

## THE EDITOR'S COMMENTS.

### THE APPOINTIVE POWER.

The theory upon which, under American institutions, the executive exercises the appointive power while the legislative department exercises the prerogative of confirmation or rejection, is this: The people elect the executive in the expectation that he will surround himself with such subordinates as will be friendly to him and in harmony with his policy, and that he will be held responsible to the people for the results of that policy. The right to confirm or reject is designed to be a check upon the executive only to the extent of preventing him from placing in power men who, for reasons capable of definite statement and reasonable proof, are unfit to exercise it.

In other words, the legislative department will not refuse to confirm a nomination made by the executive except for cause relating to trustworthiness. The politics of the candidate is never deemed a cause justifying a refusal to confirm. The history of the exercise, by the United States Senate, of the confirming prerogative, illustrates the truth of what is here enunciated. What would be said by the American press if that body were it to reject a nomination made by the President of the United States because of the political views of the nominee?

The relations existing between the Mayor and City Council of this city are analogous to those sustained between the President of the United States and the national Senate, and the rules observed by the latter body should control in the exercise of the confirming power by the City Council. The fact that a nomination made by the Mayor is that of a man who supported the ticket on which the Mayor was elected, furnishes no ground whatever in law, reason nor custom for the rejection of the nomination by the Council. So the fact that the nominee has political enemies cannot rightfully be alleged as ground for a refusal to confirm him.

Any attempt by the City Council to discredit or weaken the non-partisan cause or sentiment in this city by refusing for partisan or political reasons to confirm the nominations made by the Mayor, will prove utterly abortive. Such a course by the partisans either in or outside of the City Council will create public sympathy for the non-partisan Mayor and the movement which placed him in power. The Council has adopted a resolution reciting that the police department is in a disorganized condition and asking the Mayor to make haste in appointing its officers and members. It is very desirable to secure harmony in that department and the selection of its officers and members will no doubt be governed by this purpose. When the head of the department shall be determined upon, but not till then, can his subordinates be consistently chosen.

Then whose fault is it that the police department continues in the condition described in the resolution adopted by the Council? If the city is being given a political administration characterized by partisan rather than business methods, as hinted at in the resolution, who is to blame? Does the Council propose to exercise the appointing as well as the confirming prerogative? It cannot rightfully do by indirection that which it cannot lawfully do directly; and the nominations made by the Mayor ought to be confirmed unless better reasons can be

given than have yet been advanced for not doing so.

It seems evident that at least a majority of the City Council have begun to think that the opposition of that body to the Mayor was being carried too far. The confirmation of Dr. Keogh as head of the health department, after being hung up so long, and the adoption of the resolution above referred to, are interpreted as signs of this sentiment, and it is to be hoped, for the sake of peace and the city's welfare, that the sentiment will grow.

### THE MAIL CONTRACTS.

A paper having in view the mitigation of what is set out as a growing evil is being circulated for signatures and receiving a goodly number. After a careful examination, we are unable to see why any one whose residence and interests are in this part of the land should withhold his signature. Utah makes splendid returns to the government for its postal facilities and there is a steady increase on all lines, a circumstance which would seem to suggest that local interests should first be considered when other things are equal. In this case, however, there is more than an equality—a recognized superiority in the plan of letting contracts to residents or those who at least have property interests on a substantial scale in this State prevailing. It is shown also that by means of sub-letting and without the expenditure of a cent or the running of any great risks—the contractors being protected by bonds as the government is—the non-resident people who obtain these contracts realize not far from \$3,000 a year on their enterprise, which they could not do if sub-letters and employees of the service received fair compensation. The Star route carriage has been forced down to very low figures, much lower than what was paid before, because the first contractors must have low bids in order to make something for themselves, and at the figures they have obtained the job for there is no other way to do it. They are now offering to take it for over 25 per cent less than the amount at present being paid, instead of more by reason of natural and other increase of business, and as the reduction must come out of Utah sub-letters, threatening the efficiency of the service thereby. It would seem to be something which the department ought to look into. It should occasionally be borne in mind that the lowest bid is by no means necessarily the best bid.

It is suggested that Utah hiders stand upon their rights, and let the Eastern people who are cutting down payments because they can do so and still have a handsome margin left, find out that such business will not work here.

### ZOLA CONDEMNED.

"Zola is guilty!" The verdict anticipated from the beginning of the trial of the French novelist has been rendered. It took the jury only thirty minutes to agree. Probably the agreement had been reached practically even before the evidence was heard. "They are cannibals," was Zola's brief comment on the outcome of the trial.

The case becomes significant chiefly because Emile Zola, in constituting himself the champion of Captain Dreyfus, drew his sword in the defense of religious liberty. He saw in the prosecution of the condemned army officer

an onslaught on the Hebrews as such, notwithstanding the profession of the Frenchmen that they believe in the equality of all men. He was firmly convinced that religious fanaticism was the motive power, and he fondly hoped to demonstrate to the world that France, when enlightened in the matter, would condemn the conspirators and proclaim to the world that she is still the home of equality, justice and fraternity. He has failed. He has only proved that the agitation which he has characterized as "imbecile" and "infamous" has taken so much hold of the French nation, one hundred years after the great revolution, that it is dangerous to attack it.

The fact is, the anti-semites have succeeded in convincing the mob that the destruction of the Jews would mean an era of prosperity and reform. Probably many have joined the movement from misdirected religious motives, but the leaders seem to be so socialistic demagogues who attack, in the Jews, the capitalists. That the government appears to be on the side of the agitators is an indication of the gigantic proportions of the anti-semitic sentiment in France. It can be no less than in Russia or Germany.

M. Zola believes that the sentiment is passing. He thinks the trick will be exposed, the mask taken from hypocrisy, and France again be herself. Others think this manifestation of hostility toward a race is but a necessary prelude to the nationalization of that race in some country where they are no longer strangers. To many this may appear improbable, but not more so than the existence today in a great republic of a popular outburst of rage against the descendants of the venerated patriarchs of ancient history.

### ASPIRATIONS OF ROME.

Can the temporal power of the pope be restored? is a question of much interest, particularly at a time of the world's history when everything points toward great upheavals among the nations of the earth. The position of the Vatican is believed to have been strengthened lately, especially in Italy, and the Catholic organs there are clamoring for a readjustment of the government in favor of the church.

One of the papal organs, quoted by the Literary Digest, asserts that peace cannot be established unless the pope is restored in his rights as a temporal ruler. Temporal rule, the paper says, is necessary for the liberty and unhampered government of the Christian church. It is not the unity of Italy that is regarded as an obstacle to the aspirations of the church, but the monarchy; it is impossible, according to the journal referred to, for the Italian government and the Vatican to remain at Rome together. One of them must go. The only solution is the establishment of a republic, which could be done, it is thought, without the aid of foreign troops.

As far as these suggestions may be taken to reflect the views of the head of the Catholic church they are important and cannot fail to attract attention in every country where Roman Catholics are a power. They prove that his holiness cannot relinquish his supposed right to temporal rule, inasmuch as this is regarded as "necessary" to the liberty and the government of the church; they also prove that in his judgment, a republican form of government is but a means toward an end. A revolutionary leader in Italy would receive support in church circles, provided he would agree to establish the capital of the prospective republic somewhere outside the limits of the eternal city. This somewhat open confession of the political