

tors, corrupt demagogues, heartless office hunters and the ignorant rabble, incited by numbers of the hireling clergy, and were about to send an army to Utah with the sole and avowed purpose, as published in almost every newspaper, of compelling American citizens, peacefully, loyally and lawfully occupying American soil, to forego the dearest Constitutional rights, to abandon their religion, to wallow in the mire and worship at the shrine of modern civilization and Christianity, or be expelled from the country, or exterminated. Where now are Constitutional rights? Who is laying the ax at the root of the tree of liberty? Who are the usurpers? Who the tyrants? Who the traitors? Most assuredly those who are madly urging measures to subvert the genius of free institutions and those principles of liberty upon which our Government is based, and to overthrow virtue, independence, justice, and true intelligence, the loss of either of which, by the people, the celebrated Judge Story has wisely affirmed would be the ruin of our Republic—the destruction of its vitality. And ex-President James Madison, among other purposes, declared it to be the purpose of Government “to avoid the slightest interference with the rights of conscience, or the functions of religion, so wisely exempted from civil jurisdiction.”

Has Utah ever violated the least principle of the Constitution, or so much as broken the most insignificant Constitutional enactment? No, nor have we the most distant occasion for so doing, but have ever striven to peacefully enjoy and extend those rights granted to all by a merciful Creator. But so unobtrusive and wise a course does not seem to please those who live and wish to live by office, and those who make and love lies, and since those characters are numerous and also powerful through well disciplined organization, and since Utah has yielded right after right, for the sake of peace, until her policy has emboldened the enemies of our Union, it must needs be that President Buchanan, if he has ordered an army to Utah as reported, for he has not officially notified me of such a movement by his order, has at length succumbed, either of choice or through being overcome, to the cruel and nefarious counsels of those enemies, and is endeavoring to carry out a usurpation of power which of right belongs only to the people, by appointing civil officers known to be justly objectionable to freemen and sending a so-called army under mere color of law to force those officers upon us at the point of the bayonet, and to form a nucleus for the collection and protection of every gambler, cut throat, whoremaster and scoundrel who may choose to follow in their train. Such a treasonable system of operations will never be endured, nor even countenanced, by any person possessed of the least spark of patriotism and love of Constitutional liberty. The President knew, if he knew the facts in the case, as he was in duty bound to do before taking action, that the officials hitherto sent here had been invariably received and treated with all the respect their offices demanded, and that a portion of them had met with far more courtesy than elsewhere would have been extended to them, or their conduct deserved; he also knew, or had the privilege of knowing, that the memorial of the last Assembly, as already stated, respectfully informed him

that Utah wished good men for officers, and that such officers would be cordially welcomed and obeyed, but that we would not again tamely endure the abuse and misrule meted by official villains, as were some who have formerly officiated here. Such being a few of the leading facts, what were the legitimate inferences to be drawn from the rumors that the President had sent a batch of officials with an army to operate as their posse? That he had willfully made the official appointments for Utah from a class other than good men, and placed himself, where tyrants often are, in the position of levying war against the very Nation whose choice had made him its chief executive officer.

Fully aware, as has been justly written, that “patriotism does not consist in aiding Government in every base or stupid act it may perform, but rather in paralyzing its power when it violates vested rights, affronts insulted justice, and assumes undelegated authority,” and knowing that the so-called army, reported to be on its way to Utah, was an undisguised mob, if not sent by the President of the United States, and if sent by him, in the manner and for the purpose alleged in all the information permitted to reach us, was no less a mob, though in the latter event acting under color of law, upon learning its near approach I issued, as in Constitutional duty bound, a Proclamation expressly forbidding all bodies of armed men, under whatsoever name or by whomsoever sent, to come within the bounds of this Territory. That so-called army or, more strictly speaking, mob refused to obey that Proclamation, copies of which were officially furnished them, and prosecuted their march to the neighborhood of Forts Bridger and Supply, (which were vacated and burnt upon their approach) where it is said they intend to winter. Under these circumstances I respectfully suggest that you take such measures as your enlightened judgment may dictate, to insure public tranquility and protect, preserve, and perpetuate inviolate those inalienable Constitutional rights which have descended to us a rich legacy from our forefathers.

A civilized nation is one that never infringes upon the rights of its citizens, but strives to protect and make happy all within its sphere, which our Government, above all others, is obligated to accomplish, though its present course is as far from that wise and just path as the earth is from the sun. And under the aggravated abuses that have been heaped upon us in the past, you and the whole people are my witnesses that it has more particularly fallen to my lot and been my policy and practice to restrain rather than urge resistance to usurpation and tyranny on the part of the enemies to the Constitution and Constitutional laws, (who are also our enemies and the enemies of all republics and republicans) until forbearance under such cruel and illegal treatment cannot well be longer exercised. No one has denied or wishes to deny the right of the Government to send its troops when, where and as it pleases, so it is but done clearly within the authorities and limitations of the Constitution, and for the safety and welfare of the people; but when it sends them clearly without the pale of those authorities and limitations, unconstitutionally to oppress the people, as is the case in the so-called army sent to Utah, it commits a treason against itself which

commands the resistance of all good men, or freedom will depart our Nation.

In compliance with a long established custom in appointing officers not of the people's electing, which the Supreme Court of the United States would at once in justice decide to be unconstitutional, we have petitioned and petitioned that good men be appointed, until that hope is exhausted; and we have long enough borne the insults and outrages of lawless officials, until we are compelled in self defence to assert and maintain that great Constitutional right of the governed to officers of their own election and local laws of their own enactment. That the President and the counselors, aiders and abettors of the present treasonable crusade against the peace and rights of a Territory of the United States, may reconsider their course and retrace their steps is earnestly to be desired, but in either event our trust and confidence are in that Being who at his pleasure rules among the armies of heaven and controls the wrath of the children of men, and most cheerfully should we be able to abide the issue.

Permit me to tender you my entire confidence that your deliberations will be distinguished by that wisdom, unanimity and love of justice that have ever marked the counsels of our Legislative Assemblies, and the assurance of my hearty co-operation in every measure you adopt for promoting the true interests of a Territory beloved by us for its very isolation and forbidding aspect, for here, if any where upon this footstool of our God, have we the privilege and prospect of being able to secure and enjoy those inestimable rights of civil and religious liberty, which the beneficent Creator of all mankind has, in his mercy, made indefeasible, and perpetuate them upon a broader and firmer basis for the benefit of ourselves, of our children and our children's children, until peace shall be restored to our distracted country.

BRIGHAM YOUNG.

RESOLUTIONS.

EXPRESSIVE OF THE SENSE OF THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF UTAH, RELATIVE TO THE MESSAGE AND OFFICIAL COURSE OF HIS EXCELLENCY GOVERNOR BRIGHAM YOUNG.

Resolved, That we unanimously and most cordially, for ourselves and in behalf of the well known feelings of our constituents, concur in the sentiments and doctrine advanced in the Message delivered by His Excellency Governor Young to the Legislative Assembly of this Territory, convened in the Representatives' Hall in G. S. L. City, Dec. 15th, 1857.

Resolved, That the entire policy and all the acts of His Excellency Governor Young have been able, just and humane—conducive to and protective of the development of the best interests and welfare both of this Territory and of the General Government, so far as that policy and those acts could accomplish so desirable a result.

Resolved, That we hold ourselves, our means and influence in readiness to sustain His Excellency Governor Young in every act he may perform or dictate, in accordance with the Constitution and Constitutional laws of the United States and the laws of Utah, for the protection of the lives, peace and prosperity of the people of this Territory.

Resolved, That neither the present nor any other Administration of the General Government shall enforce profane, drunken and otherwise corrupt officials upon us at the point of the bayonet, and that the attempt so to do, by the present incumbent of the executive chair of our nation, has incurred that contempt and determined opposition of all good men, which such an act of usurped authority and oppression so richly deserves.

Resolved, That, while we deprecate the bitter hostility manifested towards a most loyal and innocent people by the present Administration of the General Government, we will continue to resist any attempt on the part of the Administration to bring us into a state of vassalage by appointing, contrary to the Constitution, officers whom the people have neither vote nor voice in electing; nor shall any persons appointed to office for Utah by the present Administration either qualify for or assume, and discharge, within the limits of this Territory, the functions of the offices to which they have been appointed, so long as our Territory is menaced by an invading army, (for

such an army cannot have been sent to protect either the citizens or the passing emigration, but is manifestly sent to aid in trampling upon American liberty) nor so long as such appointees are so pusillanimous as to require a numerous armed force to attend their beck to enable them to carry out the traitorous designs concocted for depriving American citizens of their indefeasible and vested rights.

Resolved, That we will at least have our Constitutional rights to a voice in the selection of our Territorial officers, and in the enactment of local laws for our government.

Resolved, That these Resolutions be signed by the members of the two Houses and be printed in the Deseret News.

Unanimously adopted and signed, Dec. 21st, 1857.

COUNCILORS.

HEBER C. KIMBALL, President.
DANIEL H. WELLS.
ALBERT CARRINGTON,
F. D. RICHARDS.
WILFORD WOODRUFF,
JOSEPH HOLBROOK,
LORENZO SNOW,
LORIN FARR,
BENJAMIN F. JOHNSON,
LEONARD E. HARRINGTON,
WARREN S. SNOW,
LEWIS BRUNSON,
GEO. A. SMITH.

REPRESENTATIVES.

JOHN TAYLOR, Speaker.
W. W. PHELPS.
A. P. ROCKWOOD,
J. C. LITTLE.
DANIEL SPENCER,
ALEXANDER McRAE,
ORSON HYDE.
J. W. CUMMINGS,
HOSEA STOUT.
JOSEPH A. YOUNG,
H. B. CLAWSON.
JOHN ROWBERRY,
JOHN D. PARKER.
REDDICK N. ALLRED,
CHAUNCEY W. WEST,
JONATHAN C. WRIGHT,
AARON JOHNSON,
JAMES C. SNOW.
PRESTON THOMAS,
JACOB G. BIGLER,
GEORGE PEACOCK,
P. T. FARNSWORTH,
ISAAC C. HAIGHT,
JOHN D. LEE.
ISAAC BULLOCK.

In compliance with their unanimous and cordial desire, and as nearly every man, woman and child throughout this Territory would gladly do, the Officers of both Houses of the Assembly subscribed their names to the foregoing Resolutions, as follows:—

OFFICERS OF THE COUNCIL.

LEO HAWKINS, Secretary.
JOHN T. CAINE, Assistant Secretary.
GEO. D. GRANT, Sergeant-at-arms.
SAMUEL L. SPRAGUE, Messenger.
JOHN SHARP, Foreman.
CYRUS H. WHEELLOCK, Chaplain.

OFFICERS OF THE HOUSE.

JAMES FERGUSON, Chief Clerk.
PATRICK LYNCH, Assistant Clerk.
WM. H. KIMBALL, Sergeant-at-arms.
BRIGHAM YOUNG, jr., Messenger.
WM. DERR, Foreman.
JESSE HAVEN, Chaplain.

AN ACT

DISORGANIZING AND ATTACHING GREEN RIVER COUNTY.

Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That Green River county is hereby disorganized and attached to Great Salt Lake county for election, revenue and judicial purposes; and that the representative apportioned to Green River county is hereby apportioned to Great Salt Lake county: *Provided*, That this apportionment does not take effect until after the present session of the Legislative Assembly.

Sec. 2. All laws and parts of laws conflicting with this act are hereby repealed.

Approved, Dec. 22, 1857.

I certify that the foregoing is a correct copy of the original act on file in my office.

WM. H. HOOPER,

Secretary pro tem for Utah Ter.

Names of Members and Officers of the Legislative Assembly of the Territory of Utah.

COUNCIL.

Great Salt Lake, Tooele and Shampip Counties—Heber C. Kimball, Daniel H. Wells, Albert Carrington, F. D. Richards, Wilford Woodruff.

Davis County—Joseph Holbrook.
Malad, Cache, Weber and Box Elder Counties—Lorenzo Snow, Lorin Farr.

Utah and Cedar Counties—Benjamin F. Johnson, Leonard E. Harrington.

Juab and San Pete Counties—Warren S. Snow.

Beaver and Millard Counties—Lewis Brunson.

Iron and Washington Counties—George A. Smith.

OFFICERS OF THE COUNCIL.

Heber C. Kimball, President.
Leo Hawkins, Secretary.
John T. Caine, Assistant Secretary.
Geo. D. Grant, Sergeant-at-arms.
Samuel L. Sprague, Messenger.
John Sharp, Foreman.
Cyrus H. Wheellock, Chaplain.