



GEORGE Q. CANNON.....EDITOR

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DOES REBELLION EXIST HERE?

NEVER was a clique reduced to such extremities for want of grounds upon which to base action against the citizens of this Territory as the infamous "ring" in this city to whom we have occasionally referred in these columns. For months now the miserable creatures numbered in the "ring" have been exerting every art and resorting to the most corrupt and illegal proceedings to achieve the success which they desired. Men in authority, even Judges, have unscrupulously lent themselves to these schemes, and have, in the most high-handed and outrageous manner, endeavored to give them the color of legality. But though juries have been selected with the view to carry out the machinations devised, and all the machinery of the courts has been brought into operation for the same end, the "ring" has found the fruit of all its labors turn, like Dead Sea apples, into ashes in its hands. The toiling and scheming, the plotting and lying, the trampling upon law and deceiving of its members, have been followed by barren results; their traps and snares have been spread in vain. They have caught no game; have had no victims, and they have almost begun to despair.

Yesterday, however, they thought they had an opportunity, the best they had seen, too good, we suppose, for them to suffer to pass unimproved. The band of the 3rd regiment of the militia of this city has lately bought some new instruments. The members wished to try them in public, they having just arrived from the East, so they invited the men of their regiment to turn out to hear them and to have a drill. The men with their officers, responded to the invitation, and met yesterday afternoon at the School House in the 20th Ward, in which Ward the most of the men of the regiment reside. They met without orders from the Colonel or other officer, and had a very pleasant time together, and were all exceedingly pleased with the music of the band, and probably also with their own evolutions. The news was heard down town that the regiment was out, and Mr. Secretary Black, and two other persons, one of whom, at least, was a deputy marshal, and we are told both were, went up to the School House. When we say that one or both of these persons were deputy marshals our readers require no further explanations as to their characters. Our citizens know the class from which deputy marshals have been selected. Immediately after the dismissal of the men a warrant was issued by Judge Hawley to the U. S. Marshal for the arrest of eight of the officers of the regiment.

We are told that a certain personage urged the Marshal to go and arrest them without a warrant. The Marshal replied that he had too much respect for his seat of honor to go without papers; if you want them arrested, added he, make out the papers.

We give the conversation as reported to us. One of these deputy marshals, who was present in the 20th Ward, was accordingly hunted up to make the affidavit upon which to base the warrant. Now, low as this man may be, he is not utterly lost to all shame. He has been here some years, and bad as his character might be, he did not wish to appear in the despicable capacity of informer. This was a depth of villainy to which he had no desire to descend. But the "ring," whose tool he is, would take no denial; its members were inexorable, and he had to make the required affidavit, and the warrant was issued.

Yesterday afternoon Messrs. C. R. Savage, Andrew Burt, W. G. Phillips, James Fennamore and Charles Livingston were arrested, and gave bonds of two thousand dollars to appear in Court at 10 o'clock this morning. This morning Geo. M. Ottinger, Archibald Livingston and John C. Graham were arrested, and all eight made their

appearance in Court at the hour named. When the five first named gentlemen were brought into Court yesterday the Prosecuting Attorney, appointed by the Court, we presume, in the absence of the Territorial Prosecuting Attorney, read Section two of an Act, passed by Congress, "to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the property of Rebels, and for other purposes," approved July 17th, 1862, which reads as follows:

"SEC. 2. And be it further enacted, That if any person shall hereafter incite, set on foot, assist, or engage in any rebellion or insurrection against the authority of the United States, or the laws thereof, or shall give aid or comfort thereto, or shall engage in, or give aid or comfort to, any such existing rebellion or insurrection, and be convicted thereof, such person shall be punished by imprisonment for a period not exceeding ten years, or by a fine not exceeding ten thousand dollars, and by the liberation of all his slaves, if any he have; or by both of said punishments, at the discretion of the Court."

He stopped at the word "dollars," and did not favor the accused with the information that all their slaves, if any they have, should be liberated. He did not read that clause, neither did he read to them and the Court the treaty of Paris, made in 1856, concerning the rights of the Great Powers in the Euxine Sea. It is surprising that he did not give them a section or two from that; they would have been as relevant as what he did read. At 10 o'clock this morning the accused answered to their names, and their counsel, Judge Z. Snow, asked for a continuance until two o'clock, which was granted by the Court. The prosecuting attorney remarked that he would require bonds for the appearance of the three gentlemen last arrested, when the court was courteously informed by counsel that no further bonds would be given, and those already given he wished cancelled. Whereupon the Court ordered them into the custody of the Marshal, and as dinner-time had arrived, that gentleman marched them up to the Salt Lake House, where they partook of what, in western parlance, is styled "a good, square meal." As we go to press the trial is proceeding.

The public will read with great surprise the section of the law which was read in Court by the prosecutor, upon which this whole proceeding is based. Would it be supposed that any man, other than an idiot, would read such a law in Court and expect any Judge to pay attention to it? The mere perusal of this section is sufficient to show the desperate shifts to which these base and reckless men are reduced in order to create excitement and to provoke difficulty. Two or three hundred men, or probably not so many, quietly assemble together for the purpose of amusing and exercising themselves at the schoolhouse and grounds which their own toil had created and reclaimed, and this is construed, forsooth, into an act of rebellion, and eight men arrested therefor! Do we live in free America? Or are we residents of down-trodden Poland? Are we the citizens of the United States, and is it for us that the Federal Constitution was created, which says that

"A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed;"

Or, are we rebels and serfs, the subjects of a nation which has conquered us? Are the officers which have been sent here endowed with the authority to imprison and punish at pleasure, regardless of the Constitution, the law and the sacred rights of liberty? If so, then it is time that we understand our position. It is time that we know who our masters are, and upon what grounds they base their claims to be our tyrants. If we must wear the collar, the badge of servitude and slavery, let us at least know the name to be engraved thereon and the price at which we are bought. These would-be despots of ours would enforce a law here which was passed in the time of the Southern rebellion; are we rebels? The law says "existing rebellion or insurrection;" does either of these conditions exist here? Or is it rebellion to train? Is it insurrection to bear arms? Is the Provo raid to be repeated, and are those who incited that outrage afraid our citizens will be too well prepared to give their blind and misguided instruments the proper reception? Why this fear of men bearing arms? Why this wonderful anxiety to crush the militia of this Territory? Is it a crime to have a well regulated militia in a Territory like Utah, constantly exposed to Indian attacks and raids? If those who have used the authority to

arrest these eight men for yesterday's proceedings, contemplated a repetition in this city of the scenes of St. Bartholomew's day in Paris, they could not manifest more terror at the training of a company of men than they do. Such men ought to be watched. We say to our citizens: Beware of them. They are enemies to the commonwealth. Their acts show, more plainly than words can do, their designs. They would bind you hand and foot had they the power to do so, and leave you a helpless prey to every marauder, white or red, that might choose to assail you, and if the blood of women and children flowed in consequence they would be gratified. Do we judge too harshly? Let facts answer.

Already we have heard from many quarters that enlisted men in U. S. uniform have uttered frequent threats in this city of a raid similar to that made at Provo. Is a massacre of citizens of this place contemplated? The proceedings at Court yesterday and to-day favor such an idea. We firmly believe that if the training of the people could be prevented, and their arms be taken from them, a reign of terror would be speedily inaugurated, and a fearful despotism be exercised here. There is a class of persons here who desire to see this. They would be delighted to tread upon the necks of the citizens of this Territory; hence, their anxiety to prevent men bearing arms, to break up the militia, to frighten men into submission to their extraordinary and unconstitutional requirements, to hold in *terrorem* over their heads a law which every sane man knows has no more application to the people of Utah than the inhabitants of the moon.

We wish the country to know who it is that is trying to stir up trouble here; who it is that is goading the people to commit some overt act, in order that they may have a pretext for adopting violent measures against them. These persons want to get their hands into Uncle Sam's pocket, and they endeavor to move earth and hell to have a fuss, with a view to the pickings and stealings which, they hope, will follow. Up to the present all their schemes to this end have been signal failures. We say to our citizens, Be calm; refrain from excitement; we are entrenched in right; do not give this miserable, cowardly crew a single advantage; we can afford to wait; we live here; they are as short-lived and ephemeral as moths, and will soon pass away. Let this course be pursued, as it will be, and these tricksters will be foiled, and soon pass into the oblivion which they have earned.

PROCLAMATIONS AND THEIR OBSERVANCE.

Dear Subscribers and the Public generally: Take notice that to-morrow is Thanksgiving Day. President U. S. Grant has issued a Proclamation to the people of the entire Republic declaring it to be such and requiring its observance; Governor V. H. Vaughan, also, has issued his Proclamation to the people of the Territory of Utah appointing that day "to be observed as a day of Public Thanksgiving, Prayer and Praise." This, therefore, is a proclamation that comes to all with authority; first the President of the United States requiring its observance, then the Governor of the Territory following, to the same effect. Now, the legal luminary who for some unexplained reason left the practice of law in Chicago to enlighten Utah with the scintillations of his weak brain, informed the people in Court this morning that

"The Governor of this Territory by virtue of the authority of the United States in the Organic Act contained, has the right to issue orders and proclamations, and when they are rightfully put forth, they have the force of law and must be obeyed."

This is authoritative. There is no evading this interpretation of the force and binding effect of a proclamation. There must be "Public Thanksgiving, Prayer and Praise" to-morrow. The Being who "saved unto us abundant crops from the pestilence of last summer" must be remembered "with humble, loving and grateful hearts" or the Proclamation will be violated. This is a duty which, we are proud to say, the larger portion of the citizens of Utah Territory observe. They do so daily, and wait for no Proclamation to enforce it upon them. But how about those who, instead of giving public thanksgiving, prayer and praise, habitually and publicly blaspheme? Are the spies who went to the 20th Ward on Monday going to perambulate the streets to-

morrow to see who violates the Proclamation? If so, they should keep close watch upon the men who actively figured in prosecuting the case which has just been tried. They will all bear watching. A person cannot stroll down East Temple street without having his ears assailed by language in which the Being whom the Proclamation says must be remembered "with humble, loving and grateful hearts," is blasphemed. Is this the style in which "Public Thanksgiving, Prayer and Praise" are to be observed to-morrow? Or, will there be a court held, and the violators of the Proclamation be bound over to appear and answer at the next term of Court for their disobedience? If the orders and proclamations of the Governor have the force of law, why should they not be enforced in one case as much as another? Let the men who have been so active in the case of Ottinger and others for training, be made to respect this last proclamation. Let them be taken on their own ground, and be dealt with by their own words. Let them get down on their knees to-morrow and utter public prayer and praise, instead of public oaths; let them breathe the spirit of humility, instead of the fumes of bad whisky; let them be sober and peaceable, instead of drunken and quarrelsome. If they do not this, they confess that the appointment by proclamation of a day of Thanksgiving is but a farce.

BOUND OVER.

OUR readers will see by perusing another portion of our columns to-day, that the gentlemen accused of directing the 20th Ward drilling party on Monday have been bound over to appear at the March term of the Third Judicial District Court. The proceedings, so far as the investigation was concerned, closed yesterday afternoon, and the case might have been disposed of then, but the *very serious* nature of the offence, we understand, induced the Court to hold the matter under advisement till this morning, so that justice in the case might be meted out under inspiration gleaned from the works of the chiefest apostles of the law. Accordingly the Court adjourned until this morning, when it again convened, and delivered a *lengthy ruling* on this important case. Statute and common law were cited in the most learned and pompous manner, to show that the chief authority in regard to the militia of States and Territories is vested in the President of the United States, and that the assumption of such authority by any other person is treason, of the most flagrant and aggravated character, and that the power of the Executive and the majesty of the law must be vindicated by rigorously dealing with all so offending.

This may sound like logic in the ears of its enunciator, but what it has to do with a few hours' amusement, participated in by a body of men, all living in one Ward, and neighbors, we utterly fail to see. However such is the result arrived at, and such the law as interpreted, or rather twisted and violated.

Treason has often been urged against the Latter-day Saints before, but never we believe on such utterly trivial and childish grounds; and we are satisfied that if the employers of the bungling law jobbers who have made such a ridiculous exhibition of themselves in this affair do not snub them, the united verdict of the common-sense portion of the entire nation will. Rebellion out of a meeting for training practice! Whoever heard the like before! The entire proceeding is, however, no more than might have been expected from the known mediocrity of talent of the members of the "ring" here. They are nothing from beginning to end but played-out pettifoggers, and political tricksters, possessing neither honor nor talent. To over-ride the Constitutional rights of the people of an entire Territory, and do it with some degree of plausibility and seeming right, *smart* men are needed, and not such a set as those with which the patient people of Utah are now pestered and plagued. The old saying "Put a beggar on horseback and he will ride to the devil," was never better illustrated than in this case. The clique here never held any respectable position before; and like nearly all unaccustomed to the exercise of authority, they have used it, from the high priest of the ceremonies down to his humblest devotee, only to show how utterly unfit they are for any position of trust or responsibility.