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DESERET EVENING NEWS.

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TRUTH AND LIBERTY.

SATURDAY, MAY 23, 1891, SALT LAKE CITY, UTAH TERRITORY.

THE CONFISCATION SCHEME.

In Taking the Property of the Latter-day Saints, the Government Resorts to the Old Roman Despotic Law and Usage.

The principles of sovereignty and paternalism announced for the United States government by the Supreme court in the decision in the case of the Latter-day Saints' church property, which was discussed last week, are of more consequence to the American people at this time than appears in the mere enunciation of the principles; though in that, as we have seen, there is accomplished, as far as the court can go, a total revolution in the principles of government which were established by the makers of the American Union. This can be more clearly illustrated by following the lead suggested by the court. It will be remembered that the court cited Rome as one of the authorities for the position which was taken in the decision; and by a brief examination of the Roman governmental system, in its principle and in its workings, in connection with certain claims and movements which are becoming quite popular in this country, the full meaning of that decision can be more clearly discerned.

In the Roman system the government was supreme, absolute, paternal and divine. "The idea of the State was the highest idea of ethics; and within that was included all actual realization of the highest good; hence the development of all other goods pertaining to humanity was made dependent on this."—*Neander.* Man with all that he had was subordinated to the State; he must live for the State; no higher aim than to be a servant of the State; he must seek to higher good than that which the State could bestow. "The first principles of their law was the paramount right of the State over the citizen. Whether as head of a family, or as proprietor, he had no natural rights of his own; his privileges were created by the law as well as defined by it. The State, in the plenitude of her power, delegated a portion of her own irresponsibility to the citizens, who established the conditions she required, in order to become the parent of her children; but at the same time she demanded of him the sacrifice of his free agency, to her own cold idea of political expediency."—*Merivale.*

It is very evident that in such a system there was no place for individuality. The individual was a part of the State. There was no such things as the rights of the people. The right of the state only was to be considered; and that was to be considered absolute. "The more she disciplined a Roman became, the less was he a free man. The omnipotence of the law, the despotism of the rule then drove him into a narrow circle of thought and action, and his credit and influence depended on the set austerity of his life. The whole duty of man, with the humblest and greatest of the Romans, was to keep his house in order, and to be the obedient servant of the State."—*Mommsen.*

Thus every Roman citizen was a subject and every Roman subject was a slave. It would be difficult to conceive of a system of government whose principles were more radically opposed to those of the United States, than were these.

As the State was paternal the Emperor was father of the people; and as such he gave to the people land, he fed them, he gave them money, in short he dealt with them as a father with his children. But even before there was an emperor this principle was the principle of the government. The only change from the times before the emperors, to the times of the emperors, was that in the imperial period all there was merged in one man that which before pertained to the government composed of the senate, curiatide, and tribunals.

In the days of Tiberius Gracchus, B. C. 133, the public lands were leased by the government to capitalists. And although there was a law which forbade any single holding of more than three hundred and thirty-three acres, the law was of ancient standing and had been gradually disregarded until practically it was forgotten, and the capitalists had entirely monopolized the public land which they cultivated by slave labor, and the citizens without capital being unable to compete with capital in control of slave labor, were virtually crowded off the land. Tiberius determined to destroy monopolies absolutely broken and that the public lands should be restored to the citizens. It was done, and within two years the commissioners appointed to distribute the land had settled forty thousand families upon public lands which the monopolists had been obliged to surrender. But the commissioners were become unpopular. Those who were compelled to resign their lands were exasperated, of course. On the other hand, those to whom the land was given were not in all cases satisfied. It was certain that some would be given better pieces of land than others, and that itself created jealousy and discontent.

But the greatest trouble was, that in the great majority of cases it was not land that they wanted. In fact it was money that they wanted first of all; and although the land was virtually given to them and well improved at that, they could not get money out of it without work. It had to be personal work, too, because to hire slaves was against the very law, by virtue of which they have received the land; and to hire freemen was impossible; (1) because no freeman would work for a slave's wages—that, in his estimate, would be to count himself no better than a slave; and (2), the new landowner could not afford to pay the wages demanded by free labor, because he had to meet the competition of the wealthy landowners who worked their land with slave labor.

The only alternative was for the new landholders to work their land themselves, and do it as best they could at it. But as the money did not come as fast as they wished, and as what did come was only by hard work and economical living, many of them resettily wished themselves back amid the ease and bustle of the busy town working for daily wages, though the wages might be small. The discontented cries grew loud enough to give the Senate the desired excuse to amend the commissioners and then quietly to repeal the law.

Two years afterward the same thing had to be done over again. The time it was accomplished under the leadership of Caius Gracchus brother of Tiberius; but it was not enough that he should restore the land law that had been secured by his brother. That law, even while it was being worked for the best, was unsatisfactory to but few of its beneficiaries. The law was repealed. It is true, but the prospect of leaving home, and going perhaps to some distant part of Italy to engage in hard work, was not much of a temptation to men who had spent any length of time in Rome, involved in its political strife, and whose principal desire was to obtain money and the means of subsistence with as little work as possible. It required something more than a restoration of the land law to satisfy these, and Caius granted it.

With the "enthusiastic clapping" of every pair of poor hands in Rome, he secured the passage of a law decreeing that there should be established in Rome public granaries to be filled and maintained at the cost of the State, and that from these the wheat should be sold to the poor citizens, at a merely nominal price. This law was limited only to Rome, because in Rome the elections were held. "The effect was to gather into the city a mob of needy, unemployed voters, living on the charity of the State, to crowd the circus and to clamor at the elections, available on doubtful immediately to strengthen the hands of the popular tribune, but certain to be long ran to sell themselves to those who could bid highest for their votes."—*Froude.*

This same thing was repeated over and over before the government became merged in an emperor. In fact it became necessary to repeat it because, although it was easy enough to distribute the land, it was not so easy to keep it distributed. Those to whom the land was given lived in a barren land; their money and so the public granaries were open and the poor citizen could get the main part of his living for nothing those who received the land for nothing were not likely to cultivate habits of economy. Their lands were soon mortgaged and at last forfeited, falling back into the hands of the capitalists who, in the nature of things, at each successive turn became monopolists.

Then at last the distribution of the land became an old story, the distribution of grain still remained a fixture and as money had to be paid by the government in order to give to the citizen either land or grain, there next naturally grew up the demand that the money should be given direct to the citizen, and in the eyes of demagogy, political necessity justified this step. Clear gave to each soldier about one thousand dollars, and to each citizen about twenty dollars with house rent free for a year. In addition to this he provided a magnificent feast for the citizens who were supported by the public granary of grain. Twenty-two thousand tables were spread with the richest viands from which the two hundred thousand public paupers feasted, while from hogsheads the finest wine flowed freely.

Then came Augustus, the Emperor in whom was merged all that pertained to the State and the people. He was *pater patriæ*; he was as Rome was in the full this of conquest subduing populous and wealthy countries, levying upon those conquered tributes, robbing their treasuries, and sifting their temples, there was always money in the Roman treasury to furnish the lands, the grain, or even the ready money, which occasion might demand. But was the era of conquest ceased, as it did with Augustus, then also ceased the abundant supply of money. So far from the demands ceasing, however, they went on as before. As the demands were imperative, the money had to be secured from some source, and as now it could no longer be secured by conquest, it had to be secured by other means and other means were employed.

During the reign of Augustus there was only a "scarcity of money" there. The regular and legal system of taxation did not furnish enough, and logically enough confiscation was the next step. And why not? Was not the Emperor the father of the people? And may not the father divide up the patrimony amongst the children? If some of the children have abundance and others have little or none, may not the father see that there is an equable distribution? It is the duty of every father for the children. The emperor in the exercise of his office of *pater patriæ*, did just the thing. Accordingly, says Suetonius, "As often as there was occasion to distribute land, or money among the people, by means of confiscations, he would lend it free of interest, for a fixed term to such as could give security for double of what was borrowed." Tiberius continued the same practice, for, says the author, "after the example of Augustus and to satisfy the clamors of the people, he loaned money without interest for three years to all who wanted to borrow."

But the *pater patriæ* had not enough money to supply all who wanted to borrow; accordingly, "the first compelled all money-lenders to advance two-thirds of their capital on land; and the debtors to pay off at once the same proportion of their debts. And still there were many who wanted to borrow. Five million sesterces was yet required, and in order to obtain it he turned his mind to sheer robbery. It is certain that Cneius Lentulus, the augur, a man of vast estate, was so terrified by his threats and importunities that he was obliged to make him his heir. . . . Several persons, likewise, of the first distinction in Gaul, Spain, Syria and Greece, had their estates confiscated upon such despicably trifling and shameless pretensions, that against some of them no other charge was preferred than that they held large sums of ready money as part of their property."

This was Rome. Such was the system of government to which the Supreme Court of the United States appealed for guidance in the decision which we have considered. And such was the exercise of the dignity of *parens patriæ* by the government which originated it, and from which, through the British copy, the dignity has now been adopted as a distinct feature of the government of the United States.

We have stated, however, that there is no precedent in this country for such act of master despotism than simply the adoption by the Supreme court. These very principles are being advocated by certain classes in this country. Men there are who contend that all the land shall be possessed, or rather held in trust, by the government for the people and distributed for their good. Senator Stanford has already introduced a bill in Congress which proposes to oblige the government after the manner of Augustus, to lend money—and exactly free of interest but—at two per cent. for thirty years to all who can give security to double the amount loaned. In the same bill with this the Farmers' alliance demands that the government shall build granaries throughout the land and advance money upon the farmers' crops as well as to loan money upon their land, and upon whatever other kind of security may be offered. In these schemes there is a blending of the whole Roman system in its practical workings. If these things were done the government would be virtually assuming the position of a "father" of land and grain; and with the government in possession of such commodities and having obtained possession of it by such means, the next thing, according to those principles reasoning why enough has, would be a demand that the government should supply grain at a favorable if not a nominal price, to the poorer citizens. But each of all these enterprises, in which it is proposed the government shall embark, there lies the important question, Where shall the government obtain the money to lend to all who want to borrow, and to advance upon the crops of those who want to sell? This government is not engaged in wars of conquest as Rome was, nor has it opportunity to become so.

It is proposed, indeed, by those who advocate the scheme, that the government shall issue treasury notes to supply all the demands. But the mere of such notes that the government issues, the issuing of them will be worth. A promise of the government to pay is worth no more than that of a private individual, if it has nothing which to make the promise good. But the mere of such notes that the government issues, the issuing of them will be worth. A promise of the government to pay is worth no more than that of a private individual, if it has nothing which to make the promise good. The government may print on a piece of paper the promise to pay a dollar or even one thousand dollars, but the only thing that makes that piece of paper worth a dollar, or whatever sum is promised, is the certainty that the government has that sum of real money with which to make the promise good. But if, without any such certainty, the government issues a certain amount of such notes to supply the demands of those who want to borrow and to all who want to sell, as they demand it, it would be but a little while till none of it was worth anything, and those who invented the scheme would discover this as soon as anybody else. Then they would be ready to demand real money, and not mere promises to pay.

But the government would not have real money sufficient to supply the demands, and even the government does not make gold and silver. What then? Oh, the monopolists, the millionaires, the money lenders, and the rich people generally, have vast sums of money. The people need money; the government is *parens patriæ*; let this father of the people cause an equable distribution among the children. Will it be said that this would be confiscation, and that it cannot be supposed that our government would ever supply such means? It is a self-defensive to say that the government has already done it. The Edmunds law, by the decision of the Supreme Court of Utah, did confiscate three million dollars worth of property belonging to the Mormons. The Supreme Court of the United States sustained the decision and confirmed the judgment.

And at the same time, the court announced the doctrine, that it is not necessary for a corporation to violate its charter to justify the forfeiture; it is sufficient if the government, in the exercise of its own independent of that limitation and of any violation of it, has a full, a perfect right to repeal its charter and abrogate its corporate existence. Which of course depends upon the character of the doctrine laid down by the States as well as by the United States and what corporation can ever count itself secure? All that is necessary is to the dissolution that the legislature may have good and sufficient reasons of its own, independent of limitations defined by law, to repeal any charter and abrogate its corporate existence. And if it be a public corporation the money is at once confiscated. By the very fact of the dissolution the property is forfeited and the legislature may have government as *parens patriæ*. And as this is accomplished by the application of the sovereign instead of the modern doctrine which is to be found in the adoption and the application likewise of the ancient doctrine in the case of "private corporations." If it should be, then private property as well as public wealth, upon the dissolution of the corporation, be confiscated to the government as *parens patriæ*. And, indeed why should not the ancient doctrine be applied in these instances as well as in the other? If Roman and English governmental principles shall be followed in one set of cases, why not in the other?

Everybody knows that these demands from first to last are already being loudly made by different classes in this country. So long as the ancient principles of government shall prevail all such wild schemes will amount to nothing; but let the European and the Roman principles of government supplant the American, then what is to hinder the carrying into full effect every item of the different schemes proposed and advocated? This is why we say that the Supreme Court decision, under consideration, means vastly more just at this time than the mere enunciation of the principle which it has adopted.

It is strange enough, indeed, that there should be any class of men who are capable of thinking to any purpose at all who would be so shallow-brained as to make such propositions as those of Senator Stanford, the Farmers' Alliance and others to the same purpose. But the strangest of all things is that the Supreme Court of the United States, should by decision rendered, announce and establish a principle of this government, the very principle upon which alone any and all of these schemes could be made effective. And that the supreme Court should do this in the decision that very government by which these things were done in the greatest significance of the doctrine of *parens patriæ*, which the decision makes a distinctive principle of this government, is astonishing.—*L. T. J. in the American Israelite.*

Authors Who Write Too Much.

This idea of "keeping after the public" is a good one, in the main, but it must be done judiciously and by good work. Just here is where some authors in every line fail. They think once quickly is good, but unconsciously it has become quantity instead. Unwittingly they are ruining their public, whose eye they attempt to catch by the striking quality of work, to be privately ready to drop them the moment a new star appears upon the literary horizon. Few authors of recent date made so gigantical and instantaneous success as Hubard Kipling, but the public hardly had time to catch its breath after his first story from along came a second story, a third, and so it has gone on until six of his books are on the market, and a series of injurious newspaper articles is now in progress, all within one year. The result is that the best judges agree that Kipling is overdoing it.

"Oh, we are having too much of Kipling," is the general opinion. In consequence the sales of his books are falling off, and the name of Rudyard Kipling is losing its magic. The simple fact is that the great gospel of moderation applies to literature as it does to everything else. And, leaving at it from a financial standpoint, it also pays. A good author, who writes only one story in a year, obtains decidedly more for that single piece of work than does he who writes five or six novels during the same period. No matter how clever an author may be, how well he writes, he cannot afford to overfeed his public. The literary public likes its dainties deserts in small doses, and then, as in everything else, there is a great appetite for more.—Edward W. Bok in Ladies' Home Journal.

Love's Chilling Rejection.

Sam Hoskell, a young man from Western Avenue and Nineteenth street, met his loved one, Birdie Brown, and accused her of coquetry.

"Sam, do not doubt me," she cried.

"Around, false one! You throw me over for Anna. We part forever."

"I never thought I have my mind to love you deeply, devotedly."

"Then prove it."

"Come, then, if you love me as I do you we will walk arm in arm into Lake Michigan, and there end our troubled lives."

"I'll go you," and they linked their arms and started for the lake. When the couple arrived at the foot of Park court they threw their arms about each other and kissed a minute or two, and then plunged into the lake.

Officer Gilmore, of the Harrison street station, saw the pair disappear, and, securing a long pole with an iron hook, ambled from the patrol wagon and dragged him ashore. Then he fished Birdie out. Both were chilled. Sam was taken to the armory station, where he was hung over two steam pipes. Birdie excited the sympathy of a woman who was passing and who passed her in a cab and sent her home.—Chicago Tribune.

Census Population Figures.

According to a recent census bulletin, the quantity of land and water surface in the United States is 38,16 and 1.54 per cent. respectively. This bulletin also gives the area of the states and territories by acres, and the classification of the latter by size. The average number of persons to each square mile of the land surface of the Union is 21.04.

As illustrated by the sustaining capacity of the different states, the bulletin says that if Texas, the largest state in the Union, was as thickly populated as the state of Rhode Island, it would have 80,526,626 inhabitants, while if the United States had a density of population equal to that of Rhode Island, the population of the Union instead of being 62,622,250, would reach the enormous sum of 943,758,250, or nearly two-thirds of the present population of the world.

Off for a Long Ride.

Messrs. Harry Hones, of New York, and E. Craigh, of London, England, are two young gentlemen who have not made any wager among themselves or with any one, but they did not propose the feat of horsemanship that they have undertaken for money or for an emotion, but purely for the pleasure they expect to derive from the trip. They start from San Antonio, Texas, for Denver, Colo., and will leisurely ride all the way. The distance to be traversed is a trifle over 1,300 miles, and there will be a long and hardy ride, but they have chosen the most beautiful season of the year, when the prairies are carpeted with flowers and all shrubs are in full bloom.—San Antonio Times.

A One Thousandth Anniversary.

In Rahelava preparations are being made to celebrate the thousandth anniversary of the monastery of St. Georgius. The exact date of the establishment of the monastery is not known, but it is known positively that it was founded before the year 891. Legend says that its founders were Greek sailors, whose vessel had been wrecked on the rocks, to whom St. Georgius appeared on the rock where the monastery now stands, saving them from the turbulent waters. During the Crimean war the monastery was held by the French, who would not allow the monks to step outside of its high walls, but otherwise treated them with due respect.—Montreal Star.

Will Tunnel a Volcano.

It is now proposed to drive a tunnel into the very crater of Popocatepetl, and to build from the mouth of the tunnel a railway to connect with the interoceanic road at Amecameca. The parties who are negotiating with the owner of the volcano are said to represent a rich French syndicate, who expect to get at least 100,000 tons of sulphur annually from the very bowels of the old Mexican landmark.—St. Louis Republic

A Warning To Horse-Owners.

The Split Nail in this Shoe accidentally lamed the horse from which it was removed, taken to Worcester, Mass. One point of the nail sticks up in the proper place for clinching, and on removal the horse walks with ease and sound. The other four were in the direction shown in the illustration, pointing two inches part of the foot called the "quick," from which the horse was made lame for near nearly two weeks.

This is not an unusual case. The same thing is happening every day with some form of nail. Horses are lame, and the cause is not discovered for days, or weeks, or months, or even years, and then only by chance. The Split Nail is the only one that can be used without danger of this. Nails are made to order, and the horse was made lame for near nearly two weeks.

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3. It is devoted to the interests of the Latter-day Saints and has, from its inception, valiantly defended their rights and advocated the principles in which they believe, and every Latter-day Saint should therefore feel under obligations to do his part in helping to sustain it.

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