cowardly. Such judicial conduct should be recorded and exposed, and every practicable effort ought to be made to have it corrected, that equal justice, which is the essence of all government, may prevail. Without justice all governments are tyrannies alike, no matter as to their form, according to Froude, the historian, and common sense.

THE TERRITORIAL OFFICES.

THE decision of the Supreme Court of the United States in regard to the offices of Territorial Auditor and Treasurer, has settled a question that has been in dispute for many years. These officers were originally appointed by the Legislative Assembly in joint session. A change was made in the law so as to make the offices elective by the people. This law was duly signed by the Governor and was regarded at the time of its passage as a settlement of the question.

Several Governors have claimed the right, under section seven of the Organic Act to nominate, and with the Legislative Council appoint, all officers not provided for in that Act except township, district and county officers. The people of this Territory, on the other hand, have maintained that these offices being of their own creation and appointed to do their business, ought of right to be filled in the manner provided by their representatives — the Legislative Assembly. This was undoubtedly in consonance with the principles of republicanism and the genius of the American system of government.

The Organic Act provides for certain offices and directs how they shall be filled, and says: "The Governor shall nominate, and by and with the advice and consent of the Legislative Council, appoint all officers not herein otherwise provided for." But it also extends the Legislative powers of the Assembly to "all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act," and then gives specifically the exceptions to this power. Among these there is no limitation to the creation of offices necessary to the full management of the affairs of the Territory.

It is generally conceded that the power which creates an office may and should provide for the manner of filling it. This is just what the assembly did in behalf of the people who elected them, and up to the present time the people's treasurer to hold their public funds, and auditor to take charge of their public accounts, have been the choice of the people to whom they were responsible.

The highest legal tribunal has decided the controversy between popular rights and the "one-man-power," in favor of the latter, and all we have to do now is to submit as gracefully as possible. It is well that this vexed question has been settled before the meeting of the Legislature, as it will remove a cause of disagreement which might have made further unpleasantness between the legislative and executive branches of our local government. It is to be hoped that harmony will now prevail.

There will, we presume, be no difficulty on this point, if the Governor is disposed to nominate substantial, reliable and respected citizens to the offices which have to be filled by him and the Legislative Council. The wishes of the people should be regarded in this matter, because the men to be selected will have to transact the people's business.

The ruling of the Supreme Court in this case is in line with the doctrine that has obtained of late years in regard to the Territories. It makes them mere dependencies, and debars them from exercising those rights and privileges which belong to citizens under a republican form of government. The fundamental principle that "all governments derive their just powers from the consent of the governed" is ignored, or the theory that the people of the Territories may be governed unjustly must be adopted. It is one more added to the long list of reasons why the anomalous, undemocratic, invidious and prescriptive territorial system should be utterly abolished, and free, sovereign and united States be the rule from the Atlantic to the Pacific and from the Canadian line to the Gulf of Mexico.

PUNISHING FAITH CURE BELIEVERS.

DURING recent years the number of people in the United States who profess a belief in the possibility and practicability of curing disease by faith, has steadily increased, and their peculiar views and conduct are somewhat perplexing to courts and officers of the law. In many of the states it is made by law incumbent upon husbands, parents and guardians to provide proper medical attendance for their wives, children and wards, in cases of sickness. But the question frequently arises, Shall a person who believes in the sick being healed by faith, be arrested, fined and imprisoned for failing or refusing to provide or administer medicine to them?

This question involves not only the vital element of religious liberty, but also the basic principles of the so-called science of medicine. If it be granted that the law-making power has the right to compel the administration of medicine to a sick person, it must follow, as a matter of inevitable logic, that the legislature has the right to say what is medicine, and what is not. The attempt to do this would raise a storm among the medical fraternity and there lay sympathizers among the masses. The allopathic practitioners would hold that the minute pellets of sugar, containing but a faint trace of drugs, which the homœpathists use, are not medicine at all, but limited confectionary only—Christmas goods on a small scale as it were. And thus the field of medical polemics would be invaded by the lawmakers with probable consequences too far-reaching to be easily foretold.

The right to require that medicine be administered to the sick logically includes the right to discriminate as to what remedies shall or shall not be used. Thus to administer ipecac as a remedy for gout, or to require a patient to drink coal oil to cure the cramps, might appropriately be prohibited by law, if the lawmaking power is to take the subject in hand.

It is difficult to discuss this question in a manner to avoid a vein of absurdity which runs through it. Even so staid a journal as the New York *Christian Union* is scarcely able to do it, as the following remarks made by it indicate:

"If society may determine that prayer will not heal, and punish a man for administering prayer, why may it not determine that allopathic remedies will not heal, and punish him for administering allopathic remedies? The individual has some rights which the majority are bound to respect. To attempt to compel a man to pursue the course of healing which the majority think right is carrying sumptuary legislation beyond the bounds to which it was ever carried by Puritan or Hebrew. We doubt whether its parallel is to be found even in the legislation of the French Revolution. The blood of the martyrs is the seed of more than the church. If we want to feed the fires of fanaticism, we nt