



GEORGE Q. CANNON,
EDITOR AND PUBLISHER.

Wednesday, - - - April 24, 1872.

In another column will be found a dispatch from Washington, stating that the U. S. Supreme Court has decided, in the Engelbrecht liquor case, reversing the judgment of the U. S. Supreme Court of this Territory. This decision causes no surprise, being a simple matter of justice, which every rational person supposed would be rendered as it has been.

In the Engelbrecht case, as is generally known, the Supreme Court for this Territory mulcted the city in nearly \$60,000, being three times the amount of liquor, etc., stated to have been destroyed by the city officers in abating the Engelbrecht liquor-selling establishment, for violation of the city ordinances. The decision appears to be based upon the illegality of the court proceedings in trying the case.

It is gratifying to live under a high-minded government, in which impartial law and even-handed justice are administered without fear or favor, and the prejudices of parties and cliques are not suffered to swerve the action of high officials.

MORSE MEMORIAL MEETING.

We have been requested to publish the following communication from the National Telegraph Memorial Monument Association to Mayor D. H. Wells, and the subjoined call of the latter for a memorial meeting, to which our citizens will doubtless respond, by attending at the Representatives' Hall at 7-30 to-night.

NATIONAL TELEGRAPH MEMORIAL
MONUMENT ASSOCIATION,
Washington, D. C.,
April 5, 1872.

To the HON. D. H. WELLS,
Mayor of the City of Salt Lake, Utah:

Sir:—I have the honor to transmit to you herewith a resolution adopted by this association, inviting the co-operation of the friends and admirers of the late Professor Samuel F. B. Morse throughout the country, in holding meetings, on Tuesday evening, the 16th inst., simultaneously with a great national memorial meeting to be held in the House of Representatives at the national capital.

On behalf of this association, I respectfully and earnestly request you to take appropriate measure, at the earliest moment possible, for holding such a meeting in your city at the time named. The telegraph wires will be freely open on the occasion for an exchange of sentiments between the several meetings and the one held here.

The favor of an early reply is requested.

Very respectfully yours,

A. S. SOLOMONS,

Chairman of the Committee of Arrangements.

RESOLUTION.

Whereas the United States House of Representatives has placed its hall at the disposal of the National Telegraph Memorial Monument Association, for the purpose of holding a memorial meeting in honor of the late Samuel F. B. Morse, on Tuesday, April 16th, and prominent members of both houses of Congress and other distinguished speakers have consented to address the meeting;

And whereas the telegraph has been freely placed at the disposal of this association for that evening, to secure an exchange of sentiments with the meetings held in all portions of the country.

Be it resolved, That the municipal authorities of the cities of the United States are hereby invited to call meetings of similar character in their several localities on the same evening, in order that the meetings may be in telegraphic communication, and thus a simultaneous expression be given to the

national grief on the occasion of this irreparable loss.

Attest: H. AMIDON,
Secretary.

MAYOR'S OFFICE,
SALT LAKE CITY, U. T.,
April 15th, 1872.

To the Citizens of Salt Lake City:

The nations are called upon to mourn the loss of a great and good man in the demise of Professor Samuel F. B. Morse, the father of telegraphy. As a befitting token of respect, memorial meetings are to be simultaneously held in the several cities of the United States on Tuesday evening, April 16th, to give expression to the universal feeling of regret at the irreparable loss.

The people of Salt Lake City, without distinction, are respectfully invited to convene in the Representatives' Hall in the City Hall, at half past 7 o'clock, on Tuesday (this evening), to join with their fellow citizens throughout the Union in the expression of sympathy for the illustrious dead.

DANIEL H. WELLS, Mayor.

THE New York Herald of April 11 prophesies as follows—

"Touching the admission of Utah as a State with this Mormon saintly appendage of polygamy, the gentiles of the Territory need be under no apprehensions whatever. It is the fixed policy and purpose of the national administration to abolish Mormon polygamy as the first essential in the preparations for a State government for Utah, and Congress will assist rather than interfere with General Grant in this undertaking, because it is the universal wish of the country that Mormon polygamy be abolished. The Salt Lake Conference may resolve to build up Zion on the system of a plurality of wives in spite of the government; but within the next six months, we dare say, the Prophet Brigham and his adulterous hierarchy will have no choice but the abandonment of polygamy or a departure from Utah."

"Touching the admission of Utah as a State," however the "Gentiles" may be, the "Mormons" are under no dreadful apprehensions whatever. That matter, whichever way it shall turn, will be subject to the overruling of Divine Providence, and will be made to subserve his grand and glorious purposes, and to be conducive to the ultimate triumph of the truth, and of those who abide in the truth.

The Herald is not supposed to be the official organ and exponent of either the administration, Congress, or the country, but whatever is the fixed purpose of the administration, Congress and the country towards the "Mormons," the administration, Congress, and the country will be held responsible for, while to the "Mormons" such purpose can only be a secondary consideration. Their prime business is to live according to that which they are well convinced is right in the sight of God, leaving the result with him, who will justify and vindicate them thoroughly in his own way and time.

It is the privilege of every person to entertain his own private opinion concerning the belief and practices of another. But it is not any person's right to interfere with his neighbor's belief or practices, unless such belief or practices are indubitably unwarrantable infringements upon life and liberty and the just rights and privileges of others. We make no complaints in regard to what others think of the creed and practices of the "Mormons," as every person has a right to his own opinion upon those and all other subjects. But we do say that no person, no community, no government, no country has a right to interfere illegally, unconstitutionally, and in violation of the fundamental principles of the government, with the creed and practices of any one, even the very humblest, of its citizens or subjects. That is the ground upon which we take our stand, and we may say that ground is not sand but solid rock, firm, solid, trustworthy, immutable.

It is good, it is generous, it is great-hearted, it is noble for an individual or a government to be more liberal and large-minded than the law strictly requires, but it is ungenerous, narrow-souled, ignoble and indeed expressly wicked and culpable to bigotedly or selfishly or passionately interfere where the law and the constitution and the fundamental principles of the government prohibit such interference, and the interferers can not escape condemnation—the ultimate results will not fail to prove disastrous to them and their abettors.

It is the privilege of any person to disbelieve in "Mormonism." It is the privilege of any person to wish "Mormonism" abolished. It is the privilege of any person to oppose and endeavor to abolish "Mormonism," if he conscientiously thinks it ought to be abolished. But it is not his privilege to endeavor to abolish "Mormonism," illegally, unjustly, in utter disregard of the broad, leading principles upon which the government was founded. What we understand by "Mormonism" is the religion of the people termed "Mormons," as sincerely believed in by them as is any religion by any other body of people on earth. The Constitution and the fundamental ideas of American liberty and principles of American government expressly prohibit any individual or governmental interference in matters of religion. It cannot safely be done, and in a friendly and solemn manner we warn all men not to attempt such a thing in this republic, for most assuredly those who do will suffer loss, and true principle will prevail triumphantly over their execrable expediency.

There are some things, done in high places, some institutions, patronized in high places, which we think ought to be abolished, things and institutions which are universally acknowledged to be dreadfully evil. So far as our vote and influence may go, they will be abolished as fast as reasonably can be. This is our fixed, inflexible thought and purpose, but we never entertain the thought of carrying out this purpose, or advocating the carrying of it out illegally, unconstitutionally, or in contravention of the great principles of American liberty, as is so frequently urged in procedures against the "Mormons." No, not at all. Two wrongs will not make one right. If wickedness prevails in the land, it ought to be abolished, but it should be abolished in a legitimate and constitutional manner, a manner consonant with the principles of American liberty, indeed rather more than less liberal than they are. But first be thoroughly and rightfully assured that what you propose to abolish is really wicked and ought to be abolished. First be sure you are right, and then go ahead right. In nothing is this pithy policy more appropriate than as touching this matter of "Mormonism," as recent events judicially amply demonstrate.

The Herald's six months' prophecy we give for what it is worth. Those who live long enough will see what they will see. As to that paper's advocacy of sweeping measures against the "Mormons," it amounts to little. Everybody knows that the New York Herald is so weathercocky that if the "Mormons" were to leap into national popularity to-morrow, they would have no more strenuous advocate than Bennett's paper. It has its price, and that price is the heft of current public opinion.

THE bill presented in Congress by Representative Voorhees is so thoroughly subversive of republican principles, so utterly despotic, that we may well be excused for noticing it a little in detail. The bill is entitled, "A bill to Aid the Enforcement of the Laws in the Territory of Utah." This title is a misnomer and an insult to this Territory, to Congress, and to the whole nation. Because everybody knows that the laws are better observed by the body of our citizens than by any other community in the nation. The notorious lawbreakers in Utah, as has just been incontrovertibly demonstrated by the highest tribunal in the Union, are not the great bulk of this community, nor our most prominent and respected citizens, some of whom have been falsely charged with crimes, and are now illegally detained in custody, but the very Federal officers who were officially sent here under solemn oath to administer law and justice.

The Voorhees Bill has been got up and pressed before Congress with the view of cajoling that honorable body into the enactment of a law authorizing such very illegalities, unconstitutionality, and violations of republican principles as have been judicially perpetrated in Utah the last 18 months, and which have just received the unequivocal and unanimous condemnation of the Supreme Court, the final judicial arbiter, of the United States. What must be thought of such a Bill? What must be thought of an endeavor to make immediately legal a course of judicial procedure that has been illegally practiced for months, and has been irrevocably declared to be illegal? One cannot come to any other conclusion than that certain unworthy ends are desired, and that the determi-

nation exists to accomplish those ends, whether legally or illegally it matters not, so that they be accomplished. What kind of statesmanship is this? There is no statesmanship in the matter—it is the lowest, most disgraceful, most scandalous kind of pettifoggery and political trickery. The very advocates of the Bill acknowledge that it is unjust and tyrannical, that is, it would be if applied to any other people than the "Mormons," a method of reasoning which could only be employed by persons who consider the "Mormons" as virtually outlaws, having no rights or privileges which other people are under any obligation to respect. No other consideration could induce any American to frame, advocate, or sanction such a ferocious burlesque upon republican law and republican liberty. We shall be loth to believe that Congress will prove so recreant to every principle of American freedom as to pass such an outrageous Bill.

The first section provides that the U. S. Marshal shall do legally, if not constitutionally, what he has been doing illegally for months past, that is, act as the only Marshal in the Territory, and execute all processes of the courts, a monopolization by the Federal appointive power of the popular elective rights which we believe has never been authoritatively sanctioned in any of the Territories, and which, though usurpingly practiced here, has just been officially and authoritatively declared to be legally unknown.

The resting of such a monopoly of power in the hands of one man, in whom the people have not the privilege of choice, and in a manner so thoroughly dissonant with the principles of American government and legal judicial usage, would not only be unprecedented, and be a very bad precedent, but would be likely to lead to disastrous consequences to the interests of law and justice and the rights and liberties of the people. To place so much power in the hands of men who have demonstrated their readiness to seize and use that very power illegally, is undeniably a most dangerous expedient, and cannot be commended by any rational being.

The second section provides that the U. S. Attorney for the Territory shall be the public prosecutor in Territorial as well as U. S. cases, and shall be paid out of the Territorial treasury. This latter is one of the points always aimed at—the insertion of Federal official fingers in the Territorial treasury, grabbing at the people's money. The monopolization of all prosecuting business by the U. S. Attorney is open to objections similar to those against the monopolization of all judicial executive business by the U. S. Marshal—both proposals are usurpative in their nature, unrepugnant and despotic in principle, violative of the elective rights and privileges of the people, and therefore cannot be entertained for a moment by anyone who has a decent regard for the welfare of the Union and the perpetuation of those principles of popular freedom which have made America the glory and envy of the world.

The third section provides that a Federal trio, composed of the judge, the attorney, and the marshal, shall select 100 names from which the clerk of the court shall empanel juries, grand or petit, by lot, talesmen to be drawn from the 100, or picked up hap hazard, as the judge shall direct. If the trio were good, decent, law-abiding, justice-loving men, the above provision might not be so bad, but it is well known that such is not the case. If one of the three be a decent man, that is perhaps as much as could be expected, and the two having less regard for law and equity would outvote him. But the Territorial laws have already provided a better, a more republican mode of empanneling juries, a mode not so monopolizative, but more respectful to the elective rights of the people. An ill-disposed majority of the above trio could select 100 men, for the lottery for juries, all from the known enemies of the persons charged with crime, and indeed, judging from the past, such would be very likely to be the case, and then how could any such defendant be tried by a jury of his peers? How could he receive a fair and impartial trial? It would be an impossibility, and such trials would be farces, foregone conclusions, as has manifestly been the case of late in this Territory, though most unjustifiably and illegally done. When we have a good law in existence, wherein is the propriety of supplanting it by a worse? The cause for such an enactment must rest in ulterior and unworthy motives.

Passing over the fourth and fifth