THE EVENING NEW PUBLISHAD DAILY, SUBDAYS BIGETED, AS FOUR O'GLOOK. GEORGE Q. CANNON. BRIGHAM YOUNG. EPITORS AND PUBLISHERS

A MOVEMENT TOWARDS PALESTINE

Friday, . . January 10, 1979.

FROM a German paper published in New York, we learn that a society has been organized at Frankfort- plea of religious belief, and to the on-the-Main, the object of which is | constitutional power of Congress to the colonization and settlement of prohibit polygamy in the territo-

This is one of the signs of the This is one of the signs of the concerned. The question to be de-times, and is evidence of a desire termined is whether the law now on the part of the sons of Judah to under consideration] comes within redeem the land of their forefathers, in fulfilment of the predic-tions of their ancient seers. This therefore, to ascertain its meaning, feeling is far more intense and ex- and nowhere more appropriately tended than some Hebrew teachers | we think, than to the history of the



WE have just received by telegraph that portion of the ruling of the Supreme Court of the United States in the Reynolds' case which relates to the main point at issue, namely, the constitutionality of the anti-polygamy Act of '62, conreligious liberty and of oriminal incomplete.

The arguments of the Chief Jus-tice are the same, old, oft-refuted pleas of the opponents of our faith. Five of the States, while adopting The arguments of the Chief Jus-The attempt to harmonize legisla-tion against an integral part of a religious system, with the consti-in constitution, proposed amend-ments. Three, New Hampshire, New York, and Virginia included, in one form or another. in the detutional proviso forbidding such claration of religious freedom legislation, and to draw a line be- changes they desired to have made, tween faith and practice, limiting as did also North Carolina, where the convention at first declined to religious liberty to the former and excluding it from the latter, is painfully weak and borders on ab-surdity. To say that the Consti-tution merely guarantees freedom of opinion and not liberty of action in religious matters, is to contradict its language and to make its effects a nullity. Congress could not, if a nullity. Congress could not, if it would, prevent or abridge reli-gious opinion. A man can be-lieve what seems right to him under the most despotic a nullity. Congress could not, if government that ever cursed hu- account to none other for his faith manity. The only liberty that any or his worship, that the legislative legislature or ruler could impair or destroy is liberty of action. And if the words "free exercise" in the if the words "free exercise" in the Constitution do not mean the car-rying into effect of religious beliefs, they have no signification at all. Of course there must be some bounds to the liberty which is con-templated in "the supreme law of the land." It cannot be extended to the commission of things mala in se. No one must be permitted to com-milt acts which are essentially crim-ineal in themselves under the plan inal in themselves, under the plea in opposition to his social duties." of religious promptings. Where Coming as this does from an acshall the line of demarcation be knowledged leader of the advocates drawa? How far does the consti-intional protection to the "free ex-ercise" of religion extend? The Chief Justice says, "Congress was | Congress was deprived of all leleft free to reach actions which were in violation of social duties or which were in violation of social duties or subversive of good order." Granting duties or subversive of good order. this, can it be truly shown that the practice of plural marriage, under the Divine law of the Church of Josus Christ of Latter-day Baints, been an offence against society cogviolates any social duty or subverts nizable by the civil courts and pungood order? We say not. The facts ishable with more or less severity. support us in this assertion. Some In the face of all this evidence it is of our very best men, who are pat-terns of social virtue, and promi-nent promoters of good order, and who would be acknowledged as such in any community where mere pre-judice against plural marriage was not allowed to be the judge, are tions, a civil contract, and is the husbands of more wives than it enciety may be said to be one. No better or more exemplary built, and out of its fruits spring members of society can be found social relations and social obligaupon the surface of the globe. The quotation from Jeffersen is most unfortunate for the position of the Chief Justice. It has never been are allowed, do we find principles shown that the marriage system of our Church has ever "broken out into overt acts against peace and geod order." Therefore it is not

THE REYNOLDS' POLYGAMY CASE TEXT OF RULING ON THE MAIN QUESTION. WASHINGTON, 10. A decision was rendered in the

United States Supreme Court on Monday, and briefly reported, in the case of the polygamist George Reynolds, against the United States,brought here by appeal from the Supreme Court of the Territory of Utah. The following, with some unimportant exceptions, is the full

livered by Chief Justice Walte: the colonization and settlement of Palestine by the Jews. It is likely to become a very extensive and powerful organization and proposes criminal by the law of the land,

EASTERN.

A Bough Time at Sea.

The Potter Committee.

TELEGRAPI

this prohibition. The word "religion⁵ is not defined in the Consti-NEW YORK, 10.-The steamer Rhiwendda, which arrived to-day, Rhiwendda, which arrived to-day, from Cardiff reports heavy gales the entire passage. On the 27th of Dec, she had part or her bulwarks and stanchions carried away, the hatches and saloon skylights, stove, and everything moveable on deck, including the binnacle washed overboard. The ship was thrown on her beam ends and the cargo shifted. It was 60 hours before the ship was righted and the cargo secured. adunit, and we think they will shortly have to change their opin-ion, while the world will see that Judah is destined to dwell on the sacred soll set apart by divine de-cree for the seed of Abraham. we think, than to the history of the times in the midst of which the provision was adopted. The precise point of inquiry is, What is the religious freedom that has been guaranteed? In the preamble of the act introduced in the Virginia house of delegates, by Jefferson, in 1175, religious freedom

is defined, and after reciting "That to suffer a civil magistrate to in-trude his power into the field of opinion and to restrain the profession or propagation of principles on the supposition of their ill tenden-

cy, is a dangerous fallacy which at once destroys all religious liberty." It is declared "That it is time enough, for the rightful purposes of civil government, for its officers to interfere when the principles break nected with which are the ques-tions of the constitutional scope of and good order." In these two sentences is found the true distinction religious liberty and of criminal between what properly belongs to intent. The report seems yet to be the church and what to the state.

In little more than a year after the passage of this statute, the con-

marriages shall not be allowed. officer could not resort to violent Can a man excuse his practices to belief? To permit this would to make the doctrine of religious lief superior to the laws of thelia and in effect to permit ev c tizen to become a law unto h every o him-

Government could exist only in the chiefs "Wild Hog elements. name under such circumstances. and "Old Criminal intent is the necessary a council and "Old Crow" were invited to a council held in the adjutant's element of crime, but every man is office. While at the council Reynolds, against the United States, brought here by appeal from the Supreme Court of the Territory of Utah. The following, with some unimportant exceptions, is the full text of the opinion of this court, de-livered by Chief Justice Walte: So far as it relates to the prisontr's plea of religious belief, and to the

a second time, he is presumed to people and himself to fly. This de-have intended to break the law, and termination of "Wild Hog's" was on-the colonization and settlement of the colonization and settlement of the settlement of th the breaking of the law is a crime. fully concurred in by the other say-

a dangerous wound near the re-gion of the heart. A daughter of "Wild Hog," who witnessed the scene, began chanting a war song, which was taken up and partici-pated in by the whole imprisoned band in the next building, and UNION TELEGRAPS LINE. for the ensuing two hours the ech-ces of that prison room produced a babel of sounds better imagined than described. The remaining

savages hearing of the transmiss the transmission of the transmission of the transmission of the termined they would not be trap-ped by a similar ruse. Acting up-on this determination, they stubbornily refused to emerge from the prison room, and proceeded to baricade the windows, and by tearing up the flooring, succeeded in in-trenching themselves therein, and from the joists of the floor they managed to improvise war clubs. The stoves in the prison room were also broken into fragments, evi-dently with the intention of utiliz-ing them as missiles in event of the WASHINGTON, 10.-The Potter committee, on motion of McMshop, orders an investigation of the resorting to violent mea-

"Cipher telegrams," and requires the House to grant an additional At 3 p. m., yesterday afternoon, upon the irons being removed from the chief "Wild Hog," he consent-ed to use his influence towards getappropriation for expenses. Delegate Connon on the U. 5, 5n-preme Court Decision.

ed to use his influence towards get-ting his people to peaceably acqui-esce in the wishes of the military regarding the removal. "Wild Hog's" son, a wild young warrior of 20 summers, emphatically in-formed his father that he would die Delegate Cannon, to-day, referring to the recent Supreme Court decision, admitted the right of Congress to legislate against poly-gamy, but his people had more to fear from persecution than from prosecution under the set of 1862. He feared the enemies of the Morbefore returning to the place which starvation has indelibly branded on his memory. This state of affairs remained unchanged at midnight. neitable The Beason Why, blig we

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1879



mon people would institute a con-tinuous prosecution for unlawful cohabitation against the parties who would otherwise esin one form or another, in the decape under the ples of Statute of limitations. Mormons would be cravens and poltroons if they yielded their religious princiratify the constitution until the ples to the didtate of the Supreme Court.

secured.

Escape of the theycane Indians from Fort Robinson-Forty Kill-ed-United States Troops in Puranft.

FORT ROBINSON, Neb., 10.-The hostile Cheyenne Indians, impri-soned here since last October, hav-ing; been informed by the commanding officer, a few days ago, that they were to be taken back to their agency in Indian territory, letermined to die rather than consent to such a movement. They have become very stubbern for the past few days, and fearing an attempt to escape, the post comman-der has placed a strong guard over their prison room. Last night, about 11 o'clock, while every one was in bed except the ever watch-ful guard, the savages jumped through the windows of the prison room and made forCold prairie, new thickly coated with frezen snow, firing on the gnard from revolvers they had concealed since their cap-ture, dangerously wounding four of the guard, of whom one has died and another is not expected to survive to day. The main guard rush-ed out of the guard house upon hearing the firing, and upon ascerstore man to all his natural rights taining the hing, and open ascer-taining the cause and seeing the fleeing hostiles running for the bluffs, immediately followed, and opening fire, anot and killed over 40 savages. Over 160 of the cavalry, mounted and dismounted, are still

in pursuit of the fleeing savages. The sharp bang of the carbine in the hands of our men can be heard from the bills three miles distant, where the savages have evidently made for. It is thought not one o them will escape.

Fatal Railroad Ascident. LITTLE ROCK, Ark., 10.-A pas-Railroad, ditched near Kenset last night. Crawford, the baggage master, was killed, and expressman Brown is supposed to be mortally injured. Heavy Snow Storm. CINCINNATI, 10 .- A heavy snow CINCINNATI, 10.—A heavy snow storm visited Southern Ohio, yes-terday, extending as far south as Kentucky and Rickmond, delaying trains on all the roads in that re-gion, and in some instances stop-ping them entirely. At Maysville the snow is sixteen inches deep, drifting to the depth of five feet. Te heaviest storm for twenty years. Farmers are apprehensive of loss of stock.

the River

The only advices received by General Sheridan from Fort Bobio son are dated previously to the outbreak of last night, and indicate that the military have been waiting to execute the orders of the In-

dian bureau that the fugilive In-dians there be taken back to In-dian Territory, but could not until proper clothing was provided for the savages, they being at present almost naked and suffering intensely even in their sheltered quarters.

ly even in their sheltered quarters. Clothing has been promised but was not expected for two weeks. Advices from Fort Sill states that the Indians there had been greatly discontented for two weeks, and this contented for two weeks, and that recently 2,000 of them started southward, and were soon heard from as depredating on the ranch-men. Their excuse was that they had been starved at the agency, and proposed to kill such cattle as they needed for their sustenance. The military were sont after them The military were sent after them and they were overtaken on the boundary between the Indian Territory and Texas. General Sheridan has telegraphed permission to issue beef to them until further instructions. These Indians are mainly the dangerous Comanches, Apaches

Friday & Saturday, Jan. 10, 11 The justly celebrated and great original MME. RENTZ' MINSTRELS! And the superb and peerless MABEL SANTLEY'S BURLESOUE COMPANY

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CRAND MATINES Saturday, at 2.80 P. M.

PRICES — Matinee, 50 cents to all parts of the house; Evening, Parquette, \$1.00; Gal-lery, 75 cents.

W.H.HULBERT Detailed Account of the Cheyenne Indian Escape. PERSONS wishing carpets wove, will well to call on W. M. MULMER

CHICAGO, 10 -- An extra edillo order at o of the Times, this morning, has the following special from Fert Robinfollowing special from Fert Robin son, Neb., which give an interest

Among our Show will be found One choice, pure bred Durham Cow, a superior animal The faitest beef, without exception, ever slaughtered in Utah. Fed by Hon. Wm. Jennings, whose reputation as a feeder is so well known as to need no comment from us. wear, Baby Cloaks, and Baby Blankets, Curtain Loces, Em-broideries, Trimmings, Quilte, Blankets, Buggy Robes, Trunks, Our Mutton is Superior, C metanizate its taktow Selected from the herd of Mr. John Ford, Centerville,

