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CHARLES W. PENROSE, EDITOR.
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HIGH TIME.

It is time that committees of the respective political parties were waking up for the work that should be done prior to the municipal election. The registry lists should be overhauled and the names of improperly registered persons should be noted. Then proceedings should be instituted before the proper officer, to have those names expunged.

We are sorry that Judge Zane finds himself unable to decide the three necessary to sit on those cases and that therefore another person, and he not a judicial officer, is selected to fill the place. We regarded the action of the Utah Commission in the appointment of Judge Zane as evidence of a desire to comply with the spirit of the election laws. The change shows altogether another inclination.

But we hope all necessary steps will be taken to purge the registration lists, and that the gentleman appointed to perform the duty which should devolve on a Justice will prove to be a "proper person" and not a partizan. It is time that those who are interested should bestir themselves.

DON'T FORGET.

We hope our legislators will remember that the Constitution of the United States applies to the Territories. Any measure which is contrary to its provisions is void from the beginning. Attention to this simple principle will save inexperienced lawmakers considerable trouble and mortification. We are led to make these remarks because of a bill, recently introduced, for the purpose of preventing mine owners from keeping stores and engaging in merchandise or conducting lodging houses.

The object in view may be praiseworthy. It is wrong to attempt to compel working people to trade at a particular store. Mine owners and other employers in this country and in Europe make big profits out of their workmen, by arranging their business so that the employes have to draw their supplies from places owned by the employers. This often works a great hardship on the poor, who are charged excessive prices, or are supplied with inferior articles, or are induced to run accounts which bring them into the employer's debt and thus give him an advantage over them. It is possible to pass laws which which will regulate and restrict this evil to some extent and protect the employe in his rights. But we do not think the Legislature has any constitutional power to prevent a mine owner or any other capitalist or employer from engaging in mercantile pursuits, keeping a lodging house or following any other legitimate business.

If new fledged legislators desire to distinguish themselves they had better get a little advice from more experienced heads. There is a great prejudice among some people against lawyers in the Legislature. But the history of every commonwealth shows that a sprinkling at least of the legal element in all such bodies, if not actually essential is certainly very beneficial.

SELF-INDUCED PAUPERISM.

It is pitiable to note the position of the morning "Liberal" organ on the report of Master in Chancery Loofbourow with regard to the disposition of the sequestered funds of the Church of Jesus Christ of Latter-day Saints. It commends the finding of the Master and takes the ground that his recommendation, that the fund be devoted to the benefit of the public schools, is eminently proper. The reason given is that the "Mormon" children in attendance at the public educational institutions outnumber the other students. This is one of the most absurd, not to say infamous, reasons for compelling the majority of a community to pay for the education of the children of the minority by a special and one-sided process that could be imagined.

The non-"Mormons" who advocate such a use of the funds in question are urging for themselves and their children a condition of self-induced pauperism. That this desired bestowal of charity has associated with it the glamor of law, does not alter the position of those who are commending an outrage so glaringly unjust. They favor their own degradation, by endorsing and clamoring for the money—doubled by an honest and industrious people for communal benefit within the pale of their own Church—to be devoted to the education of their children, that they may be relieved from a duty that properly belongs to each individual or to the State.

There is no excuse for such a manifestly dishonest diversion from the ideas of the original donors and owners of the funds in question, because, as heretofore stated in these columns, there are numerous lawful purposes to which the property could be devoted. These objects are also in harmony with the wishes and intentions of the people who contributed the means. We hold it to be beyond the realm of successful controversy that no other application of the funds than that which is in unison with the intent of the donors and to all the same time legal, is either just or honest. That there should be non-"Mormons" who, in effect, endorse a process by which they can be partly relieved of the duty of educating their children at the expense of the Church of Jesus Christ of Latter-day Saints, does not speak well for their dignity or consistency.

With regard to those non-"Mormons" who have been opposed to the confiscation scheme and regard the application of the funds of the Latter-day Saints to purposes foreign to the intent of the donors as wrong in principle, we have nothing to say. If the recommendation of Judge Loofbourow shall be accepted by the supreme court of the Territory, and that of the United States, the class of people referred to will be placed in an unpleasant position, but it will be to them an enforced situation, for which they are in no way responsible.

We believe we speak the sentiment of the whole "Mormon" community, when we express the conviction that any proposition that would place upon them the taint of pauperism, by an application for their benefit of the funds of any church, outside of their own, would never have their sanction or approval. We are safe in saying further, that it would, doubtless, meet with their determined protest. But then, different people have various ways of looking at things and there are divers ideas of what constitutes honest independence, which is dear to every upright citizen.

"CY PRES."

The legal term *cy pres* occurs in the suits in relation to the personal property of the Church, and also in the decision of the courts and the report of the Master in Chancery. We have been asked to explain its meaning.

The rule of *cy pres* in the distribution of a fund for eleemosynary or educational purposes, has in view the ascertainment and accomplishment of equity in its manner as well as its legal sense. That is—it being so well understood that it is a difficult thing to exactly express in language all that a testator, or benefactor or a lawmaker desires to have carried out, in the interpretation of an instrument emanating from those or similar sources, the rule of *cy pres*—French words which signify as near as—is invoked as a means of bringing about all that was intended but not expressed. It is simply, in other words, a means of accomplishing substantially and actually what ought to be accomplished. In arriving at a conclusion as to what was meant or desired in a more or less open document or law, as we all know, attendant circumstances, the purpose actuating the maker, the object, the spirit as well as the letter of the instrument are to be taken into full consideration; and it was to further such ends that the branch of jurisprudence known as equity was established. To invoke the aid of this system of practice to bolster up or excuse a distorted construction or a departure from the plain or even the hidden meaning of a document submitted for analysis, is at once to do violence to our innate sense of justice and pervert the established rule of law itself. How much more, then, must it be an offense to the "eternal right" to not only ignore the demands of those plainly entitled to benefits by reason of their having created them and the law not opposing such rights, but to actually convert those benefits into hostile political capital!

We repeat: The rule of *cy pres* is for the purpose of enabling courts to fill up gaps with material in consonance with the structure as a whole, and that results at variance with what was intended, and inimical to the best interests of those upon whom a measure of benefit was intended to fall, may be accomplished.

HOW IT WAS DONE.

We are pleased to be in a position to state that Judge Loofbourow was in no way responsible for the questionable and one-sided act of giving copies of his report on the Church case to the morning papers before it was filed in the Supreme Court. The document was given to the *Tribune* by another person for the purpose of placing it ahead of its contemporaries and, of course, of the court itself. Subsequently the *Herald*, after a hard struggle, succeeded in also obtaining a copy. The News has been asked for neither but a fair deal, and would not consider it proper even to request that the rights of the courts be trenched upon to enable it to get ahead of other journals. The incident in question is so manifestly flagrant and unjustifiable that we have considered it proper to notice it, and, in this second allusion, to relieve Judge Loofbourow from any suspicion that might exist to the effect that he was a party to the job.

FREE TRADE IN ENGLAND.

A London letter in a recent issue of the New York *Mail and Express* gives some startling accounts of the present economic condition of England. It deals entirely with the practical working of free trade in that country. It says that the cause boasted "Great Mother England" now comes from the plains of Australia, the pampas of South America, and the prairies of Dakota or Texas. In like manner the breadstuffs now used in England are brought from abroad.

In 1869 when free trade in wheat and all other farm products was first fully established, 17,000,000 of England's total population of 19,000,000 were fed on English home-grown wheat. That is 87 per cent of the population of England in 1869 were fed on home-raised wheat.

In 1891 only 3,000,000 of England's 37,000,000 were fed on home wheat, that is, only 13 per cent of the population. Richard Cobden, in 1846, confidently predicted that free trade in cereals would ultimately increase the English product of wheat to 200,000,000 bushels. In that year the acreage under wheat was 3,581,000 acres; in 1890 the acreage was 1,200,000—a decline of 66 per cent, in forty years. What once were agricultural farms are now turned into pasture lands. The English farmer was led to pay heavy rentals for his lands until he could compete in his own market with United States wheat growers who owned their lands and cultivated them with improved machinery.

The estimated yield of wheat in England averages 28 bushels to the acre, in France 18, in Germany 21, in the United States 13, in Italy 10, in Russia 8, and in New Zealand 25. This shows that sterility of soil has nothing to do with the decrease. In 1868 the value of England's wheat crop was almost $150,000,000 while that of 1890 was only a little over 52,000,000 with the same yield per acre.

In 1880 English farmers supplied 80 per cent of the home demand for farm products, while the other 20 per cent was imported, amounting for the United Kingdom to the sum of $185,000,000. Take a round equal to one third of the whole value of British exports for the year 1889.

These figures show that Great Britain is almost entirely dependent on foreign countries for her bread and beef and now her manufactures are being injured by protective tariffs from European and American countries. This is a serious condition of affairs. But it is a question whether the apparent evil is as apparent on the surface. If England caused produce a given article—except at a high figure it is not better for the consumers to import that article and turn their energies to the production of something they can raise or make at a profit? Anything the *Mail and Express* says on this question must be taken with a grain of salt. There is something too in the landlord and the tenant farm system that cuts a big figure in the argument. A reform is about to be inaugurated in land tenure. Both the great parties have pledged themselves to measures that will lead to small farm ownership or peasant proprietorship, or something of that kind. The government will undertake to aid honest farmers to buy their holdings at a valuation. The fund for this purpose will be raised by taxation. This scheme is, for England, a radical one, but both parties have decidedly pledged themselves to some measure that will lead to a change in the present system, and that of itself shows that all the trouble is not insurmountable to free trade.

AN ACCOMPLISHED CRIMINAL.

About a week ago in the city of London, England, a man was sentenced to twelve years penal servitude, the history of whose life reads more like a chapter of criminal romance than of real biography.

In the early part of 1891 the arrival in New York of a distinguished British officer named Lieut. Neville Bartlett, V. C., R. E., was duly chronicled by Gotham newspapers. The gentleman had letters of introduction to leaders of the four hundred. He was cordially received and lived a fashionable life for several weeks. By some accident one of his introductory letters was discovered to be bogus. An investigation proved that all his letters were forgeries. He then disappeared, and was not heard of for some months.

In 1890 he turned up in Brooklyn, where by means of forged letters he introduced himself into a few quiet family circles. Among these was a Mrs. Miller and her daughter. Barton got along so well that he married Miss Miller and procured control of her fortune. He talked unceasingly about his aristocratic relatives at Tunbridge Wells near London, in England. His wife and mother-in-law importuned him to make a trip across the Atlantic. He finally consented, and they willingly furnished the money.

Arriving at Tunbridge Wells, Barton rented a pretty villa, not far from Mary Anderson's cottage. Almost simultaneously with Barton's arrival began a series of daring burglaries. Suspicion fell on his wife, after some time. Scotland Yard was consulted, and Barton was fully identified as an old burglar and convicted felon.

He was born in 1858 at Tunbridge Wells. His name was George Frederick Barton. He was arraigned at the police court at the age of seven. At twelve he was sent to the Red Hill Reformatory for five years, but absconded after a year or two. He next traveled into Yorkshire where he was imprisoned two or more times. In 1876 he visited his old home, and robbed a clergyman of $60,000 worth of securities. For this he was sentenced to ten years' penal servitude. In 1886 he left prison on a free pardon obtained from the Home Secretary by fraud. After committing several burglaries he escaped to America. He next came to England in his old occupation. He was again arrested, convicted and sentenced to ten years. In 1890 he left prison and came direct to the United States. It was on his arrival in New York that he committed the idea of entering the Four Hundred and it was as above related.

His most burglarious is Tunbridge Wells were fully proved. Some of the stolen property was found in his house. He was convicted and on the day his sentence in twelve years' imprisonment. Mrs. Miller and her daughter are on their way back to America, sadder, poorer, but wiser women. They will in future avoid alleged aristocrats and soldiers from abroad.

LABOR TROUBLES IN AUSTRALIA.

About a week ago the Central Labor Union of Massachusetts received a report of the condition of labor at the Antipodes from the Australian Labor Federation. This report was received in reply to a communication forwarded last August from Boston to Queensland, for accurate particulars of the labor situation in that country. Numbers of mechanics and laborers of all kinds left the United States for the Australian colonies during the fall of 1890 and the early part of 1891. The report was current that a scarcity of white labor prevailed out there. On the other hand, it was stated that such was not the case. Finally the Central Labor Union authorized its secretary, Mr. Abrahams, to communicate with the Australian Labor Federation and ascertain what were the real facts.

A reply was received on the 3rd inst. stating that the condition of white labor in Queensland was anything but alluring. It had to contend with Chinese, Malays, Japanese, Singalese, Polynesians and hords of other aliens from the Asiatic Continent and from the equatorial regions. The report says: "For nearly a generation the white working population of Queensland has been engaged in a struggle for its very existence against the capitalists, who prefer the profits of cheap labor to the well being of their own flesh and blood. Not only in the sugar growing industry, but in the wool fruit and mining industries have employers tirelessly and persistently attempted to replace the white workers by colored labor. The same efforts have been made to oust white workers by the squatters and big sheep owners, and other classes of employers."

The report then goes on to state how Sir Henry Parks explained while labor is the paramount issue with Chinese pigtail and how during a strike he had all the white printers sent to jail for breach of the Masters and Servants act.

It appears that the Australians have on hand a labor problem more formidable even than our own. All the vessels trading with China and Japan are manned by colored crews. Organized white labor is making a bitter fight to have Australian vessels served with Caucasian seamen.

For some time a hard struggle has been going on in the Queensland "bush" or much regions. The squatters or planters favor colored labor because of its cheapness. The "bush" hands oppose the introduction of colored labor. A strike ensued, and the military were called out. Many of the leaders of the business were arrested and convicted of conspiracy under an old law. The repeal of this law is now demanded, and in New South Wales it has been already repealed, but strong efforts are being made by capitalists to have something equivalent to it substituted.

Dullness in the labor market is the rule in Australia at present, but to Queensland it is worse than in any of the other colonies. For the past years the ranks of the unemployed have steadily increased, and yet the state still aids immigration. Two million of pounds sterling have been distributed, and it is thought this serious disturbance will soon occur.

RECIPROCITY WITH SALVADOR.

The Blaine reciprocity clause of the McKinley bill is becoming so much the object of public and commercial attention, that it looks as if the clause would soon overstep the end of the bill. On February 1st next the reciprocity treaty recently concluded with Salvador goes into effect. The list of articles to be admitted by that republic free of customs duties, consular or other kinds of taxes, is a long one. It includes animals for breeding purposes, cereals of every character, machinery both for agricultural and manufacturing purposes, books, paper, and various other commodities. The treaty contains the usual provisions relating to certain particulars, and is similar to those already existing with several of the American republics.

San Salvador is the smallest of the Central American republics. Its area is about 7,000 English square miles, with a population about 700,000. It extends along the Pacific coast 177 miles, and in general breadth it averages about 45 miles. It formed, until 1821, a subordinate union with Honduras and Nicaragua. Its principal exports are coffee, sugar, indigo, rice, hides, balsam and balsam of Peru.

The people are said to be more industrious than any of the other adjoining republics. They derived largely an agriculture, though mines are extensively worked. The country is subject to earthquakes.

The treaty with Guatemala is also concluded, but official information has not yet been made public. The agreement must be approved by the Guatemalan Congress before its terms and provisions can be published. Its acceptance is awaited, but the formality of ratification must be adhered to, and immediately after this President Harrison will issue his proclamation relating to it, as in the case of Salvador and other countries.

The State Department at Washington has notified the diplomatic representatives of Colombia, Brazil, Nicaragua, Honduras, Venezuela and Spain, on the part of the Philippine Islands, that, owing to their obduracy in not entering into reciprocity treaties, after March 15 next their products will not be admitted free of duty into the United States. The reciprocity clause of the McKinley bill empowers the President to impose a duty of 10 cents a pound on tea, 2 cents on coffee, 1½ cents on sugar and on hides, and 5 cents a gallon on molasses, when those articles are imported from American countries which refuse to enter into mutual free trade. The President contemplated enforcing this feature of the law at the opening of the new year, but, acting under the advice of the Attorney general, he withheld the proclamation relating to it until March 15, so as to give importers and traders reasonable notice of the intended action of the executive.

This action on the part of the President is occasioning considerable discussion in the present House of Representatives. The matter there takes a partizan hear, and party newspapers are handling it entirely from that standpoint.

WEEKLY TRADE REVIEW.

Dun & Co. in their report for the week ending January 8, 1892, state that the first week of the new year has been marked with some striking events. There have been important decline in the price of wheat and cotton, but this will have the effect of bringing out larger orders for export.

The government issued this week its final statement of the yield of wheat, 611,780,000 bushels, of corn 2,060,158,000 bushels, with estimates of value of the three crops as forms aggregating $1,382,251,581, against $1,211,000,000 last year. The gain of more than $171,000,000 cannot fail to create relief demand for the products of manufactures, but the yield of wheat now reported so far exceeds previous department estimates that the price has dropped sharply, 21 cents, for the week on sales of only fifteen million bushels. Cotton also dropped 3½ cents, but corn rose an eighth, large exports sustaining the price.

No important change is reported among the great industries. The iron trade is improving in tone, coal is rapped, copper weak, lead easy, and tin in excess. The money market has been well supplied at New York and other Eastern points. In brief, the business prospects of this country are remarkably favorable to the beginning of a new year, excepting at the South, where cotton has dropped to the lowest price since 1846, namely 5.41 cents for middling uplands.

Business failures occurring throughout the country during the eight days since December 31st for January 8, as reported to Dun & Co., number for the United States 335, and for Canada, 46. For the corresponding week of last year the figures were 358 for the United States, and twenty-eight for Canada.

Says the *Argonaut*: "Shaking stays," or corsets or corsets, are a French addition to a mourning outfit. With his knowledge of the niceties of his profession, the French dressmaker understands that, when a woman sobs convulsively, her whalebone corsets cause physical convulsions that might be detrimental to her health if not, sighing stays were not required. Consequently, the dressmaker's genius is exposed itself naturally and still passed her costume from any danger resulting therefrom. These stays are provided with a flange of elastic to set in at each side, which "gives" with every violent outburst of grief, and so half to down. The art of the French dressmaker approaches sublimity.

Z. C. M. I.

ATTENTION, LADIES!

As we said Last Week, while Stocktaking

BROKEN LOTS OF DESIRABLE GOODS

Will turn up in almost Every Department. We find a USEFUL LINE of

MUSLIN UNDERWEAR!

And while you may think it hardly seasonable to advertise it, we MUST SELL and you can get the benefit.

We shall also put down the prices of a lot of

TABLE DAMASKS, NAPKINS AND TOWELS.

They are always Seasonable and always Useful. We shall clear them out at once if we can, so that that section may be ready for New Goods to arrive.

T. G. WEBBER, Supt.

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Must Sell Within Thirty Days

$75,000.00/100

WORTH OF WINTER GOODS.

WE DARE NOT SHOW THEM TO OUR PATRONS AGAIN NEXT SEASON.

Prices will be Cut in Half. Many at 50c. on the Dollar.

1000 Ladies' Winter Jackets, Capes, Newmarkets, Misses' and Children's Ulsters, Newby Coats, etc., ranging from 50c. to $25. Much less than cost of material.

Our stylish Feather Trimming down from $1.00 to 50c. a yard.

Real Silk Gaigure Lace, less than half price.

Embroideries and Trimmings at less than half price.

Odd sizes in $1.00 Satin Corsets for 50c.

Ladies' and Children's Underwear and Underclothing at half price.

Ladies' and Children's Woolen Hose at half price.

Ladies' Kid Woolen Gloves, Children's Hosiery, Fascinators, etc., etc., at less than half price. We are bound to sell every article in that line if reducing price will do it.

Boys' and Children's Clothing, styles and durable.

Boys' Knee Pants down to 15c., 25c., 40c., 50c. and 75c.

Boys' Winter Suits down to $1.65, $1.75, $2.25, $3.00, $3.50 and $5.00.

Boys' All Wool Jersey Suits down to $2.85.

Gents' Furnishing Goods marked at closing out prices.

Gents' Natural Wool Undershirts for 75c.

Gents' Natural Wool Under Suits for $1.50.

Gents' Unlaundried Shirts, two for 50c.

Gents' White Laundried Shirts, two for 75c.

French Novelty Dress Patterns, Scotch Woolens, Henriettas, Plaids, Crepons, Sacre Flats, Serges, Bedford Cords, etc. We cannot quote prices; come and price them.

Silks, Silks, Velvets, Velvets, Plushes, Plushes,

Duchesse, Satin Rhadame, Faille Francaise, Indias, Jacquard Stripes, Crepe de Chine, Evening Silks—all in lovely shades.

Black and Colored Gros Grains, Failles and Surahs in black and all shades, at one half of former price.

Blankets and Quilts, Table Cloths, Napkins, Towels, Tidies, Scarfs, etc., at 50c. on the dollar.

1500 Shawls from 85c. to $15.00.

1000 Ladies' Winter skirts from 45c. to $5.00.

Ladies' Illness' and Children's Shoes at prices that cannot be duplicated. We warrant every pair as well or refund the money.

Our CARPET Stock offers inducements that cannot be surpassed.

Gents' Neck Scarfs at 15c., 25c., 35c. and 50c., less than half value.

Gents' Linen Collars at 10c.

Gents' Night Gowns at 50c., 75c. and $1.00.

A 200-page book on Other Bargains will repay your visits our Mammoth Premises and Retail Establishment. 240 One price to all.

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F. AUERBACH & BRO

Done His Best.

Dr. Price has done his best to make his Delicious Flavoring Extracts superior in strength, freshness and fineness of flavor to any flavoring extracts made in the world, and ladies of the best taste, who are now using them, have decided that his intentions have been successfully carried out. Persons who desire a delicate and natural flavor in their cakes, puddings, or any table delicacy, will obtain it by using Dr. Price's Vanilla, Lemon, or Orange Extract. Try them and be convinced