

EDITORIALS.

RELIGIOUS LIBERTY UNDER THE AMERICAN CHARTER.

UNDER the above caption the Omaha Herald of Dec. 28 says—

"The DESERET NEWS ably argues the religious rights of the people in whose name it speaks under the American charter of religious liberty in its application to plural marriage. It says—

"In regard to the matter of marriage, who shall say whether a man's marriage is a civil or a religious ceremony, whether it is part of his religion or not? Has Congress the right? Has the Federal Government the right? Has the Supreme Court of the United States the right? No; certainly not. The man, and the man alone, has that right. If he considers his marriage a part of his religion, to him it is actually a part of his religion, and neither Congress nor courts can make it otherwise. As such part of his religion Congress cannot constitutionally prohibit the free exercise thereof to him."

"Our Salt Lake contemporary can say pretty much all that can be said on one side of the controversy; we do not pretend to be able to say a tithe of what might be said upon the other. But in the above extract we find excuse for asking that paper to apply its logic to the following example—

"There are two Winnebago Indians now serving out a life-sentence in the Nebraska penitentiary, for the murder of a farmer in this State. The crime was committed upon a man confessedly innocent of any wrong toward those Indians. They did not even know the man, and it is within our knowledge that they killed him because they religiously believed that their God and our God demanded that they should do it, and that they could never go to Heaven unless in this way they avenged the wrongs the Winnebagoes had suffered at the hands of the white man. The act of murder was preceded by long continued religious ceremonies by those Indians who committed the crime and others, and the result was their proper trial and punishment. If a white man may decide what is and what is not religion, why not a red man, and where shall we stop?"

When our Omaha contemporary reads the whole of the article from which the foregoing quotation from the NEWS was taken, it will see that the NEWS did "apply its logic" to cases similar to that of the Winnebago Indians and the Nebraska farmer, and we did answer the question, "Where shall we stop?"

The Constitution, in guaranteeing rights and liberties, makes no distinction between races and colors, and therefore a red man has as much right to decide what his religion is as a white man has what his religion is. In the latter part of the article in question, we substantially answered such objections as that made by the Herald, in a paragraph, which we here re-introduce—

"But it may be asked in consternation by some parties, is a man to be guaranteed immunity from Congressional interference in everything which he may claim is included in the free exercise of his religion? Yes he is, when such free exercise of his religion, whatever it may be, does not infringe upon the common liberties guaranteed to all citizens. This is the only constitutional limit to the free exercise of his religion. If the Chief Justice had only properly considered this limit, he would never have introduced into his charge to the jury, in connection with religious plural marriages, the utterly irrelevant cases of the Hindoo mother casting her new born babe into the Ganges, the Fiji islander leaving his aged and helpless parent in the woods to starve or be devoured, or the placing of the Hindoo widow upon the funeral pile of her deceased husband, to be consumed with his corpse. All these things are murder, or equivalent thereto. They are not the pursuit of life and liberty. They are the pursuit of death, and consequently are destructive to life and liberty. Therefore they could not be permitted in the United States, so far as the jurisdiction of Congress is concerned, even though they were to be claimed as included in the free exercise of religion, because

they would prevent persons from enjoying the free exercise of their religion. By no fair or acceptable process of reasoning could such restrictive and destructive acts be placed as parallel with and equal to 'Mormon' plural marriage, or as having any claims to be included in the free exercise of religion. The surprise is that men of intelligence otherwise should ever presume to present such limping apologies for argument."

It appears to us that this last extract is sufficiently logical, plain, and decisive upon the point of the limit of the free exercise of religion under the Constitution. It is impossible that the limit should be located between opinions and acts, because a man can entertain what opinions he pleases without any constitutional guarantee. The guarantee relates to the exercise of religion, to acts exclusively, and consequently is found wholly in the domain of acts. As this guarantee of both religious and civil liberty is extended equally to all citizens and denizens of the republic, so far as Congress is concerned, it follows incontrovertibly that the liberty of one person under this guarantee can not be allowed to interfere with the liberty of another person under this same guarantee. For this reason those Winnebago Indians transcended the limits of constitutional liberty enjoyed by the Nebraska farmer equally with themselves. He had the same constitutional guarantee to life, civil and religious liberty, and the pursuit of happiness, that they had, and no man had a right to deprive him of that right, unless he had transgressed some constitutional law, and even then his deprivation of liberty or life should have been accomplished by due process of constitutional law and by the proper officers of the law.

THE 'HOPPERS IN '76.

THE St. Louis Globe-Democrat of Dec 27, commenting upon the probability of a 'hopper visit east of the Rocky Mountains in 1876, says—

"In view of this probable visitation next year, Brigham Young, after due conference with the leading Saints, has promulgated from the Mormon pulpit, a scheme for allaying the prospective danger of inconvenience or suffering, by ordering his people to retain their grain in store, and not on any account sell or barter it. The common sense of this requirement is so manifest that the only wonder is some one did not see it before, and place the credit with Kansas or Nebraska farmers, where we might have been proud of it. But as a good idea should be acted upon, regardless of the source whence it comes, we must hail the lucky notion of Brigham and his Saints as the true solution to the grasshopper difficulty, and one which our western people must accept and put in practice, if they would be free from the danger of outright starvation, to which for some years they have been, at intervals, exposed. Though the policy is not novel among the Mormons, it is new to our people, and, in certain bounds, will prove the perfect solution to the absorbing grasshopper question."

The G. D. says that, although western people have many virtues, they are deficient in the gift of foresight; that they have not pre-calculator; that the severe lessons of the past two or three years from the ravages of insect pests ought to have rendered them thoughtful and provident for the future, but that such does not appear to be the case; that thinking men are anxiously surveying the prospects of grasshopper visitation in 1876; that good authorities agree that untold millions of eggs were deposited by the grasshoppers in the ground in the course of their march in 1875; that the summer sun of 1876 will hatch such swarms of grasshoppers as the West has never before seen; that the district they will ravage will be wider than ever before, extending from a long distance west of the Black Hills to the centre of Missouri and Iowa; that the Kansas and Nebraska farmers are selling their grain and spending the money rapidly; that if this policy be continued, next Spring and Summer will find them with little money, less credit, and barely

sufficient seed for sowing; that if the 'hoppers come and prove destructive next Summer the farmers will be calling again for seed grain and provisions; that there is no need for this if precautionary steps are taken in time; and that the farmers in the threatend districts should emulate Utah in providence, and hoard up enough grain to supply their families with provisions for a year, and thus save them from possible and even probable starvation.

EDITORIAL NOTES.

—At a late meeting of the St. Louis Academy of Science, Prof. Riley presented some "Mexican jumping seeds." Each of the three apartments of the seed contained a fat, whitish worm, whose contortions occasioned the jumping peculiarity of the seed. The Professor described and exhibited a still more wonderful jumping power in a little spherical seed-like gall caused on the underside of the leaves of the post-oak.

—At Sydney, Australia, extensive works are in progress for supplying meat preserved in ice. The cost of preserving the meat and sending it to England will be about a penny a pound.

—"This is really a little mixed. Does the Herald mean that Mr. Sweesy has been appointed U. S. Marshal for Utah or Wyoming Territory?"—Deseret News.

Utah was printed for Wyoming, was it? Well, Mr. Sweesy goes to Wyoming, and we take nothing back that we said about him.—Omaha Herald.

—The New York Sun says the "unfathomable parson J. P. Newman is said to have communicated to President Grant, from time to time, more than two hundred and fifty valuable ideas," and one of the last of these is for the United States "to go into the bull business;" that is, for Congress to appropriate \$10,000 for the purpose of fetching to this country some of the winged bulls of Nineveh and Babylon, before Mr. George Smith, of the British Museum, shall have dug them all up and carried them to England.

—The New York Herald asks the startling question, "Can we preserve our liberties from a religious and military despotism?" which it claims to see marching upon us.

—Hon. Reverdy Johnson writes from London to the Baltimore Sun that, Hon. Caleb Cushing to the contrary notwithstanding, Chief Justice Cockburn presides in court with dignity and courtesy, and refers to the bad taste of Mr. Cushing in sending copies of his book attacking the English Chief Justice to the judicial associates of that gentleman. Commenting on which, a Washington paper says, "No one will deny to Mr. Cushing the legal and literary reputation which is incident to a retentive memory, an industrious ambition and a cunning facility of using the acquirements he possesses, but withal he is like the miser with his gold; he has never done any good to himself or his country with his wealth; and although having filled various high positions, he is to-day the least trusted man in public life, while in private life he has lived without awakening a single friendly feeling or inviting a single human sympathy."

—Mr. Chas. Nordhoff is a good Methodist brother, but he will not accept everything, so he "mounts the prostrate Bishop 'Gil' Haven, and pummels him savagely," for his ill-advised Boston third term venture.

—"Starved on Christmas Eve," says the New York Sun, and then it relates the story of a woman found insensible in a railroad waiting room, who on recovering sadly said that she had not eaten anything for four days, and had purchased a bottle of chloroform with which to commit suicide. If the woman was starving, how did she purchase that bottle of chloroform? Possibly in the same way that some men, who are too poor to decently clothe themselves, can still find money with which to buy tobacco, beer and whiskey. Chloroform is an article seldom given away in charity for people to commit suicide with.

—The Portland (Maine) Argus says that a little son of Daniel J. Farr, of that city, was unable to speak above a whisper, and the physicians said the vocal organs were paralyzed and he would never be able to speak aloud. Recently the boy went out to skate, and, seeing some of his playmates, hesitantly attempted to shout to them, and to his surprise he uttered a loud halloo. He at once ran home, and shouted, "Mother, I can speak! I can speak!" The mother was no less surprised and delighted than the boy was.

—The Washington Telegram of Dec. 17 says—"Bishop Cannon will be astonished to see the Chronicle classifying him as a Democrat. If there is one square-built, iron-clad Independent in the House, who knows his own mind and paddles his own canoe, it is the journalist Bishop from Utah."

—Now the Church Journal claims that the Methodist Bishop Gil Haven, the impulsive third termist, is a miscegenationist, he having preached a sermon in its favor some years since, in which he strongly advocated the inter-marriage of white people and negroes, "not only on physiological, but on high moral and Methodist grounds, and handled the discussion with a loving familiarity (physiology and all) which gave his hearers and readers the satisfaction of feeling that he had thoroughly mastered the subject."

—The Cincinnati Gazette thinks that church going has become a luxury, that most churches in large cities are very "hard up," that they are generally burdened with heavy debts, that the churches and their adjuncts are far too costly, that public worship does not require such expensive establishments, that with many people church attendance is merely a matter of policy, that the old fashioned idea of duty has nearly if not wholly disappeared, that retrenchment is now the order of the day, that this is just what many churches in all large cities must come to, that the supply of houses of worship is greater than the demand, that for some cause the masses of the people in the cities do not care to go to church at all, that the dread of expense no doubt keeps many at home, that higher motives than those generally prevalent must be brought into operation to draw people to church, or it will be better for two or more religious societies to agree to occupy the same building for religious purposes.

—The Beecher business has made sad work with hero-worship, and reminded the world once more that "no man is a hero to his valet." Redpath, the lecture agent, now repudiates that kind of worship, and does it in this style—"I was a hero worshiper of the conventional type, but now I prefer to keep my hat on. And I am getting bald headed, and do hate the charnel drafts that sweep out the sepulchres of most men's private lives when they are open to the light."

—Next year is not only the centennial year, the Presidential election year, and possibly the year for the admission of Utah into the Union, but it is also a sort of jubilee year, in that it will have fifty-three Sundays, or days of rest.

—Here are three more cures for sleeplessness—one by Dr. Abernethy, a glass of ale just before bedtime; another, holding the hands in water; and the third, a religious one, by a writer in Moore's Rural New Yorker, a heartfelt prayer.

—A grand Welsh Eisteddfod was to be held at Tamaqua on Christmas day, and the Shenandoah Herald speaks of it in the following beautiful and poetic fashion—"Cynhelir Eisteddfod gan ein dinasyddion Cymreig yn Neuadd Seitzinger, Tamaqua, ar ddydd Nadolig y 25ain cyfisol. Bydd y programme yn gynywysedig o gystadlenau mewn adrodd, areithio, a chann gan goran da o Shenandoah, Mahanoy, Summit Hill a lleoedd eraill. Bydd yr amrh. John W. Morgan a John R. Beynon ysw yn feirniad Dysgwyllyn y bydd tyrfar fawr o gymry Shenandoah yno. Wel llwyddiant iddynt, yw ein dymuniad ni."

—The Montana press is agitating the subject of emigration, hoping that the opening of navigation on the Yellowstone and possibly

the old Bozeman road from Cheyenne will afford eastern emigrants a cheaper and shorter route to that Territory, and encourage an influx of emigrants.

—A dispatch, in the New York Sun, relates briefly the story of a noble Cherokee Indian, the noblest of his race, and his name was Captain James Yann. He was nearly a full Indian, five feet six inches high, rather compactly built, of Celtic cast of features, a fiery temperament, and a daring spirit. He wrote his native tongue readily, and spoke it with great power and fluency. He was, at one time or other, a member of the National Council, Assistant Principal Chief, and member of the Executive Council. He took a lively interest and exerted a wide influence in the welfare of his people, and was one of the ablest advocates of law, order, education and harmony. He was captain of Company I, Third Indian Regiment, U. S. V., in the late war. He defeated Gen Douglas H. Cooper, on Bird Creek, stormed the bridge at the battle of Honey Springs, and stubbornly resisted an attack at Cabin Creek by the confederate General Gano. After the war his people called him "To Kah no Chah," the 'Famous Warrior.' He was not only brave, but magnanimous, and "his thousands of friends among the Cherokees mourn his loss as irreparable."

—Gen. Sherman is an outspoken man, but he does not lean to sectarian issues. A New York Sun interviewer wanted his opinion upon that point in connection with the presidential election, when the General exclaimed, "Oh, I would not for the world say a word about that. It is a thing about which people ought not to speak, or even to think. I believe in the constitution of the United States, and the ten commandments. That's enough for me." If everybody believed in that short creed, and the practice corresponded, things mundane would run much more smoothly than they do.

—If you have the fever, and want to eat while you have it, the Germantown Telegraph says the best way to do it is to freeze beef tea and suck lumps of it, as patients will take it in that form rather than any other kind of food.

—Now the city fathers of Memphis have fallen into the embezzlement trap. The ex-mayor, Loague, has been acquitted of the charge of stealing scrip, but found guilty of being privy to its embezzlement by the clerk, and not reporting it. He says he did report it to the council, but the council failed to prosecute the clerk.

—An old goose recently lived in Paris, and she recently died in the Garden of Plants in that city. Unquestioned documentary evidence, it is said, shows that this goose was 203 years old.

—Ruskin is a revolutionist, aesthetic as he may be. He proposes a shocking revolution in school teaching, and he presents his revolutionary proposition to young lady Sunday school-teachers in this way—"At present you keep the dancing to yourselves and graciously teach your scholars the catechism. Suppose you were to try for a little while learning the catechism yourselves and teaching them to dance."

—Harper's Monthly book reviewer has not the fear of the Methodist Rev. Dr. Newman before his eyes, but actually suggests that the reverend gentleman, in his recent eastern consulate-inspecting book of travels, loses no opportunity for romance, spices his narratives with exaggeration of coloring, and reaches points where credulity ceases to be a virtue, and that his readers should not accept too unquestioningly his surmises as to traditional sites of sacred places.

—A short time since, L. J. Rusk, of La Crosse, Wis.; Father Genin, Catholic missionary along the line of the Northern Pacific railroad; Charles A. Morris, La Crosse; H. Sprague, of Standing Rock, and H. Dodge, of Bismarck, wished to go east from Bismarck, but the stage would not go for a week, and they resolved to take a hand car and pump themselves along for two hundred miles, to Headquarters Hotel, Fargo. After pumping a few hours, and getting pretty well tired, they concluded