# DESERET EVENING NEWS.

DESERET NEWS PUBLISHING COMPANY, LESSEES.

Friday, October 20, 1893.

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Subscribers changing their place of residence should always give Postoffice as well as present address.

THE NEWS may be met at the principal Hotels. News stands and on all passenger trains leaving the city after 8 p.m. daily.

For the benefit of Elder patrons and friends and to inter the kindness of news agents in exchange, the NEWS will issue, after at least of the principal Hotels and book stores of the city on leaving the Tabernacle.

Headquarters for the NEWS is at West Temple's Book and Stationery store, 261 South Street.

All communications should be addressed to

DESERET NEWS PUBLISHING CO.

Telephone 250.


## THE LIBERAL NOMINATIONS.

Regarding the constitutionate tickets nominated by the Liberal primaries last (Thursday) evening, a remark once made by Abraham Lincoln is apropos "For those who like that sort of thing, it is about the sort of thing they would be apt to like." It contains a few representative names, those of men of standing, capability and general uprightness, but these do not constitute the burden of the ticket; in fact, there are not enough such to give shape or color to it. The genus Amorine has not been overlooked in the selections made, and these will surely prove a fatal counterpoise to the portions of the ticket previously spoken of and drag it all down to the level of mediocrity if nothing lower. In the action taken and the sentiments expressed, so far as heard from, there are no indications of turning from past iniquitousness and pushing out boldly into the broader and brighter field of genuine progress and impartial reform; but rather it all bears the impress of a determination to continue making the public crib the grand object, with misleading statements, history falsified and ambiguous promises the means of obtaining it. The public weal, the consideration of all classes, the determination to redeem and maintain the municipality's credit—the chief characteristics of the candidates and principles previously placed before the people—are not visible with the searchlight of careful scrutiny, and in view of past events it may be right to say that they were forgotten.

It is not yet given out and may not yet have been determined whose are the names for the ticket at large. Unless they shall prove a vast improvement upon the precinct nominations it will be very "cloudy in the West" for our friends the Liberals on election day.

## THE UTE REMOVAL.

Referring to an article which recently appeared in the columns of the NEWS on the subject of the removal of the Colorado Utes to Utah, our Denver namesake has an article to a recent number showing that it is likely the bill introduced by Congressman Bell and having the aforesaid object in view will pass. A similar measure went through the House five years ago but was killed in the Senate. The proposition is for the Indians to exchange their present reservation in Colorado for all of San Juan in Utah, excepting the strip on the north owned by the Pilsbury Cattle company.

The *Rocky Mountain News* has always been in favor of removing the Utes to Utah, "as a matter of benefit to the Indian and to Southwestern Colorado." Less injury, it claims, will be done to Utah to place the Indians in San Juan county than to Colorado by retaining them where they are. This notion, too, is entertained by nearly all the Colorado papers and people, the reason therefor being tolerably obvious. Now we are told that the Indians also want to go, and it is held that their wishes are entitled to consideration. "The compensation of settlers on the proposed new reservation has always been limited so," says the Denver journal, which, if it applies to all who have been most clamorous for the Utes, will be news to all people, the men who have been doing the loudest talking of, if indeed there be such anything of the kind, are those whose homes were about to be invaded and whose possessions it was threatened to take away. The extreme anxiety to conform to the Indians' preference is also a new feature of western treatment of the aborigines.

Nevertheless, the seeming harmony and fairness of talk on the subject is favorable for the success of the bill. It is one to which Delegate Bawden can turn his attention with advantage to a goodly portion of his constituents. The amount of compensation suggested, as we understand it, is considerably less than the actual worth of the improvements at the present time. It has been stated that the settlers of San Juan would be willing to take as compensation for their present holdings and improvements—amounting to some 300,000—selected lands in Uintah county to that extent, and would not then be averse to making the trade. Whether this is true or not we are not able to say. But they certainly ought to be satisfied—they are at least as deserving of consideration as the Indians or the hungry Cheyennes who are waiting to pounce upon the latter's lands. That the present location of our people is "too far between places" and the places themselves are out of sufficient magnitude to all that progressive people could desire, is not the whole issue by any means; they are homes, and good ones, not to be given up without others being in sight and those within the boundary lines of Utah. Desirable as will be the settlement of this vexing question, it ought not to be disposed of without all the details being made known, and, as far as may be, full justice, if not generosity, being accorded to all concerned.

## WRECK, WRECK, WRECK!

Another terrible railroad wreck, and the bodies of the victims of the last one scarcely yet placed beneath the sod! Disaster treads fast upon the heels of desolation; ruin stalks over the face of the land and on the bosom of the deep! Not only the agencies which man believes himself able to control are in direct rebellion against his sovereignty, but the very elements, the winds and waves and storms—are bent upon a deadly display of fury, and seem to take delight in a fearful exhibition of their might. Surely the year 1893 has shown itself without a parallel!

This matter of railroad wrecks has well-nigh passed beyond the category of exceptions—accidents have nearly reached the dignity of the rule. Men pause before taking a rail journey for pleasure; even business has to call twice before they respond. Peril lurks in the crossings, in the switches, on the straight lines of unbroken steel. "Ill fated" is the term applied to every train that comes to grief and "ill-fated," in this view, may be called almost every road in the land.

What of the employes to whom all these troubles are laid? Is it always negligence on their part that has resulted so dreadful? Is there no blood on the hands of the management, the owners, who sit in sumptuous offices scheming how to save expenses in operation so that their profits may be greater? Alas, the fear is that too much trimming lies at the foundation of the trouble. Eastern passenger business, to and from the Fair, is abnormally heavy and the late rates are low. Many of them are ever-worked rather than that extra men should be employed. In other cases, competition has made it necessary to reduce salaries and employ cheaper men. The consequences of unwise economy and excessive cheapness of the labor are ever the same—poor work, increased loss, destruction of property and life!

We wish a few cases of severe and speedy punishment might be meted as a warning to neglectful and incompetent railroad employes. If the proprietors themselves should have to bear a part of the blame and endure some of the penalties, we believe justice would once more smile, and an era of greater safety in travel would come upon the land.

## EXPORTS INCREASING.

A trade journal notes that there is a decided improvement in the export trade of the United States. While internal trade has been under the average, and in certain lines decidedly dull, foreign forces have been giving substantial and largely increased returns for American goods. The fiscal year shows a balance of trade somewhat against us, and even up to a late date the imports were in excess of the exports; but it is to be remembered that there have been special and in some cases peculiar circumstances which have operated to produce this state of things, for instance in Europe several sections have suffered through failure of crops; in Russia particularly the people have not yet recovered from the famine of last year, and in the northern portion of the czar's realm, where many thousands of dollars of American agricultural implements are ordered annually, consignments have not reached the average. England's possession in various parts of the world continue to be steady customers for bale Manchester manufactures and hardware. Orders for cotton goods have fallen off in some sections, but it is believed that while American shippers have adopted those methods of packing, etc., which other shippers persist in, foreign purchasers will be reluctant to buy American goods. In South America difficulties, many of them of a relating character, have been the cause of the falling off in money and Brazil and the Argentine Republic, although the latter appears to be an exceptional case for Europeans, commercially. Australia, it is now reported, is doing much better than it was a few months ago. The Chinese market has been very good, and it is gratifying to state that the prejudice which have sought to exclude the United States has been overcome successfully.

It is due to be remembered that in the competition between the nations of Europe and the United States there may be less and only the more aggressive. The strikes of the past three years have been numerous and in some cases novel. We can stand a good deal if each vigorous and savvy.

If it is what we export, not what we import, that contributes to our wealth, stability and independence, and this relates so much to a state as to the United States, to our own Territory as to any other place, and we are beginning to find it out.

## A SCHOOL TAX QUESTION.

HUNTSVILLE, Oct. 16, 1893.

*Editor Deseret News:*

Please answer the following in the News and oblige. What school trustee call a meeting according to article 12, section 56, of the territorial school laws and the people vote a tax of 3 per cent, can the trustees raise the tax 1½ per cent, according to article 6, section 56?

YOUR SUBY.

A SUBSCRIBER.

It depends entirely on what the latter imposition is for. If it is not for the purpose of purchasing or improving a site, building, renting or repairing school houses nor to aid in any of these, but is for the support of schools already established and in progress or defray the current expenses thereof, the trustees can so order. A distinction must always be maintained between the objects of the taxation and then there need be no trouble.

## SIMILAR CASES.

It seems that San Francisco is in a financial situation somewhat resembling our own in at least one respect. It has outstanding indebtedness which the Constitution and statute law is against the payment of. This has led to the condition prevailing in a court of equity to obtain their case, whereupon the Chronicle properly remarks that it is a universal and well understood rule of law that the doctrine of equity cannot apply where there is a direct constitutional or statutory enactment covering the case. Our contemporary cites as the most familiar and easily understood application of this principle what is known as the statute of frauds, one example of which will serve to make the principle clear. The statute of California (and that of Utah is identical) provides that an agreement that by its terms is not to be performed within a year from the making thereof is invalid unless the same, or some note or memorandum thereof, be in writing and subscribed by the party to be charged. Now, no matter what the equities may be one cannot recover in the absence of a written contract in the case specified, for equity never interferes with express statutory provisions. This is not our case but it serves to illustrate the principle pointed out many times by the NEWS, that the statutes, not the equities of a given case, govern.

Here we are controlled by a law of Congress, then it is the constitution of the state and the local law, both being supreme in the respective commonwealths. The Chronicle shows that if debt-holders put their claims on any broader ground they must be met at once by the proposition that every man is supposed to know the law and that when they gave the city credit for work done or materials furnished they must have done so with full and complete knowledge of the existence of section 18, article XI, of the constitution of California, which is as follows:

No county, city, town, township, board of education or school district shall incur indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for it for such year without the assent of two-thirds of the qualified electors thereof voting at an election to be held for that purpose, nor unless, before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof within twenty years from the time of contracting the same. Any indebtedness or liability incurred contrary to this provision shall be void.

There is no ambiguity or indirectness in that language; nor is there in the law by which we are controlled. Yet there are those in power here who have set themselves up as superior to the national statute and in defiance thereof and oblivious to the obligations which they severally entered into, have gone beyond the law and are now using money legitimately collected to cover up their wrongful proceedings. They or others who promise nothing better still seek to control our municipal affairs but the disappointment meted out to them next month should be as conducive as disconcerting to them and gratifying to all lovers of continuity in public and private life.

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THE DEPLETION of the body by loss of food is given in the following table by Professor Voit giving the results of starving a cat for thirteen days: Adipose tissue lost, 97 per cent of its original weight; the spleen, 63.7 per cent; the liver 50.6 per cent; the skeletal muscles, 33.2 per cent; the blood, 17.6 per cent; the brain and spinal cord, 3. Less animals, therefore, are enhanced by starvation much more quickly than for one. In children dying from wasting diarrhea, samples of the various organs cannot, just be in advance.

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[illegible] "Sheepley Pets [illegible]" Notes" the Boston Transcript has the following paragraph [illegible]

Judge M. H. Kellogg of Paris, formerly a prominent Democrat, together with many of the old democrats, are engaged in organizing a new political party. The [illegible] in the Empire state. They [illegible] because the change of silver and gold. It is [illegible] that the United States shall buy or borrow and issue and operate elevators for the transportation of goods and merchandise between the United States and various parts of the world, under control of the navy department.

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ONE HUNDRED HEADED REPORTS of the West Liberal proceedings had night got up on his hind feet to say he proposed to follow in the footsteps of the present Council. A willingness to do such a thing is evidence enough of the man's caliber; the ability to do it—when the present Council has squandered everything in sight and left nothing but debt for its successors—would indicate genius little short of Napoleonic.

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IF NIGHT of the NEWS' local contemporaries would make it a duty to read this paper carefully and regularly each evening as soon as it is issued, they might save themselves the humiliation of copying news four days old.

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FOR ONE thing, all can be truly thankful. The Liberal Book's mailed hand did not show enough fine Italian dexterity to pull from oblivion one Gallegos.

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WE ARE constrained to say that Mr. John J. Daly has a fair fighting chance of success for the Council from the Fourth precinct.

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THE RENO Gazette speaks of him as "Mr. P. H. Lommson, of the Salt Lake Tribune." Such is fame!

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THAT BOASTFUL Oregon challenge about apples ought to stir up Utah pomologists.


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Directors: Francis Armstrong, pres.; James E. Jennings, vice pres.; M. E. Cummings, treasurer; Clarence Gillespie, secy.; James A. A. Clark, asst. secy.; F. W. Stedman, supt. We desire to have you call and investigate our plan. Correspondence with out of town parties solicited.

JAMES E. JENNINGS, Cashier,
24 and 26 East First South.

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FORTY-EIGHTH DIVIDEND.

SALT LAKE CITY, UTAH,
October 18th, 1893.

A quarterly dividend of two and one-half per cent has this day been declared upon the capital stock of the Association, of record October 14th, 1893, payable on demand on and after October 16th, at the office of the Company, 15 South Main Street, in Salt Lake City, Utah.

A dividend was also passed that payable October 16th, 1893, to stockholders of record, namely, the April 30th and October 16th, of each year.

JOS. HYAM GARDNER,
Secretary.

THOMAS BERG,

MANUFACTURER OF THE

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EXTENSION OF ASSESSMENT.

OFFICE OF THE SALT LAKE CITY WATER WORKS COMPANY.

Notice is hereby given that the assessment of one dollar per share on the capital stock of the Company, levied by the Board of Directors on the 10th day of October, 1893, payable on the 20th day of October, 1893, at the office of the Company, 15 South Main Street, Salt Lake City, Utah, will be payable at the office of the Company, 15 South Main Street, Salt Lake City, Utah, on and after the date of this notice.

W. J. SCANLAN, Sec'y.

Z. C. M. I.

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Rooms 262 to 266 Constitution Building.
Opposite P. O. Box 1446.

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50 pair Men's Heavy Common Sense Shoes, worth $1.50, at $1.25.

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3 doz. Ladies' and Misses' Velvet Crowned Sailors, cost, at 35c.
3 doz. Ladies' and Misses' New shape Crowned Sailors, worth $1.00, at 65c.
4 doz. Ladies' and Misses' Felt Sailors, worth $1.25, at 65c.
20 doz. Ladies' Summer Black Wool Hose, 8½c, at 20c.
20 doz. Children's Summer Black Wool Hose, size 5, at 15c.

New York Cash Store,

Opp. Post Office, SALT LAKE CITY.