

DESERET NEWS.



ALBERT CARRINGTON.....EDITOR.

Wednesday, October 27, 1858.

WOOD and HAY wanted at the Deseret News Office.

Advertisements, to insure insertion in the current issue, must be handed in previous to Tuesday morning.

After a war of eleven years with the sterility of the soil of Utah and the indigenous enemies to civilization in the shape of crickets, grasshoppers, drouth, wolves and wild Indians, we think it pretty near time to inquire after a title to the lands.

There are three distinct rights which may be claimed by occupants to the ownership of the soil, apart from purchase: discovery, conquest, and original occupancy. We will not attempt to trace back the history of our continent to the discoveries of past centuries nor to the original disposal of titles by wild charters. It is known and admitted that America was discovered, cut up by royal knives in Europe, and dealt out by whole slices at the royal will of European monarchs. Of our Territory when we first entered it and its condition at that time it is our present business to speak. Mexico then claimed the ownership of it. Upon what principle she did so; by how much treachery and bloodshed; at the cost of how many thousand innocent and unoffending red men; by the desolation of how many cities and villages; by how much wholesale felony and barbarity, she established her title, it is not for us to say. Her title was admitted.—Our government was at war with Mexico. It was a most retributive war. It was a war of franchise against despotism; of free republican principles against the most corrupt abuses; of religious liberty against monastic tyranny. We were ourselves at that time victims to a bitter and unrelenting persecution. We were scattered over the prairies of Iowa, and seeking a distant retreat from the fury of our persecutors. But we made the public cause our own and passing by our private grievances adopted the public quarrel. We furnished a battalion of invasion and made a successful entry into the territories of the enemy. We tore the fetters from California and hid them in the waves of the Pacific—discovered her gold and laid the foundation of her present greatness.

While yet the war continued and Mexico claimed her original territory, our pioneers entered Utah and under the flag of the United States commenced the subjugation of her desert land. We threw up the highway of American enterprise over the plains of Nebraska and the claims of Mexico to Utah were blotted out forever. In the midst of famine, exposure, and poverty at home, and slander and insult heaped upon us from abroad, we have wrested the comforts and luxuries of life from the hunting grounds of the savage and made Utah one of the first territories in the nation. Nay we had subdued the very wildness of the savage who is already beginning to learn the value of industrial pursuits. These are historical facts; but how few realize that their own nation should be the first of their historical studies. How few of the happy and justly proud citizens of New England, who luxuriate in their commercial greatness and can safely laugh at the combined threats of Europe, ever remember the toil and sweat and tears and blood which were paid as the purchase-money of their wealth and safety?—How few in all the land remember that flight from religious persecution brought them freedom of conscience: that the sword of the tyrant drove them to the quarry whence they obtained materials to found a free nation?

But what has all this to do with Utah?—Why, not much: it only seems that Utah is likely to have a liberal share in the national forgetfulness; that no respect is to be had to the struggles of our pioneers; to the original sterility of the soil and the sweat it cost in large and bloody drops to make it fruitful. Is it so indeed? And the contests with the cricket, grasshopper, famine and cold and the wily Indian in his mountain fastnesses; are all, all to be forgotten and the soil disposed of as though we had not been, or ceased to exist?

If this be the case in regard to our neighbors it is all right. If the same neglect has been manifested towards other territories as to Utah, we are content. If it is not a fact that the right of pre-emption has been extended over Nebraska, and quarter sections of land given by acts of Congress to actual settlers in New Mexico and Oregon we will not grumble but wait the liberal hour of the National legislature and dip with our sister territories in the general land dish.

We want no more, we will be content with, no less, than other territories. We do think most sincerely and patriotically that territories with their present institutions are mere satires, bitter, degrading, homespun satires, on a republican government. Yet we are satisfied to share with our neighbors in the mischiefs of the abuse. We are prepared to wait patiently the progress of enlightened policy to banish the base relic of European vassalage forever from the nation. Would to God for the honor of our national history that the unholy record of such an institution could be entirely obliterated; ay, we had almost said that the last relic of despotism was swept from our whole continent. But we will not say it, for that would be advocating annexation, and we do not wish to meddle with other people's business. To be sure, our duty, religiously, morally, politically, teaches us to love our neighbors as ourselves, and when Texas, wounded and bleeding, applied for the protection of the American flag we could not conscientiously refuse. We have never regretted the annexation. We would rather extend than limit the national protection.

But back to our subject. It is a fact which, if not a law on the statute book, has grown into a law of custom, that the primal and continued occupation of all public lands within the jurisdiction of our government entitles the occupants to the patronage of Congress in the passage of acts of pre-emption or grants of land. Since then this is the fact and has been the fact from the very foundation of our government, we claim the extension of the practice to Utah. We have earned it faithfully and patriotically. We have earned it by our services against the nation from whose hands the land was wrested. We have earned it by the abandonment of happy homes in other lands. We have earned it by the blood of our brothers and sires and sons in its defense against the aboriginal savage. The extent and advancement of settlements and improvements testify whether we have not earned it by our industry. The graves of our kindred that form sorrowful guide-boards on the path which led us here, testify whether we have not earned it by exposure and fatigue.

Besides there is no just reason why the pre-emption privilege should be withheld from Utah. Her citizens are a portion of the Commonwealth. Among them are a liberal number whose shares in the national danger extend back to the first wars subsequent to the revolution, and who inherit in a direct line a good share of the glory in the great struggle itself. Why should they now be refused a fair share in the national benefits and patronage?

We do not deny that the proprietary right and title to the soil is in the United States as a whole. But if we are, as we have always held and still maintain, a part of the nation, we also hold that of a fair proportion of that soil, are we also in common with all citizens of the United States the rightful proprietors. We have been to a great extent the discoverers and conquerors; and are certainly the legal occupants of Utah. Why then withhold from us the confirmation of our title by Congressional grant or pre-emption right?

It may be held as a reason against us that we merited suspicion because of peculiar religious tenets. Though we never claimed to be beyond the reach of the slandering twaddle of vagabond correspondents, we do claim that we have no religious sentiments, nor ever had, that would justify treachery to our country or treason against her constitutional government.

Moreover it is officially denied by the highest authority in the nation that any interference with the religious sentiments or creeds of her citizens can be constitutional or legal. So far so good. We make no reference to the manner in which the principle has been carried out heretofore. The redress of past wrongs we leave to God. To the nation and their Congress we appeal for our present rights. It is not enough to say "the Constitution and laws take no notice of your creed."—It is not enough to disavow or discountenance religious intolerance, while you say to the

Episcopalian, the Presbyterian, the Catholic and the Mormon: "Your government by bishops or presbyters, your revered Madonna, imposing forms and inspired ceremonies are all equally constitutional. We will make no distinction of creed or party. We will pass no law to trammel conscience. We will not countenance the interruption of your religious ceremonies. We will not ransack your monasteries, nor tear down your sacred temples. We will not plant our batteries nor manoeuvre our menacing squadrons between you and your chosen God. These things we will not do.—But we have the power and shall make the right to dispense our favors where the professions of Christianity measure to our standard. The Catholic may build his cathedral, but, if we are not also Catholic, we will withhold from him his abbey-lands. The Episcopalian may erect his church and surround its sacred walls with the graves of his people; but, if we are not also Episcopalian, we will give the soil to strangers who may exhume the relics of his dead and give their bones to the dogs. The Mormon may build his temple, but if we are not also Mormon, the ground shall be reserved for the desecration of the adventurer, and his homestead wrested from his grasp.—Nay further; you have a right to worship as your conscience prompts you. We can in no case interfere. Your civil rights, your political rights, your religious rights, are your own inalienably. But if we disagree with you on the subject of religion; however superior your abilities; however sound your judgment; however reliable your patriotism; you shall not only own no soil in our nation, but the stranger shall be brought from afar to fill in your midst every office of trust and profit under our patronage. He shall not only reap the fruits of your long and wearisome labors, and batten on the treasure that rightly belongs to you; but he may silently nod his head at your lying accusers. He may himself accuse you of immorality, disloyalty and barbarism: he may smoke his cigar and sip his claret with complacency, while A, B, C and hosts of other false stabbers in the dark, poison your reputation and unjustly arouse the public opinion, through their lies, against you. He may consider it his duty, in fact, to defend your assailers if he please, and take every side but that of the people whose protector he should be."

If we have not stated facts; if there is no invidious distinction of creed or party; let future facts and measures develop the impartiality. Oregon was not asked what was her religion or if her people had any religion at all. Nebraska was not interrogated as to her Atheism or Christianity. The question was not asked if the religious rights of the Aztecs were abolished in New Mexico and if Catholicism prevailed. These territories unquestioned on the subject, received for their citizens pre-emptions or grants of land. Unquestioned also let Utah have her share. If it would be too much liberality to make us a decent present of the soil we have so fully earned, at least extinguish the Indian title and give us the pre-emptive right to buy it. We are poor but we can pay for it. And if the example of our worthy Governor is followed by his associates in the federal offices of Utah, we will give them a civil hand and welcome their stay long in our midst. It is their business to vindicate the rights and peace of the Territory and not carelessly (to speak the most mildly) endorse the slanders of bad men. They were or should have been sent here to conciliate, not provoke; to unite, not divide; to cement us to our country, not estrange us from it; to defend, not assail the citizens. We ask no cringing nor flattery. We have received none from Governor Cumming; but we respect and have confidence in him because he does his duty like a man and an American!

It would, of course, be considered presumptuous on our part, to dictate the true policy of Government to Utah. We would simply suggest, however, that kind treatment will endear the citizen to his government as the child to the parent. Even the prodigal forgets his depravity and want, in the hospitality of his father's house, and remembers his misery no more under his father's smile. A closed door and scowling parent would have driven him among strangers a wanderer for life. Let the government deal liberally and kindly with Utah; and if in the dark day of storms and clouds we were willing to strike with our might for the honor of our nation; how much more cheerily and strong will we do battle for the extension of her glory and power, when we are nurtured in her sunshine and share in her favor!

GREAT DISCOVERY! BABYLON DUG UP!!

It is some time since we had an opportunity of giving our readers a treat in Antiquarian discoveries. How we may wander over hill and valley, and roam the wild deserts of our western retreat, little dreaming in our careless wanderings that we are among the ponderous dwellings of the mighty, and that what we had considered but barren benches, worthless and wild, were the paved streets of extensive cities, echoing loudly the busy talk of merchant princes; groaning with the weight of sutlers' drays; and scattering the rays of mighty intellect over the dark shades of mountain ignorance!

You did not know, kind readers, that, dug from the dark sepulchres of past ages, a new City has been brought to life and light. Beautiful and prominent, commanding and magnificent, it stands on what you have often crossed, carelessly, supposing it was the barren Provo bench. High up, (some five hundred feet or so) above that wild stream it rears its proud cupolas and princely palaces. But the wild stream has abandoned its old channel forever. In a hundred marble bound canals it courses its way through the great city, giving life and verdure to the trees of tropical climes, and bearing on its divided waters the merry gondolas of the romantic founders of the city! On the dry barren bed, where once flowed the noisy Provo, the city you dwelt in but as yesterday moulders into forgetfulness. And all, all you thought was real and substantial has fled and vanished!

By the way, the cup is just dashed from our hand by our 'Local' who has dropped in and informs us the whole thing was but the passing vision, the "Centre City" in the air, seen by a few of the 'elite' who made their grand exit yesterday to locate the rival of Great Salt Lake City at the mouth of Provo kanyon. Beg pardon, good readers, beg pardon.

SENATOR BRODERICK left this city on the 23d inst., en route for Washington.

ARRIVAL.—Elders A. J. Stewart, of Provo, and George W. Clark, of Pleasant Grove, arrived from their Australia mission, Sept. 25.

We regret much to be compelled to notice the frequent recurrence of rows and rowdiness in the streets of our once quiet city. While we are willing to make liberal allowance for errors, because of the novelty of such things; we certainly can see no apology for our city authorities having so soon forgotten the lesson of our late murdered policeman. We hold our Mayor and City Marshal responsible for the peace of the city and safety of the citizens. They can have all the police force they want, and if it is not made efficient we shall hold them at fault. Let them, if necessary to establish good order, call out a 'posse comitatus' of all the citizens and, at least, consider it their own duty to give the matter for the present their full personal attention. We shall expect the full rigor of the law to be dealt out to the robbers. Two of them, we understand, are citizens of old standing, and for them, at least, there cannot be the slightest excuse. Is it necessary to the reputation of the city that a groggery like the 'New World' should be sustained, with a rowdy fiddler calling brawlers around him? See to it Messrs. City Authorities, set your City Prosecutor to work, magnify your laws, and, if the peace of the city demands it, disembowel the sinks of iniquity!

ERRATA.—In the article "COTTON AND ITS CULTURE IN UTAH," fifth paragraph, "1200 pounds" should read "12,000 pounds"; in the seventh paragraph, "1,236,000lbs." should read "156,000lbs."

BRUTAL ASSAULT AND ROBBERY.—On Saturday night last, Sep. 23d, about 12 o'clock, an assault and robbery were committed upon a stranger, named Charles McCarty, in the public street, under the cloudless light of the high midnight moon. It appears that McCarty was drinking with a number of men in a low fiddling grog shop cognomened "The New World." After paying his treat he left the house and was followed by one man who urged him to stay, but suspecting danger he said he would go to his lodging, as he dreaded another of the number's coming after him. Another did come out, when McCarty walked across the street followed by about six men. On discovering that they followed, he put confidence in his heels and ran, but whether his head was too light by the potations he had imbibed, his pursuers, running and firing pistols at him, overtook him, hit him a blow on the head, caught him by the throat, and felled him. One of the miscreants then rifled his pocket ex-