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THE LAND QUESTION.

THE decision rendered by Chief Justice Zane the other day on the matter of the application of the Promontory Stock Company for an injunction to prevent certain parties from crossing tracts of country purchased by it from the C.P. Railway Company in order to reach portions of the public domain, is a reminder of what appears to have been a mistaken policy on the part of the government on the land question.

This is one of the most important subjects connected with the public welfare. With the homestead law no just fault can be found. It is constitutional in letter and spirit, being based upon the theory that the people are the owners of the public domain. The pre-emption laws are probably in the same line, but not quite as closely. The aim of these measures is to found and perpetuate a sound common wealth, each citizen being accorded, as near as practicable, an equal opportunity to become the possessor of a portion of the soil with his fellow citizens at large. Whenever this equality of opportunity is broken, the spirit, if not the letter, of the Constitution is impugned.

In relation to the public domain—the property of the people—great care should be taken not to give any one class an advantage over another in the matter of becoming the proprietors. That there has been a lack of statesmanlike foresight in this regard is obvious. The case which was recently decided by Judge Zane is only one among thousands of instances that exhibit this fact to a demonstration. That the awarding of mammoth grants of land by the government to railroad corporations is wrong in principle ought to be clear enough, if for no other reason than that it breaks the equality that should be maintained among the people in relation to becoming the individual proprietors of that of which they are the owners in the aggregate.

Carrying this reasoning further, the government is but an agency of the people, and in that capacity it has the right to dispose of the "territory and other property of the United States." It is questionable that this right of Congress extends to the creation of intermediate agencies of a private character, between the government and the people. Yet that is precisely the case in relation to the enormous grants of land to railroad corporations. It was not presumed that the latter would or could make individual use of the immense tracts of valuable realty conveyed to them in this way. It was expected that they would dispose of them to other parties. Is it not then clear that Congress has in this way surrendered to private corporations the agency for the disposal of the public domain that properly only belonged to itself? That is certainly the practical effect of the land measures now being considered.

When a measure is wrong in inception and nature the evils that result are interminable. So it appears in connection with this land grant business. The corporations to whom these immense properties have been conveyed feel under no obligations to consider the popular welfare in the secondary disposal. Ordinary people cannot get within fifty miles, so to speak, of an opportunity to purchase. It is much more convenient for the grantees to dispose of the land which has been thrown into their laps to large purchasers rather than to those who wish to buy for the purpose of making homes. The consequence is that the property originally belonging to the people at large falls into the hands of moneyed corporations. Hence cattle and land kings are manufactured and the extremes of wealth and poverty, which have caused the fall of empires in the past, are created. By such a public policy the common people are measurably shut out from the benefits of what originally belonged to them in common with all others. Thus is a third agency for the disposal of the soil established, or worse still, grinding and unmerciful monopolies unincumbered by the least vestige of responsibility to the people, are multiplied.

The wrongs resulting from a questionable land policy could be enumerated indefinitely. Among these may be mentioned the numerous instances when in people who settled upon lands granted to corporations before the transfers were made by the government have been deprived of their homes because they through ignorance or comparative poverty, failed to carry a contest to the end. The fact that Congress interpolated provisions for the

protection of such people is not a sufficient offset to the effect produced. Those intentionally beneficent portions of the law have proved notoriously insufficient to protect the weak against the strong, and that is the highest function of government. Others again have through ignorance settled upon grants subsequent to the action of the government in favor of corporations and have been practically ruined and discouraged.

It may be argued on the other side that the railroads are a great factor in the development of the country, and corporations which undertake to build them should be substantially encouraged. This is granted at once, but it does not follow that the public aid rendered in that direction should be of such a nature as to produce evils that largely offset the public benefits produced by the existence of the roads. Surely there are other methods by which assistance could be given in that line that would be much less hurtful, to say the least, especially when the country has a treasury so pléthoric that the disposal of the national wealth has become a problem regarding which our statesmen are puzzling their brains.

The making of enormous land grants to railroad corporations should have a complete extinguisher placed upon it. It is a satisfaction to note a strong drift in that direction.

AN EQUITABLE DECISION.

THE refusal of Judge Zane, on Tuesday last, to grant the injunction prayed for in behalf of the Promontory Stock Company, was a decision which will commend itself to the unprejudiced as being in harmony with the principles of equity. A wealthy company, which had purchased from the Central Pacific Railroad Company the alternate sections of land in a tract thirty miles wide by forty miles long, the other sections being the property of the government, was virtually endeavoring, by means of an injunction suit, to obtain exclusive possession of the entire tract. The prayer of the plaintiff asked that an order be made prohibiting the defendants, about twenty in number, settlers in the western part of Box Elder County, from grazing or driving their sheep on or over the lands of the plaintiff. Had the prayer been granted it would have made the plaintiffs the virtual owners of many thousands of acres of government land, for which or on which they had never paid a dollar; for the defendants, in order to reach the government sections, were obliged to drive their herds over those belonging to the plaintiffs.

The defendants maintained that they had an unquestionable right to graze their herds on the government sections, and that they were entitled to reasonable right of way facilities over such sections as belonged to the plaintiffs, which position the court fully sustained. In other words, railroad companies, their assigns, and all other persons, who have acquired title to, or the possession of, alternate tracts of the public domain, must afford the general public a reasonable opportunity to pass to and from such tracts as still belong to the government, and the flocks and herds of settlers must be permitted to graze on the latter, and to be driven back and forth to and from them.

This decision will afford valuable relief to a certain class of the inhabitants of Morgan and Summit Counties. The Union Pacific Railroad Company has recently adopted a policy of leasing a number of sections of land to one individual, firm or company, and these lessees have held that the stock of the settlers must not be driven onto nor over the land leased by them. The people have thus been deprived of their usual stock range, to their great detriment and loss, and earnest protests against this injustice have been made. Judge Zane's decision points out the rights of the settlers in this matter, and affords much needed relief. The possessors of sections of land which alternate with government sections, must lay out road ways over the lands they occupy, or take such steps as will afford the public reasonably convenient opportunity to reach, with their stock, lands which still belong to the people.

This decision enables us to give to correspondents who live in Morgan and Summit Counties, and who have written to us upon this subject, a much more satisfactory answer than we were able to give before it was rendered.

NATIONAL BANKS.

THE circulation of national banks is secured by the deposit of government bonds with the Treasury Department, and the ample ability of the government to pay these bonds, together with the strong inclination to do this which is being manifested in Congress and department circles, has given rise to apprehensions on the part of interested parties lest the national banking system should be abolished with the redemption of the bonds upon which it rests. It is generally admitted that the system of national banks served an excellent purpose during and subsequent to the war; but in recent years

there has grown up a class of financiers in Congress and in various parts of the nation, who hold that this banking system should now be abolished. The men who favor its abolition rely much on two arguments. They urge that the national banking interests form a powerful and dangerous combination in national politics, and that, in the interests of a great national industry, that of mining, and to afford a solid basis for the credit and finances of the country, gold and silver should be made its circulating medium, either by making coin the money in actual use, or by issuing gold and silver certificates in lieu of these metals actually deposited in the treasury department.

Those who favor the perpetuation of the national banks urge the great convenience and benefit derived by the country at large from the increased volume of a circulating medium which has resulted from the system, and predict disasters from the contraction which they claim must inevitably follow its suspension. They admit that, in order to keep bank notes at par the government must become responsible for their redemption, and they favor the deposit with the treasury department, as indemnity for the credit of the government, of state and municipal bonds.

Next to the tariff the national banking system is the gravest financial question awaiting solution at the hands of American statesmen. The early payment of the national debt, which seems probable, will compel the adoption of some other basis for the system than the one upon which it now rests, providing it is to be continued; and whether that basis shall be state and municipal bonds, or something else, is the question.

Curious and contradictory combinations of interests are included in the problem. The gold men want the banks perpetuated, because, as a rule, they are the owners of national bank stock. The silver men favor the abolition of the banks, because they want silver to take the place of bank notes. The labor organs clamor for an increase of the volume of the circulating medium, and want silver to be coined in greater abundance, and bank notes to be issued in greater quantities, than heretofore.

This question is increasing in urgency and importance as the bonds of the government continue to be redeemed, and from now on it will be a great source of debate in Congress and among party organs. The wealth invested in mines will pursue an aggressive policy against the national banking system, and the southern school of financiers, which is represented by Senator Reagan of Texas, will join in the attack. The wealth of the east will seek to perpetuate that system, and a long contest is likely to ensue.

BOULANGER.

THE French peasantry are wild over Boulanger. Posters and placards are scattered everywhere in the Department of Nord, which has just elected him to the Chamber of Deputies, in which he is termed the savior of France. He possesses peculiar ability and methods, and is surrounded with an intense dramatic interest, which have delighted and captivated his volatile countrymen, and they are excessive in their adulation of him.

The stir which he is making may, perhaps, have its theatrical aspects, but it presages tragedy rather than comedy. Undoubtedly Boulanger's figure looms up a menace to the tranquility of his own country and the peace of Europe. Bismarck and the Czar are watching his triumphant progress, the former with a scowl, the latter with a countenance expressive of intense satisfaction; for from France has issued the prognostication that the advancement of Boulanger means the re-capture of Alsace and Lorraine, or, in other words, war with Germany.

A significant utterance of Boulanger is reported by the telegraph. It is to the effect that he would endeavor to effect certain changes in the French constitution. What those changes are to be was not definitely stated, but that he should contemplate effecting a change in the organic law of his country indicates the power he expects to be able to exert. An utterance of deep significance was reported in the dispatches yesterday as having been made by the Moscow Gazette, a Russian official or semi-official organ, which, in speaking of French affairs, remarked: "It is greatly to Russia's interest that France should be strong, no matter through whom."

The German blood in the veins of England's Queen, and her family ties, together with numerous other reasons, give Germany the assurance of British sympathy in case of war with either France or Russia, while the two latter countries are strongly bound together. The wheel of fortune revolves rapidly in Europe. Three months are likely to see three generations of the present reigning family on the throne of the German Empire, and the internal agitation in that country, caused by such a remarkable thing is likely to be taken advantage of by its foes. In these days history is being made with dizzy rapidity on the European continent.

DAYTON, Ohio, April 22.—James Cummins, Manager R. O. Van Commercial Agency, committed suicide this evening by shooting. He had been dealing heavily at bucket shops.

PERSECUTION IN THE SOUTH.

A RECENT dispatch to the New York Herald from Parkersburg, West Virginia, contains some strange statements regarding the alleged effects of the preaching of two Elders from Utah, in Calhoun County, of that State. After giving a distorted account of the preaching of and the course pursued by the brethren, and stating that they were, in mobocratic fashion, banished from that part of the State, the dispatch says:

"But these two apostles were not without one friend. His name is Win Metz, his occupation a farmer, his wealth ample for comfort, and his reputation excellent. During the sojourn of the Mormons he lent them horses, entertained them at his house, encouraged them to remain, and showed his sincerity nightly by occupying a prominent position at their meetings. In fact, it is said, he paid all the expenses incident to their preaching. When they were ordered away he protested strongly against it and championed their cause against his neighbors. He even accompanied them some distance when they left and was loath to let them go."

Since that time his life has been made one continual round of abuse and persecution. Shortly after they went away, about three weeks ago, his fine house and barn were burned to the ground in the night time, his family barely escaping with their lives. In the meantime he was the recipient of letters ordering him to leave the country and threatening vengeance if he did not.

Metz sold the old farm on which he had lived and purchased another some miles away. The night before he was to enter his new home, ten days ago, he saw it on fire, and it was soon burned to the ground. Last week he succeeded in securing another piece of property, and intended moving there in a day or two. When he went to it on Saturday night he found only an ash heap, and a warning to leave the country at once put in a conspicuous place.

For some time police officers have been endeavoring to ascertain who are the perpetrators of the outrages, but they claim not to have succeeded. In addition to the burning of the man's property, and ordering him to leave, his cattle have been poisoned, his wells choked and his fences destroyed. His children have also been the subject of persecution, their former companions neglecting and treating them with scorn. Metz's wife is almost deranged over the persecution.

Driven from place to place, her friends deserting and her relatives cold, she is almost ready to give up in despair. She at first refused to take up with the Mormons, but her husband's continued adherence to them induced her to follow his example, and before they left she was an ardent worshipper. Metz was compelled to sell his property for very little, and to pay very dearly for what he purchased, so that he is now left with scarcely anything.

Metz feels now that his life is no longer safe in the community, and that he has not a friend to whom he can go. A year ago his standing was of the very highest, and his neighbors had frequently shown their esteem by selecting him for responsible positions. Today he is little better than a tramp. Amid it all he adheres to his belief in the new Mormon doctrines, and finds his only consolation in the thought that he is suffering martyrdom, a position in which his wife concurs.

Just where to look for property Metz says he does not know, as those who would otherwise sell to him hesitate for fear that they may share the indignation of the populace.

Should Metz continue in the neighborhood, it is generally believed that he will be foully dealt with. The county of Calhoun is one of the most law-abiding in the State, and until the advent of the Mormon missionaries nothing to its general discredit had been known.

So intense is the feeling against Metz for encouraging the missionaries who brought such general disgrace upon many families, and so general is this feeling, that the law-breakers will hardly be asked to render any account."

If the foregoing vividly drawn picture be true, the conduct of a bigoted people toward a man of acknowledged respectability and standing is most disgraceful and inhuman, while he is evidently an honest and true man, standing by his convictions under the most distressing circumstances.

LOVE AND POLITICS.

THERE is a spice of romance in certain political complications which are troubling Bismarck at the present time. Prince Alexander of Battenburg is a grandson of the brother of the late Kaiser William, and first cousin of the present Emperor Frederick. He is quite a young man, being not more than twenty-four or five years of age, and is said to possess admirable and strongly marked traits of character. About two years ago he was placed upon the throne of Bulgaria, but his course displeased the Czar, who instituted a system of diplomatic machinations which soon resulted in the removal of Alexander from the Bulgarian

throne. Princess Victoria is the daughter of Emperor Frederick, and is described as being beautiful and affectionate. She is about nineteen years of age, and Prince Alexander and her have conceived a strong attachment for each other.

It is the desire of the Emperor that the marriage of the young couple take place, and the Queen of England, who is an influential and interested relative of the family, also sympathizes with the young couple, and is in favor of having their marriage celebrated. But the course of true love runs more smoothly in royal cases than those of rustics. The Czar, however, and Prince Alexander in the light of the action of the daughter of the Emperor of Germany to the deposed Bulgarian king, will be regarded as an insult and covert defiance of Russia.

Hence a factional division at Berlin. Bismarck is anxious to avoid a rupture with Russia, knowing too well how eagerly France would seize upon an opportunity; and he takes the position that a matter of love between a young couple ought not to be permitted to weigh for a moment against the grave interests of the state as would be jeopardized by the marriage of Alexander and Victoria. It is a clear west position the Emperor Frederick takes upon the direct question of the marriage, but it is understood that he and Bismarck do not agree well, and the telegrams today announce that he has given orders to prosecute all newspapers who have made offensive remarks respecting the Emperor. It may, therefore, be inferred that he sympathizes with the wife and daughter.

Were Emperor Frederick assured of a prolonged lease of life, it is likely that he would pay but little regard to any wishes the Czar might entertain respecting the marriage of any German princess; but it is reasonable to suppose that, inasmuch as he is apparently on his death bed, he would prefer to bequeath the throne to the Crown Prince as free as possible from entanglements of a character likely to lead to war; and hence he does not favor the immediate celebration of the marriage.

The situation is a peculiar one, and adds to the complications which surround Bismarck. Prince Alexander may prove impetuous and determined to wed the one he loves; and he may do this in spite of the Czar and Bismarck, relying upon the support of England as an offset to the opposition of Russia, and on the influence of the Emperor as against that of Bismarck. The progress of the matter is likely to prove interesting.

A TEXAN TRAGEDY.

A FEW days ago we published a brief dispatch to the effect that on Tuesday last Thomas M. Kennedy, a cattleman and millionaire of Southwest Texas, was shot and killed near Brownsville, that State, by Jos. Maria de Esparza, deputy sheriff of Cameron County. Details that have come to hand by mail explain the cause of the tragedy.

It appears the Mexican was goaded to the commission of the deed by jealousy. On the night of the homicide there was an open air ball at San Cruz, on the Mexican side of the river. To this festival Mr. Kennedy took Esparza's wife, Donna Elvira, a woman noted for her beauty. She saw her husband as she walked on the arm of her escort, and smiled and saluted him, and afterward, when the pair were seated near Esparza, an insulting remark was made about him. This enraged Esparza and he drew his weapon on the ball floor, but two of his companions seized and led him away. He then crossed the ferry and hid behind a large willow tree beside a plank walk leading up to the town. Kennedy, it appears, feared trouble and wore a pistol to Gabriel O'Shaughnessy, and told him to protect him from any attack from behind. As Kennedy and Donna Elvira approached the lurking place of Esparza the latter stepped from behind a tree and fired at Kennedy, who fell into the ditch. He then fired twice at his wife, who shrieking onto the town. O'Shaughnessy, who was in the lead, fired two shots at Esparza, who bareheaded, ran up the river and made his escape. Mr. Kennedy was taken to the custom-house station. In about three-quarters of an hour he died.

AN ENGINE OF DESTRUCTION.

IN a few days there will be launched at Philadelphia a war vessel which will probably be the most destructive ship afloat. In construction and armament she will be novel as well as terrible. She will carry four guns, each having a range of at least a mile, constructed for the purpose of hurling dynamite projectiles, the explosive force being that of condensed air. Twice per minute, and with great accuracy, a shell containing 100 pounds of explosive gelatine, can be fired. The destructive power of such a missile is enormous, and more than sufficient to shatter and sink the heaviest armed vessel afloat.

Chemistry and mechanical skill are combining to produce means by which vast numbers of human beings may quickly be launched into eternity, and the restless eagerness with which the highest talent in the world is sought out and employed in the effort to improve or invent engines and