

ther proper qualifications, the elec- ve franchise. Again, when accus- d of making the Church dominate ne State, by permitting ecclesiastical influence or priestly authority to assert influence at the polls by means of the marked ballot— which had been approved, and which many still believe to be the cheapest and best means of prevent- ing illegal votes—the Legislature enacted a law providing for the registration of voters, repealing all election laws requiring numbered or otherwise marked ballots and mak- ing them strictly secret.

The district and supreme judiciary of the Territory, depending alone upon the will of the general govern- ment for the tenure of their offices, and for the amount and payment of their salaries have frequently obstructed justice by ruling in the interest of de- bauchery, prostitution and kindred crimes, and have rendered veza- tions, unprecedented and contradic- tory decisions against municipal regulations and in favor of lawless liquor vendors. They have hindered the naturalization of foreigners by requiring religious tests, and thereby have discouraged immigra- tion. By specious rulings, invading even the boundless domain of belief, they have sought to deprive citizens when accused of crime, of the right of trial by an impartial jury of their

peers. In other cases they have packed juries in order to secure convictions. These unlawful, extreme and hurtful measures having been carried to such an unbearable extent, the National Supreme Court on appeal, in many instances has reversed the decisions of the Terri- torial Courts and remanded the causes for new trial.

Other government officials have endeavored to cripple and break up our co-operative, mercantile and in- dustrial institutions, by illegal im- position of revenue taxes to the amount of many thousands of dol- lars, requiring expensive suits at law for the recovery of the large sums extorted. Some of our most honored citizens have been im- prisoned upon trivial pretenses, and without support of law or precedent other than that established by the malice of bigotry and hatred; and when their incar- ceration has been by higher powers pronounced unlawful, unjust and cruel, the sufferers have remained without redress.

Officials, bound by their oath of office to sustain the Constitution and laws of the country, have dis- regarded their sacred obligations, and persistently arrayed themselves against the people whom they have been paid to serve, losing sight of law, justice and equity, and often of humanity, they have frequently joined with scheming adventurers, whose greed for spoil has only been equalled by their malevolence, and in order to acquire influence have per- sistently misrepresented the opin- ions, aims and practices of the peo- ple. Thus have they succeeded in arousing jealousies and heartburn- ings of the fiercest kind, and have rendered alien to each other those who ought to be bound together by fraternal affection.

Government officials, in many in- stances, instead of administering the law, have overridden their con- stitutional powers, exceeded their authority, and in the most vexatious manner annoyed, harassed and trammelled the people in the exer- cise of their political, religious and civil rights. They have taunted our best citizens with the charges of disloyalty, called them traitors to our country, reproached, insulted and incarcerated them under pre- tence of crimes repulsive and foreign to their nature, and have prosecuted others under laws enacted against offences totally different from those alleged. Thus men have been pun- ished for the United States offense of polygamy, under the territorial laws against lewd and lascivious co- habitation; and the reason such laws are not now upon our statute books is because prosecutions have been conducted under their pro- visions in cases to which they were never intended to apply and to which they were entirely foreign. They have designated our citizens as the scum and offscourings of the world, morally debased and phys- ically corrupt; and yet drinking sal- oons, gambling dens, billiard halls and houses of assignation, harlots, libertines and prostitutes have been urged as a means best adapted for the "regeneration" and "Christian- izing" of Utah's people that they might better harmonize with "the civilization of the age."

It has been frequently said and widely published that the affairs of the Territory are under the control of foreign born citizens; yet the present Legislative Assembly con- tains twenty-seven American-born and but nine naturalized citizens. We are accused of being opposed to education. Statistics demonstrate the contrary, and a Territorial tax equal to that from which the entire revenue of the Territory is derived is annually assessed, collected and disbursed exclusively for payment of school teachers in district schools, open to the children of all citizens, irrespective of creed, color, or party, while in addition, a local option law permits a tax not exceeding two per cent, for general school purposes to be annually assessed in the district where the people so elect by popular vote.

The country has rung with cries of "Mormon" atrocities and the Mountain Meadows Massacre is cited as an instance. The truth is that no western State or Territory has been settled with so little law- lessness and bloodshed, and so little expense to the Government, as Utah; and the shocking catastrophe alluded to, occurring in an Indian country, over three hundred miles from the capital of a Territory then without railroads or telegraphs, is no more to be charged upon the people here, or their leaders, than the bloody scenes of the frontier, in which a few renegade whites have

joined in the raids of the red men, are chargeable to the government at Washington. We repudiate, with all our souls, the foul charge, and declare that all the reliable evidence ever adduced is entirely opposed to the popular belief. We court inves- tigation on this and other vile and infamous slanders.

We respectfully urge that while this Territory is deprived of any rep- resentation in Congress, through the act of the Executive, generally recognized as usurpation and fraud, it is most unfair to us that measure- should be rushed through the Na- tional Legislature, no voice from the people against whom this special legislation is designed, being lifted in their behalf or heard in their de- fence.

We respectfully remind your Hon- orable body that there are instances in recent history which demonstrate the evil consequences of hasty ac- tion unjustified by fair inquiry. In 1857 an army was sent to Utah to support the inauguration of govern- ment officers, under the mistaken impression that the "Mormons" were in revolt, and that they would resist the new officials. It had been falsely represented by officers who had left their posts in this Territory that Utah was in rebellion, that court records had been burned, and that other overt acts against law and good order had been committed. The army was dispatched, the govern- ment appointees arrived, it was found that the reports were incor- rect, a commission was then ap- pointed, and it was clearly proven that there had been no cause what- ever for the agitation, the army or the expense of the expedition. A commission to investigate before in- stead of after the action of the gov- ernment would in that case have saved the country many millions of dollars and the administration from an act which no informed person will now declare to have been wise or politic.

In 1875 it was falsely represented to Congress that the Legislative Assembly of Utah had not made any provision, and would not provide for jurors' and witnesses fees and other expenses of courts in criminal cases. Without sufficient investigation Congress diverted the amount ap- propriated for legislative expenses of this Territory to the provision of a court house, while the Legislature would appropriate \$23,500 for such uses the money might be recovered. The Assem- bly appropriated \$22,000 for court expenses, and at its next session a deficiency appearing, \$18,000 more was appropriated to cover it, making \$40,000 instead of \$23,500, and yet the members and officers of the As- sembly have not received one dollar for their per diem and other legis- lative expenses of the session of 1876. A proper understanding of these facts would doubtless have prevented this injustice. Every statement set forth in this memorial can be substantiated by competent documentary evidence.

We further respectfully represent that there is no cause for the dis- ruption of our local govern- ment. The taxes are high, good order is maintained, no person is deprived of life, liberty or property without due process of law; the ballot is free and secret; all re- ligious and political societies are equal before the law; peace prevails, property is secure, industry abounds and the material interests of the Territory are in a flourishing con- dition. We submit therefore that it is impolitic and unstatesmanlike to disarrange the political machinery of this whole commonwealth in an effort to punish the alleged offenses of a few individuals, and that a full investigation of our internal affairs will show that a wide-spread excite- ment has been raised on a very small and fragile basis. It is evi- dent to all who understand the situation that notwithstanding the endeavors of many members of Congress to arrive at correct con- clusions concerning Utah, they are yet misinformed as to our condition, our laws and our necessities, some of the bills introduced in either house bearing unmistakable evidence of this. We therefore respectfully ask your Honorable Body to suspend ac- tion upon Utah affairs until by a committee of investigation the facts are learned, and a tangible foundation is laid for rational pro- ceedings in which no violence will be done to the institutions which cost so much to establish, or to that glorious instrument which should guard the liberties of all people in this favored land.

And as in duty bound your mem- orialists will ever pray, etc. The following resolution was of-

fered by Councilor Wells and adopt- ed:

Resolved, The House concurring, that three duplicate copies of the Resolution be ordered enrolled, and that it be presented to be signed by the members and officers of both Houses.

Councilor Caine moved the follow- ing, which was also adopted:

Resolved, The House concurring, that one thousand copies of the Memorial to Congress, adopt- ed this day, be printed in pamphlet form, and that copies thereof be forwarded to the Presi- dent of the United States, each member of his cabinet, each Senator and Representative and other gov- ernment officers and influential per- sons.

THE UTAH CONTEST CASE.

THE Elections Committee, by a two- thirds majority resolve to recom- mend to the House the rejection of both claimants:

WASHINGTON, 25.—After a session of about four hours on the Utah con- tested election case, the House com- mittee on elections, to-day, on mo- tion of Hazeltine, adopted the fol- lowing:

Resolved, That Allan G. Campbell is not entitled to a seat in this Con- gress as Delegate from the Territory of Utah;

Resolved, That George Q. Cannon is not entitled to a seat in this Con- gress as Delegate from the Territory of Utah;

Resolved, that the seat of delegate from that Territory be and is hereby declared vacant.

The detail of the vote on the last two paragraphs of the resolution was as follows: Ayes: Calkins, Hazeltine, Waite, Townsend, Ritchie, Rathbone, Miller, Jacobs, Paul, Beltzhoover, total 10. Nays: Ran- ney, Atherton, Davis, Jones, Moul- ton, total 5. The first paragraph declaring Campbell "not entitled to the seat" was unanimously adopt- ed.

Substitutes for the second para- graph were offered by Moulton and Ranney, which in effect, set forth that Cannon's private character did not once of delegate under the ex- isting statutes of law. The substi- tutes were rejected 10 to 5.

Chairman Calkins was authorized to prepare a report on behalf of the majority. Each member will be re- quested to submit his views in writing, to be printed and embodied in the district files for future refer- ence. Calkins expects to be able to submit a majority report to the House on Tuesday next. It is not definitely determined whether the majority will combine upon one re- port or the several members submit individual reports of their views upon the legal questions.

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