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The Taft forces stick together well; it is the way to win.

Jack Johnson objects to a small ring in his mill with Flynn. He wants to have room according to his size; and that is reasonable.

Kentucky has abolished the common drinking cup. But then, what will any Kentuckian care, whose habit is to drink direct from the bottle?

And so the Strawberry tunnel is "holed through!" It's a magnificent enterprise, and will be the great reclamation accomplishment of Utah.

The Cuban insurgents are laying up wrath for themselves, when they burn buildings of Americans. The first thing they know, the marines will be after them.

The blatant talk of a bolt doesn't seem to scare the steadfast Taft men in Chicago a bit, and even the Colonel's closest friends refuse to back him in it. So it might as well be dropped.

Word comes from China that no more money is needed for famine relief there. The refugees from the Mississippi flood, however, are yet in need, but will no doubt be comfortably cared for by the Government.

Helen Keller, blind, dumb and deaf, has been offered a membership in the Board of Public Welfare of Schnectady, N. Y. But her brilliance of mind, her whole-hearted honesty, and zeal for helpfulness will make her an ideal member of such a body.

Bryan thinks that the Democratic nomination lies between Clark and Wilson, "unless some contingency now unforeseen arises." And no doubt he may cherish a lurking suspicion (or shall we say hope?) that he may be that contingency himself.

In making the specific demand that seventy-two Taft delegates be unseated, Col. Roosevelt arrogates to himself the functions of the National Committee and also of the committee on credentials. And yet he is down on "bosses!"

Mr. P. J. Donohue of this city has a letter from a friend in Sinaloa, Mexico, which says that the rebellion is over; that business has resumed its usual course, and that payments are made on deals as formerly. This is the best news that has been received from Mexico for a long time.

A doctor recently used an aeroplane to cross a lake on an urgent call, arriving in a few minutes, while it would have required two hours to go around by automobile; and a passenger who missed his steamer at New York used an aeroplane to catch up with her and get on board. It is surely getting fast to be the aeroplane age.

And now Delaware reports the production of a seedless apple. This sort of a report comes out from some part of the country every year or two, and then the seedless apple isn't heard of again until its new production. There seems to be always something the matter with the seedless apple to interfere with its popularity.

The Ohio Supreme Court has decided that a woman who steps off a street car with her back to the front of the car is not entitled to damages. That is a decision that ought to be recalled, as it reverses the natural order of human movements as related to the moving vehicles of transportation. The cars ought to change their manner of progression so that women could cling to the supports with her right hand as she steps off the car, as is the European custom.

The Republicans of Utah, in sentiment, expression, and in specific pledge of the Republican State convention, are for President Taft, and elected delegates to the National convention of the party pledged to support him. But in the National Committee the Republicans of Utah are represented by a man who votes every time against the Taft interest, and with Taft's opponents. The reason is the Federal bunch's dishonest propensity of playing double on every possible occasion, and its determination to make as plausible a showing as possible in its own favor of friendliness to whichever side may happen to win.

ROOSEVELT FOR ANARCHY.

Col. Roosevelt's position in declaring for a bolt and a new party is about what has been foreshadowed right along during the campaign. He goes into the convention with the fixed notion that he must be nominated or it isn't fair. He and the allied anti-Taft forces were out-voted in the convention on two forced rollcalls under an organization recognized by themselves, they participating in that organization but getting lost on the choice of temporary officials, and being beaten in the proposed substitute roll of membership.

Then, when it came to the final make-up of the membership of the convention, the Committee on Credentials showing a disposition to support the findings of the National Committee, thus continuing the membership roll as it had been, Col. Roosevelt flares up and declares that he won't stand it. He is willing to overlook the election of Senator Root, he is willing to overlook the voting down of the Hadley and Deneen motions for the amendment of the membership roll, and still remain a Republican and submit his case to the convention; but when it comes to the Credentials Committee of the convention itself ratifying the roll, and reporting in favor of the membership as made up by the National Committee, then he revolts. He declares that he represents the people, and that the people have chosen him irrespective of the convention; therefore he intends to run.

In this view of the case, it is not easy to understand what Roosevelt is in Chicago for. If he was nominated beforehand by the people, why should he submit his claims to the Republican National Convention at all? Why should he go to Chicago? Why should he bother with seeking another nomination, when he already has one from the people?

The truth about this whole matter of Col. Roosevelt is that he seems to be a monomaniac upon the subject of the people wanting him to be President. He is not only impatient, but furious, at the idea of any opposition to this idea which has become so firmly fixed in his mind. He believes fully that the people have made a call upon him to be the next President of the United States. He finds that the Republican Convention does not agree with him in this, and he raises a shout of fraud and imposture, which is also a confession of defeat. And yet the committee, in deciding the cases, decided them all with candor, fairness, and according to the rules and precedents. Even though the delegates that he specifically names were given to him, he would still be short of the nomination; and it must be remembered that his warm supporters in the National Committee voted with the Taft forces against his contested delegates in nearly every instance. It must be remembered also that Mr. Munsey, his special friend and supporter, admits that those contests for the most part were got up simply for effect, and not because there was any merit in them.

Col. Roosevelt, in taking the attitude that he has done in this matter, places himself altogether outside of the Republican party, and shows to the country that he is a man impatient of opposition and in revolt against defeat. He will play the game if he wins, and will jump the game if he loses. Such a disposition as this is held to be contemptible among men, and the one who shows it and acts upon that showing is necessarily condemned by every fair-minded citizen. The one who goes into a contest with the determination to abide by the result only if he wins, is contemptible by every standard acknowledged by fair and manly men.

CIVIL SERVICE TENURE.

It is indeed curious to read that Congress is still wrestling with the civil service question. The House of Representatives passed a bill to limit the tenure of office-holding under the civil service rules in the District of Columbia to a given number of years, making the civil service in the District not a matter of permanence, but practically of a given term of years.

The Senate objects to this, but in an objectionable way. The Senate proposition is that at fixed periods those in the civil service shall be subject to examination in order to maintain efficiency in the incumbents of office. The theory of this amendment appears to be that applicants under the civil service rules may "cram" for the examination, and having once got in, being really inefficient although they may have passed, must be subject to further examinations from time to time in order to keep up their condition of effectiveness. The suspicion about this seems to be that under that system of periodical examinations there would be favoritism and political "pull." Doubtless this objection is quite correct, for that would be the tendency.

Under the House proposition, the absolute determination of terms for the civil service incumbent would amount to about the same thing as the old "spoils system," so much objected to. Under the law as it is, there is no such thing as a fixed term in the civil service; but the merit system under which appointments are made contemplates that the incumbent of office shall remain in office indefinitely, as long as his or her work is satisfactory.

There is no doubt but that in one sense the Senate proposition might have certain advantages. It would keep the civil service employees up to their work by requiring them to be at all times efficient and able to pass the examinations. But since the idea appears to be that the old political pull and favoritism would probably be reinstated, the calm judgment of the public undoubtedly would be that it is better to let well enough alone than to interfere with a system which is not yet as firmly founded as it ought to be, but which certainly has thus far yielded commendable results.

THAT PATENT RULING AGAIN.

The ruling of the Interior Department in the matter of patenting of mines, as set forth in The Tribune yesterday morning, follows the objectionable lines which The Tribune opposed when they were first declared. Soon after that first declaration, Senator Kearns was in Washington, and the officials of the General Land Office assured him that the case upon which that objectionable ruling was based was unusual, and would not be followed in general. But now it seems that the ruling complained of is to be made a fixed policy of the department.

Heretofore it has been the rule that the discovery of mineral or a lode in place entitled the discoverer to a patent when the necessary work prescribed by law and the district regulations had been performed. Now under this new ruling, not only must the discovery be made and the location staked out as heretofore, but the work must be prosecuted to depth, and it must be demonstrated that the finder has made, in fact, a discovery of valuable ore or mineral profitable to work. Obviously this ruling will bar any poor prospector from ever getting a patent, because very few prospectors are able to do the extent of work which is contemplated in this new ruling.

It seems as though Utah ought to be represented in Washington by Congressmen who would take some interest in repelling assaults upon her development. We have besides this abnormally bad ruling, repeated withdrawals of phosphate lands, coal lands, and the like, very much to the disadvantage of the State. It is certainly up to our Congressional delegation to do something for Utah to prevent these raids upon its prosperity; and if further legislation is necessary, as stated in this recent ruling of the department on mining patents, the Utah delegation should get busy to see that that legislation is enacted, without needless delay.

AGREEMENT ON CHINESE LOAN.

A dispatch from Paris states that an agreement has been reached by the powers in interest on the $300,000,000 loan to China, subject to the ratification of the respective nations represented, viz., the United States, Great Britain, France, Germany, Russia, and Japan. There is also yet to be framed the specific and direct contract with China on this question. The dispatch indicates that the full agreement in all its details will be immediately drawn up, so that there can be but little doubt of the favorable issue of the negotiations for the loan, and of the actual transfer of the money.

The project of negotiating this loan has dragged along for a good while. Even before Yuan Shi Kai accepted the Presidency of China, it was supposed that the negotiation had been completed; but the Chinese finance minister proved treacherous, would not agree that the powers should have anything to say about the expenditure of the money, his idea being that the whole disposal of it should be left to the Chinese themselves, with their disposition to graft and plunder. The powers, however, were insistent that the money, if lent at all, should be lent in such a way that the money would be actually expended for the purposes for which it was borrowed, and not stolen by official thieves. The solicitude on this point arises from two causes; first, that the Chinese revenues are pretty well absorbed already by current exactions, and to add the large amount of interest money would be a serious tax upon the Chinese people, which they might be indisposed to pay if the money were not actually expended for their benefit; and second, the desirability of seeing that this money is actually and beneficially expended so that the proof of it could be brought forward at any time when the facts were challenged.

Upon the refusal of the Chinese finance minister to agree to this foreign guarantee of honest expenditure, the negotiations fell through, and a new start had to be made. In this new start the question was raised as to the actual sources of supply of the money. The original plan was that the United States, Great Britain, Germany, and France were each to furnish $75,000,000 of the $300,000,000 desired. It was stipulated further that each country must furnish the money itself, and must not borrow in order to get its quota. Any nation not having the $75,000,000 to put into the loaning pool was to forfeit so much of its portion in the loan as it fell short of that amount, and the excess was to be taken by the other powers.

This agreement, however, ignored both Russia and Japan, and necessarily so, since neither under that plan could furnish its part of the money required. Both Russia and Japan wanted to participate in the loan, but in order to do so would have first to borrow the money they would furnish. This being barred in the original plan, the negotiations came to a halt. Then began further negotiations on the basis of omitting the proposition that each country must furnish from its own money its quota of the loan, and in lieu of it there came in the adjustment of the special claims of Russia and Japan in Manchuria and Mongolia. The problem then was to so adjust matters that Russia and Japan might participate in the loan by borrowing the money or part of it for their share, and yet to make sure that the interests of the four stronger nations should be held intact. It is probable, therefore, that the final agreement on the loan will include the settlement of the Manchurian and Mongolian questions, and will also include on the part of China the concession that the money must be expended under the direction of foreign financial experts. It is foreshadowed that the agreement on this point will include the proposition that the expenditures are to be made through the customs commission founded by Sir Robert Hart, but under the control of Europeans representing the loaning syndicate.

China has been badly in need of this money, to pay its army and to put the new government on a firm financial footing. Now that the negotiations are nearing a harmonious conclusion, it is likely that the whole Chinese question, including the territorial integrity of China, the status of the provinces, the open door, and the virtual control of the finances by foreign expert agents, will all be settled on an amicable and lasting basis.

COMMERCE COURT JUDGES.

When the question of abolishing the Commerce Court was before the Senate, Mr. Sutherland of this State insisted that it was unconstitutional to abolish that court because of the constitutional provision that judges "shall hold their office during good behavior." The point was such a very thin one that the Senate paid no attention to it whatever, and justly so, because that constitutional provision is inapplicable to the case.

The constitution establishes only the Supreme Court, as a judicial tribunal; but it authorizes Congress to provide for such inferior courts as it may see fit from time to time. These courts established by Congress are subject to the will of Congress, since what one session or one Congress may do with respect to establishing a court, another Congress can undo; it can change, amend, or abolish. This is a plain principle of parliamentary practice and procedure. No Congress can bind a succeeding Congress by undertaking to establish under that constitutional clause useless courts or to provide for a greater number of judges than are needed. It is a plain matter of routine, acknowledged everywhere, that what one Congress can do another Congress can undo; there is no restriction of this power. To say that because of the constitutional provision that judges shall hold their office during good behavior, therefore a court or a system of courts established by one Congress must necessarily be continued by succeeding Congresses, is to violate all rules of legislation and practical government. To contend for this is to assert that Congress, merely in order to keep judges in office, must continue a court which it holds to be useless and perhaps even obstructive and objectionable. Congress unquestionably has the power to abolish any court that it establishes, and the tenure of office of judges of such court no longer applies.

But aside from this plain proposition of practical government operation, the abolition of the Commerce Court does not necessarily interfere with the office and salary of the judges of that court; for that court was made up by the assignment to it of judges from among the circuit or district judges of the United States, to serve on that detail for a period of five years. This detail having been vacated by the abolition of the court, these judges remain simply circuit or district judges of the United States, and subject to assignment to duty as such. There is no more reason for raising the constitutional question in this case than there would be for raising it in the case of the Federal District Judge of Utah, for instance, if he were called to preside over a district or circuit court in St. Louis, St. Paul, Indianapolis, or San Francisco. At the expiration of his assigned service in those places, he would return to his position as Federal District Judge for the district of Utah. This is so plain a case that it is astonishing that any one should raise a constitutional question in the premises. There will be ample employment on the circuit or district bench for those judges, constantly. There is always need of help in one district or circuit court or another, and the employment of these judges in their appropriate capacity can be regular and constant.

No other Senator ventured to support the opinion of Senator Sutherland in this matter. The case is so absolutely clear against his frivolous point that it is astonishing that even he should have attempted to raise such a witless issue.

INCOME TAX AMENDMENT.

The income tax amendment is likely to be the sixteenth amendment of the Constitution. There are forty-eight States now in the Union. It requires, therefore, the ratification of thirty-six to make the amendment part of the Constitution. Arizona was the thirty-second State to ratify the amendment; Minnesota is the thirty-third. At the regular biennial session of the legislature of Minnesota last year, the lower house passed a ratifying resolution, but the Senate failed to act upon it. The Governor, however, called an extra session of the legislature to pass reapportionment and direct primary laws, and the Senate took the opportunity to concur with the House in ratifying the amendment, the Senate vote being forty-nine to five.

But three more States are needed, therefore, to ratify the amendment. The lower house of the Massachusetts legislature has twice ratified it, but the upper house has refused. The probability is that the next Massachusetts legislature will ratify the amendment. Other States that can reasonably be expected to ratify are Utah, Florida, Wyoming, West Virginia, and Pennsylvania. Utah ought to have ratified at the last session of our legislature, because its members were elected on a platform specifically pledging its ratification. There is no reason to doubt but that Wyoming and West Virginia will ratify at the next session of their legislatures. These two States, with Utah, will complete the list, and with both parties in Utah pledged in their platforms to ratification, there ought not to be any doubt whatever about the affirmative action of this State.