

## EDITORIALS.

## AN ANXIOUS TIME FOR GERMAN.

No attempt is now being made to disguise the fact that Frederick William, Crown Prince of Germany, has but a few more days to live. His situation creates great uneasiness and a considerable degree of excitement throughout the empire.

This effect is largely due to the probable result that may accrue as a natural consequence of the death of the heir apparent. It is feared that the incident will eventually, and at a day not distant, dissolve the solidity that has been attained during the latter part of the rule of the present Emperor, who has also but a short time to live.

The unity of the Federation has been mostly due to the determined far-seeing and far-reaching statesmanship of the chief adviser of the throne—Prince Bismarck. The expiring heir has been in full accord with the policy of his father and the veteran Premier. He is also recognized as one of the ablest military leaders of the age. That Prince William, son of the unfortunate Frederick William, will, on the demise of his grandfather, the present Emperor, fall into line with the policy which has enabled Germany to attain its present power and greatness is exceedingly doubtful. He is much disliked by those brought into close relations with him, on account of his haughty and overbearing disposition, and the people have a hearty antipathy toward him. If his characteristics have been properly described and the sentiment entertained toward him as pronounced as has been frequently stated, the outlook for a continuation of the remarkable union which has characterized Fatherland for a long period is not flattering.

The policy of Prince Bismarck has been extension, consolidation, and defense of the empire. The Federation of the German States was the stroke of statesmanship that secured the first, and laid a broad basis upon which to build the second, which has been advanced by constant appeals to and cultivation of popular patriotism. The third has been a natural outgrowth of the other two. They have enabled him to carry every measure deemed by him necessary to preserve the integrity of the empire against all probable or possible comers. His foresight is remarkably acute, and his phenomenal success lies in the fact that this far-seeing faculty prevents his being taken at a disadvantage. He perceives approaching danger when it is no more than a mere speck. While his traveling toward Fatherland he is quietly preparing to meet it. When it comes it is overwhelmed and crushed. He is never caught napping upon any question that affects his country. The Franco-German war is a conspicuous instance of his ability to see and prepare to meet emergencies. When he passes from this stage of action he will be spoken of as one of the most wonderful men of modern times.

Before Russia crept down toward the Austrian frontier Bismarck would have been pleased with a pretext to have went down on France and, with the aid of Italy, completely crushed her. He could not afford, however, to precipitate such a conflict without a plausible cause, lest he forfeit the sympathy of the entire civilized world, whose moral support, as a subtle statesman, he desires to retain. He sought to aggravate France into the commission of an overt act that would be deemed a *casus belli*, but did not succeed.

The reason for this desire for a passage of arms with France was that he felt confident that he could settle the little difficulty with that country with such overwhelming dispatch that the work would be completed before Russia would have had sufficient time to take advantage of the situation on Germany's southern frontier by making a descent in the direction of her northeastern border. In the interim, however, as foreseen by the astute Premier, Russia has been concentrating troops on the Austrian border, thus threatening the safety of Germany. This causes Bismarck to be uneasy, as he has reason to be uncertain of the result of a conflict breaking out on either border, because it would almost inevitably precipitate a similar struggle on the other. In such an event he would be compelled to fight Russia with his right hand while he tackled France with the left, placing him at a decided disadvantage.

Taking the situation as it presents itself, there can be no doubt that Bismarck's expressed desire for peace is genuine. In order to keep off the dogs of war that are held in the leash on each side of Germany, the veteran statesman lately undertook to scare them, by saying to each of the conspicuous enemies of his country, "Set here, if you come at us we are ready for both of you, and ten chances to one you will get the worst of it." That is just what the act of publication of the substance of the treaties entered into between Germany and Austria on the one border and Germany and Italy on the other was intended to convey.

It will be seen at a glance that the situation of Germany is highly critical, and the death of Prince Frederick William is bound to render it more so. Any event that would tend

to weaken the government at its head could not have any other effect. The demise of the heir apparent, with the probable assumption of the throne at no distant day by a man for whom the people have an intense dislike and who is not in harmonious relation with the chief men who are steering the ship of state, would create a situation that may well cause deep anxiety to pervade Fatherland. A dissolution of internal cohesion would provide the opportunity which Russia is eager to seize and of which France would not be slow to take advantage.

## MONEY FOR ROAD PURPOSES.

HITHERTO no system has governed appropriations by the Legislature for road purposes. At each session petitions asking for them have been laid before the Assembly and submitted to the committee on highways. In the nature of things it has been difficult if not impossible for that committee to ascertain the merits of each petition, and consequently there has been no adequate protection against partiality and injustice. Localities having energetic citizens who have pressed a claim upon the Assembly, have secured generous appropriations, while more modest or backward communities, in greater need of assistance, have had no relief extended to them.

Special legislation is almost always open to serious objection, and the method hitherto pursued in this Territory in appropriating public money for road purposes has illustrated this fact. But it has seemed difficult to devise a remedy, until at last one has been forced upon the Assembly. The act of Congress of July 30th, 1896, prohibits a continuance of the old system, and requires that laws providing for or appropriating money to highways, must be general in their nature.

To meet this new order of things Hon. Abram Hatch has introduced a bill into the House, appropriating \$1,600 to each county in the Territory, to be drawn and expended for road purposes by the respective county courts. It may be argued that some counties need relief in this direction more urgently and to a greater amount than do others, and that some pay more taxes than others do, but on further consideration it will appear that all the circumstances bearing on the matter, tend to make the distribution contemplated by this bill a just one. The counties which pay the lightest taxes, are the remote and frontier ones, and it has ever been the policy in the United States to favor such, as they are feeders to the commerce and wealth of the more thickly settled portions which pay the heavier taxes; and the state, by fostering them, adds to its own wealth, stability and prosperity as a whole. Again, a heavy population can better afford to tax itself for the roads it requires than a sparse one can.

Inasmuch as the general welfare of the Territory requires that a portion of its revenue be devoted to the construction and maintenance of highways, and as special legislation upon the subject is now prohibited, we do not see any way to accomplish the object desired which is more just or equitable than the one contemplated in this bill.

[From Tuesday's Daily, Feb. 21.]

## WASHINGTON'S BIRTHDAY.

TOMORROW will be the anniversary of the natal day of George Washington. It has been made a legal holiday under the laws of Utah, and as such should be respected. In conformity with the law, combined with a sentiment that is by no means repugnant to the taking of a brief rest from labors that are by no means easy of performance, this establishment will suspend operations until Thursday.

It has been the lot of but few men that ever lived to perpetuate, by a noble, unselfish life, such universal respect as is entertained in every part of the civilized globe for the memory of the Father of his country. It has been established more by his moral qualities, combined with his achievements, rather than intellectual brilliance. He was one of the most solid characters of the race. He had clear perceptions of that which is true and just, and pursued them with unwavering persistence to their legitimate conclusions. Many of the minds that were contemporaneous with him were more original and daring than he, but in unwavering integrity, sound judgment and constant and arduous labor in establishing the independence of the highest form of human government, he was head and shoulders above them all.

He exemplifies the difference between the mere self-seeker, who never yet has nor never will strike an effective blow for human freedom, and the noble, self-denying hero and patriot, whose time and talents are laid on the altar of human advancement. The name of the man of ability whose methods and measures do not stretch beyond benefits to accrue to himself, his friends or the particular party to which he may be attached, must necessarily be consigned to oblivion or regarded with execra-

tion. Not so with him who considers first his country, then the race of which he forms an infinitesimal speck of the great whole. Of such a nature was the man the anniversary of whose natal day occurs tomorrow.

If the shade of Washington could gaze upon the situation of the country today, torn to a large extent with factions, its institutions impinged by those who exhibit but little if any regard for the natural and heaven-born rights of man, the preservation of which was the sole aim of American institutions, perhaps he might feel as if his life's labor was in some degree being obliterated. But "fond anticipation forward points the view," to a good time in the future. We are, however, unable, at the present juncture, to name the date of the better and brighter epoch.

## IN RELATION TO PUBLIC EXPENDITURES.

ON Saturday, February 18th, an article appeared in the News under the head of "Disposal of Public Funds." Special reference was made in it to the petition of the Orphan's Home and Day Nursery for an appropriation of fifteen thousand dollars to aid that worthy institution in accomplishing the object of its existence.

We held it to be against sound public policy to appropriate funds for the use of private charities, for the reason that the money thus applied would be placed beyond the oversight or control of the selected officers of the people. The taxpayers would be without protection, because their money would be in the hands of irresponsible parties. This point is beyond question, being self evident. Should a beginning be made in that direction, where would it end?

The question now to be considered is, whether or not the institution referred to is a private corporation or a charitable agency? Two of the leading ladies interested in it, and who have called upon us for the purpose of expressing their view, take the negative position. We greatly dislike to be on the opposite side of an issue from that assumed by members of the fair sex, for whom we have a profound admiration, especially when they are bright and intelligent, as are those referred to. This consideration has induced us to look over the ground previously assumed. In doing this a bill now in the hands of the Judiciary Committee of the Legislative Assembly has been examined, in the hope of obtaining light on the subject. It is herewith presented:

A BILL FOR AN ACT APPROPRIATING FIFTEEN THOUSAND DOLLARS FOR THE ORPHANS' HOME AND DAY NURSERY ASSOCIATION.

Be it enacted by the Governor and Legislative Assembly of the Territory of Utah:

SEC. 1. That the sum of fifteen thousand dollars is hereby appropriated out of the treasury of the Territory for the Orphans' Home and Day Nursery Association, which is hereby declared to be a public corporation.

Provided, the constitution of the said Orphans' Home and Day Nursery Association be so amended that four of the thirteen directors shall be appointed by the Governor from the members of the Association, by and with the advice and consent of the Council; that during the present session of the Legislature the Governor shall appoint two directors who shall hold office for the term of two years and two directors who shall hold office for the term of four years, that after the expiration of the terms aforesaid, the office of said directors shall be four years and until their successors are duly qualified.

SEC. 2. And the auditor of public accounts is hereby authorized to draw his warrants on the Territorial Treasurer in favor of the Board of Directors of said institution upon the compliance of said corporation with Sec. 1 of this act.

It will be observed that the point made in reference to the application of public funds to be expended upon and controlled by private institutions is admitted in section one. In the same section an attempt is made to bridge the difficulty by declaring the Orphan's Home and Day Nursery to be "a public corporation." It needs no argument to establish the fact that a simple declaration, even by a legislative body will not render that which is private public by merely declaring it to be of the latter character. It must be intrinsically of a public nature, otherwise the declaratory designation is a meaningless nullity.

It may be claimed that the transformation is effected by section two, but this is untenable. The fact that four of the thirteen directors are made appointive by the Governor, by and with the consent of the Legislative Council, does not relieve it of its private cast. In the first place the four to be thus selected must be chosen from "members of the association," and not from the body of the people at large. Thus even those who would be selected in this way would not be public officers in the complete sense. But even if they could be so considered, they would constitute an insignificant minority of the board. Is not then the position clear? The nine would con-

trol the four and consequently control the manipulation of any appropriation of the money of the taxpayers that might be made.

It is unnecessary to take up the point as to whether such a law as that under consideration would conflict with the act of Congress of July 30th, 1896, as the ground of public policy appears to be sufficient. In considering the subject, however, it will be well for the Legislature to scan that statute carefully that they may be able to judge whether the proposed law would, at the very least, conflict with its genius if not its letter.

If our remarks are construed into something not intended, we cannot help it, and no such apprehension would deter us from an honest expression upon an important subject. The News is friendly to every charitable institution whose object, like that of the Orphan's Home and Day Nursery, is benevolent. They are highly commendable and worthy of universal support outside of the line defined in this article. Public institutions of the same nature should be multiplied, and the people who furnish the revenue will hold up both hands in favor of their being sustained by public funds. Outside of that there is a broad field for the philanthropic spirit which fills the breasts of the benevolently inclined. As to the logic of the position we have taken, we are not greatly afraid of it being successfully assaulted and overturned.

## SHEEP MEN ALARMED.

THE following communication is in reference to a matter which seems to be seriously agitating the sheep owners on the Weber. It is signed by T. H. Stephens, M. F. Harris, Lehi Hennefer and John Bond:

Editor Deseret News:

We are sheep men and we hope you will insert this at once to give a public warning to all sheep men who summer range in Summit and Morgan Counties. The summer range is being bought and leased on the U. P. land held by cattle men, and we sheep men cannot get the same privilege to lease from the U. P. that cattle men get. Therefore, as there is no fence law in the Territory, the sheep men cannot roam on the public domain without trespassing, as the U. P. has no guide or land marks for the sheep men to see.

We hope the present Legislature will give this matter due consideration, for there is great probability of damage to the sheep industry. We hope it will be averted, for we are all taxpayers and have large families to support, hard winters to contend with, and no money to waste. We claim our rights as citizens under the law.

For many sessions past, the Legislature of this Territory has been importuned to pass some measure designed to relieve the friction which exists, and is steadily increasing year by year, between sheep men and cattle men. But the subject is one which involves the right to control government lands, which is not possessed by the Legislature of any territory. That power vests exclusively in Congress.

The ranges upon which both sheep and cattle feed, are nearly always public domain. To prevent trouble between the owners of the two kinds of animals, the territory of each would require to be restricted, and to do this would be to affect "the primary disposal of the soil," which the Organic Act expressly prohibits the Legislature of this Territory from doing. So far as lands are concerned, which are private property, owned either by individuals or corporations, legislation aiming to permit sheep or cattle belonging to others than the owners of the same, to range upon them, is out of the question.

While it is apparent from the above communication that the interests of sheepmen in Morgan and Summit counties are about to receive injury, perhaps to a serious extent, it is not easy to see how the Legislature can afford any relief.

## "THE BITTER END."

The land jumping *furor* which prevailed in this city a few days ago is taking a rest. It would have been better had it been strangled outright and buried out of sight. The head and front of it very foolishly, in our opinion, prefers to keep breath in what comes as near as possible to being a dead issue by pouring legal stimulants down its throat. The very means taken to prolong animation will, however, secure its ultimate dissolution by the extinguishment of the last vital spark.

Mr. Liuck, of Colorado, is suing in the courts for possession of a tract of land located on Arsenal Hill belonging to the corporation and consequently the people of Salt Lake City. One would suppose that the revenge of that gentleman would have been completed by the result of the trials of the Mayor, Marshal, Sheriff of the County and others before Commissioner Norrell. True the charge preferred against the officers in the first case was not sustained. It was clear to the magistrate that they did no more than their duty in ejecting Mr. Liuck, in the persons of his aids, from the property of the

city, to which he had no more claim than if he had been a native of and just come over from Alaska in place of from Colorado.

But look at the triumph he attained in the second suit! Robert Heywood, for insisting upon reinstating a cedar post, upon the city property after it had been torn out by the officers, was placed under arrest for a few moments and at once liberated. Marshal Solomon and Officer Pickett—the latter did the "arresting"—were for this reason charged with illegal arrest, because the act was performed without a warrant. It was held by the Commissioner that the defendants were technically guilty, and he fined them fifty cents each, and yet Mr. Liuck is not satisfied. He is credited with asserting that he purposes pursuing the matter to the bitter end. It is a pity that he is unable to see, even at this promising juncture, that he has been chewing the bitter end of the stick from the beginning, and the prospect of his continuing that masticatory process to the wind-up is exceedingly flattering. The law is against him and the sentiment of every respectable citizen, without distinction as to class, is in line with it.

We have been informed that a certain idea acted as a kind of spur to Mr. Liuck, and some of his few aids, abettors and advisers in what we view as a scheme of plunder. It is one that has been tried in a number of instances. It is to the effect that a large non-"Mormon" sympathy was expected to support the game; also that, in consequence, the courts might in some way be influenced in the same direction. If this anticipation existed to any extent it has been and will be vigorously blasted. We will repeat what we have before stated upon this question, that the non-"Mormon" population, as a whole, have not only taken a consistent stand by antagonizing what is generally denounced as one of the most barefaced attempted steals of its class on record, but have expressed themselves on the subject in a way that could not be mistaken. The matter has not yet gone very far in the courts, but so far as it has traveled in that direction, it is fair to assume that they will treat Mr. Liuck according to the law and his deserts. The incipient cases that have been tried before Commissioner Norrell have been treated intelligently and in a spirit of fairness which does that official credit.

It is not necessary to advise the people not to lose much sleep over the continued effort of Mr. Liuck. The powers that be will see that the side of right will win.

## COUNTY GOVERNMENTS.

With a view to meeting the demands of the times respecting the control of county affairs, Mr. Richards, some time ago, introduced into the House a bill "to establish a uniform system of county governments." It was referred to the committee on counties, and after duly considering it that committee reported favorably upon it, and it was ordered printed.

It is a lengthy document, and aims to be a complete code for the government of counties. Apparently it has been drawn with great care, intelligent consideration of the subjects to which it relates, and an intention to provide for every need or contingency in connection with county affairs. It is too long for publication in full in our columns, but we will state some of its principal features:

It provides that counties having a population of 15,000 or more shall be of the first class; all others of the second class. Counties of the first class shall have a board of five commissioners; those of the second class a board of three. At the general election of the present year a full board of commissioners shall be chosen in each county. After election the commissioners shall classify themselves by lot, so that in counties of the first class, two commissioners will hold office for two years. Future elections shall be for two years.

The bill requires the present county courts, prior to the first of July next, to have a census of their counties taken, and on or before that date, to divide their counties into five or three districts, as the case may be, as the commissioners are elected by districts, and not at large. When the population of a second class county becomes large enough, which is ascertained by a census, to be taken by the commissioners, it is divided into five districts, elects a board of five commissioners, and becomes a county of the first class.

The board of commissioners elects a chairman, who presides at all its meetings; the county clerk is ex-officio clerk of the board of commissioners; the duties of the clerk and of the board, and the books, records, etc., required to be kept, are specified with explicitness; all meetings of the board must be public, and all its books, records and accounts must be open to public inspection.

Among the powers conferred upon the board are the following: To supervise the official conduct of all county officers; to divide the county into school, road and other districts as required by law; to establish schools and change election precincts, to lay out, maintain, control, and manage public roads, ferries, bridges, etc.; to provide for the care and maintenance of the poor, etc.; buy,