

### President Grant's Mississippi Proclamation.

The President has acted with inconsiderate precipitation in responding at once to the application of the Mississippi Legislature for assistance in suppressing domestic violence. It is ridiculous for him to command "said disorderly and turbulent persons to disperse and retire peaceably to their respective places of abode within five days hereof," when there is no disorderly collection of people in the State, either armed or unarmed, to whom such a command can be addressed. It is true that the law requires him to issue a proclamation containing such a command before employing troops in a State to put down resistance to its government. That provision fixes the interpretation of the law. It limits the authority of the President to cases of actual resistance by assembled bodies of insurgents. The very terms of the law preclude him from interposing unless the State government is assailed or threatened by men who may properly be commanded to "disperse" and "retire to their respective places of abode." But how can they disperse if they have not assembled, or retire to their homes if they have not left them? The law obviously never intended that the President should fulminate proclamations against fictitious or merely constructive insurrections. It requires this preliminary action in order to prevent hasty intervention and needless expense. By prescribing the substance of the proclamation it defines the conditions that must exist to justify its issuance. It is not legally permissible for the President to act under circumstances which render the prescribed proclamation absurd and ridiculous, as General Grant has done in the present instance.

A great English statesman once protested against "making the extreme medicine of the constitution its daily food." The intervention of the federal government to protect a State against domestic violence is the extreme medicine of our constitution, to be resorted to only in those rare desperate cases when all the ordinary remedies have been resorted to and failed. Every State has its own militia of which its Governor is the commander-in-chief. The State Governors are charged with the execution of the State laws, and have full authority to call forth the militia for that purpose whenever resistance becomes too powerful to be put down by a sheriff's posse. The federal government is to be applied to only as a last resource: when the military force of the State under the command of the Governor is inadequate to subdue the insurgents. Why did not Governor Ames call out the Mississippi militia? Why should the federal government be subjected to the expense of sending troops from a great distance to do the work which, under the regular operation of our political system, belongs to the local militia? Why should this great reproach and scandal be brought upon republican institutions? The great merit and chief beauty of the republican theory is that the government, being the free choice of a majority of the people, will always have the preponderant physical strength of the community on its side, and is, therefore, self-sustaining, except in very extraordinary emergencies. If an insurrection should spring up in one of the counties of New York or Massachusetts it is inconceivable that the Governor would make such a disgraceful display of imbecility as to assemble the Legislature and apply for federal assistance as the first step toward its suppression. Instead of this he would call forth a few regiments of militia, order them to the county in which the disturbances existed, and make short work of the local opposition to the laws. Why was this not done in Mississippi? Governor Ames makes a practical confession either of his own utter incompetence or of the inability of the militia of the whole State to cope with one insurgent county. It is preposterous—it is absurd to the degree of being grotesque—for a Governor, with all the militia of the State at his command, to get frightened out of his wits and paralyzed into imbecility at a movement in one town of a single county, and summon the Legislature to make a pusillanimous application to the federal government for help.

This reasoning proceeds on the hypothesis that there is an actual insurrection in the city of Vicksburg. But it is a hypothesis which

has no foundation in fact, and the trepidation and poltroonery of Governor Ames and his legislature are even more contemptibly ridiculous than if he quailed in terror before a small local insurrection. If the negroes of his own party who assembled in the rural towns of the county and marched to Vicksburg with arms in their hands for an illegal purpose had remained at their homes, there would have been no disturbance of the public peace. As soon as these negroes were "dispersed" and compelled to retire "to their respective places of abode," tranquillity was at once restored, and Vicksburg has since been as quiet and orderly as any town in the United States. When the Mississippi Legislature assembled, under Governor Ames' call, to make an application to the President, there was no insurrection anywhere within the boundaries of the State. The President is in danger of making himself a butt of public derision if, at the beck of every inefficient State Governor, he feels bound to warn insurgents to disperse when it is notorious that no insurgents are assembled, and to bid purely imaginary people to retire to their respective places of abode under penalty of being fired into by federal troops.

What does President Grant propose to do when the five days have elapsed which he allows for this fictitious dispersion? Will he fight this visionary insurrection, this figment of an over-excited political imagination, this shadow, with the same zeal with which he bids it await? If he sends federal troops to Vicksburg at a heavy public expense how will he employ them? Not in dispersing insurgents, for none are collected there; not in restoring order, for no city is more orderly; not, surely, in restoring the negro Sheriff, Crosby, for he has resigned, his resignation has been duly accepted, and he has no better title to the office than any other negro in the State. There will be nothing for federal troops to do at Vicksburg if President Grant should imprudently order them there. The pretended insurrection is a mere chimera, against which bayonets and discharges of musketry would be ridiculous.

If the President absurdly thinks he is bound to accede to every application of this kind, whether it has any foundation or not, he is sorely in need of sound legal advisers. The law does not declare imperatively that he must interfere, but only permissively that he may interfere in response to such applications. "It shall be lawful for the President" to employ troops is the language of the law, leaving him to decide on the necessity. But it positively forbids his intervention until he shall have issued a proclamation commanding the insurgents to disperse and retire peaceably to their respective places of abode, which is, in substance and effect, a prohibition to use troops or even to issue a proclamation unless there are bodies of insurgents actually assembled in hostility to the State government. We are, therefore, of the opinion, that President Grant has in this instance acted with haste and precipitation and overstepped the limits of his legal authority.—*New York Herald*, Dec. 23.

### Correspondence.

#### Burglary—Snowstorm.

FOUNTAIN GREEN, Utah,  
Dec. 31st, 1874.

#### Editor Deseret News:

In my last I gave you an account of the operations of some petty thieves in this vicinity. We had hoped that the prompt action of our justice in that case would put a stop to further proceedings of the kind, disgraceful and annoying as such cases are. But today I have to report another case somewhat similar, only upon a larger scale.

On the night of the 25th ult., the store of the Coal and Coke Company at Wales, in this county, was broken open and goods to the amount of six or seven hundred dollars was extracted during the absence of the proprietors, who were attending a Christmas dance in the town of Wales, a mile distant from the store.

On Sunday morning following, Mr. John T. Lynch, secretary of the Coal and Coke Company, arrived in this place, having trailed the wagon thus far. Mr. Lynch at once placed the matter in the

hands of Justice Lowellyn, to ferret out the guilty parties. Suspicion pointed to two "transients," who had been hanging around here for several months, and Justice L. "went for them," invited them to his office, and by a system of interrogation elicited the particulars from one of them, who finally accompanied Mr. Lynch and the Justice to a point in the cedars on Birch Creek, where a large amount of the stolen property was cached. The parties were at once placed under a strong guard and kept until Monday morning, when they had an examination before the justice and were bound over to await the action of the grand jury of the First District Court. In default of bail they were sent to Manti jail. Their names are William Phelps and Frank Gillespie; the latter has a good many relatives living in this place. Phelps has been living on Corn Creek prior to his coming here. Both are said to be old offenders, and the probabilities are that they will serve the Territory for a term of years.

I neglected to state that after robbing the store they attempted to burn the building and thus cover up the robbery.

Judge Lowellyn is deserving of great praise for his prompt and energetic action in bringing offenders to justice.

We had quite a snow storm last night, but to-day all is lovely.

SANPETE.

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BIG INVENTION. — Lloyd, the famous map man, who made all the maps for General Grant and the Union army, certificates of which he published, has just invented a way of getting a relief plate from steel so as to print Lloyd's Map of American Continent — showing from ocean to ocean — on one entire sheet of bank note paper, 40 x 50 inches large, on a lightning press, and colored, sized and varnished for the wall so as to stand washing, and mailing anywhere in the world for 25 cents, or unvarnished for 10 cents. This map shows the whole United States and Territories in a group, from surveys to 1875, with a million places on it, such as towns, cities, villages, mountains, lakes, rivers, streams, gold mines, railway stations, etc. This map should be in every house. Send 25 cents to the Lloyd Map Company, Philadelphia, and you will get a copy by return mail.

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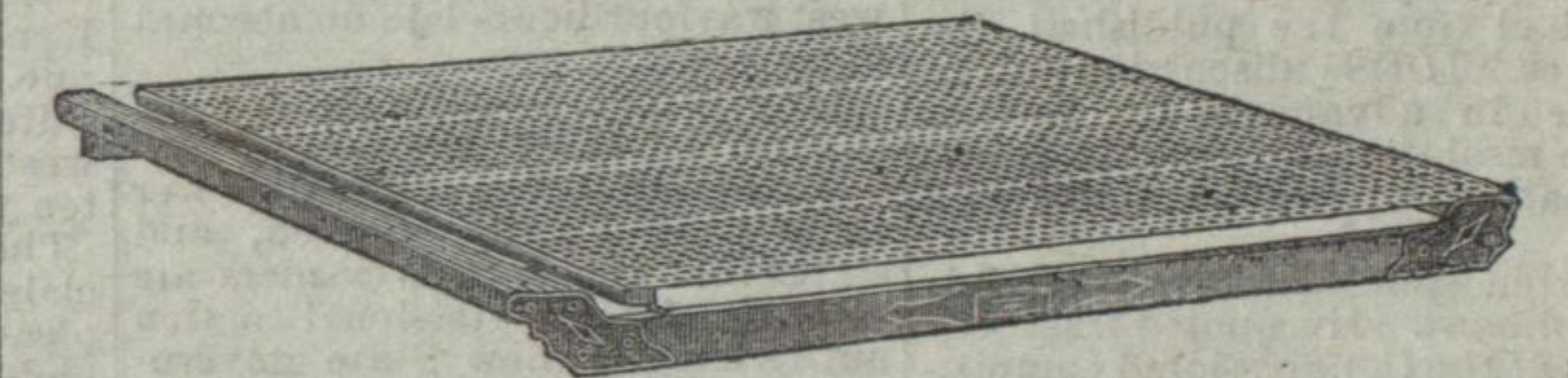
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The writer has used, very generally, the language of prominent and disinterested parties, knowing that such matter has the greater weight.