DESERET EVENING NEWS.

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A CONSTITUTIONAL POINT.

On January 31, Hon. J. E. Booth introduced into the Legislative Council a bill to consolidate the University of Utah and the Agricultural College of Logan. The first section of the bill is as follows:

Section 1. The institutions heretofore known as the Agricultural College of Utah, now located at Logan, and the University of Utah, now located at Salt Lake City, are hereby united into one institution for the use of the Agricultural College of Utah, at Logan, Utah, which shall be known as the University of Utah by and with said name is constituted and shall be considered a public corporation with perpetual succession, and it may have and use a corporate seal, and by said name sue and be sued, and contract and be contracted with. It is hereby vested with all the property, credits, affairs and franchises, and is subject to all the contracts, obligations and liabilities of the existing corporations. It may take and hold to its own by purchase, gift, devise or bequest, and all personal property and moneys, credits and effects, and by sale or exchange convert such and use the proceeds and property so applicable to its uses in agency and its property, credits and effects shall be exempt from all taxes and assessments.

Both the institutions named are corporations, private in the sense that they are not municipal, and a constitutional question is raised by the section quoted. Has the Utah Legislature the power to consolidate two corporations by a special act? One of the sub-divisions of the first section of an act of Congress passed July 30, 1886, entitled, "An act to prohibit the passage of local or special laws in the territories of the United States, to limit territorial indebtedness, and for other purposes," prohibits the Territorial Legislature from:

Granting to any corporation, association, or individual any special or exclusive privilege, immunity or franchise whatever.

The section of Mr. Booth's bill reproduced above, makes a gift the University, one corporation, of all the property of every description which is owned by the Agricultural College, another corporation. The trustees of the respective corporations are not enriched in the transaction. Perhaps, on the ground that both these institutions are owned, as it were, by the Territory, the Legislature is exempt from the operations of the law of Congress just cited; and perhaps again the proper way to consolidate them would be to follow the provisions of the general statute specifying the manner in which two or more corporations may be united in one. This is a legal question which the NEWS will not here attempt to solve, our present purpose being to merely call attention to it for the purpose of insuring correct procedure in effecting the union of the two institutions, an object which this paper now as ever most sincerely hopes for.

It would be a calamity to bring about the union in a manner that would cloud the title to the property involved, or give rise to litigation; but a union effected in a way that will be consistent with law and the educational interests of our commonwealth, is a consummation much to be desired.

THE ANIMAL WEATHER PROPHET.

This is the day commemorated in song, superstition and story as the occasion of the grand spring awakening of our old friend, the bear or the ground hog. If the barometrical bear, on emerging from his cozy den, is able to see his shadow, it forthwith frightens him back in again, which he remains six weeks longer, the inference among humans being that the winter will last that much longer. If he does not see his shadow, he goes agreedily sets forth in quest of provender, and the winter's severity is over.

As to whether or not the weather today may be deemed favorable for an early and a gentle spring, all depends upon the hour the pesky critter is supposed to have emerged from his slumber. He would not have seen a sixteen candle shadow on coming out this morning; while if he waited until after noon the sun would have given him such a shadow as to daze and scare him into fits.

STATUE OF ISABELLA.

Tomorrow, February 3, an interesting ceremony will take place in the art building at the Midwinter Fair. It is the unveiling of the heroic statue of Queen Isabella. The figure is by the American sculptress, Miss Harriet Hosmer, and was made by her in Rome. It was at first intended for the World's Fair, but by a misunderstanding it was not forwarded in time.

The unveiling will be under the auspices of the Woman's Congress association, which has provided an appropriate program of exercises. A procession is being discussed, looking to the making of a bronze cast of the statue, of heroic size, to be placed at the entrance to the Golden Gate, the copy of the Goddess of Liberty in New York harbor. The cost of a bronze for the figure would be from fifty to sixty thousand dollars, and it is believed that this amount can be raised for the purpose.

There is no doubt that California would feel gratified at having in her midst farther a figure that would attract as much attention from the visitors to the Pacific coast as does the statue of Liberty at New York. An additional source of pride would be in the fact that it was wholly the work of American skill. In some respects it would be quite appropriate that the statue should represent the beautiful Queen of Spain who, without the fabled idea that a new world was about to be discovered, in the kindness of her heart offered to pledge her jewels for money to aid the adventurous navigator who sought a new route from western Europe to India but found a new continent instead.

TOO RADICAL A VIEW.

If the recent ruling of the superintendent of immigration shall be found to be good law, and shall be carried generally into effect, there will be little need for further legislation on the great subject referred to. Heretofore it has been the steamship companies and agents who have been most anxious to get immigrants, and who have been most troublesome and evasive with reference to the laws of this country on the subject. If the interpretation of the statute just now given is the correct one, those parties will in future be quite as anxious to prevent the importation of improper persons as the most diligent and vigorous U. S. official possibly can be.

The ruling alluded to is to the effect that an immigrant who becomes a pauper within a year after landing may be brought from any part of the United States to the port where he or she entered the country and turned over to the steamship company which brought the immigrant here to be sent back to Europe. All this must be done at the steamship company's expense. The decision is evoked by the fact that a woman who was landed in New York last May afterwards went to Kansas City and became a public charge because of illness. She was brought back to New York by an inspector and sent back to Europe by the line which brought her over. It cost about $100 to bring her from Kansas City, and the steamship company has been called to pay the bill.

It is hardly necessary to say that the company will appeal from this ruling, on the ground that its responsibility ceased when the woman was passed by the government inspectors at Ellis island. The woman was really inspected twice by government inspectors, once in Europe, and again after landing, and was sent to her relatives in Missouri. The company claims exemption from responsibility for what befell her there and insists that she was a pauper within the left their jurisdiction. We are inclined to think the appeal will be sustained—that being the evident justice of the case. If not, the only safe way for the steamship lines will be to insist that all immigrant passengers insure their lives for at least a year after the date of landing, and immediately make the companies the beneficiaries under the policy that secured. The climate of the United States is generally most salubrious and healthful, but people do die here sometimes, and some who are apparently quite sound even get sick and pass within a year after reaching our shores.

A PANAMA CANAL HERO.

The threat of Cornelius Herz to publish certain documents in his possession relating to the Panama scandal, promises to renew public interest in the decidedly French scandals. What sorts the bold adventurer holds can only be the subject of conjecture at present, but many circumstances indicate that its nature is such as to overshadow the revelations already made.

About a year ago, when proceedings were instituted against the Panama canal swindlers, it will be remembered, Baron Reinach, the banker of the corruption funds, suddenly died. Whether he was possessed of compromitted secrets that not yet were made clear. The principal documents, showing the distribution of the misappropriated millions, were stolen. Herz fled across the channel to London, and has ever been able to resist all efforts at his extradition. It is claimed that he is in possession of the missing documents, and that one last plank has in a position to assert from Baron Reinach various claims, to all concerning at the millions. When the baron could no longer satisfy his greedy demands the relations broke.

It is a matter of surprise that the efforts of the French police to obtain a clue to the whereabouts of the missing papers have failed. It is equally remarkable that the demands of France for the extradition of the fugitive have been unavailing. But possibly both these circumstances can be explained on the ground that the French government is not over-anxious to take any more Panama revelations than absolutely necessary to keep up appearances. Has the authorities been diligent in their demands for the production of Herz, we would have had revelations long ago. At least this is the view of the public who refer to the case as the "Panamanth scandal."

Of the statements of Herz, only little is known in France and all sorts of stories have therefore been circulated. About a year ago, an obscure paper made an account according to which the adventurer in 1868 was living in great poverty and married a girl from Nismeuille, whom he was not able to support. Shortly after he abandoned his wife and she died. Sixteen years later he turned up as a millionaire. The mother of the abandoned girl appealed to him for some assistance. He could say sympathetic with her at first, but certain letters being produced, he agreed to pay her the pension for a yearly sum of 1,200 francs. This is one of many anecdotes told about the past of the millionaire.

The reason why his name has again been brought prominently before the public is a suit out brought against him by the shareholders of the estate of the late Baron Reinach to recover about 800,000 francs. The prosecutor declares that a million will be taken of the threats of Herz, but that the case will be pressed. It would certainly be gratifying to the French people to see that follow in the footsteps of the law, and hear him explain the operations whereby he has been able to evolve from the condition of a pauper to that of a multimillionaire. He is said to possess 25,000,000 francs in property in Paris and Frankfort, besides what he owes in England.

RISKY CHANGEABLENESS.

It might be unwise to deny to the members of the gentler sex the privilege of changing their minds as many times as they please, and of having the changes follow in as rapid succession as they can be conveniently arranged. Yet there is a risk of great danger in the tendency to inconstancy that should not be disregarded, particularly in regard to matters that concern the marriage relation.

An instance of what at sudden changes as commonly occur is shown in the case of a lady who was married in San Francisco this week. A marriage license was issued to Mr. Hook and Mrs. Gregg, the former a resident of New York who had crossed the continent to claim as his bride a charming young widow whose home was in San Francisco. But the wedding did not come off, for before the day set for performing the ceremony the lady had met a young doctor, with whom she had fallen suddenly in love. In nine days after the issuance of the first license another was given to Dr. Hamsels and Mrs. Gregg, who were married two days later, while Mr. Hook was left to lament the loss of his time and money spent on the overland trip, and to bear the chagrin brought him by the fickleness of his intended.

Of course, when the lady changed her mind as to the person she wanted for a husband, she had the right to turn back even at the altar. In fact the reasons for varying from her attitude toward the prospective bridegroom may sometimes render such action imperative. But when it is followed by marriage to another under such conditions as those instanced, ordinary people would consider that the disappointed suitor did well to escape from a wife who could so quickly and readily transfer her affections from one to another. The proceedings would indicate that the passion of love with that lady was a very uncertain quantity, and that no regard for the marital relationship was not of such gravity as to make her a faithful and faithful wife. Such changeableness in woman is so risky in its tendencies that the steady, thoughtful men who make the best husbands look to other directions for wives whom they can trust. It is much work to do little with the affections that should characterize husband and wife that they can be transferred from one to another with about the same readiness as a suit of clothes.

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