

of loyalty are ample. We may pay the direct and income tax, if required; that is a law which remains to be executed in accordance with its own provisions, but *do not* require it of us, as the Governor in his message suggests, as a test of loyalty.

It may not be inappropriate, while treating upon this subject, to hoist the balances and see if those with whom we have had to do, have been as ample in their "tests of loyalty" to our government, to which we are at the defiance of the world to prove that we have ever been unfaithful. Although it is a principle of common right and political economy, long since established as an element of free government, that whenever a government fails to subserve and promote the purpose of its own creation, or becomes more exacting in its requirements than beneficial in its bestowings, that it is no longer worthy of the respect or support of its people; and might, and of right should be thrown aside as a worthless thing.

It is not however, the Government, but its mal-administration, that we have arraigned before the bar of public opinion, the sovereign people. Was it legal in the Governor, Judges, officers and people of the State of Missouri to suffer a mob to drive and plunder a portion of their citizens from their homes and possessions, which they had purchased from the General Government in Jackson, Ray, Caldwell, Daviess, and other counties? Those acts were in direct conflict, and contrary to the laws and constitution of that State. Then why did not those administrators, calling upon the force of the State, arise in their might and rebuke that spirit of mobocracy, and restore those whom it had driven, to their homes? If Missouri had done so, would she have done anything more than her duty to herself, her government, her citizens? Then was she not disloyal to herself, her people, her government, when she could calmly look on and see her laws trodden under foot, her constitution broken, a portion of her citizens falsely imprisoned, murdered, and finally banished altogether from the State by an illegal, unconstitutional, exterminating edict of its Executive?

Permit us to inquire of you, Fellow Citizens, of you, Missouri, had you then, at that early day in the history of mobs, magnified your laws, constitution and government, by putting mobs down by the strong arm of your power,—had you then and since been loyal to yourself, your institutions, and Government, might you not to-day, without calling in the aid of other States, be better able to restrain and put down the deeds of violence which are now bringing desolation and death to your own firesides?

Again, when the Executive, Officers and people of the United States witnessed in 1839, illegal, unconstitutional and unjustifiable violence, the expulsion of 12,000 people from that State, had they been loyal to themselves, to their country, their government, their constitution, would they have permitted it? Had the power of the government arisen, and said to those fleeing fugitives: "Here, come back! we will repossess you of your homes which you have purchased of us, and defend you in their peaceable enjoyment, and hold in check this mobocratic power which has dared to lift its hydra head in our country."

If, at that early period in mob history, had our Government thus put forth its potential arm for justice and mercy, and since continued, might she not to-day be better able, have more power to sustain her own existence undivided, and restrain the turmoil and strife which is now bringing desolation, death, and misery to many people? Are not the Constitution and laws of Congress the supreme law of the land, and if that law had been faithfully executed would it not have restored those persons, so ruthlessly driven from their possessions in the State of Missouri; would it not have punished the guilty and defended the innocent? Most assuredly it would! If the Constitution and laws of Congress are the supreme law of the land, and were faithfully executed, would it not so restore them even now to their lost possession? Now whose fault is it that the supreme law of the land is not enforced, if not that of its sworn Administrators? Where, then, can the charge of disloyalty to the Government rest, if not with those who wielded its power, and whose sworn duty it was to see it faithfully administered.

And so the history of mob violence which has so earnestly followed and pursued this people, stands like a monument of curse and disgrace to the loyalty and patriotism, not only to those who were the actors and abettors, but to those who stood idly by and witnessed their country's laws broken with impunity, without raising an arm or voice to stay the stream of reckless violence and disloyalty which now threaten to engulf all in a common ruin. This is the spirit which we the people of this Territory have had to grapple with, and in our weakness been compelled to retire before it all the day long, with the Constitution and laws of our country all the time in our favor, extending their protection to the utmost limit of what we could ask had they found faithful and loyal administrators. Say, then, no more to us about tests of loyalty, Mr. Dawson, until you, as the representative of Federal power, clear up your own record; until you can say we have restored to you your lands and possessions in Missouri, Illinois and Iowa, and have made amends for your losses and sufferings, and brought to justice, and legally punished your aggressors; until you can say we have extended to you, without regard to the past, the same rights and privileges which we have to other Territories, that we have extinguished the Indian title to your homesteads, and granting dona-

tions to actual settlers for farms, for towns sites, cities, school and other purposes, as we did to Oregon and New Mexico, and pre-emption laws as we did to Iowa, Wisconsin and Illinois; until you can say that you have an equal share of the public patronage, and that you will not discontinue a monthly mail contract for carrying the mail from the Missouri River to this city for the paltry pittance of \$23,000 a year, and refuse the mails as you did in 1857, simply because one of your people held the contract, and that too, after the people of the Territory had expended for the purpose of establishing a daily line, in stations, stock, etc., some two hundred thousand dollars, and then turn round and give some more favored citizen from some distant State four times the amount for performing the same service; until you can say that you have extended unto us the right of self government and representation, as you did to California and Oregon, and have paid up the indebtedness which you owed us for public service, and Indian expenditures; until you can say that you have treated us the same as you have other Territories, in giving us a voice in regard to the selecting of our officers; until the representatives of Federal power can truthfully make these assertions, we wish to hear no more about tests of loyalty to our Government. No! it is not to us, that disloyalty attaches! No, thunder it in their ears, that we yet are freemen, that we still live under the "Star Spangled Banner," though we have been made to feel its stripes! That we still live, and ever expect to abide under the broad folds of our country's flag, under the aegis of the Constitution of our common country, bequeathed to us by patriotic fathers, although we had to wrest them from your intolerant hands while reeking with our blood! No! We do not possess the benefit of a single item of Constitutional law, of American liberty or freedom, but what we have had, under the providence and blessing of the Almighty, the liberty to take and possess. That noble bird, the emblem of American liberty, preceding the representatives of Federal power, made his eyre in the fastnesses of the Rocky mountains. Here we stand, the flag of our country waving free as the mountain breeze high over our heads, with the scroll of our country's fame, the cementing bond of her union, power and glory, the palladium of her liberties, the Constitution of our fathers widely enrolled in our hands and our hearts; saying to the honest, the virtuous, the meek, the humble, to those who love justice and mercy, come and take shelter where peace has established her dominion, where a place is, and has been preparing for you when confusion, distress, anguish and destruction should come upon the nations., come join our host, though not as numerous, they are far mightier than thou, having the mighty God of Jacob for our friend: here we can render aid to suffering humanity. Our unhappy country is bleeding at every pore, for, alas! your victories over each other are defeats to your country, and when you triumph, it is over the destruction of yourselves. We wish to preserve our Union; but we fear the mingling of your blood, shed in unholy strife, will not cement its broken fragments. We wish to preserve an asylum of peace, where, when you get tired of war, you can lay down your arms and repose in safety. We wish to cultivate the earth and store up the grain, that when famine presents his gaunt visage, and sweeps desolation over the land, as most assuredly he will, we may have power, and means on hand to administer to your necessities. Thus good policy, as well as wisdom, would seem to dictate that a resource should be preserved far in the interior, unapproachable to an enemy, where a nucleus may be formed around which the shattered fragments may cluster when the present vast resources, numerous array and formidable paraphernalia of war shall have expended itself in fruitless efforts, and the "sore vexation, and great misery and destruction to many souls" be overpast.

In view of these great events which are already transpiring, let us this day take steps to shape our policy, to direct our future course so as to meet the exigencies of the times in which we live, and preserve unto ourselves the rights, privileges and blessings of free government. Happy are the people when they can rely upon the good faith, honesty and loyalty of their rulers, the administrators of their government. It is from them, and not from the people, that "tests of loyalty" should be required; for how can a people be disloyal to themselves, so long as their will is, or should be, the law of the land.

Local legislation, and local government, has wisely and successfully formed a part of our great experiment of self-government; the wishes, views, feelings, institutions, policy and interest of such local government, though peculiar to itself, may harmonize with the general whole in proportion as it is left to itself, and not brought in contact with foreign disturbing elements; hence the wisdom of that constitutional obligation which imposes upon our government the duty to guarantee to the people of each State that form of government which shall best secure to them these objects.

Now, therefore, let the administrators of our Government, instead of requiring "tests of loyalty" from the people, exhibit their own loyalty by serving out even-handed justice to the people of this Territory, by allowing us to govern ourselves in accordance with the spirit and liberty of our Constitution, and the genius of the free and liberal institutions of the boasted free government of our country.

Now are our settlements widely extended and rapidly filling up with an intelligent and patriotic people, where a few years ago many

a lonely valley was without inhabitant, is now dotted over with towns, cities, villages, farms and country dwellings. Whereas, in the commencement of our settlements, a mere handful had to contend with the surrounding tribes, we have now gained an influence and power over them, which not only holds them in check, but measurably subjects them to our control.

If then eleven, twelve and thirteen years ago we combined the elements, the capacity and ability of erecting and sustaining a good, wholesome, liberal and free government, how much superior capabilities must we now possess to accomplish the same desirable object.

Let, therefore, the present administration and Congress receive kindly and favorably, our application for admission into the Union; and we respectfully submit, whether your time will not be better employed in admitting Utah into the Union, than in using the gigantic measures now in operation to reclaim the disaffected States, and thus let the people of this Territory exhibit whether they have the capacity and ability to form, maintain, and administer self-government.

Your committee also report the following:

#### PREAMBLES AND RESOLUTIONS,

Whereas, We have, for the last eleven years, been living under a Territorial form of Government, and owing to the rigid policy of the President of the United States persisting in appointing no resident or citizen of the Territory to any of the offices provided in its organic law, but continually selecting them from distant States, men who have no interest in our welfare, in the prosperity of our Territory, who never identify their interest with us, who never build a house, a fence, or make any kind of improvement, but always rent houses and offices to serve out their time, receive their salaries, and then return to their homes in those distant States from whence they came to use the means they thus acquired, in making their homes and improvements away in some distant country.

Whereas, It cannot be expected that men so appointed from a distance will be acquainted with the policy, well-being, tastes or acquisitions of a people with whom they are utter strangers, and,

Whereas, When officials are evil-disposed, such a state of things produces serious abuses, by deranging the operation of our laws, sanctioning crimes by letting them go unpunished, and turning those who are convicted by our courts and juries, loose to prey upon our community, and,

Whereas, Where officials, who are not particularly so evil-disposed, either through lack of understanding, ignorance, prejudice or other disqualification, constantly interrupt the course of justice, the well-being of our community, and continually endanger our peaceful relations with the parent government.

Therefore, Be it resolved, that to ensure peace abroad, and domestic tranquility at home, we select delegates from this county, to meet in a Convention to be holden in the Court House in this city, on Monday, the 20th inst., to draft and adopt a Constitution and form of State Government for this Territory, and do all other things necessary and proper to carry the same into effect.

Resolved, That said Convention memorialize the Congress of the United States for admission into the Union, upon an equal footing with the original States, having first laid said Constitution before the people for their ratification or rejection.

Resolved, That we hold as a fundamental principle among American institutions, that the people should have a voice in the selection of their own officers; that local legislation, and local administration of the laws, are both indispensable to the peace, liberty, prosperity and well-being of any community.

Resolved, That taxation should not be required without representation, and that a Delegate to Congress, having no vote as at present provided, is no representative.

Resolved, that as long as we have no representative in Congress, and no voice in the election of our Chief Magistrate, who appoints all of the principal officers for our Territory, that we cannot expect any correction of the abuses to which we are continually subject, and cannot see any reason why they will not be continued and repeated as a natural consequence incident to our present organization, and having tried it for the last eleven years, we think that our experience therein might terminate.

Resolved, That uniformly selecting and transporting men from distant States into our Territory to fill its offices, presuming as it does that we have no men in our Territory fit, capable or worthy to fill them, is a standing insult to the intelligence and patriotism of this community, and devoid alike of good policy and common justice.

Resolved, That we can see no other or better way to avoid the continual recurrence of these political difficulties which have so beset our Territorial progress, than to abolish our Territorial form of government, and trust that Congress, now in session, will hearken unto our application for admission into the Union, and will grant us speedy and favorable action thereon.

After reading the foregoing Address, and accompanying documents, the Preamble and Resolutions were adopted by unanimous acclamation as the sense of the meeting, which was followed by the "Star Spangled Banner," by the band.

The assembly then elected, by their unanimous vote, the following gentlemen as delegates to said Convention, viz.: Hons. Daniel H. Wells, Abraham O. Smoot, Elias Smith, James Ferguson, Reuben Miller, Wilford Woodruff, Archibald Gardner, Albert Carrrington and John Taylor.

After music by the band, the assembly was dismissed by benediction from Hon. Heber C. Kimball.

EDWARD HUNTER, Chairman.

Attest:

WILLIAM CLAYTON, Secretary.

#### Disgraceful Outrage.

In our last week's issue, mention was made of the disagreeable and unfortunate circumstances attending the sudden departure of Governor Dawson on his return to the east, among which reference was had to the guards reported to have been hired by the suffering official to accompany him beyond the limits of the Territory, which was considered a mysterious arrangement. We believed the report, and supposed that the arrangement was the result of insanity, or if not, that he had been advised thereto by some of his pretended friends with whom the individuals were known favorites.

From reports that have since reached the city, it is made to appear that the unfortunate and retiring representative of "Federal power" fell in with a gang of thieves, who, at Hanks' station, beat him in a most cowardly and dastardly manner, and robbed him and other passengers of clothes, blankets and other things necessary to the comfort of persons in crossing the plains at this season of the year, a detestable and damnable proceeding, which should, if the facts are as represented, of which we have but little doubt, subject the perpetrators to the extreme penalty of the law for such provided.

We are informed that a communication from Governor Dawson has been received by a gentleman residing in this city, in which he states that there were nine or ten persons in the gang, and among the names of the assaulting party as given by him, are some of the individuals who were in his retinue when he left the city, and reported to have been hired by him as guards.

There are some mysteries attending the whole concern from first to last, which the investigation of the matter may satisfactorily solve, but of which we will not speak, lest it might operate prejudicially to the administration of justice in the premises, which we trust will not be delayed in its operation nor be averted by any extra judicial proceeding.

#### Our Musicians.

On New Year's Day we had the honor of musical salutes at our sanctum from Major Huntington's Martial Band and Ballo's Brass Band, under the leadership of Mr. Chas. Thomas. We were certainly pleased at the attention of our friends, and take this opportunity of complimenting the musicians of the city upon the evident progress they have made within the last few months.

While all are included in our compliment, it will not be deemed invidious to make special mention of our high appreciation of the ability of Mr. Thomas as a musician and conductor, and it is the more pleasing to us to hear Mr. Thomas spoken of by our old and tried friends in that profession as a very timely accession to their numbers. Where so much time and attention is given to the cultivation of music as there is in this city, we hope that such a master may find remunerative engagements.

#### Public Meetings in Utah County.

We have received the proceedings of the meetings that were held on the 31st ult. in Provo, Payson, Spanish Fork and Santaquin, Utah county, in relation to the convention, etc., all of which breathe the same spirit that was manifested at the meeting in this city on Monday last. Messrs. L. E. Harrington, James W. Cummings, B. F. Johnson, Aaron Johnson, L. H. Hatch, Wm. Wall and A. K. Thurber were chosen as delegates to the convention from that county. We have not space for the proceedings, to-day, but they may be expected to receive attention next week.

THE ACTING GOVERNOR.—Secretary Fuller, on the withdrawal of Governor Dawson, resumed the duties of Chief Executive of the Territory, and informed the Legislative Assembly thereof on Monday last.