

EDITORIALS.

THE DESERT LAND ACT.

ACCORDING to reports from California, the new Desert Land law has been used already for the purpose of making some enormous land grabs in that State, and it is suggested that the passage of the bill was a job, which may have been the case, as many laws are pushed through Congress on the strength of the jobbery they may be made to cover.

The necessity for the passage of the new law is not very apparent. The ruling principle of the sale of government lands, excepting the railway grants, which are now regretted by many citizens, has been to provide citizens, who are not capitalists, with homes and farms. On this principle the pre-emption and homestead acts were distinctly founded, and in this view the amount of land that could be pre-empted or homesteaded by any one citizen was prudently limited to a maximum of a quarter section of 160 acres, or half a mile square. The Desert Land bill provides that lands requiring irrigation to produce a crop may be bought of the government in parcels of one section of 640 acres, or one mile square, any person entering such land being required to conduct water upon his claim for irrigation and reclamation within three years, and he must have the right to the water previously to the entering of the land. Before securing the title to the land, he must satisfy the register and receiver of the reclamation of the land claimed.

The bill was rather loosely put together. It is not stated what shall be considered reclamation sufficient to entitle the enterer to a title. If sufficient water must be conducted upon the land to irrigate the whole section so as to produce an agricultural crop, and the whole section must be so irrigated and cultivated within three years, then it is a serious matter, involving a large amount of expense, and few persons would have spare capital that they could employ in that way. Hence this bill could be considered as of advantage to capitalists and speculators only, and would rather tend to operate to the disadvantage of poorer citizens seeking homes and farms, as it is reported to be doing in California.

It would probably be a good thing if that late law were repealed next session of Congress, or at least modified so as to be more definite in its provisions, and made more likely to benefit the hardy pioneer farmers, seeking homes, than capitalists and speculators. Meantime the General Land Office at Washington might perhaps do something towards checking the operations of the land speculators, by publishing the construction which the Land Office would put upon the law, so that the public might be better informed as to what would be held as the precise authoritative meaning of the new law.

A quarter section of land that needs irrigation seems to be a tract large enough of government land to be sold to one person for a farm and homestead. If instead of enlarging the extent of government land purchasable by a citizen on reclamation, the terms of obtaining a title had been made easier where such land was desert land needing irrigation, the bill would have been a more sensible one and would have been far more conducive to the public good than the present one. Either the ultimate purchasing price might have been lowered on evidence of reclamation of the whole 160 acres, or title might have been conveyed to the claimant for the whole quarter section, on his actually conveying upon the quarter section, within a certain time, water to irrigate, and on his using it upon and cultivating, a portion of the quarter section, say ten, twenty, or forty acres of it, according to circumstances. This would have been an encouragement to many people to pre-empt, homestead, and reclaim desert lands, who cannot take advantage of the present law allowing 640 acres to be entered in one body and purchased by one person on his conducting water on it and reclaiming it. Besides, on vast quantities of desert lands there is not water available at any expense, so far as

is known, to irrigate and reclaim more than a small portion thereof. The late law, therefore, if not repealed, might be modified considerably to the advantage of a great number of pioneering citizens in the various States and Territories to which the law applies.

IF THE MORMON PEOPLE HAD TAKEN OUR ADVICE.

THE Omaha Herald of May 1st says—

"The Mormon people are blind people to insist upon polygamous practices in this country. If they had taken Omaha Herald advice years ago, and put the obnoxious, un-American, un-Christian institution in abeyance, Utah had been a State now, and the people thereof would have been at peace with all the world."

We do not think the "Mormon" people are so blind as some other people think they are. On the contrary, we think the "Mormons" see clearly many things to which the mass of mankind are oblivious.

The "Mormon" people simply insist upon polygamous marriage for themselves, leaving all other people to enjoy the same liberty to insist upon their own particular kinds of marriage, or non-marriage, if they choose, for themselves. The "Mormons" thus take no liberty that they are not perfectly willing all other citizens should enjoy, which is fair, and in the line of civil and religious equality.

The Omaha Herald's advice is good enough for those people who approve of it. But if it does not commend itself to the consciences of the "Mormon" people, they will not be justified in taking it. And of such are the facts in the case.

We do not see why polygamous marriage should be considered obnoxious to honorable people. Nobody is compelled to take more than one wife. Nobody is compelled to take even one. It is a matter of individual choice, of conscience, of religious scruples, and the religious scruples of a polygamist should be held as sacred as those of a monogamist or a celibate. Why not? Some of the best men that ever lived have been in their time celibates, monogamists, and polygamists, have lived in all three conditions, and all with the express favor of heaven. Then why obnoxious to man?

If polygamous marriage is un-American, what does that matter? America does not yet monopolize every good thing in the world, and will not at present. There are many good things which are not American, but ought to be, and will be before Americans become perfect models for the imitation and emulation of the rest of mankind. But "Mormon" polygamy is American, essentially American. It originated in America, and perhaps could not have originated in Europe, nor is it practised there.

Polygamy certainly is not un-Christian. It came to the "Mormons" as an integral portion of the Gospel of Christ. There is no record that Jesus Christ ever said one word in condemnation of it. He was of polygamous lineage. He was born in a polygamous nation, whose polygamy was established by divine revelation through their ancient prophets and the founders of their nation and tribes. Their very tribe names were those of a polygamous family. Their great prototypical father was a polygamist. The idea that polygamy is un-Christian is an egregious mistake. On the contrary, it is a pre-eminently Christian and Scriptural kind of marriage.

It is not quite so certain that Utah would have been a State ere this, had polygamy been put in abeyance by the "Mormons." Many of their worst enemies have expressly declared that polygamy is one of the least objections urged against the "Mormon" people, and is really set up and dwelt upon more as a bug-bear to prejudice, excite, and frighten people.

Polygamy is no real objection to Utah being a State. No one has the right to make or consider it as an objection. If Utah presents an approved republican form of government, with sufficient population desiring to have a State government and competent to support the same,

that is all the constitution and legal precedent require.

"Mormon" polygamy is a part of the religion of the "Mormon" people, with which Congress has nothing to do, and therefore that body cannot consistently make that form of marriage a bar to admission into the Union.

If the "Mormons" were to abolish polygamy, the probability is that they would be less respected than they now are. Who would consider a people entitled to respect if they gave up one of the principles of their religion, and violated the convictions of their own consciences, for the earthly honor of having a State government? What is there in a State form of government worthy to be put in the scale against a conscience void of offence towards God and man? Utah will have a State government perhaps as soon as her people are thoroughly ready for it. She will probably enter the Union as a State as soon as the Union is thoroughly fit for her to enter it. What need then for any undue hurry in the matter? Especially what need for such hurry as will necessitate the abandonment of fundamental religious principles in order to secure a State government? We see none at all.

The people of Utah are at peace with all the world. Peace on earth, good will to man, is their special mission. If all the world is not at peace with them, then let all the world see to it, and seek the ways of peace more diligently, pursue them more assiduously, and learn to practise them more perfectly. The "Mormons" will not quarrel with the world, if the world does not quarrel with them.

In conclusion we may thank our Omaha contemporary for its advice, well meant and kindly given, though we be constrained to decline taking it. Advice is always admissible and often acceptable, yet it is not always incumbent on the receiver to adopt it, and never so when his conscience tells him to do otherwise.

THE "CHRISTIAN ADVOCATE'S" "PARITY OF REASONING."

THE R. M. Christian Advocate has the following—

"The Church Organ of this city, in its issue of April 26th, replying to the New York Herald on 'The Mormon Question,' says—'The polygamy of the Mormons is an integral part of their religion, a portion of their religious worship, which Congress says shall be left entirely free; there shall be no prohibition of the free exercise thereof. And if the practice of polygamy is a part of his religion, then he is constitutionally entitled to the free exercise of that part of his religion as much as any other part.' By parity of reasoning, Blood Atonement, the murder of Gentiles, and other like rites of this church, must not be interfered with by Congress or the courts."

There is neither parity of reasoning, logic, common sense, nor common honesty in the above quoted comment of the Advocate, "Christian" though it professes to be.

The Constitution guarantees freedom of religious exercise, not freedom of religious faith alone, and it also guarantees that no person shall be deprived of life, liberty, or property without due process of law.

Marriage is considered by the "Mormons," in common with many other religionists, as a strictly religious exercise, act, ceremony, or ordinance, and therefore as coming under those things which Congress is constitutionally forbidden to prohibit freedom in. For this very sufficient reason, then, it is rightly contended that Congress has no authority to enact laws prohibiting the free exercise of marriage in Utah, whether it be monogamous or polygamous.

But in their blind zeal, shallow-minded persons, like the editor of the Christian Advocate, straightway jump to the silly conclusion that any act which may be called a religious exercise, or a religious rite or ceremony, may, "by parity of reasoning," be claimed to be beyond the constitutional prohibitory purview of Congress. These hasty persons forget that Congress is expressly permitted by the constitution to make laws prohibiting and

punishing acts which deprive other people of life, liberty, or property without due process of law, whether such deprivation be termed a religious act or not; yea, that the Constitution itself expressly prohibits those things.

If a man commits murder, and calls it a religious act, he deprives his victim of life without due process of law, which the Constitution expressly forbids.

If a man deprives another man of liberty without due process of law, and calls that a religious act, the former does that which the Constitution expressly forbids.

If a man robs another man of money or property, and calls it a religious act, the former does that which the Constitution expressly forbids him to do.

But if a man marries a woman, and does it as a religious act, he thereby deprives no one of life, liberty, or property, and the Constitution prohibits Congress from making any law prohibiting his freedom in that religious act.

If that man marries another wife, as a religious act, he thereby deprives no person of life, liberty, or property, either lawfully or unlawfully, and the Constitution expressly prohibits Congress from passing any law prohibiting his freedom in such religious exercise.

Though Congress is thus forbidden to make any law prohibiting marriage as a religious exercise, whether monogamous or polygamous, Congress is perfectly competent to pass a law sustaining marriage, whether monogamous or polygamous, and the issue thereof, unless the provision prohibiting Congress from making any law respecting an establishment of religion should be held to be prohibitory in this present connection. Yet, if that provision should not be so held, a supportive Act of Congress could be of little if any positive value, for that which the Constitution expressly allows hardly needs further supporting by an Act of Congress, the constitutional provision, where properly respected, being an all-sufficient guarantee of the liberty of the citizen.

It is to be hoped the subject is a little plainer now to the editor of the Christian Advocate.

A BUDDHIST MISSIONARY.

THE New York Herald of April 30 notices the arrival in that city of Woo Ching Foo, a Chinese of rank and education, as a sort of Buddhist missionary, though not a Buddhist priest. He claims that the Chinese are not heathen in any sense of the word; that their religion is the same in all essential points as that of the Christians; that the principles Christ taught are most excellent and should be followed; that the Chinese people feel very grateful to the Americans for sending them missionaries, and wish to send some here in return, so that the American people can learn the true principles of Buddhism; that God prepares religions to suit different nations; that man can be saved by sincerity of works; that the Almighty does not intend to take care of a few persons, and leave countless millions to perish; that the missionaries in China do great injustice to that nation in the reports they send home; that they come in contact with the lower classes and judge the whole people by them; that few of the missionaries understand Buddhism; that Buddhism is the only religion of the Chinese nation; that the Buddhist religion had all the Ten Commandments of Moses long before Moses existed; that the golden rule of Jesus was taught by the moral philosopher Confucius 550 years before Jesus was born. Wong Ching Foo, in reply to a question concerning Chinese morals, said, "I challenge any man to say that he ever heard a Chinese man, woman, or child take the name of Almighty God in vain, unless it was in the English language after he had become demoralized."

Wong Ching Foo mastered the English language at school in Washington, D. C., in 1868, and is now lecturing in New York.

—The Sacramento Record-Union of May 1 says that ex-Senator W. G. Brownlow ("Parson Brownlow") died, April 30, suddenly at Knoxville, Tennessee, his old home, at the age of seventy-two.

EDITORIAL NOTES.

—It is stated that the patent on the "feed motion" in sewing machines expires forever on the 8th of this May.

—From her experience in Florida, Mrs. H. B. Stowe is convinced that the worst of Indians may be civilized, and that they readily learn commercial ways.

—The Helena Independent says, "As Cannon received 21,514 votes and Baskin but 3,842, it would seem that the present quarrel is purely factious."

—A States paper says a few ladies of fashion, and of sense, are having their walking suits made with a single skirt, short enough to escape the ground, and with the Breton jacket.

—The New York Herald has the following—"It is said that Turkish baths and the drinking of milk in which figs have been stewed will cure cancer. The mash of figs has been applied as a poultice in some cases."

—Here is one way of manifesting outrageous rascality—"Four men rode into Trio, Texas, a few mornings ago, saturated everything in the Court-house with coll-oil, fired it, and rode quietly away. The records were all destroyed."

—The London Examiner says that the right to vote has made the English masses more manly and has caused a desire for general education. In this country the right to vote seems to have made many of the people more wicked.

—The Toledo Blade says, "It sounds like hollow mockery for Moody to be warning Boston young ladies against marrying unbelievers when there are 70,000 women in Massachusetts who cannot get any husbands at all."

—The Oakland (Cal.) Transcript, speaking of a recent divorce and alimony case in this city, says that the decisions that have allowed her (plaintiff) alimony, heretofore, have been opposed to the law as it exists in every State, and they seem to have been rendered on the ground that the defendant had no legal rights anyway.

—The Washington Star says, "Poor little Mrs. Gaines is not out of the woods yet. The decision of Judge Billings is not final. An appeal will be taken to the Supreme Court of the United States, and the New Orleans Democrat thinks that, owing to the encumbered condition of the docket, it can hardly be reached before three years or more."

—At the Walnut Street Theatre, Philadelphia, five actresses of Aimee's troupe were assigned one dressing room, divided into five sections, and each lady was instructed not to encroach on the sections of her fellows. But encroachment ensued and Mmes. Briancart and Omont quarrelled and fought, the latter being knocked down, kicked, and left minus her blond wig. The courts were to settle the matter.

—Professor Swing, of Chicago, says, "An English writer, who may be pardoned his national pride, because he has good reason for being proud, has just said, 'The English have certainly won their proud eminence in Europe, and indeed all over the world, by their national integrity and truthfulness. The innate loyalty to duty, to righteousness, and to fidelity of word and deed is a national quality. Hence it was that the English race was the first to make efforts for the crushing of the slave trade, the first to recognize the rights of free enquiry and free speech, the first to emancipate from political disabilities the Nonconformist, the Catholic, the Jew.'"

—The San Francisco Chronicle of May 1 says, concerning desert land grabs, "An agent of certain large capitalists, having secured the signatures of his friends to a considerable number of applications, started on Friday last for a remote section of the State, for the purpose of filing claims covering a large area of land. But the next day (Saturday), the aid of the telegraph was called into requisition to stop the filing of the applications, the chief manipulators having become demoralized at the prospect of seeing their names in print in connection with so iniquitous a project. Public opinion has already pronounced the Desert Land law a swindle, and the next Congress will probably be constrained by an irresistible popular sentiment to repeal it."