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CASE.

(Continued.) Mr. Haskell. How much time have I granted me by the courtesy of the gentleman from Iowa?

The speaker pro tempore, (Mr. Russell.) Thirty-three minutes.

Mr. Haskell. I desire recognition

Mr. Calkins. Under the arangement fixing eight hours as the extreme limit of the debate, unless the gentleman from Kansas takes his time now, I would suggest to him that he may be crowded out. No time can be reserved except in ac ordance with that arrangement.

Mr. Moulton. I hope the Speaker will keep a record of the time occupied by the respective sides.

Mr. House. Mr. Speaker, a decent respect to the opinions of mankind requires that the House of Representatives of the Forty-seventh concress about at least pages and

Congress should at least pause and reflect before it adopts the course suggested and recommended by a majority of the committee on elections in this case. A continuous and unbroken line of precedents from the foundation of the Govern-

which calls upon us to discard pre-cedents venerable for their antiquity, and so recently and so frequently admitted and followed by this House, may on examination be found to draw its inspiration from some other source than a determination to be just and fear not. A deliberative body like this house cannot lightly ignore its own action and throw contempt on its own deliberately established precedents. WHITE GOODS, Etc.

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and throw contempt on his own deliberately established precedents
and reasonably expect to preserve
the recepct of mankind or meet the
approbation of a just and enlighten-

d public opinion. Q. Cannon has applied to the House of Representatives to be admitted as a Delegate from the Territory of Utsh. This very same man, holding the same principles he now holds, elected by the same people he now seeks to represent, came to the Representatives or members of Congress prescribed: they shall be twenty five years of age. Forty-third Congress and claimed This is not the first time that Geo. the right to be admitted as a Delegate. His seat was carnestly and ably contested, and the very point NEW YORK.

the right to be admitted as a Delegate. His seat was carnestly and ably contested, and the very point on which it is now sought to exclude him, to wit, his polygamy, was pressed upon the consideration of the case, he was delibarately allowed to take his seat by a House composed of an overwhelming majority of Republican members. Again, Mr. Cannon applied to the Forty fourth Congress to be admitted as a Delegate. His seat was again made of electing and the Forty fourth Congress, composed of a large majority of Democratic members, after a thorough examination of the points in his case, likewise decided in his favor, and he again took his seat in the tase of the gail y qualified Delegate from Utah. He came as gain to the Forty-fifth Congress as the duly accredited Delegate from Utah. He came again to the Forty-fifth Congress as the duly accredited Delegate from Utah. He came again to the Forty-fifth Congress as the duly accredited Delegate from Utah. He came again to the Forty-fifth Congress as the duly accredited Delegate from Utah. He came again to the Forty-fifth Congress as the duly accredited Delegate from Utah. He came again to the Forty-fifth Congress as the duly accredited Delegate from Utah, and the seat was accorded him. Again he came as a member, and the analogue between the came of the same way as those occurring in the cases of a Delegate from Utah, and the seat was accorded him. Again he came as a member, and the analogue between the two are fully recognized by law, by the rules of the House and black to the first proper to the case of the case of the constitution by any low respecting the qualifications of the same way as those occurring in the cases of a Delegate from Utah, and the seat was accorded him. Again he came as a member, and the analogue between the constitutional power to pass. Such as was a reconstitutional power to pass. Such as was a reconstitution by any low respecting to the two are fully recognized by law, by the rules of the House and black to the first power and the full powers. A Thus for four consecutive terms, with the approbation of both political parties, after a thorough examination of all the points now urged against him, this identical man has been allowed to sit upon

was a citizen, and gave the certifi-cate of election to Campbell.

of the remarkable public functionary appointed by the President governor of Utah, and appointed by himselr a special judge to pass on the questions of naturalization and polygamy as they presented themselves to his dual mind in Cannon's case. The committee, in their report, reverse his honor on the naturalization question, and hold that his excellency slightly erred in giving a certificate of election to a man who only missed an election by a failure to get the votes of the people he aspired to represent. But they affirm the court on the polygamy question. The error of his honor in deciding that Cannon was not naturalized, and of his excellency in refusing him a certificate of election, has so far kept Cannon out of a seat to which, under the law, he was as much entitled as any member upon this floor, and his excellency in the behavior of the committee.

As before intimated, the committies admit that Cannon is a naturalized citizen of the United States and to which, under the law, he was as much entitled as any member upon this floor, and his excellency in the behavior of the committee.

As before intimated, the committies admit that Cannon is a naturalized citizen of the United States and the seat. But says the chairman of the committee that the law to take his seat. But says the chairman of the committee that the his seat in the polygon of the Cannon is a naturalized citizen of the United States.

The congress law of a Torritory takes the language of the Eupreme Court of the United States.

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imit that Cannon is a natura

States pre-cribes for a member of Congress. One would very naturally conclude after these admissions that the committee would find no obstacle and raise no objection to the admission of Cannon to his seat. But such is found not to be the fact on an examination of the extraordinary report which the majority have submitted to the House. They take the ground that Cannon is not a member of the House, but were in the interpretation of statutes to hold that the lower House of Cannon to his seat or not, as they see fit. They insist that Congress has never pre-cribed the qualifications, and that they have no right to pass a law defining such qualifications, and that no law can be passed in reference to such qualifications, and that no law can be passed in reference to such qualifications which this House could not disregard at will.

Now let us inquaire, in the first place, whether Congress has ever by it as prescribed the qualifications of a Territorial Delegate.

The Congress shall have power to dispuse of the Senate or to act as member of the Congress shall have power to dispuse of the Senate or to act as member of the Congress shall have power to dispuse of the Senate or to act as member of the Congress shall have power to dispuse of the Senate or to act as member of the Congress shall have power to dispuse of the Senate or to act as member of the condition of the United States provides that—

The Congress shall have power to dispuse of the Senate or to act as member of the condition of the United States provides that—

The Congress shall have power to dispuse of the Senate or to act as a member of the condition of the United States provides that— UTAH CONTESTED ELECTION States pre-cribes for a member of

The Congress shall have power to dispose of and make all needful rules and regulations respecting the Torritory or other property of the United States. from the foundation of the Government, and preserved intact amid all the mutations of parties should not be disregarded without some grave and weighty reason.

The newly awakened conscince which calls upon us to discard pre-

ute book ever since:

In the organic law for the Territory of Utah Congress enacts-That the Constitution and laws of the United States are hereby extended over and declared to be in force in said Territory of Utab, so far as the same or any porvision thereof may be applicable.

States, and shall be when elected inhabitants of the State in which

under consideration could not have found its way under the rules of the House to the Committee on Elec-

The rule provides that subjects re-lating to the election of members shall be referred to the Committee

was a citizen, and gave the certiscate of election to Campbell.

Now the governor, while he wore the ermine and figured in the judicial instead of the executive branch of the government, might have correctly decided, so far as I know, that Campbell was a citizen of the United States, but how he ever brought his judicial mind to the conclusion that Campbell had been elected, and thus moved his executive mind to give him a certificate of election, is what no one ought to be expected to understand who is not able to combine within himself the judicial and executive abilities of the remarkable public functionary appointed by the President governor of Utah, and appointed by language of the Supreme Court of

take his seat. But says the ch

That is true. The election of a Delegate does not extend to him the riagt to interfere with the business of the Senate or to act as a member thereof. Neither does the election of a member of the liouse extend to him the right to interfere with the business of the Senate or te act as a member thereof, but what to is proves or is intended to prove on the point in hand by the author of the report I do not know that I perthe report I do not know that I perceive. If it is meant to assert that ceive. If it is meant to assert that as a Delegate cannot have anything to do with the proceedings in the Senate, and that therefore the Senate should have nothing to do with fixing his qualineations, I fail to see the force of it. For, aithough the Delegate takes his seat in the House alone, he represents, as the report says, "the common property and territory of all the people," and it would seem that as the Senate as well as the House is clothed by the well as the House is clothed by the Constitution with the power to pass all needful rules and regulations respecting this common property and territory of all the people, I do not see the impropristy in allowing the Senate a voice in prescribing the qualifications of the agent to represent this common interest. So far

a Territory shall have the right to elect a Delegate and to provide the

the right to pass any law fixing In the Probate Court of Cache such a qualification absolutely de-

examination of all the points new time to the testion of members and against him, this identical man has been allowed to sit upon this floor as the representative of his people.

E. With an unquestioned and unquestioned be more than the people with the p so will anybody that will look, that MARGARET A. CONRAD, THE ADMIN

Mr. Hammon, of Georgia. Does he gentleman base that proposition

to a Delegate.

Mr. Hammond, of Georgia. Will the gentleman from Tennessee allow the gentleman from Indiana to answer my question—whether he put that proposition on the right to expel a member? Mr. Calkins. No, sir; I put it on

Mr. Hammond, of Georgia. You used the word "expel."

Mr. Calkins, I did, in my remarks just now. I put it on this ground, that where any legislative body has the sole and exclusive right to judge of the qualifications of its members and where it is unfettered by constitutional restrictions, as I claim, this body is with reference to Dalegates, the two classes of qualifications which are recognized in the Constitution are consolidated in the House, and the House being

in the Constitution are consolidated in the House, and the House being relieved from that restriction which requires a two-thirds vote to expel for any cause, may exclude by a majority vote.

Mr. House, I will go on. I amperfectly willing the gentleman from indiana should have an opportunity to make his explanation. I do not think I have done his argument any injustice, nor do I see his his explanation has helped his argument at all. I quote further from the report.

It (meaning the House) is untelleged by

Mr. Speaker, I stand silent in the presence of this logic and this law.
The coolness with which this report assumes the very point in dispute and the dogmatic manner in which objections are disposed of are really refreshing. But as a matter of curiosity I would like to enquire what power is alluded to as residing under the the Constitution alone in the SCRAPEI SCRAPEI

nate and the Executive to have a voice in passing a law fixing the qualifications of Delegates? Certainly not the power vested in the House by the Constitution to judge of the election, returns, and qualifications of its own members, for the report expressly takes the ground that this clause of the Constitution has no reference whatever to a Territorial Delegate and as this clause of the Constitu-tion is not referred to by the report I am utterly at a less to conjecture I am utterly at a loss to conjecture what constitutional right of the House would be abrogated by the passage of the law alluded to. In passage of the law alluded to. In tact, in the report it is claimed that the House is wholly unfettered by any constitutional restrictions in dealing with a Delegate, and yet it is asserted that if the Senate and Executive are allowed to have any voice in law prescribing the qualifications of a Delegate a constitutional power which resides alone in the House would be abrogated. I give it up. I am unable to comprehend it up. I am unable to comprehend the logic of the report; it may be my misfortune and not the fault of

the author. (To be Continued.)

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of the Probate Court for said County, this 22d day of April A. D. 1882. JAS. T. HAMMUND, Clerk of said Court.



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