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CHARLES W. PENROSE, EDITOR.
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ALLEGED VACANCIES IN CERTAIN OFFICES.

THE announcement that a very large number of offices to which persons were elected last August are now vacant, because the officers elect have not qualified according to law, has doubtless started a good many of the people of this Territory, they naturally desire to know what it all means.

We understand that the objection is, they have not received their commissions from the Governor. If that is all, we are of the opinion that the trouble is not without remedy.

Under the Organic Act of Utah the Governor is authorized to commission all officers who shall be appointed to office under the laws of said Territory." Some persons have construed this to cover all the offices in the Territory, whether elective or appointive. But examination of the Organic Act and other laws of Congress, and also of the laws of the Territory, will show that there is a clear line of distinction between them. Some officers are elected others are appointed to their several positions. It is the appointed officers who are to be commissioned by the Governor, under the general provisions of the Organic Act.

But there are some elected officers who are required to obtain a commission from the Governor, and among these are Justices of the Peace and Constables. Section 162 of the Compiled laws of Utah provides:

"Each justice of the peace and constable shall take an oath of office and give bond, with approved securities in the sum of one thousand dollars, which bond shall be approved by, and filed in the office of the probate judge of their respective counties and justices and constables shall hold their offices for the term of two years, and until their successors are elected and qualified, and they shall be commissioned by the Governor."

Section 271 of the Compiled Laws has the following proviso:

"That each person elected or appointed to any county or precinct office shall qualify, solely two months within twenty days after receiving notice of his election or appointment, and all persons so elected to any office, thereby becoming their own sureties, shall, when so elected, give bonds, qualify, and be commissioned by the Governor, as in other cases required by law."

Thus it is clear that Justices of the Peace and Constables and also all persons appointed under the laws of the Territory, and all who are to be elected to fill vacancies, are to be commissioned by the Governor.

County and precinct officers must qualify within twenty days after receiving notice of their election. If any of these who were elected last August have failed to qualify as by law required, their offices may be declared vacant. But does this term "qualify" include obtaining a commission from the Governor? If not, there is no time fixed by law within which this commission must be obtained.

The term qualify has a definite meaning in the law. It signifies the taking of the oath of office. The word qualify is used sometimes as equivalent to making affidavit. The swearing-in of an officer-elect is what is legally understood as "qualifying."

That this does not include the receiving of a commission is evident from the wording of the law quoted above, which says concerning officers re-elected, they shall "give bonds, qualify and be commissioned."

The commission, then, is not part of the qualifying. It is merely evidence of election and qualifying. It is not required within twenty days. If some officers who are required by law to be commissioned by the Governor have not made application they should do so at once. They will then find out what views the Governor has on this question. He will doubtless be governed by the law. If there is yet legal time to obtain the proper commission, as there appears to be, the difficulty will be removed.

If there should be a vacancy in the office of Justice of the Peace or of Constable, the County Court is authorized by law to fill the vacancy until the next general election, and the person so appointed, whether it be the present incumbent or another, must not only qualify but obtain a commission from the Governor.

It would be well for all persons who were elected to office last August to see that they have all the qualifications and authority and documents necessary to the legal discharge of their official duties.

THE FARMERS' ALLIANCE ON GOVERNMENT BUSINESS.

A DEMAND of the Farmers' Alliance is that all telegraph, telephone and railway lines shall be owned and operated by the government.

The objections to this measure are insurmountable. It would throw a vast blanket over individual enterprise, the field of which would be immensely curtailed. The only progressive policy for a nation to pursue is to permit the people, so far as practicable, to transact their own business. The government should only do for the people what they are unable to do for themselves. In nations where this policy is adhered to the people are active and progressive where the opposite condition exists they are comparatively far in the rear of the van of advancement.

Above and beyond all the evils that would grow out of such an ownership as the Farmers' Alliance demand, be the result politically. A situation would, under a system like ours, be evolved that would imperil the existence of the Republic. Governmental ownership and control of all railroad, telegraph and telephone lines would mean the creation of an immense army of official parasites. The host now in existence would be swelled to proportions unparalleled in any country extant. The government patronage would be almost incalculable, and the influence that would be wielded by means of it would be invincible. Indeed, it would be so great as to render it an easy matter for the party in power at the time each a measure was enacted and enforced to perpetuate its administration indefinitely. Hence the general result would be the breaking up of American institutions, and the establishment of a plutocracy. Yet strange to say, it is class and party tyranny of which those who demand such a measure complain. What they offer as a curative would not only increase the evil, but would inaugurate a regime that would destroy popular rule and render this country no better than a monarchy.

All these Utopian demands go to show that it is not difficult to point out the glaring evils that are afflicting the nation, but it takes statesmanship of the highest order and thorough knowledge of political economy—to present measures that would tend to mitigate and, at least, hold the wrongs in check. The trouble is that men organize into classes and make extreme demands with the object of ameliorating the situation within the circle to which they belong, without taking a broad view outside of their immediate environment. Hence, what they imagine would benefit their own class would be of infinite damage to the nation at large. This being the case, they themselves would ultimately suffer in common with the whole. History teaches emphatically that oppression of the people on either under the laws without the whole nation being detrimentally affected.

THE GUTTER-WAYS OF JOURNALISM.

THE illustrated magazine which has been publishing those articles purporting to be written by a "Mormon," but which were purposely made up by an anti-"Mormon" to deceive the public, replies to the DESERET NEWS in this way:

"[illegible] Church has [illegible] shown the opposition of Gelatin. It throws the gauntlet of defiance in the face of [illegible] the Millennial Star, which is generally believed to be its organ. We are sitting to take up the gauge. The leaders of the Mormon Church are hereby warned of our deed."

It then quotes our first article exposing the deception practiced on the American people by assuming the authorship of its literary hodge-podge to be "called Mormon in the Rocky Mountains," and says:

"It went into this matter with full determination to bring the Mormon situation before the country, and its paramour Congress, in pursuance of President Harrison's message, that prompt action was necessary.

"The director of the 'old Mormon' who made the original statement is a native of Scotchtown, Ireland.

"Words can scarcely that this venerable member of the Mormon Church was still living in Salt Lake City. What we assumed was that as a contemporary of Joseph it will be from the history of the Mormon Church from its inception."

To this we reply, the "Mormon" Church has not thrown down any gauntlet, nor made any threats, nor hurled any anathemas; it has certainly done nothing of the kind in reference to the mean and money-grubbing publishers who have palmed off their tissue of old fables as the handiwork of a "Mormon." The Church has said nothing on this matter. The DESERET NEWS is not the Church. Its utterances are its own and the Church is not responsible for them in any way. That religious organization is no more likely to take official action as to the periodical that has used this contemptible means of increasing its circulation, than to proceed against the yelping of a hungry dog. What individuals in the DESERET NEWS may do or say will be on their own responsibility. There is not one member of the "Mormon" Church in a thousand who will see the mingled nonsense and malignity of the magazine alluded to.

The ——— gives its case away in the remark that "it went into this matter" for a purpose. And still farther in saying that "the identity of the 'Old Mormon' is a matter of substantial interest." It was the deliberate falsehood that made an "Old Mormon" the author of the articles which the magazine now confesses it "went into." Gal gave them any interest whatever. The identity of the "Old Mormon" was the matter at issue between the DESERET NEWS and the magazine. It was the palpable fraud of the whole assumption that was exposed. The mingled mess of well known historical facts and wide and stupid fiction had no value as the production of a New York adapter of literary scrapings. It was only when pilloried as the narrative of a Dark "Mormon" that it repeated to its public and gave position and increased circulation for the paper that established it.

The further statement of the editor, "We do not assert that this venerable member of the Mormon Church was still living at Salt Lake City" is a falsehood that can be proven such out of his own mouth. In the pretended statement about the Mountain Meadow Massacre he says concerning some of its alleged perpetrators: "They live in this city today. They used to use to the streets and I and back to them."

How could this mythical "Old Mormon" and back to these imaginary murderers in this city if he was not still living here? The editor of this concocting magazine is one of those persons who ought to have good memories, but like others of his class, he fails at a critical moment.

We do not question the right of any editor or publisher, whatever may be his motive, to gather up from any source he may choose, stories and arguments however fictitious and foolish, however ancient or novel, and attack "Mormonism" with his badly stuffed club. But we protest against the infamous assertions and despicable fraud of displaying this fabrication as the work of a "Mormon," and of putting into "Mormon" lips the vile sentiments and bloodthirsty expressions which are as foreign to "Mormonism" as they can be to any truly Christian system or to any peaceable individual.

The twaddle now being issued in the same magazine on the polygamy question is open to the same objection. It is evidently made up by the same hand. There is nothing genuine about it. The presented arguments in support of polygamy and the purported replies are logic, and contain no sound reasoning on either side of the question. They are manufactured the same of the testimonials to quack medicines and with a similar object, which is purely mercenary. It is a movement in the lowest gutter-ways of journalism.

THE "MILLENNIAL STAR."

WITH the first number of volume 53 of the Latter-day Saints' *Millennial Star*, that worthy periodical appears somewhat changed in its mechanical make-up. The column rule formerly running up the greater proportion of its pages has been discarded. The matter runs directly across the entire page, as in the case of an ordinary book. This is an improvement. The *Star* is published in book size, expressly for the purpose of having it in handy shape for binding in volumes suitable for the library. The mechanical change made at the opening of the current volume is consistent with this idea. This periodical, which has been issued over fifty-two years, continues, as a whole, a most interesting series, almost invaluable for reference and information on Church history, especially in the British Isles, and in Europe and other portions of the globe.

WATER AND HERBS AS CURATIVES.

In Black and White Magazine Madame de Fereo has presented an article upon the "Worishofen Water-cure and Pfarrer Kneipp." This priest, who has practiced water-cure for thirty years at the Bavarian village of Worishofen, has written a book in homely language. There were sold last year of this work, 125,000 copies. A great many notable people, among them Baron Nathaniel Rothschild, testify to the remarkable curative effects of Pfarrer Kneipp's treatment.

Madame de Fereo says:

"There is a marked difference between the way in which Pfarrer Kneipp sets to work to attack illness and that in which the ordinary run of doctors go about it. In the first place, his attention is principally directed to the seat of the disorder, and then he seldom attacks the local evil, but sets to work to strengthen the whole system. In many cases he prescribes, among other remedies, and forms the delicate kidneys will to appear on the surface.

"As I have first taken long the Pfarrer's book treating of the whole subject, I have only been upon the special points in the cure. There are the so-called 'Sitz' or sitz-bath, the wet sheet, the pulses from a watering-can in different forms and heights, cures for the blood, kneeling, etc. Amongst which diseases are most suitable to each individual case, and also in what manner and distribution they are to be administered. There are cold baths, in which, however, one is only allowed to remain from five minutes, and there are various kinds of cold packings in which the patient is partially or entirely enveloped in cotton linen, either simply dipped in cold water or a decoction of herbs and in our stock, as the case may require.

"Through enclosing medicine in a general rule, Pfarrer Kneipp gets hold in many cases of herbs and herbs, such as dandelion and good-quality tea, were well appreciated herbs, but which have been displaced by all the bad substitutes and mixtures of the present day. Rosemary, hound, gentian, mallow, rue, chamomile, wormwood, and sage are among the chief herbs and of course each herb has something peculiar concerning itself so. With the wet bandle in pulses of these decoctions is to such as those in or internal medicine. He therefore lays great stress on both understanding and strongly advocates a particular make of linen, of which all persons fabric, as specimen clothes to the requirements of the present day."

The writer of the article in *Black and White* says she believes that the priest's treatment will have a strong influence on the field of medicine. The instances of cures she cites from cases which had been deemed incurable by ordinary practitioners are certainly wonderful.

A PETITION WITHOUT PRECEDENT.

THE petition which has been filed in the Supreme Court of the United States on behalf of the British government is probably the most remarkable document ever presented to a court of high judicial functions. It requests that the court assume jurisdiction of all matters in dispute between Her Majesty's government and that of the United States with regard to dominion in and over the waters of the Behring sea. If the petition shall be granted it will lead to the hearing of a case in which every incident of Russian domination in Behring sea, every acquiescence of or protest against such domination by other powers, every treaty and every interpretation of every treaty relative to jurisdiction over or commerce in Behring sea, and in every other sea whose close or open character has been in dispute at any time, would have to be reviewed. In fact, the court would have to pass upon the work of diplomats as well as upon the precedents of law.

WEALTHY CALIFORNIANS.

THE Christmas issue of the San Francisco *Examiner* devoted eighteen pages to a review of California's millionaires. It appears that there are thirty-nine persons in that State who are individually worth over $1,000,000. The figures range from one to fifty millions for each of these persons.

Of these thirty-nine millionaires one only is a native of California, and she was born near gold in mining. There is but one lady among those chosen children of fortune. She is now eighty-five years of age. Her wealth was made entirely by dealing in lands and cattle. Most of these wealthy people are old settlers, but only two of them can attribute the foundation of their wealth to mining. It is a curious fact that of the men who followed mining exclusively and who made millions, not one now has even a competence.

First in wealth comes Leland Stanford who commenced life as a lawyer in Albany County, State of New York. He practiced but a short time there. He went next to Port Washington, Wisconsin. He practiced law in that town for four years. Either the people were averse to litigation, or Mr. Stanford's fame as a disciple of Blackstone was not great, for clients were few and far between. One fine day his office and library were burned. This event was accepted as an omen of good luck. Mr. Stanford then went to California, and in 1852 he is found mining with pick and shovel, in Placer County, at a place called Michigan Bluffs. After accumulating some capital he settled in Sacramento as a merchant. In 1861 he joined Hopkins, Huntington, Crocker and Hopkins, founding the Central Pacific. In this year he became president of the new railroad company, and was elected governor of the State of California as well.

On May 10, 1869, the great transcontinental railway was finished, Mr. Stanford drove the last spike on this day at Promontory Point, Utah. Ever since he has figured as one of the railroad kings of the country. In 1885 his son, Leland Stanford, Jr., died. He actually finished this toy. Too late was to him an inexpressible one. The memory of the young man will be perpetuated by a monument in the shape of one of the greatest educational institutions in the world. At Palo Alto, the university of California, is now in process of completion. The sum to be expended on it is $23,000,000. This is the monument which Leland Stanford erects to the memory of his son, and a noble one it is. His wealth is now upwards of $60,000,000. His farm at Gunter expires next March.

Next in wealth comes James G. Fair. He was born in Tyrone, Ireland, in the year 1831. He went to California in the early days of the gold excitement, but he made no money until 1873, when he came to Nevada. Here the Comstock enriched him. He is now worth $15,000,000. His vast fortune was made in real estate. He owns a score of the finest palaces of San Francisco.

Richard Ogle, the farmer and banker of Tehama County, is a native of Germany. He is worth $5,000,000. He never engaged in mining. He started from an ironmaker, and then engaged in almost every conceivable industry, adding finally into farming and banking.

The only woman millionaire in California is Mrs. Mary Murphy, before referred to of Santa Clara County. She settled near where Sacramento now stands, in 1844. Her husband and herself devoted themselves entirely to cattle and real estate. He is dead. She is worth $2,000,000.

George Hearst, of Colusa County, went to California in 1849. He followed mining until 1854 without making a cent. He then went into business at Sacramento, and is now worth a million in lands, houses and bank stock.

Solomon Jewett of Kern County is a native of Vermont. He came to California in 1849 with a million by sheep raising. He is now engaged in fruit and vine growing, and is a bank president.

The Coleman brothers of Nevada County are worth $3,000,000.

R. G. Hawxhurst is a Michigan native. He was initiated in Illinois and went to California in 1854. He acquired his political calling and went into mining. He is now worth $1,500,000, principally in gold mines in San Diego County.

Don Marco Foster is the only native of California who is a millionaire. He was born in Los Angeles in 1839. He owns 80,000 acres of land, on which 700 head of cattle and 20,000 sheep now graze. His father was a Celt, his mother a Castilian.

J. Parker Whitney of Placer County is worth $2,000,000. He is a Yankee who landed in California with 10 cents.

John D. Langsmur, of Yolo County, is a native of North Carolina. He went to California in 1850 and commenced life there with 25 cents. He made his money by trading and cattle raising.

Frederick Dolger of Alameda is a German. He came to California in 1852 and commenced life as a cobbler in shoes. He is now worth $1,000,000. He says the secret of his success was to attend to his own business and let that of others alone.

William Helm, of Fresno, is a native of Canada. He had not even the traditional 10 cents when he got to California, but he is now worth $3,000,000.

David Jacks is a native of Scotland. He came to California as a stowaway, in 1849. He was hired for several days to an empty barrel aboard the ship. He is now worth $7,000,000.

This goes the list to the end of the chapter. With all their wealth there is not a happy man among them, with the exception of the German cobbler. With all his wealth he has never gone beyond the last, and today he enters with delight into his cobbling experience.

What a magnificent picture of gay distress and splendid misery this gilded Catalogue of Mammon's votaries presents!

President Lincoln's First Dollar.

Here is a new anecdote of the good War President, who, before he was promoted to his high post of honor, had earned the satisfaction that comes from honorable labor, well done.

One evening in the executive chamber there were present a number of gentlemen among them Mr. Seward. A point in the conversation suggesting the thought, Mr. Lincoln said, "Seward, you never heard, did you, how I earned my first dollar?" "No," said Mr. Seward. "Well," replied he, "I was about eighteen years of age. I believed, you know, to what they called down South the scrubs—people who do not own land and slaves are nobody there. But we had succeeded in raising, chiefly by my labor, sufficient produce, as I thought to justify me in taking it down the river to sell. After much persuasion, I got the consent of my mother to go, and constructed a little flat-boat large enough to take the barrel or two of things that we had gathered, with myself and a little bundle, down to New Orleans. A steamer was coming down the river. We have, you know, no wharves on the Western streams; and the custom was, if passengers were at any of the landings, for them to go out in a boat, the steamer stopping and taking them on board. I was contemplating my new flat-boat, and wondering whether I could make it, when, two men came down to the shore in carriages with trunks, and, looking at the different boats, singled out mine, and asked, 'Who owns this?' I answered somewhat modestly, 'I do.' 'Will you,' said one of them, 'take us and our trunks out to the steamer?' 'Certainly,' I said. I was very glad to have the opportunity of earning something. I supposed that each would give me two or three bits. The trunks were put in my flat-boat, the passengers seated themselves on the trunks, and I sculled them out to the steamer. They got on board, and I lifted their heavy trunks and put them on deck. The steamer was about to put on steam again, when I called out that they had forgotten to pay me. Each of them took from his pocket a silver half-dollar and threw it on the floor of my boat. I could scarcely believe my eyes as I picked up the money. Gentlemen, you may think it a very little thing, and to these days it seems to me like a trifle; but it was a most important incident in my life. I could scarcely credit that I, a poor boy, had earned a dollar. The world seemed wider and fairer before me. I was a more hopeful and confident being from that time."—*Sunday Afternoon.*

IRRITATED THE QUEEN.

THE AMUSING ERROR OF THE WIFE OF AN ENGLISH MAYOR.

Juliet asks Romeo, "What's in a name?" apparently deeming one designation as good as another in a warm climate. But there are Juliets in dear old England who have their own opinion on the subject. At a recent provincial exhibition a conspicuously bound visitors' book was placed in the vestry, and the great show was opened by her Majesty, who was accompanied by the Princess Henry of Battenberg. The local mayor, a highly respected tradesman (grocer and plumber, I believe) accompanied by his wife, was of the royal party. As usual, the visitors placed her name in the visitors' book as "Victoria," the princess following with "Beatrice," then came the mayor's wife, who, ending what had gone before, wrote, with a bold, clerkly hand, "Jane." The official who had charge of the book has not been seen since. He is believed to have exploded in an apoplectic fit.—*Boston Globe (Gladstone Lecture) Herald.*

ADVICE TO MOTHERS.

MRS. WINSLOW'S SOOTHING SYRUP should always be used for children teething. It soothes the child, softens the gums, allays all pain, cures wind colic, and is the best remedy for diarrhœa. Twenty-five cents a bottle. (Sealed.)

NOTICE.

E. C. M. I., SALT LAKE CITY, January 19th, 1891.

THE STOCK TRANSFER BOOKS OF THIS institution will be closed on January 24th and reopened on February 5th.

E. G. WEBBER, SECRETARY.

37th DIVIDEND.

A QUARTERLY DIVIDEND OF THREE per cent has been declared on the Capital Stock of this institution, payable February 20, 1891, to all stockholders of record on January 24th, 1891, personally upon presentating of their stock certificate, or upon their written order.

T. G. WEBBER, Secretary.

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