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SALT LAKE CITY, - FEB. 21, 1903.

THE WATER COMMISSION BILL.

There seems to be a disposition on the part of some people to encourage ill-feeling between the promoters and the opponents of the bill before the Legislature, proposing to establish a commission of five persons for the control, management and acquisition of the water supply of cities of the first class. Nothing should enter into the discussion of this measure but reason and a fair expression of the views of all parties concerned. The intimation on the one hand that the committee of the Commercial Club in presenting the bill intended to "take a slap" at the City Council, and on the other hand that the council desired to retaliate and attack the Club, is too petty for serious consideration. Time should not be wasted upon it. Let us get down to an examination of the measure proposed.

Originally, the design was to give the Mayor power to appoint the five commissioners, to exercise the powers already mentioned. That proposition is now changed so that the commissioners are to be elected, one from each Municipal ward. The election, however, is not to take place until the first Monday in April, 1903, and not again until April, 1907, but the act, if passed, is to take effect immediately, and meanwhile the Mayor is to appoint the five commissioners who are to exercise all the powers conferred upon the elected board as mentioned in the bill.

This board is to take complete control and charge of the present water system of the city; to construct and maintain waterworks within and without the city limits; to purchase or lease such works from any person or corporation; and its jurisdiction is to extend over the territory occupied by such works and over all reservoirs, streams, canals, ditches, pipes, and drains used in and necessary for their construction and maintenance, and over the stream or source from which the water is taken for 15 miles above the point from which it is taken; to regulate and control the water courses and mill privileges within the city; to construct, purchase or lease and maintain, canals, ditches and reservoirs; to purchase or lease springs, streams, or water supply for irrigation, domestic or other purposes; and also to purchase or lease the land upon which said water has been appropriated or applied.

This confers upon the board of five commissioners all the powers and authorities in relation to water supply that by charter are vested in the City Council, and of course, takes from the council all the jurisdiction over such matters that are now and have been for a great many years exercised by that body. It further bestows upon the commission power to fix the rate to be paid for the use of water furnished by the city, or by any person, or corporation. The board is to exercise all powers relative to elections held under the provision of this act that are conferred upon the Board of County Commissioners in other elections.

This "Board of Water Commissioners" is to be a body corporate, and "may take, hold, lease, sell and convey real and personal property as the interests of the city may require, and may exercise the power of eminent domain." It is further provided that "The said board shall fix the water rates, provide for necessary extensions, and have power to employ and at pleasure discharge all necessary clerks, superintendents, attorneys and employees. All funds from water rates, taxes, bonds issued, or from any other source relating to the water system of said city shall be kept and controlled by the said board." The City Treasurer is to collect and keep in a special fund all money derived from water rates, but "this fund shall at all times be under the direction of the board, and may in the discretion of the board be loaned upon security approved by the board."

That body is given power further to "adopt any rules or by-laws that it may see fit for the government of its proceedings or the control of its servants, officers and employees."

Another very important provision of the bill is that "if the revenue from the water rates be not sufficient for the necessary expenditures of the board, it shall be the duty of the City Council to make, annually, such levy within the limit provided by law as the board shall certify to the City Council to be necessary, and the funds so raised shall be paid over to the custodian of its funds and kept in the special fund and paid out upon the order of said board." Bonds may be issued by the commission, after the question has been submitted to the citizens, to be decided by the votes of a majority of the qualified electors, and these are to be a lien upon the taxable property of the city issuing them. "It is made the duty of the City Council to pass all ordinances necessary to carry into effect the purposes of this act."

There are extraordinary powers to be

vested in such a body as the bill proposes to create. It is to exercise both legislative and executive functions. The right to tax is also included. All authority in relation to the water supply of the city, including the present system, obligations, contracts, means of distribution and regulation are taken from the City Council, and even the taxing power is so arranged that the commissioners and not the council are to fix the water rates, and the council is compelled to make the levy required by the commissioners, of course within the limit of the law, but the legitimate tax-raising authority of the City Council is made subordinate to the mandate of this Board of Commissioners, which is a roundabout and remarkable manner of raising public funds and of expending them.

It should be observed that this board is to be endowed with power, not only to purchase and lease as well as construct and maintain canals, ditches, reservoirs, streams, springs, etc., and land upon which they are situated, but also to sell and convey the real and personal property so acquired, as they may think the interest of the city requires. We do not believe that the property-holders of this city or of any other city in the State that may be rated as "first-class," there are only two cities of this class in Utah, viz.: Salt Lake and Ogden would desire to confer such powers upon a board of this character as the bill proposes. The possibilities it opens up are too serious to invite such consequences.

In this connection it would be well for our legislators to take cognizance of an ordinance passed by the Salt Lake City Council and approved by the Mayor on Sept. 21, 1900, for the disposing of bonds issued as authorized by vote of the tax-payers on July 16th of that year. Section five of that ordinance comes in direct conflict with some provisions of the bill. There are features in it by which the city is bound to a certain course in relation to the special fund for the redemption of the bonds, which is contrary to that permitted by the Board of Commissioners, which is endowed with powers that would render nugatory the obligations under which the bonds were issued.

The attention of the Legislature is directed also to Section 29 of article VI of the State Constitution, which is as follows:

"The Legislature shall not delegate to any special commission, private corporation or association any power to make, supervise or interfere with any municipal improvement, money, property or effects, whether held in trust or otherwise, to levy taxes, to select a capital site, or to perform any municipal functions."

To an ordinary mind that provision is intended to forbid just such delegation of municipal power to the Commission, as is contemplated in the legislation now proposed. Lawyers may differ on this point, as they do on a great many interpretations of the law. It would be strange indeed if some prominent attorney could not be found to argue that the Constitution has no bearing on this important question. But there is another section of the Constitution that appears to us to stand in the way of the bill, which will be found in article XI, Sec. 6:

"No municipal corporation shall directly, or indirectly, lease, sell, alien or dispose of any water-works, water rights, or sources of water supply now, or hereafter to be owned or controlled by it, but all such water-works, water rights and sources of water supply now owned or hereafter to be acquired by any municipal corporation, shall be preserved, maintained and operated by it for supplying the inhabitants with water at reasonable charges."

It is the latter clause of this provision which conflicts with the bill under consideration, and particularly that part of the bill that gives the board power to "lease, sell and convey real and personal property" which may include the water-works and other property that cannot be constitutionally leased, sold or alienated or disposed of, but must be "preserved, maintained, and operated under the auspices of the municipal corporation owning or acquiring them."

Another objectionable feature of the bill is that which authorizes the board to loan the funds collected for water rates, at its discretion and upon such security as it may approve. That would open a door for the disposition of public money, which we do not believe the tax-payers would approve. Nor do we believe the citizens want to give such a board the power contemplated to discharge all the "necessary superintendents, clerks, attorneys and employees, at pleasure." The right also to "adopt any rules or by-laws that it may see fit for the government of its proceedings and the control of its servants, officers and employees," also appears to be a great stretch of authority for such a board to exercise. Then, the obligation placed upon the City Council "to pass all ordinances necessary to carry into effect the purposes of this act," in effect makes the City Council subordinate to the Water Commission, and altogether constitutes two separate legislative bodies to accomplish the same purpose.

One more feature of the bill should be cautiously considered. Immediately after its enactment, the Mayor is to appoint five commissioners, who are to hold their offices until their successors are elected and qualified, and to exercise all the powers that elected commissioners would hold. Suppose that by any means devised there should be a failure to elect in April, 1903, in that case these appointed commissioners would be in control until April 1907. It is put forth that there is to be, meanwhile, a "friendly suit" to determine the constitutionality of the measure, which all admit is in doubt. Who is to make the test? Why, the friends of the bill? We need not go more on this point.

It appears to us that the end in view, that is, the increase of our water supply, its proper conservation and distribution, the control of all works and channels for its use, the raising and distribution of funds by taxation, bonding, or other necessary means, and the entire jurisdiction of the water question should remain in the hands of the City Council, where it properly belongs. If it is thought that persons should be

specially selected for their acquaintance with the water question, that could easily be carried out by the election, in each city ward, of one member of the council known to possess special qualifications in this direction. These five persons would have an influence with the body holding legitimate authority in the premises, and thus any needless change could be effected in the manner provided by law and the Constitution of the State. We do not believe the measure for the establishment of a Board of Water Commissioners ought to be enacted by the Legislature.

UNITY THE NEED OF THE DAY.

The Presbyterian Banner takes the position that "church unity" breeds tyranny and corruption. It quotes history in support of this rather startling view. "The Jewish church," we are told, "had unity when Christ came, but it had lost the spirit of true religion, and was corrupt and cruel. The Christian Church before the schism between the Greek and the Roman churches had unity, but its unity grew more and more political and worldly. Europe had organic church unity for centuries before the Reformation, but under this unity the Roman church became a scandal in the Christian world. If all churches, Greek, Roman, and Protestant, were now organized into one body, it would be so huge and unwieldy that it would break down of its own weight, to say nothing of the evils that would in time develop in it; and yet there is no logical stopping place in church unity short of world unity."

Against this argument, the New Testament places an entirely different view. It tells of the prayer of our Savior for His followers "that they may be one," as He and His Father are one. He gave unity as one of the characteristics, by which the world should know His disciples. And by Apostolic authority, we are informed that the government of the Church was instituted as it is, with Apostles, Prophets, Evangelists, Teachers, etc. for the special purpose of preserving unity of faith and development toward perfection. Notwithstanding this plain New Testament doctrine, we are told that unity breeds tyranny and corruption. Why, the very object of the Gospel is to bring the kingdoms of this world to surrender all power and all dominion to the King of kings, and the Lord of lords, thus making of the human family one brotherhood, under the rule of Jesus Christ.

It is not true that the unity of the Jewish nation at the time of Christ, was its curse. The Jews at that time were not united. They were full of strife between themselves, being divided in numerous political and religious parties, just as the world is today. Jesus came to gather them under His protecting wing to unite them, but they would not. They rejected Him and the Gospel. That was the curse of that age.

The "Christian" church before the Greek schism did not have unity. Sects were multiplying then as now, until the light was entirely lost sight of. Godlessness prevailed. Errors were advocated. That was the curse of the world then as now. Unity has never bred tyranny. Selfishness has. But where selfishness prevails, unity is excluded.

CAN WAR BE AVERTED?

A Paris dispatch says that Russia has enlisted the unanimous co-operation of the European powers, to force the Sultan to promise reforms in Macedonia, and that the presentation of the note will be followed by some joint action looking toward the carrying out of the promises.

This would seem to make for peace. It would seem to obviate any outbreak of war on the Balkan, in the spring, as predicted. For it must be supposed that the Sultan, under the pressure of united Europe, will go any length in the direction of promises. But those well acquainted with the situation fail to see in this step an absolute guarantee of the preservation of peace. The reform plan, they argue, entails virtually the emancipation of Macedonia from Turkish rule, and government being by representatives of the great powers, and by foreign officials, much in the same way as Crete, remaining merely in name a province of the Turkish empire. This, they think, will never be accepted by the Porte without war. Indeed, were Abdul Hamid to consent to the project, it is probable that it would cost him his throne. In a word, in this opinion, everything points towards a war which will be felt directly or indirectly all over the world.

That the powers themselves fear an outbreak, is very apparent. Serbia, a poor country, has ordered for immediate delivery 45,000 rifle cartridges and other supplies. Turkey has given orders for the suspension of all payments to civilian officials, so that every article that can be extorted from the taxpayers can be devoted to the army and to the purchase of war material. Guns contracted for years ago but held in default of payment have been ordered delivered. And even Russia is said to be making elaborate preparations. A scheme for the rapid transport of troops from Sebastopol and from Odessa to the Bulgarian port of Bourgas has been completed, and the naval outlet on the Black Sea points distinctly towards a Muscovite attempt to seize the entrance to the Bosphorus and perhaps Constantinople by means of a maritime coup de main. Austria, too, is reported to be mobilizing her troops. It is further noted that the rival chiefs of the Macedonia revolutionary committee have come to terms and have agreed to act in common. Boris Sarafov, Dr. Michailowski and General Zentchev have decided to bury the hatchet and to unite for common action some time in March. All these signs are taken to prove that the powers are interested in peace.

The east may not desire a conflict, but it is feared that diplomacy can no longer command the storm. Should a general rising take place in Macedonia, the

insurgents, it is said, will be joined by the entire Bulgarian army and nation, whether Prince Ferdinand likes it or not. The Bulgarian army, which itself numbers all told about a couple of hundred thousand men, is largely composed of Macedonians. While Prince Ferdinand might be able to rely upon obedience of his troops if he leads them across his borders into Macedonia, it is very doubtful whether they will pay any attention to his commands if he makes the slightest attempt to prevent them from helping their fellow-countrymen and coreligionists in Macedonia to free themselves from Turkish bondage. But if the struggle commences, it is not thought possible for the Czar to keep away from it. Such is popular sentiment in Russia. The people would compel Nicholas II to take up arms in their cause precisely as his grandfather, Emperor Alexander II, was forced to at the inopportune moment to go to the rescue of Serbia and of Roumania in 1878 and 1877.

Undoubtedly there will be strenuous efforts to postpone the day of reckoning still further, for even statesmen are unable to foresee clearly what the outcome would be of a contest between Europe and Mohammedan Asia. The Turkish troops at present are the best fighters. And for years efforts have been made to consolidate the Mohammedan world for a final struggle "for the faith." Nobody can say, just now, what the proclamation of a "holy war" among the millions that follow Mohammed, would lead to. But this will come. For the exit of the Turks from Europe will be along a path of fire and blood, as was their entrance to that part of the world.

A MODERN MIRACLE.

The Baltimore Sun tells an interesting story about the manner in which a certain professor of occultism performs the miracles by which he hopes to make disciples. He registers under the title of Count and calls himself General Inspector of Supreme Council of the Initiates of Thibet, founder of the Oriental Esoteric Center of Washington. He claims that to him "the deep mysteries of occultism, disintegration and reintegration are as simple as A B C."

The Count gave an exhibition at a hotel, to perhaps 30 persons. After a harangue on occultism, he announced that he would cause a bird to fly through the walls of the hotel and fly to his feet. He made some passes in the air, and sure enough, after a while, a young man with dark hair found a canary bird fluttering about. The audience, however, did not feel convinced that the little songster had come through the walls.

Then the Count announced that he would do something that would convince all. So saying, he tore a piece of paper in three parts. Then he asked a Sun reporter on what desk in the office he wished one of the pieces to appear. The city editor's desk was suggested. The Count then made some passes and blew through a silver tube, after having been given the direction of the office, and announced that, if the reporter would go to the office, he would surely find the piece of paper reposing on the desk of his chief. The reporter suggested that he could telephone the office and have the piece of paper brought up, but the Count said it was necessary for the reporter to go to it himself. He insisted, also, that some of the people in the audience should accompany the reporter, and among the four who volunteered was the dark haired young man who had discovered the bird.

Then the story continues: "Arriving at the Sun office, the reporter approached the desk of the city editor and informed him that Count de Sark had transmitted a piece of paper to the desk. The dark haired young man crowded up to the desk, but the editor, who had had some experience in occultism himself, demanded that all stand back. The desk was vainly searched, but there was nothing to be found. The party was about to leave the office when the dark-haired young man, who had lingered in the rear near an unoccupied desk, insisted that some of the other desks be searched and directed attention to the one near which he had been standing. The reporter stood on the desk, and, wondering to relate, the piece of paper was found lying on top, as if carelessly or hurriedly thrown there."

When this story was related to the audience without comment, the count became indignant and said he had not promised that the piece of paper should be found on any particular desk. He declared himself a martyr to science, and finally threatened a reporter of another paper with dire calamities. "Before seven days you will have something happen to you that will cause you to remember Dr. Sark," he exclaimed in conclusion.

The wonderful thing about all this is that it still is possible, in spite of our public schools and our devotion to scientific investigation, to give such exhibitions in the name of "occultism." There must be a considerable following of such fakery; otherwise there would be no fakery, for it would not pay. We speak about the age of superstition, when the church supposedly shut out the light from the minds of the people, and caused darkness to prevail. But the cunningness from ecclesiastical guidance does not always mean freedom from superstition. In the civilized world there is today more individual independence of authority, both civil and ecclesiastical, and even less fear of God than ever, and yet superstitions of various forms, and different ages, especially those of Asian, pagan origin, are more popular than ever. People demand miracles, as an evidence of truth. They are too indolent to think for themselves, or to do right, and thus obtain a "testimony." And therefore they are open to the deception of all manner of false or pretended "miracles." It takes a great deal of light not to be led astray by pretenders.

WEALTH DEGRADING.

Bishop John Lancaster Spalding, addressing an audience at Carnegie Hall, New York, the other day, took occasion to say that great wealth is almost certain to degrade those who possess it. He admitted, of course, that

money is power, "giving the man who possesses it," he said, "a hold on things that neither intellectual power nor faith can give." But he warned against judging a man's worth by his earthly possessions. "A man," the speaker said, "may have the wealth of Mr. Carnegie and still be a thief, an idiot and a brute. It is by how much greater man is than are the things with which he has surrounded himself that he is to be judged. It is not what you have, but what you are."

The speaker was once talked of as a possible successor of the late Archbishop Corrigan, and in stating that wealth is degrading, he gave utterance to the philosophy that once found expression in the life of hermits and brotherhoods of various orders. But Catholic speakers should be careful of criticizing the possessors of wealth. The head of that church is about to celebrate the twenty-fifth anniversary of his coronation, and gifts are coming in from all parts of the world. It is estimated that already gifts and donations to the value of \$2,000,000 have arrived, the most important being a triple crown of pure gold. If wealth is degrading, the Vatican is not setting a very ennobling example.

The truth is that wealth, in itself, is neither degrading nor elevating, as little as poverty, in itself, is either a vice or a virtue. It all depends on the use that is made of either. Wealth used for the benefit of fellowmen is a great blessing. Generally speaking, poverty is a good introduction to the school of the great Master, but a Joseph of Arimathea can become as useful, as unselfish, as noble as was Lazarus. Love of money is a root evil, but so is any other kind of love that takes the heart away from the Creator and from the needs of fellow-men.

The man who "saws wood" has no axe to grind.

To realize on their investment is the ideal of many men.

The trouble with the fugitive mayor of Minneapolis is that his Ames were not high.

Oil has been struck in Dublin. It is usually Billy Patterson that is struck in Dublin.

A step towards getting rich quick is not to invest in "get-rich-quick" schemes.

John D. Rockefeller, Jr., is surely living in the golden age. He says that money is not all.

Up to the time of going to press the powers had not driven the "stick man of Europe" from his easy chair.

Tomorrow is Washington's birthday. Read his "Farewell Address." It is better than a Sunday newspaper.

And now a revolution has been started in Honduras. Those Central American republics do keep the ball rolling.

Poets may have laurels on their brows, but they cannot browse on their laurels. It is such facts as these that keep them poor.

If the anti-rebate law is not more effective than the various anti-pass laws have been it won't be over powerful in stopping a wrong.

Mr. Bowen received no compensation for his services in the Venezuela controversy. His reward is the consciousness of duty well done.

And now St. Louis complains that Chicago poisons her water supply. The fact is that Chicago always has been the fly in St. Louis' ointment.

Mr. Carnegie has offered to pay some of Venezuela's debts. If he will pay the debts of the South and Central American republics, he need never fear that he will die rich and disgraced.

The Senate very properly killed the monstrous measure to put this city under a one-man-power. Good. There are other "things" introduced that ought to have a similar fate.

A three million dollar office building is to be erected in Washington for the use of senators. The senators will use their good offices every time a delegation of office-seekers waits upon them.

When legislators go off junketing to a neighboring state and that as the session is drawing to a close, they show a disregard of their duty to their constituents and the State that is truly astonishing.

"This seems a good year for the Smoots. Reed Smoot will probably enter the Senate, and Homer Smoot has had the injunction against him lifted so he can play baseball in the National league," says the Boston Transcript.

Attention is called to a communication in another column from Game Commissioner John Sharp on the killing of birds, particularly the robins which have come unusually early this year, by boys with flippers and snail rifles. It is timely and should be heeded. The destruction of the birds is not only against all instincts of humanity. It is also unlawful. It should be stopped. Parents should forbid their boys to indulge in this cruel and unlawful sport. If the boys are shown the wrongfulness of it they will not want to indulge in it.

Mr. Horace White has retired as editor-in-chief of the New York Evening Post. He has been identified with the paper for many years. For some time before the death of E. L. Godkin he was the editor-in-chief. And no higher compliment can be paid him than to say that as a writer he is the equal of that distinguished man. His pen has been as trenchant, his learning as wide, his ideals as lofty, his independence as great as Mr. Godkin's. We know of no higher praise that can be bestowed upon the retiring editor of the Evening Post.

ON RELIGIOUS TOPICS.

New York Evening Post.
Emperor William's open patronage of some of the most radical of the higher critics of the Bible is a proof rather of his versatility than of his caution. Even in Germany they are a little shy

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