

the road for such purposes by paying fares and freights. The same may be said of other classes of business similarly affected with a public use and interest.

But while the business of mining may not be affected with a public interest, the legislature may enact laws adapted to the promotion of the health and safety of men working in underground mines.

"Whatever difference of opinion may exist as to the extent and boundaries of the police power, and however difficult it may be to render a satisfactory definition of it, there seems to be no doubt that it does exist to the protection of the lives, health and property of the citizens, and to the preservation of good order and the public good.

The Legislature cannot by any contract, divest itself of the power to provide for these objects. They belong emphatically to that class of objects which demand the application of the maxim, *salus populi supreme lex*, and they are to be attained and provided for by such appropriate means as the legislative discretion may devise. That discretion can no more be bargained than the power itself."

Beer company vs Massachusetts, 97 U. S. 5.

The section of the statute whose constitutionality is involved in this case includes all employees and employers engaged in working underground mines—none are omitted who may be subject to the peculiar conditions that attend such mining. The provision of the State Constitution quoted, makes it the duty of the legislature to "pass laws to provide for the health and safety of employees in factories, smelters and mines." And we are not authorized to hold that the law in question is not calculated and adapted to any degree to promote the health and safety of persons working in mines and smelters. Were we to do so and declare it void, we would usurp the powers entrusted by the Constitution to the law making power.

The discharge of the petitioner is denied, and he is remanded to the custody of the sheriff named, until discharged according to law.

PRESIDENT TAYLOR'S BIRTHDAY.

Owing to the fact that the anniversary of the late President John Taylor's birthday, November 1st, occurs on Sunday this year, it was decided to hold the usual reunion on Oct. 30th, consequently the family with a few invited friends, through the courtesy of Bishop George H. Taylor, met in the Fourteenth ward assembly rooms which were suitably furnished and decorated for the occasion, last evening.

Among the invited guests who participated in the commemoration were President Joseph F. Smith, President Angus M. Cannon, Bishop George H. Taylor and counselors with their wives, and Sister M. I. Horne, Stake president of the Relief society, and Sister J. M. Watson, Sister Orson Hyde, Sister M. M. Barratt, Sister Elizabeth Boyce, eldest sister of President Taylor, and Elder Wm. Taylor, his only surviving brother.

Letters of regret for unavoidable absence were received from President

George Q. Cannon, Elder Richard Ballentine, Sister Agnes Schwartz, sister of President Taylor, and others.

The program of the evening was opened by singing the favorite hymn *How Firm a Foundation*, followed with prayer by Elder Thomas E. Taylor, after which a few introductory remarks were made by George J. Taylor, who said: "We have met here in obedience to that command which enjoins upon us: 'Honor thy father and thy mother,' also in pursuance of a time-honored custom of the late President John Taylor, (whose children, grandchildren and great-grandchildren most of us are) in order that we may renew our acquaintance, more fully recognize our relationship, and brighten the chain of friendship that binds us together as a family. The first family celebration of our father's birthday took place in the City of Toronto, Canada, Nov. 1st, 1833. At that time the family consisted of two members, viz.: John Taylor and Leonora Cannon Taylor, to whom he was united on January 28th, preceding. The following anniversary party is the first one of which I have any personal recollection; this occurred Nov. 1, 1834, at which date I was nine months old. There were three of us then, and we were all workers. Father was a wood worker, running a turning lathe all the week and holding forth in the pulpit on Sundays, while mother was busy with household affairs and I—I— (a voice, what did you do?) I—I walked. I will not weary you by giving a detailed account of each succeeding anniversary celebration up to date, but will state briefly that the family has steadily grown in numbers until, counting in ten sons-in-law, it now foots up 167 members, all alive and able to speak for themselves, excepting nine little fellows who dropped in upon us this year and haven't yet had time to become proficient in our language. My chief regret is that they cannot all be present to be introduced to the family, but we have several samples here of the vintage of '96 which their mothers think will compare favorably with those of any previous year. I will add that among the absentees tonight are five members of the family who are engaged in missions in Europe and elsewhere."

The next thing on the program was a duet by Leona and May Taylor relating a pathetic incident of the great Chicago fire.

Then followed a brief history of the life of John Taylor written and recited by Miss Laura Hyde.

The Sunflower Glee club of twelve members, then sang one of their favorite melodies; and being encured, sang "Tommy went a fishing."

This was followed by an able character recitation by Miss Jenny Taylor, when President Cannon spoke at some length relating interesting incidents in the life of President Taylor with which he was personally conversant.

Just before separating a resolution was passed appointing Thos. E. Taylor, Frank Y. Taylor and Moses W. Taylor a committee to draft rules for the more perfect and effective organization of the committee on commemoration and history.

The whole of the program was ably

rendered and thoroughly enjoyed by all present. Refreshments were next in order. After which there were admirably rendered by the glee club a medley and a serenade "Soft be thy slumber," after which the company slowly and reluctantly evaporated, voting it one of the pleasantest of such reunions in the memory of any present.

UTAH'S UINTAH UTES.

The Denver Republican says that Utah's Uintah Indians know a "good thing" when they see it; that four hundred of them have made their way into northwestern Colorado and are now having lots of fun with the game, the same number that were uninvited guests last year in the same part of the state, is an unquestioned fact. Information to that effect has reached Game Warden Land from Deputy Warden Clark, James Lytle, editor of the Meeker Herald, and Frank Sheridan, a stockman of Rio Blanco county. The further information was furnished that in that great hunting section, comprising Routt, Rio Blanco and Garfield counties, there are 1,000 white hunters who will keep the regular deputies more than busy.

As a result of this communication Warden Land notified Governor McIntire of these facts, adding that the shooting season for deer closes on Nov. 1 and, judging from the experience of the past few years, the Utes are certain to violate the game laws. The state warden informs the executive that the appropriation for this year's traveling expenses, \$200, is already exhausted, and that to protect the game \$800 more may be necessary. If, however, the Utes can be persuaded to leave within the next twenty days the expense of doing the necessary work may be reduced to \$400.

As soon as Attorney General Carr returns Governor McIntire will consult with him on the matter. The latter is of the present opinion that the only way out of the difficulty is to appoint extra deputy wardens who will accept certificates of state indebtedness as their pay. As for the presence of the Indians, some of the state house officials are of the opinion that during the week after election the governor will spring a surprise on Saw Tooth, Ugly Bear and the rest of the Utes now in the country around Meeker by requesting the national government to have United States troops drive the Indians back to the reservation in Utah. Gov. McIntire and Game Warden Land do not mind having the Utes or any other variety of Indians dance in front of the Broadway hotel or run a side show in the City park during the Festival of Mountain and Plain. But when they try to shoot all the game in the White River country the two officials unite in strenuous objections.

The Utes invaded the state a few days ago, leaving their reservation near Fort Duchesne, Utah, and coming by the old Uintah trail up the White river in the direction of Meeker. Their favorite deer-slaughtering grounds in the three counties named above, and which are the only portions of the state where game now abounds in large numbers, embrace