efficiency. With the experience thus gained, front attacks cannot be relied on. Personal valor and indifference to death cannot carry the day against the rain of missiles an entrenched enemy is in a position to pour upon an attacking party. Flank movements and other skillful maneuvers must be relied on, and General French seems to have been the first of the British commanders in the field to grasp the situation and to take advantage of it. There can be no doubt that his tactics will have to be attempted on a larger scale at all the Boer positions established along the border lines of the Republics.

The South African conflict is marvelous. Its progress and probable termination is well depicted in this paragraph from the Pioneer Press:

"The Transvaal war is as the grinding of a small, thin and very hard gristlestone against one not so hard on the surface, perhaps, but vastly larger and thicker, and growing harder as it whirls. Each stone grinds the other away, the big stone losing the most in the process. But the smaller one may be completely worn out without especially impairing the grinding power of the larger. That the smaller stone may be for a time on top will not mend its future. Boer grit might win against British grit, bulk for bulk. But, unfortunately for the Boer cause, the comparison here made illustrates the exact situation presented by the war."

SPAIN AND AGUINALDO.

There is a rumor to the effect that Spain is about to recognize, indirectly, the independence of the Philippine republic.

The United States undertook at the end of the war with Spain to liberate the Spanish prisoners in the hands of the Philippines, and to see them returned to the mother country. It has been impossible to fulfill this obligation in its entirety, and now it seems that Spain, which cared but little for the thousands of her sons who died as victims of Spanish misgovernment, has suddenly become tender-hearted, and demands the return of the prisoners in question.

and if our government cannot comply with the demand, Madrid will treat directly with the Filipino rebels. It is stated that a Spanish warship has been ordered to proceed to the Philippines, for the purpose of opening negotiations with Aguinaldo.

There can hardly be any foundation for the rumor. The proceeding would be an unfriendly act toward this country, and it would seem Spain ought to hesitate to provoke another quarrel with the United States. Spain for a consideration surrendered her Philippine rights to this country. Now to say virtually that those rights are null and void, is a reflection on the honesty of the Spanish government, as well as an insult to this country.

If a Spanish warship leaves for the Philippines, it would be well to keep an eye on it. If it goes for the purpose of conveying Spanish envoys to treat with the enemies of the United States, and that fact can be proved, it would be just as well to see to it that the vessel never returns to Spain. What would the Madrid authorities do to an American vessel carrying envoys to treat with Spanish rebels, in case there should happen to be an insurrection on the Iberian peninsula? How the Maine was treated in Havana, though that ship went to Cuba for no other than the most friendly purposes, is a matter of history. The advisers of the Queen regent would better consider the cost of establishing friendly relations with rebels against the United States government.

THE PLAGUE.

Comparatively little is said about the spread of the bubonic plague, but it seems that it has now reached the Hawaiian Islands. Last month five deaths from the plague were reported in Honolulu, in the districts occupied by Chinese and Japanese.

The plague this time started in China, and spread to India, Persia, Russia, Egypt and Portugal. It crossed over to Brazil, it seems, and came to the very portals of the United States. It seems to be reaching out eastward as well as westward, from the source of beginning, as if preparing to embrace the entire earth.

It is a testimony to the triumph of science in this century, that the spread of such a disease causes no universal panic among the nations of the earth. It has been found that temperate habits in living, plenty of fresh air and rational exercise render the human body almost proof against the disease-carrying microbes. How much this discovery is due to experimental science, and how much of it is the result of revealed religion need not be discussed, but it should not be forgotten that hygienic science is developing in conformity with the principles laid down in the Word of Wisdom, and other teachings on that subject, by those who laid claim to no knowledge except that imparted under the supervision of the eternal Spirit of truth. The fact should be a testimony to the truth of revealed religion.

LONGEVITY INCREASING.

The question whether humanity is growing better or is degenerating is one about which there is difference of opinion. Professor W. J. McGee of the bureau of ethnology, thinks the human race is progressing. And this is his reasoning:

"One of the best indications of the strength of a race, all things considered, is the longevity of its people. Recently there have been examined from the ruins of Pompeii a number of actuarial tables. In these the ancient Italian insurance agents had worked out carefully the expectation of life for the people with whom they did business. When the Italian actuarial tables were compared with the actuarial tables of the insurance companies now doing business in the United States, it was discovered that the expectation of life of the American citizen exceeds by eleven years the expectation of the ancient Italian. Another important factor which must be considered with the question of the improvement of mankind is that of stature. It is a fact that the average American of today is a taller man than the average founder of this country. By way of comparison it may be remarked that the American is an inch taller than the Englishman, while the Englishman in turn is an inch taller than the average Continental."

Only another year of the end-of-the-century controversy, and then will come a rest for 99 years.

Money has been in the habit of getting "tight" on Wall Street, and even New Year's day failed to induce it to "sweat off."

That Kentucky legislator who fixed his price as a bribe-taker at \$5,000 will be put down at a much lower figure by respectable people.

The San Francisco Chronicle says "The people of America can control the railroads of America." Such control would be a complete revolution.

Aguinaldo's wife, son, mother and sister are in American hands, but the rebel chief still seems chary of the family reunion Uncle Sam is fixing up for him.

The present weather is reasonable enough in its coldness to suit the agricultural part of the community, but the deficiency in snowfall attending it is causing some uneasiness already.

There are hosts of people who are better in their conduct today than they were a week ago, but their friends are again watching a test as to whether sudden reformation ever really reforms.

Society young women in London are being taught gardening. There are plenty of examples of practical application of the knowledge within an hour's railway ride of the great metropolis.

It cannot be claimed that the hemp trust is receiving encouragement from the government powers-that-be, in view of Secretary Root's active endeavors to break the corner in hemp and to relieve the market by having southern Philippine ports opened.

Old-time residents of Utah regard the winter weather we are having at present as something exceptional. It's all fog and frost. It seems the clouds are resting on the ground instead of floating in the sky and discharging their contents in the form of snowflakes. It is not well for the water supply. The

moisture that comes in the form of a fog is not conserved for future use, as is that which fills the canyons in the shape of snow and ice.

The Toledo, O. Blade remarks: "Ohio voters observe from the make-up of congressional committees that it pays to keep their congressmen in office year after year, when the right men are found. Long service means positions of influence."

The fact that a thousand people were involved in the recent intended uprising in Manila shows that there are a good many persons in the city who render the rebellion active support. It is not yet safe to conclude that the trouble is over.

Those who used as an occasion to attack the administration's policy in the Philippines the statement that Aguinaldo's wife had died as a result of hardships imposed by the war, are likely to be more pained than otherwise to learn that the lady is alive and well.

The victory by Gen. French at Colesberg, while not significant from any hard fighting or loss inflicted on the Boers is important in being a second triumph for Gen. French in the only two battles in which he was the leading figure—Elandsbaagte and Colesberg.

There were few spectators present at the opening of the Chicago drainage canal today, but the event was the culmination of one of the most significant engineering feats this country has seen. By this canal the waters of Lake Michigan now flow southward toward the Gulf, as they did in ages past; and the sewage from the great city of Chicago is carried seaward by the canal and connecting streams via the Mississippi river channel.

A Kansas editor has his own ideas about this country. He invites Aguinaldo to become a citizen. There is nothing like it under the sun, he says, and then he continues:

"You ought to send a delegation over here to see us. This land of the free, this land of commerce and 400,000 licensed saloons, Bibles, forts and guns; houses of prayer, the millionaires and paupers, theologians and thieves, libertines and liars, Christians and chain-gangs, politicians and poverty, schools and prisons, slave-labor, trusts and trusts, virtue and vice."

The story comes from Chicago that the egg combine which sought to control the market and make a corner is going to lose about \$5,000,000 on its investment. Millions of dozens of eggs were purchased and stored, in anticipation that the price would go up as it did last winter; but the industrious hen was at home this season, and the price has gone down four cents a dozen or more. Now the state eggs are being unloaded as fresh, but the capitalists who thought to "corner" the hen fruit have learned a lesson that will keep them out of the business hereafter.

FENIAN FUN

San Francisco Call.
It is probable that there is only talk in the Fenian invasion of Canada. Unless such a movement were under the Boer flag and commission it would be outside the laws of war and of nations, and those engaged in it would have no recognition as lawful combatants and would suffer the extreme penalty if taken under arms. Even if it were recognized by the two republics and under their flag its origin within the United States could not be permitted, for it would be the gravest breach of international law that can be committed. The Fenian government could only join England in preventing it by the strictest repression. It is a case in which antagonism to the policy of England and sympathy for the Fenian cause would be permitted to so seriously embroil the United States in a distant quarrel. If an uprising occur on Canadian soil, in the first instance, and soldiers of fortune choose to take their lives in their hands by joining it, the risk is theirs. But this country cannot be permitted to become the drill and supply ground on which hostile expeditions are trained and equipped to make war upon a flag with which we are at peace.

Chicago Times-Herald.
Colonel Roger F. Scannell, an earnest and energetic Fenian of Boston, is hopeful of the destruction of the British empire through the invasion of Canada. His associates, but his historical references are inauspicious. He says that the old invasion was a failure because there were too many generals and colonels and no discipline, and the effect of the assertion remains in spite of the fact that even the usually organized now and have confidence in their leaders. Being a colonel himself, Scannell is too apt, perhaps, to look at the matter from the personal standpoint. A distribution of offices which satisfies him may still prove galling to majors, captains, lieutenants and privates, every one of whom will naturally cherish a lofty ambition for notoriety. It is not as if any fighting were to be done. In that case even the usually might feel that there was some necessity for subordination. But as there is not the slightest prospect of an invasion, and the advertising is the only thing to come of the matter, why should any free and independent Fenian American miss his opportunity?

Kansas City Star.
Then granting that the Fenian army could hide from the United States marshals and successfully cross into Canada, it would be up against the worst military position possible. On one side would be the Canadian forces and on the other the American forces. The Fenians would have no base of supplies nor point upon which to retreat. They would be compelled to surrender to the American army. The only chance for the invaders would be to occupy a Canadian city which is well provided with saloons and establish a base there, but an army of such great size would quickly consume everything in sight to eat and drink, and it would be necessary to capture another city. Then, having taken Canada, the question would arise what to do with it. The United States would not buy it, and the Fenians would have to keep it themselves, and then, in the hour of victory, would come disaster.

Worcester Gazette.
The conception of a renewal of the movement at the present time is well justified by reason, for if it could be carried out with any degree of success, it would, in conjunction with the Boer war, give England all she could attend to. But the chances for success would be even less today than in 1865. Those who took part in the movement then are too advanced in years to do so now and the new generation that has grown up does not share their fanatical hatred of England. Canada, too, is more loyal now than then, and there would be scant hope of any general rising of the French. The American government would be even quicker now than before to put down any attempted hostile movement from American soil and it would be next to impossible to conduct in secrecy a movement sufficiently formidable to be of importance.

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