

EDITORIALS

BLOODED STOCK IN TEXAS.

THE *Cattle Trail* says that the introduction of improved stock into Texas for the purpose of grading up the immense herds of cattle which are maintained there, is a problem which has hitherto engaged the earnest attention of breeders North and South, but that although many plans have been adopted to secure this desirable result, all of them have failed. Thoroughbreds have been taken there, but have sickened and died. Various causes have been assigned for this mortality, but none have proved satisfactory. Messrs. Matthews, Kingsbery & Co., of Kansas City, Mo., have entered into the business of sending blooded stock to Texas, and have recently forwarded a Durham bull and two heifers, to Cleburne, which are doing well. They have also sent a car load of blooded bulls and heifers to Comanche in the same State too, which have given good satisfaction, and have sent to Kentucky for 200 head of choice Durhams, for the southwestern country.

As the *Cattle Trail* well says, 200 head of good Durham bulls scattered through Texas, would soon add millions to the wealth of that State. They would also soon knock off the long Texan horns and drive them into oblivion, provided the short horn Durham bulls were kept out of the reach of the long horn Texan bulls, for in a fair physical, hornical fight in the open field the former would stand a poor chance beside the latter.

OFFICIAL ABSENTEES.

Are They Paid for Deserting Their Posts of Duty?

Has Absenteeism Become an Official Virtue?

THERE has long been a law of the United States to the following effect—

"Whenever any officer of either of the Territories of the United States shall be absent therefrom, and from the duties of his office, no salary shall be paid him during the year in which such absence shall occur, unless good cause therefor shall be shown to the President of the United States, who shall officially certify his opinion of such cause to the proper accounting officer of the treasury, to be filed in his office."

From the earliest times in the history of this Territory, it has been a custom, better honored in the breach than in the observance, for federal officials to abandon their fields of official labor in the Territory, and pass a material portion of their term elsewhere. Some, from the remote time of Brochus, Day, and Brandebury, have found Washington, D. C., a congenial place of resort and residence while they have held appointments to office in and for this Territory, nearly three thousand miles away, equal to a journey across the Atlantic.

The latest instances of this kind are of two federal officials, whose appointments required their presence in Utah. They have spent the major portion of the last six or eight months, that is, during the just concluded session of Congress, in and about Washington, instead of in the proper field of their duties hereabout. Their special business in Washington, as generally accepted and not contradicted, was to lobby for the passage of a bill by Congress purposely to increase and multiply their own privileges, pay, and perquisites, at the expense of the community, and to materially enlarge the scope of their own official powers, at the sacrifice of the rights and privileges of the people, of the popularly chosen representatives of the people, and of the American principle and practice of local government by the people and for the people.

We propose to offer a few pertinent queries in this connection—
Has the law, the substance of which we have quoted, ever been repealed?

Presuming on our information that it has never been repealed, but still remains valid, can those two official gentlemen show "good cause" for their extended absenteeism?

If so, what can that cause be, to be satisfactory to the President of the United States?

Can he be satisfied with the excuse that they went to Washington to lobby for the passage of a proscriptive bill against Utah?

Can he be satisfied with the excuse that they went to lobby for the passage of a law to disfranchise the majority of the community on account of their religion?

Can he be satisfied with the excuse that they went to lobby for the passage of a law practically nullifying the right of citizens to sit as jurors or to be tried by a jury of their peers?

Can he be satisfied with the excuse that they went to lobby for the passage of a law to destroy the right of the people to local self-government by representatives elected by them?

Can he be satisfied with the excuse that they went to lobby for the passage of a law to multiply their own personal official emoluments at the cost of the people and their representatives?

Can he be satisfied with the excuse that they went to lobby for special legislation to proscribe the people on account of their religion, not only of their religious practice, but even their religious faith?

Can he be satisfied with the excuse that they went to lobby for special legislation of an unprecedented and utterly unconstitutional character?

Is it to be supposed that the duty of an appointee to office in a Territory permits him to run off to Congress for months at a time, or for any length of time, to lobby and to buttonhole Congressmen and cabinet men, with the view of securing the passage of any law of any kind whatever?

If federal officers from Utah can neglect their proper official duties and spend a large amount of time lobbying in Washington, can not federal officers from any other Territory or any State do the same, and thus leave federal official duties unperformed all over the Union?

If President Grant is not satisfied of the existence of such good cause for the absenteeism of these two official gentlemen, and consequently does not certify to that effect, will they obtain their salary or other emoluments for 1873 and 1874, and all the years of their absenteeism, the law saying they shall not?

If they will not, where does the money come from to sustain these absentees here and in Washington? Whether President Grant approves or disapproves this absenteeism, whether the absentees are or are not paid their salary or emoluments, is not the absenteeism virtually sanctioned and are not the absentees virtually approbated by being continued in office?

This being the case, what effect must such a bad precedent have upon official morality generally throughout the Union?

THE EARTH.—Professor Proctor talks with much assurance some extraordinary things concerning the earth. He says, "We know that millions of years have passed since she began to be peopled, and a much longer time since she existed as an intensely hot orb." He further says that by a very moderate computation the earth increases in mass each year by more than 20,000 tons, and that she since was first formed she must have increased by millions of millions of tons.

CHEAP MONEY.—Money is cheap in San Francisco. The *Chronicle* of that city says that it is announced that the dividends declared by the savings banks on July 1 will be lower than any that have been previously offered, by reason of the exceeding difficulty experienced in lending out the reserve funds; that money is going begging at eight per cent. on mortgage, and the trustees have recently been compelled to lend at six and seven per cent. rather than let it remain idle.

If San Francisco would send over here a few hundred thousands of that surplus cash, it would not be difficult to obtain more than eight per cent. for it.

WHO PAYS FOR THE WHISTLE?

A WEEK ago we concluded an article with these words—"If United States officers in Utah are to be paid out of the local taxes, the same impost must be laid and collected in every Territory and State in the Union, or it is clearly unconstitutional."

Our opinion was based upon that provision in the Constitution, Article I, Sec. 8, par. 1, which empowers Congress to lay and collect taxes, duties, imposts, and excises for United States purposes, but requires all such imposts, etc., to "be uniform throughout the United States," which consequently prohibits Congress from laying and collecting any special impost upon any Territory or State, from the operation of which the other Territories and States are exempt.

The Poland bill does lay a special impost upon the treasury of this Territory, an impost not laid upon any other Territory or any State in the Union, an impost which we believe to be unprecedented, and which we cannot regard as other than directly unconstitutional.

The last paragraph but one of the section quoted from gives Congress power "to exercise exclusive legislation in all cases whatsoever" over the District of Columbia and over U. S. forts, magazines, arsenals, dockyards, etc. The power herein conferred is held to cover the power of taxation and the right of exclusive jurisdiction.

No such power is granted in the Constitution to Congress in regard to either a Territory or a State, and the very fact of the Territories having constitutional governments somewhat resembling those of the States is an acknowledgment that Congress has not such power.

Congress has power (Art. IV., sec. 3, par. 2) to make all needful rules and regulations respecting the territory or other property of the United States, but the Constitution also provides (Amendments, Art. X.) that the powers not delegated to the United States by the Constitution, &c., are reserved to the States respectively, or to the people. The power to lay a special impost upon a Territory or State is not delegated to Congress, therefore it is reserved to the States or to the people. Consequently, the people of every Territory or State, by their legislative representatives, lay special imposts upon such Territory or State for Territory or State purposes. Counties and municipalities exercise the same power to lay imposts upon their respective counties or municipalities, for county or municipal purposes.

A Territory or a State is not legally authorized, and certainly has no right in equity, to dip into a county or municipal treasury to pay Territorial or State officials. Equally unauthorized by constitutional law, and equally destitute of equitable right, is Congress to dip into the treasury of any Territory or State to pay U. S. officers.

Congress, not the Territory, employs U. S. officers in a Territory, and Congress and not the Territory is the legal and proper party to pay those officers. It is a common and well understood principle of law and equity, that those who employ should pay the employees, and not out of other people's pockets either. One man has no right to dip into another man's pocket, neither has any corporation or legislature the right to dip into the treasury of any other corporation or legislature. Such an action is termed robbery.

Article V of the Amendments to the Constitution provides that private property shall not be taken for public use without just compensation. The payment of a U. S. official is a public use of money. The treasury of a city, a county, a Territory, or a State may be accounted the private property of that corporation or commonwealth, and therefore cannot be taken by Congress for public use without just compensation. If therefore Congress takes money out of the treasury of a Territory or a State for public use, Congress not only does an unconstitutional act, but is under the constitutional necessity of reimbursing that Territory or State.

The amendments to the Constitution "are exclusively restrictions upon federal power, intended to prevent interference with the

rights of the States, and with their citizens," and the Constitution of the United States, amendments included, are the supreme law of the land, which all United States officers of every kind, legislative, judicial and executive, are bound, by oath or affirmation, to support.

THE ST. LOUIS BRIDGE.

THE St. Louis people intend to have a grand jollification over their great new bridge across the Mississippi on the Fourth. The *Louisville Courier-Journal* suggests that "we must bear with the St. Louisians," in this weakness of theirs, as their pet, the bridge, really is a "big thing."

The *Missouri Democrat* suggests that the bridge will become the great place of resort, the grand drive and promenade, for St. Louis city and suburbs; that to it will resort merchants, politicians, lovers, loafers, poets, philosophers, young bloods, invalids, nurses, suicides, and all who, on business or pleasure or other purpose bent, desire a ride or stroll.

This is how the *Democrat* of June 22 pictures Sunday on the bridge—

"The great day on the bridge is Sunday. Then the entire population is free from the calls of labor and at liberty to seek rest and recreation wherever such blessings are to be found. Yesterday was Sunday, and the thermometer boiled up nearly to the hundred notch, and the breeze was hot and languid. While the sun poured down his burning rays only a few salamanders braved the chances of a *coup de soleil* by venturing out of the shade of a roof or horse car; but when the glorious orb dipped low down in the western horizon the whole population of the city hastened bridgeward. Vehicles of all sorts crossed and recrossed, but the footmen composed by far the greater portion of the multitude. Two constantly flowing streams of human beings poured along the bridge, from sunset far into the night, moving slowly and elbowing each other on the footpaths. It would be difficult to estimate how many thousands of men, women, boys, girls, and babies in arms crossed the bridge between seven o'clock and midnight. Perhaps 50,000 would not be an extravagant estimate. A fair proportion were women and children. Many families of from six to a dozen made the passage. Young men and maidens in couples were as plentiful as blackberries, and many of them stuck as closely together. One ardent youth, evidently a Teuton, had his arm round the waist of his charmer, and her head was lolled upon his shoulder as limber and as loving as a kitten asleep upon the maternal bosom.

"It would be impossible to detail a thousandth part of the scenes enacted on the bridge on Sunday nights. It is as good as a show merely to see the crowds. When the horse railroad is finished, the visitors will increase in numbers, and the passage will be much easier and more comfortable.

"The indefatigable street preachers took advantage of the assembling of the multitude to hold forth in the open space in front of the bridge, and a very respectable audience gathered around them. Why wouldn't the bridge answer for political meetings and torch-light processions? Some of our ambitious orators, like Mr. O'Brien, could have the exquisite satisfaction of championing the wrongs of the poor man in two States at once, to say nothing of a large floating population."

Now the St. Louis people should deposit a few loads of soil in various places in recesses on the bridge, lay down water pipes to them, and plant flowers and shrubs in the soil, and then they can have added to their grand bridge promenade hanging gardens to surpass those of old Babylon and to gladden the eyes of all visitors.

THE MR. SHEARMAN.—The *Missouri Democrat*, of June 27, says—"We are sorry to note that the counsel of Mr. Beecher is the Mr. Shearman who was so conspicuous

as the attorney for Fisk in his celebrated frauds upon the owners of the Erie Railroad Company."

THE MUDDY RESERVATION.

MRS. ANNIE R. B. JENNINGS, who went to Washington to get her rights in matters connected with Indian agent Ingalls, writes thus to the *Pioche Record*, dated Washington, June 14—

"My warfare with the Ingalls Brothers has so far been pretty successful. I have, through Mr. Stewart, been enabled to prevent their 'reservation' scheme thus far. They will get no appropriation, and all they have done is to be investigated by two Inspectors, approved by our Senators. They, the Inspectors, leave Washington for Nevada and Utah in about three weeks. I hope the people of Pioche, and the whole State will take pains to impress these gentlemen with the fact that the people of Nevada are not of the low order that Mr. Ingalls has represented here. I hope that you will state this through the columns of your paper, so that every one will receive and consider these gentlemen as the friends of our people and State, and that their presence among us indicates that these men who have caused us so much anxiety, expense and delay, to say nothing of misrepresentation, are to be thoroughly investigated; that their evidence will be placed in the hands of our able and efficient Senators, and that our Indian affairs will have to be managed hereafter by them more particularly. If they are such men as we now think they are, I think we shall all feel that we as well as the Indians have been benefitted by their investigations. Senator Stewart has promised me that the Inspectors should be instructed to find out what Ingalls has done, what the people want and what the Indians require. The folks here put off the reservation matter as long as possible in hopes to get rid of me, but under the correction of boasting be it spoken, I think I have been entirely too much for them. I am only waiting now for the disbursement of the deficiency bill, so I can get my money and start home. I have had a serious time in heading their scheming, but thanks to our senior Senator and my many good friends, I still have a home, and have the glorious satisfaction of gaining my points over those hypocrites who have so loudly boasted of their strength in the Interior Department, and with the church."

NOW IT IS PITTSBURG.—Now Pittsburg has a trifling financial unpleasantness. It is all about the little matter of municipal indebtedness. The constitutional limit of debt of all kinds is seven per cent., we presume of the appraised value of the taxable property. The funded debt alone of the city is about twelve millions, which reaches if it does not surpass the constitutional limit. But then more money is badly needed. The waterworks are not finished, and to complete them the city's indebtedness would be swollen to fifteen millions. The problem is, what is to be done? To issue more bonds would be a misdemeanor and the bonds would be void, but without more bonds the waterworks cannot be completed. There are plenty of explanations as to how the city got into its difficulty, but none as to how it can get out. No solutions of the vexatious question are offered, and a solution is the very thing that is wanted. The cry of Pittsburg is for a solution. Take on your solutions.

REAPPOINTED.—B. F. Potts, of Montana, has been reappointed Governor of that Territory, and the *New North-West* thus expresses its pleasure at that fact—

"The appointment is well made, is for the welfare of Montana, and will command the almost unexceptional approval of the people of this Territory. In an administration of four years he has evidenced good executive abilities, thorough integrity and an earnest interest in the welfare of the Territory. That he