

doings as have been done there on a dozen occasions within the year have never been thought of, let alone attempted, in our frontier legislatures.

When the passions are aroused, men will sometimes say and do very foolish and quite uncalled-for things, of which the majority of them are properly ashamed when the cooling time comes around; they will resort to vituperation, invective and the most scathing reproach and ridicule to "get even," as it is termed, with one who has wronged or nettled them in debate, and so long as their philippic is restrained to the use of legitimate words, there is no essential objection, although the good taste and gentle qualities of the speaker may be seriously called in question. When the statesman stoops to the slang of the gutter-snipe, the profanity of the traditional trooper or the obscenity of the Billingsgate habitue to embellish his rhetoric, there is but one proper course to pursue—expel him from the body he has outraged, and his constituents will then be very likely to see to it that he doesn't get an opportunity to indulge again in such practices as their representative. It appears as if both Dr. Tanner and Sir Robert Fowler should be expelled from Parliament, or, at least, suspended long enough to acquire the information that when the English people want to see and listen to cowboys they go to the Wild West exhibition, not to the galleries of the House of Commons.

#### AN UNAMERICAN POLICY.

THE great tidal wave of immigration from the old world which continues to overflow the shores of the United States, creates some alarm in the minds of the pessimists. All kinds of expedients are proposed to repel the flood or modify its volume, but most of them are at variance with the spirit of American liberty and out of harmony with our laws and institutions. The very men who are loudest in decrying against the influx of foreigners, are either of direct foreign birth or are the descendants of people who came to this land with scarcely a change of raiment. They were in no better condition than the crowds of new arrivals who wish to escape from poverty, or tyranny, or both.

Working people, ready to use both mind and muscle for their own support and the welfare of the country of their adoption, are no detriment to the United States. There is room enough for all. They should be encouraged and if necessary aided to go to the sparsely settled regions of this broad land, instead of herding in the Atlantic cities. They would be a benefit instead of a detriment in the Great West. Over population is an evil not likely to come upon America for several generations, except in those centres of trade and commerce to which natives flock as well as foreigners. Innumerable acres are yet vacant and thousands of small towns actually linger in weakness for the want of working settlers.

Laws have already been enacted by Congress to prevent criminal and pauper immigration, and to save the country from a vile flood of vagabonds and jailbirds and a wretched stream of helpless creatures from the poor-houses and asylums of Europe. They should be enforced and if necessary supplemented by further enactments for the same purpose. But the policy which is being advocated, in the spirit of Know-Nothing-ism, of putting up an effectual barrier to prevent laboring people from entering the ports of the land of the free and asylum for the oppressed, is anti-American and hostile to the true interests of this grand country, yet undeveloped and vast enough for many millions more of thrifty citizens.

The proposition to prevent or retard aliens from becoming citizens of the United States, appears to us one of the most specious of fallacies. How this is to benefit the nation or materially reduce the flow of immigration we fail to discover. The scheme to make twenty-one years residence essential to naturalization, proposed by the United American Mechanics, appears to us most unwise. The true policy is to identify bona fide habitues of this land with its institutions and government as soon as possible and consistent. The Democratic Party of Ohio recommend "the restriction of immigration to those declaring their intention of becoming citizens." This is much more in keeping with our institutions and interests than any project to prevent citizenship.

Possession of homes, ownership of land in ever so small parcels, participation in local and national affairs, a common interest with the great body composing the commonwealth, these tend to peace, industry, national unity and political strength and perpetuity. Anarchism and the several so-called socialistic heresies which somewhat distract the country, cannot be dissipated by keeping men from the privileges and responsibilities of citizenship, but on the contrary such a suicidal expedient is likely to augment the evils and aggravate the disorder which it is desired to eradicate.

A vigorous and impartial execution of the laws that have been enacted to grapple with the wrongs complained of, and indeed of all laws upon the statute books, except such as ought to be repealed, is one of the great de-

mands of the period. Tinkering with the immigration laws and pottering with the naturalization laws will not relieve poverty, quell riots, stamp out wild theories or promote the general welfare. An honest and just administration of public affairs in all departments is wanted most, and this can only be secured by the rescue of political concerns from the hands of the professional wire pullers, demagogues and corruptionists, whose impudence and audacity have elbowed away most of the solid, honorable and able men of the country, and made politics a trade that has become dissociated from statesmanship and ranked with ungentlemanly pursuits.

America is big enough and has resources enough to be able, for many years, to welcome the artisan, the laborer and the downtrodden from overpopulated regions, to come and share in the blessings and opportunities of this magnificent country. So that foreign governments cannot dump upon our shores their dependent and criminal elements, putting upon us the burden of their wrongs and responsibilities, our laws may still be liberal and magnanimous enough to make the United States the beacon light to the toil-worn and struggling masses of the old world, snowing them the way to freedom and abundance.

#### POLITICAL ENMITY EXEMPLIFIED.

THE extent to which political animosity can be carried was recently illustrated in a personal meeting between ex-Governor Bross, who will be remembered as one of the Colfax party which visited this city a number of years ago, and ex-Governor St. John. Those two notable characters happened to be at a place called Lake Bluff. A kindly disposed mutual friend, the Hon. George C. Christian, seeing these two distinguished men meeting and passing each other as strangers, thought to do them and humanity a service by bringing them together. Accordingly, on his beneficent work intent, he laid his hand on the deacon's shoulder and said: "Governor Bross, permit me to make you acquainted with ex-Governor John P. St. John, of Kansas."

The Chicago News thus describes what followed: "If he had thrust his naked hand into a nest of rattlesnakes he could not have been more electrified than he was with what followed. St. John bowed courteously and extended his hand, but Gov. Bross, straightening himself up to his full height of five feet six inches on his tiptoes, hissed rather than spoke these words: 'No, sir; not a bit of it. I would sooner shake hands with Judas Iscariot.'"

Gov. St. John neither wilted nor fell in a swoon before the fiery sleet of Bross's contempt. He cast one look of pity upon him and turned upon his heel, leaving Gov. Bross on his tiptoes bursting with what he mistook for withering scorn.

It might be asked why Mr. Bross familiarly known as "Deacon," would rather shake hands with Judas Iscariot than engage in that manifestation of friendship with a gentleman of good repute. The answer must necessarily be that the preference is owing to the Deacon's peculiar tastes and the direction in which the congenialities of his disposition run.

In this little episode the magnitude of St. John's soul certainly shone out in bold contradistinction with the limited dimensions of that of the other party. Personal hatreds and animosities growing out of political or other differences serve to indicate the contracted natures of those who indulge in and foster them. They are the poisonous weeds which sprout from a selfish soil.

#### THE PACIFIC INVESTIGATORS

THE committee having in hand the investigation of Pacific railroads have got through with the Utah department of their labors and gone on their way if not rejoicing at least, we suppose, satisfied with what they have seen and heard. Just what kind of satisfaction they have acquired will not of course be known till their report is laid before Congress next winter. This will be a formidable document beyond a doubt; a stenographer has taken down all the questions and answers that have been asked at each of the stopping places, and when these all appear in literary array with the conclusions of the committee added, a volume as ponderous in its proportions as dry in its details will be the result.

The chairman of the committee, Mr. Pattison, is the youngest member of it, and enjoys the distinction of having been the youngest Governor in the Union, being chosen Chief Magistrate of Pennsylvania when scarcely thirty years of age; but he is as thoroughgoing as a veteran and as keen as the most experienced expert. An abler man for the position, one more gifted with the peculiar qualifications essential to the successful prosecution of

such a task as that he has in hand, could scarcely have been found, and his conferees are very much like unto him, so it may safely be said in advance that the report will be exhaustive in detail and comprehensive in scope, laying plainly and squarely before the country the exact status of the railway systems west of the Missouri River, nothing extenuating nor setting down aught in malice. Mr. Pattison is the first Democratic Governor the Keystone State has had since the war, and both parties there accord him the credit of having been a good one.

This is somewhat in the nature of an innovation upon the time-honored customs of the past, this official prying into the "true inwardness" and false outwardness of our iron-bound highways by means of an inquisition established especially for that purpose. It is suggestive, too, if such a thing was not done because not needed before, does it show that railway companies were more honest then or that the lawmakers are more honest now, or both? One thing is very certain—Congress has concluded that there are enough facts, accessible and material, to warrant the finding of indictments against the Pacific railroads and their adjuncts, for breach of trust, unaccountable shrinkage, abnormal expansion, malfeasance and misfeasance, dematerialization of lands, improper accounting, etc., and has set a grand jury of three at work on them.

Let us hope that, while realizing that what is done will be thoroughly done, no bias or prejudice will be permitted to influence the findings. Let whatever has been done that was willfully or recklessly wrong be checked, expurgated or punished if need be; but let the rule of Christianity and of law—that wherever there is a doubt as to an act of omission or commission or as to the criminal purpose attending it, backed by a showing of good accomplished at the same time or through the same means, the benefit of it goes to the accused to the extent of mitigation if not exoneration.

Those who constructed the first great trunk line across the continent did so at a time when the beginning point was a frontier and almost all that lay beyond a wilderness. Prices were high and money inflated till the work was completed, when both resumed the normal state then gradually sank beneath it. The country that has been opened up to settlers and others is constantly adding something to the wealth and population of the country, and but little if any of this would be in existence had not a few venturesome men of means and influence accepted the government's offer and taken upon themselves the herculean task of making what had all along been a theory a thing of substantial and profitable reality.

#### OF GREAT IMPORTANCE.

THE Judges of Election have received the suggestions of the Utah Commission in regard to counting the votes cast for the Constitution on the first of August, and making returns of the same to the person designated by the Constitutional Convention; that is, Heber M. Wells, the secretary, Salt Lake City.

But the Commission, as we understand it, made an error in their suggestion that the votes for the Constitution be deposited "in separate ballot boxes provided by the Convention." The law provides that when any question other than in regard to the officers to be elected is to be decided in the affirmative or negative, the voter shall write it or print it at the bottom of his ballot, and write thereunder "yes" or "no"—See Laws of 1878 p. 32. The ballots cast by the People's Party, then, should have the word "Constitution" at the bottom and under it "Yes." If any one wants to vote "No" he can make the change himself. This is lawful; separate boxes would be unlawful; therefore the Convention made no provision for separate boxes.

If all the Judges of Election in any precinct will not count the votes for the Constitution and make returns as suggested, the Judge appointed from the People's Party should count the votes and certify to the returns himself, and forward them to Heber M. Wells.

It is to be hoped that the People's Ticket will be supported in its entirety by the People's Party, that there will be no scratching and no negligence, but that everybody will be awake and alive to the exigencies of the hour, which demand every vote that can be cast by the friends of liberty in Utah.

#### THE CONSTITUTIONAL QUESTION.

THE only serious question that has been raised by the press of the country on the Utah State movement, is that relating to the clause in the proposed Constitution restricting the amending power. It is claimed by some leading journals that this cannot be done under the national Constitution. We have pointed out the fallacy of this objection, and showed that there is really

nothing in it; that the people are simply using their reserved rights; that their action does not come into contact with any provision of the supreme law; and that it is not a special requirement of Congress, but a restriction made by the people who are to be bound by it which they have an indisputable right to provide for their own government. The Chicago Times takes up the question from another standpoint, and dissipates the objection in an extended argument which we copy here in full:

"The indefinite person called the Thoughtful Observer was right. When he learned that an assembly of popular delegates in Utah had prepared the form of a new political charter for that fragment of the republic, and had embodied in it a clause prohibiting the Mormon harem, and another clause that that prohibition never could be abrogated or modified without the express consent of the national congress, the Thoughtful Observer remarked, sotto voce: Now we shall see!

The meaning of his remark was the same as if he had said: Now we shall see that some surviving doctrinaires of dead and rotten Jeffersonism will get up on their ancient ears and declare that such a constitutional limitation would be unconstitutional!

Now comes the fulfillment of the prediction. A certain doctrinaire of the lost cause, who represents perhaps a little more than the average stupidity of his class, declares that this proposed Utah limitation will bring into the national congress 'one of the most interesting constitutional questions ever discussed in that body or before the courts.'

The alleged question, looked at from the standpoint of the said doctrinaire, has an appearance of such tremendous importance that he proceeds to state it in no less than three different forms of words: 1. 'Can any of the reserved rights of the state be surrendered by the people who frame a state constitution?' 2. Under the Utah limitation, would the political habitants of that fragment have the same rights under the federal constitution that the habitants of other States have?' 3. 'Can Congress, in giving to the habitants of a particular Territory' a charter of government, limit their rights 'as given and fixed by the federal [meaning the national] constitution?'

Apparently, the said doctrinaire failed to discern the fact that in the third statement of the tremendous question he included the simple and easy answer to it.

The political authority that is able to give to a particular group of people, habitants of a particular Territory, a charter of government, is able to limit the faculties and powers of the government that it gives to them.

This is a proposition of truth, of common sense, and a principle of law so plain that almost it may be said to be self-evident. In reality it is the same thing as saying that the whole of a thing is greater than a part of it.

It is more than a statement of a principle of truth and of law. It is a statement of what is the positive and fundamental law of this republic. The enacted national constitution (not the 'federal constitution'—that instrument was abrogated upon the organization of the national constitution in 1789) prescribes that its own provisions, international treaties, and the laws of Congress shall be the 'supreme law of the land'—a phrase that is exactly equivalent to law of the realm, or law of nation—and that to this supreme law of the whole any charter or law of a part shall be subordinate.

It is a specified faculty of the national legislature to 'admit new states,' and another special faculty of that assembly is to guarantee to each of the local sections of the republic, called states, a republican form of government. It is an unassailable proposition of law, that the power to 'guarantee a republican form of local political arrangements includes the power to determine whether the proposed form is or is not republican. This power or faculty of the national legislature, and that of 'to admit'—which can mean nothing less nor more than to organize or reorganize—new commonwealths, may be exactly defined as constituting the power of the national congress to 'give to the habitants of a particular territory whose boundaries it is also in the power of congress to prescribe, a constitution of local government. And the national power to give, prescribe, or determine the local constitution includes, of course, the power to modify and amend it.

That this is and ever has been, since the establishment of our national constitutional national faculty, ought to be plain to every persons who considers for a moment the result to which the contrary hypothesis of the reactionary doctrinaires would conduct. If it is an independent, inherent, or 'reserved' faculty of Illinois to make, alter, unmake, and make anew its own political charter, then it is in that sovereign faculty of Illinois to set up an establishment of monarchy, of imperialism, of royalty, or of aristocracy of some sort; or to constitute Illinois a dependency of Great Britain, of Canada, of Mexico, or of the kingdom of David Kalakaua. The power to make a political constitution—to determine the order of the political life of a people—certainly is sovereign power, and there is no such thing as sovereignty without political independence. If there is in any commonwealth of this republic power to determine the order of its political life by making to itself a charter, then secession is a right and a truth that, in

spite of the history of this nation since Buchanan, may defy contradiction.

In reality there is no such power or faculty or "reserved right" of any commonwealth, and has not since the organization of the national constitution in 1789. Since that epoch, no fraction or fragment of the nation has made to itself, or altered, or reformed in any respect, a charter of local government by its own authority. The authority that made and ordained the actual and every preceding charter of Illinois was national authority. And the same of every other commonwealth.

It has not been the practice of this nation to exercise this sovereign faculty wholly by the national legislative organ. The usual practice has been for Congress to enact what is called an 'enabling act'—a measure granting to the electoral habitants of a prescribed territory warrant to proceed as an authorized agent of the national authority to frame a local charter and (generally) to submit it to the sense of the electorate. Upon their approbation of it, the national legislature has sanctioned the instrument and authorized the reorganization under it, generally, in the tacit manner of admitting senators and representatives from the reorganized political group. 'The sovereign grants what he permits' is a well-known legal maxim. The sovereign nation permits Illinois to frame, adopt, amend, remodel, etc., a law prescribing the order of the local political life; nevertheless, it is the national authority alone that grants, and gives to that law, by its sanction, political vitality.

The national authority sanctions it because what is done is agreeable to the nation's will. If a local charter, or a projected amendment of one should not be agreeable to the nation's will—as was the case with a number of local charters in the epoch of 'reconstruction'—the doctrinaires that imbibed their erroneous notions on this subject from a school of politicians that are now mostly dissolved into the infinite azure of the past, would see how promptly the sanction of national authority would be withheld.

There is nothing in the Utah limitation but words. There is no meaning in its words that has not always been in the meaning and expression of the national constitution. The Utah words add not the least shadow of strength, breadth, significance, or anything else, to the national authority over local political charters and arrangements."

#### SHOULD BE PUT THROUGH.

THERE is a railway question on the tapis that is of great moment to the company directly interested and of much importance to the people of this entire section of country. It is, whether or not the Union Pacific system shall be extended from this point to the Pacific Coast? That this has not been done before this late date appears, on the face of things, to be a short-sighted omission.

According to the ground taken by Charles Francis Adams, the failure to carry out so profitable a project is not the fault of the company, but a natural result of their having been handicapped from various directions.

Whatever hindrances have been in the way outside of the company will now probably be easy of removal, especially those alleged to have emanated from the government. It is to the interest of the government to remove, so far as practicable, obstacles in the way of the development of the country, a large portion of which would be opened up and made valuable by being traversed by a railroad.

It appears that the favorite, because most feasible, project to secure for the U. P. system an independent outlet on the Pacific Coast, is to extend westward from Milford, the southern terminus of the Utah Central, and thus reach Los Angeles. By that route Southern Nevada would be traversed. That is a section rich in mineral resources, requiring only transportation facilities to bring it into business life and activity. Provide them and new mining centres would be formed and towns spring up like magic.

There appears to be no doubt that such an enterprise as that under contemplation would obtain plenty of business and be made to pay handsomely, besides enhancing to the U. P. company the value of all other lines of their extensive system. To have a through trunk line from the Missouri to the Pacific seaboard would of itself take a good deal of the handicap from the company, enabling them to operate with an independence they have not enjoyed for years. If we understand it aright, by taking the route westward from the terminus of the Utah Central, the U. P. folks would have no small advantage in the matter of shorter distance over other lines, a point of considerable importance.

The enterprise cannot be urged too strongly, as a benefit to the country, besides being a great advantage to the company.

General G. C. Kniffen, War Department, Washington, D. C., after two years, says: "My wife has not had an attack for two years. I trust St. Jacobs Oil will reach the uttermost parts of the earth, and do as much good in every house as it has in mine."