EDITORIALS.

WHO ARE THE BARBARIANS?

It is customary for enlightened Europeans and Americans to term eastern nations barbarian and heathen. But some of the people of those nations object. A "member of the Brahma Somaj," a Hindoo reform society, deprecates the application of the epithet "barbaric" to India, and writes to the London *Times* to that effect. The gentleman says he is "convinced that the state of the poor in the Christian countries of Italy, France and England (all of which countries I have visited), especially in the large towns, is infinitely more wretched, godless, degrading and barbarous than it is in heathen India."

This Hindo protester also makes the following home-thrusts—

"Why do you not make more Christians among the respectable classes of society? Because there is little to recommend itself in your Christianity. Does it make your merchants, who send their cotton wares to Bombay, honest men? Are their goods pure and unadulterated? Does it make your soldiers polite and moral men? If it does not, we prefer our ancient heathenism to your Christianity."

THREE YEARS BEHIND--EIGHT HUNDRED CASES WAITING.

Unless cases are specially favored by being forwarded, there is no chance for early hearing and decision in the Supreme Court of the United States. According to the Washington *Chronicle*, that august tribunal, although composed of "as faithful and able a set of judges as ever sat upon the Supreme Bench," is heavily overloaded, as the business of the court is fully three years in arrears, and is constantly increasing. At the present time there are over eight hundred cases on the docket.

Unless, therefore, there be some reorganization of the Federal appelate courts, to divide the business and facilitate its dispatch, there is little hope of the early and final decision of cases appealed henceforth, unless they are of such great moment as to demand and receive preferential consideration.

THE JUDICIAL DISTRICTS.

This Territory, like others, is divided into three judicial districts. As at present divided, these districts are probably as convenient as they could be, geographically, for the people. As regards the business of the courts, it is unequal, owing partly to the unequal location of the population. But perhaps it would be impossible to divide the court business equally. Let the Territory be districted how it might, the probability is that the amount of business in the several districts would still be unequal primarily, which inequality would always be liable to be greatly changed, one way or another, by the abilities, energies and professional character of the respective judges, as an able, industrious, energetic, and discreet judge would be likely to get through a much larger amount of judicial business than would a judge with less favorable qualifications.

This district, the third, is more densely populated than either of the other two, and this city being also the capital of the Territory, governmentally and commercially, it is natural enough that the judicial business of this district should exceed that of either of the others. Perhaps there is now in this district a sufficient number of cases on the docket to serve a judge of fair ability and industry as much as twelve months to clear off. Consequently the suggestion has been offered to the Legislature to re-apportion the districts by taking Summit county and the east half of Salt Lake county, the dividing line being East Temple Street of this city, and apportioning the same to the Second District, with judicial seat at Provo.

We think this suggestion decidedly objectionable, for several reasons, some of which we here produce—

1. In the first place, there is no pressing necessity for any change in the boundaries of the districts. The law as it stands already provides for any inequality of judicial business in the different districts by authorizing the judge of any district, if he finds himself overweighted with cases, to invite the judge of another district to come to his assistance in the dispatch of business.

2. The division of the city into different judicial districts would tend to a division of interests, and would be likely to cause one part or other of the city to be eternally in litigation, with a court always sitting for one or other half of the city, and business and other interests consequently continually in suspense. It is far better to reduce litigation and the time and means spent over it, than to do anything likely to increase the same.

3. If any redistricting were really necessary, we should think it would be far better to make all of the Territory north of this county one district, with judicial seat at Ogden, and divide the rest of the Territory into two districts by an east and west line more or less direct. But, as we have already observed, we can see no strong reason for any important change in the districting.

4. The present excess of cases in the Third District is temporary, and arose from easily avoidable causes. A former judge of this district, in consequence of his intense prejudices, threw away a whole year and a half of time by holding his court in an illegal manner, and afterward wasted a great deal more time and heaped up cases on the docket out of sheer stubbornness and the sedulous cultivation of the art how not to do anything. These are the main reasons why the Third District is so much behind in the dispatch of business, and has so many cases yet on hand.

5. It is a good rule, where existing laws or regulations are sufficient, not to seriously change them, unless some needed and very decided public advantage be likely to accrue. As such great advantage is not apparent in the case in question, we are not favorable to the suggestion of redistricting the Territory by dividing this city.

If any change shall be made, the change should not go into effect before the end of the year 1876, in order to not interfere with the jury and other arrangements of the courts for the present year.

ANOTHER PROSCRIPTIVE BILL.

The annual crop of proscriptive bills, aimed at Utah, is beginning to make its appearance in Congress the present session. There have been divers intimations of the preparation of several bills of this kind for early presentation to that honorable body. The dispatches published in the News to-day contain the following notice of the presentation of one of these bills in the Senate by Mr. Christiancy, of Michigan, yesterday, Jan. 20—

"Christiancy introduced a bill to provide for challenges to jurors in trials for bigamy and polygamy in the Territory of Utah, and to amend section 4 of the act in relation to the courts and judicial officers in the Territory of Utah, approved June 24th, 1874. Referred.

"The bill provides that on any trial for bigamy or polygamy it will be sufficient cause of challenge and for the rejection of any juror, first, that he has more than one wife living in said Territory, whether married by ordinary rites or by the so-called sealing ceremony; or, second, that he believes it morally right for a man to live with more than one wife."

As thus described, this new bill is patently unconstitutional.

In the first place the taking of a plurality of wives in Utah is a religious act, and the Constitution expressly forbids the enactment of any law interfering with the free exercise of religion, thus—

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

Therefore any law of Congress, and also consequently any law of a Territory, interfering in any restrictive way with religious marriage, is a gross violation of the Constitution, because restriction of the free exercise of religion is equivalent to the prohibition of the free exercise of religion. One is practically the same thing as the other.

In the second place, the Constitution makes the following express provision—

"No religious test shall ever be required as a qualification to any office or public trust, under the United States."

This forbids Congress, or any party, from establishing any religious test as a qualification to any office or public trust, under the United States.

Has a juryman any office? Certainly he has. Has he a public trust? Certainly he has, one of the most important, and, in a Territory, he always acts under United States law, either directly or indirectly, for the Territorial Organic Act is wholly a United States law, the Territory having nothing whatever to do with the making of it.

But Senator Christiancy's bill forbids a man in Utah from sitting on a jury if he practises plurality of wives, or even believes in it, no matter how religiously he may do either. This is unconstitutionality with a vengeance.

Furthermore, if a man is to be designedly tried by his enemies, those who are bitterly and savagely opposed to his religion, while all of that religion are sedulously excluded from the jury, and he is tried on questions pertaining to his religion, will not trial by a jury in Utah become one of the most outrageous farces conceivable?

Lastly, we may ask, why is it that in all this legislation against Utah, the promoters and perpetrators of the same always throw themselves outside of the plainest constitutional provisions? Does not this argue a bad cause, a very bad cause, on the part of those who push this proscriptive legislation? Assuredly it does, and per contra it argues a very good cause on the part of the people thus persistently proscribed.

"MORMONS IN ARIZONA."

Under the above headline, the Tucson *Arizona Citizen* of Jan. 8 says—

"Moancopy, Indian name signifying running water, is the name of a settlement recently started in this Territory. It is situated in Yavapai county, sixty miles north of the San Francisco mountains and eighty-five miles east of Lee's crossing on the Colorado river. We understand it is the intention of the Mormon church to make Moancopy the rendezvous where the faithful will meet and thence spread over Arizona and settle in localities where a considerable number can be gathered together in a settlement. To this end several thousand settlers of that faith will be brought into Arizona the coming season. They are good pioneers and have the faculty of living within their means and making the country where they live yield all the necessaries of life and even comfort. If it were not for their weakness on the wife subject, they would be altogether desirable citizens for a new country."

We consider that the "Mormons" are not weak, but particularly strong and sound, on the wife subject, and that's one thing that helps greatly to make them "altogether desirable citizens for a new country," or for any good country.

THAT MEMORIAL.

The memorial of between 20,000 and 30,000 women of Utah to Congress, recently presented in both houses, has elicited considerable comment from the press in various parts of the country. Super-religious, politically-partisan, and other prejudiced people, of course have generally condemned it. From their peculiar point of view, it evidently has appeared to them to deserve condemnation. All people, however, do not see and think alike. From our point of view the petition is commendable, and, being the expressed sentiments of the overwhelming majority of the women of the Territory, it is entitled to respectful consideration, and we might say acceptance, inasmuch as it asks for things which pertain to this Territory almost exclusively.

The memorial or petition asks half a dozen things—

1. The repeal of the anti-polygamy bill of 1862, the Poland bill of 1874, and all laws restrictive of religion.

2. The privilege of Utah selecting her own officers.

3. That no law shall be made by Congress conflicting or interfering with the practice of plural marriage in Utah.

4. The right for married women to pre-empt land.

5. The right of the people of this Territory to use timber from the public lands.

6. The admission of Utah as a State in the Union.

All these are modest requests, and we can see no overpowering reason why they should not be granted.

First, the laws asked to be repealed conflict with the Constitution and with the genius of the American government, and therefore ought to be repealed. They ought never to have been enacted.

Second, for the people to elect their own officers is one of the ruling principles of American government, and therefore should prevail in the Territories as well as in the States. It is an unjustifiable anomaly that such is not and has not always been the case.

Third, no law can constitutionally be made conflicting or interfering with marriage in Utah, or in any other Territory, where such marriage is a part of religion, as it is in this Territory.

Fourth, the early settlers of this Territory came here when it was foreign dominion, when it was reported incapable of sustaining civilized life, and when they, at vast expenditure, proved that it was capable of settlement, reclamation, and beautification. In common gratitude the women citizens or any other ought to be allowed to pre-empt that barren desert land which they have brought into subjection to civilization, and at such an enormous cost of treasure, time, labor, and life.

Fifth, it has cost the citizens immense sums to make and maintain roads into the cañons and procure timber from the precipitous mountain sides, and certainly no restrictions ought to be placed upon them in using the timber for purposes of improvement. If the Government had given the entire agricultural portions of the Territory, with the timber on the mountains, free to the settlers, it would not have repaid them for their labor and means expended and privations endured in settling and improving this originally forbidding and fruitless region.

Sixth, Utah is the oldest Territory, the most industrious, enterprising, self-reliant, order-loving, and law-abiding, as populous as any, and therefore has the best right to be admitted as a State. She demonstrated her capacity for self-government years before Congress decided to govern her.

Therefore we see no good, fair, and sufficient reason why the petitions in the women's memorial should not be promptly granted by Congress.

Local and Other Matters

FROM TUESDAY'S DAILY, JAN. 25.

That Shot-gun.—The party who lost a shot-gun a little over a week ago can get it by calling upon James Johnson, of the Second Ward, who picked it up, on the street.

A Visit.—We had a call to-day from Bishop Peterson, of Ephraim, member of the legislature from Sanpete and Sevier Counties. The Bishop is slowly recovering from the effects of his late severe attack of typhoid, and is yet far from being robust.

The Inquest.—The jury which held the inquest, last evening, over the remains of Mr. William Hailstone, returned a verdict to the effect that deceased came to his death from injuries received by being run over by a sleigh, according to the facts.

Bound Over.—Yesterday afternoon it was shown, before Justice Pyper, that A. J. Francis was implicated in the stealing of a span of mules, the property of Mr. Holbrook, of Bountiful, and that worthy was therefore held in $1,200 bonds, to answer to the grand jury of the Third District, in default of which he was committed to jail.

Cheap and Good.—We are informed that a very excellent magic lantern exhibition, probably the best ever shown in this city, was given at the 16th District School House last evening, both young and old enjoying the entertainment very much. The charge is only ten cents for children, and the proceeds of those exhibitions are being devoted to Sunday school purposes.

Keep the Water Out. — Persons whose employment is out of doors, or who have occasion to walk much upon wet slushy roads or streets are liable continually to have damp feet, from the moisture penetrating the leather of their boots. A very effectual remedy for this is to prepare a mixture of the following ingredients—

Neats foot oil two-thirds and turpentine one-third; in this dissolve sufficient bees wax to cause the mixture to be of the consistency of ordinary paste. Rub this into the leather, including the sole, holding the boot near the fire during the operation.

More Horse Stealing Foiled.—A short time since an officer of this county discovered that some cattle thieves had promiscuously collected a band of about forty horses, from various parts, to a point within a few miles of this city, with a view of running them off and disposing of them. The officer and assistants lay in wait several days and nights for the thieves, but they did not put in an appearance, having probably been advised of the movements of the officers of the law. The horses were brought to town and placed in the Tithing Office Yard, where they are being claimed by the owners, whose residences are scattered all over this county.

Highly Creditable.—Before us is a specimen broom, manufactured by Mr. H. B. Scoville, of Ogden, who has established a broom factory in that city. The specimen is as elegantly yet strongly made as any imported article of the kind we have ever seen, and of most excellent material. We have heard nothing but good concerning the productions of Mr. Scoville's factory, and that gentleman has, by perseverance and energy, made what we consider a complete success, in every sense, of this branch of home industry.

If others, co-operatively or otherwise, will take a similar course with other industries, taking one branch at a time, making a success of one before entering upon another, the material interests of Utah will be greatly enhanced.

Protestation.—We emphatically enter another protest against boys on their sleds being any longer allowed to dash down what is called Limekiln Hill and across South Temple Street, regardless of approaching teams. It is but a few years since that a boy was killed at the same place, by dashing against the wheels of a wagon, and every day now there are hairbreadth escapes from similar occurrences, and it is really a wonder that some of the lads engaging in this sport have not lately had their necks broken. Yesterday the writer was eye-witness to one of these boys flying so near to the front legs of a passing team that he appeared to touch them, causing the driver to fairly shout with alarm. A gentleman informs us that he was horrified yesterday by seeing one of the boys coming down the hill at railroad speed without an apparent possibility of avoiding a collision with a passing team and sleigh, but to the astonishment of the onlooker, the lad adroitly shot through between the front and hind feet of the animals and escaped untouched.

Most of those boys seem to have not the slightest sense of danger but rather appear to consider it rare fun to have narrow shaves like those above enumerated. The city authorities can effectually stop this dangerous practice, and thus perhaps prevent the destruction of