

GOVERNOR'S MESSAGE.

GENTLEMEN OF THE COUNCIL AND HOUSE OF REPRESENTATIVES OF THE TERRITORY OF UTAH:

The appointment of the President of the United States having devolved upon me the powers of Governor of this Territory, I now have the honor of addressing to you my first Executive message. The recent date of my appointment, and my arrival here only three days since, will, of necessity, render very imperfect what I may say to you, either by way of information of the state of affairs in this Territory, or of recommendation of measures of legislation; hence, I shall postpone the consideration of much local matter for a special communication, if necessary, and devote the most of the message to a review of the causes of the war which now is devastating our land, trusting that what I may say may not be regarded as idle words by this remote colony of people of the United States.

I come among you, the people of Utah, as one of you, to make this my home; and though a stranger to you, I have the earnest desire and hope, which are stimulants of strenuous effort on my part, that our now brief acquaintance may ripen into one of mutual respect and confidence, promotive alike of the honor and welfare of the United States, and of the best interests of the people of Utah.

I enter on the discharge of my duties, as the representative of Federal authority in this Territory, at an eventful period in the history of the United States. You, in common with the people of the whole civilized world, are now looking upon the painful spectacle of the people of this American Federal Union at war with each other. The noblest structure of political government ever created by the wants, or devised by the wisdom of men, is passing through the ordeal of civil war. Eleven of the slave-holding States, have openly repudiated the authority of the Federal Constitution, and are now attempting, by force of arms, to establish an independent national government, under the name of "The Confederate States of America," into which a desperate and powerful, if not a numerous, minority of the people of Kentucky, Missouri and Maryland, are endeavoring to draw those slave-holding States.

It is, perhaps, unnecessary for me to enlarge upon what is probably already known to you, of the origin and progress of the war. I may, however, enumerate as among its causes: First—Different systems of labor and social life in the slave-holding States, involving essentially different opinions as to the morality and expediency of the domestic slavery of the African race. In the Northern States, productive labor, which is the basis of the material prosperity of society, is free and honorable—its way is legibly unobstructed to wealth and honor. In the Southern States, labor is mainly servile or enslaved and, therefore degraded.

Second—Conflict of sectional interests; the most populous and wealthy portions of the Northern States desiring to favor their commercial and manufacturing interests, which are predominant, by protective tariffs against foreign manufactures. The Southern States, on the other hand, whose interests are mainly agricultural, aiming to develop their agricultural wealth by freedom of trade; and each endeavoring to make the Federal Government auxiliary to its own sectional policy.

Third—Antagonistic political theories, coeval with the formation of the Federal Union, in regard to Federal and State rights; the Northern States having generally practically accepted the theory which recognizes the supremacy of the Federal Government, as a national government, created by the people of the United States as one nation; and the Southern States having generally adopted that theory of the Constitution, known as the strict construction or State's Rights theory, which holds the Constitution to be a compact or league between co-equal sovereign States, united in a confederacy not consolidated under a national government. The radical substantial difference between the two theories may perhaps be summed up in these words: The people of the Northern States generally regard their allegiance to the Federal Government, as paramount to their allegiance to their State Governments. While the people of the Southern States, as generally hold that their allegiance to their States is superior to their allegiance to the Federal Government. Hence a Northern man regards his State as having no political sovereign rights, except as a member of the Federal Union. And that, therefore, the secession of a State from the Union, or its resistance of Federal authority, is an act of rebellion or revolution to be put down by the strong arm of Federal power; whereas, a Southern State's rights man considers his State as having political rights and sovereignty, above and independent of the Federal Union; and that, therefore, it may, for cause to be determined by its own discretion, withdraw from the Union, or resist its authority, without affording just cause of war upon it.

It is deeply to be deplored that differences so radical should exist among the people of the United States, for their tendency is to impair the harmony of feeling and unity of interest and purpose, which are essential to the full development of the national prosperity and power. No wise man who surveys the magnificent and imperial territory upon which the Providence of God has placed the people of the United States, can fail to believe that they should remain one nation and one people; it

may be one from many, but yet one among the nations, and that their true interests and glory are in unity and peace. But deplorable as the differences are, that have resulted in civil war, they do exist, and it is a historic truth that they did exist coeval with the formation of the Federal Union and Constitution. In the convention of wise and patriotic men, who formed the Federal Constitution of 1787, these differences constituted the most serious obstacles to the framing of the Constitution, and, afterwards, to its adoption by the people. Had the councils of men of extreme and violent opinions prevailed, and the jealousy between some of the States been fostered, and the assertion of their separate sovereignty been carried to its natural results, the American States, after having nobly struggled to a glorious success through the seven years war for independence, instead of forming the union which gave them strength and dignity, and started them upon a career of matchless prosperity, would have been divided into petty States, without national resources, without national dignity and power, and ever at the mercy of foreign foes and of the British Empire against which their united struggle had given them success. But the men to whom the destiny of the United States was committed at the close of the war of the Revolution, were Patriots and Statesmen. They were men of large hearts and clear heads. They plainly saw the dangers which threatened to divide the States, and they sought to avoid them. They therefore mutually discarded sectional views and jealousies, and brought to the formation of the Federal Constitution "a spirit of amity, and the mutual deference and concession which the peculiarity of their political situation rendered indispensable." They did not urge differences of opinion or conflicting interests to their logical results; they conceded—they yielded—they compromised. The Constitution, the work of their hands, was based on compromise. The jealousy between large and small States was compromised by giving to each State equal representation in the Senate, and numerical representation in the House of Representatives. The differences between the advocates of a strong national government on the one hand, and a limited federal government, with strictly defined powers, on the other, were compromised by making a government partly national and partly federal. As to all its external and foreign relations, the government became a national one. In its internal relations, it remained federal, each State retaining its sovereignty and independence, as to all its local and internal concerns. The differences of anti-slavery men and of the advocates of slavery were reconciled by fixing a period when the Congress should have power to terminate the foreign slave-trade, which was a subject within the legitimate scope of national legislation, and by virtually recognizing slavery, without naming the words slavery or slaves, as the creature of local law, and by leaving slavery in the States as the Constitution found it—a domestic institution—the subject of local or State, not of Federal, legislation.

Notwithstanding the wise compromises of the Constitution, it was not to be expected that the causes which produced diversity of opinions and difficulty in framing the Federal Government, would wholly cease to operate with the growth and prosperity of the nation. The experience of human nature gave no guaranty of so benign a result. Brave and patriotic and intelligent, as they proved themselves to be in the establishment of their independence and in forming their system of government, the American people had no claim to immunity from the general failings of men. Wise as was the plan of government they adopted, they were liable to depart from its spirit, and thus impair its efficiency, and endanger its existence. There was, however, strong hope in patriotic men that the wisdom of the people, the practical good sense characteristic of the race, would always prevent the causes of jealousy and dissension between different sections of the Union from coming into angry collision and overlapping the limits and safeguards of their self-created Constitution. In this hope, there has been disappointment. The people of the United States have not proved themselves to be as wise as the fathers of the Republic hoped they would be. Disregarding the injunctions of Washington in his farewell address, and the teachings of his illustrious compeers; disregarding the sacred compromise of the Constitution itself, men in different sections of the Union have not failed, reckless of consequences, to urge radical opinions upon various questions of policy, especially the question of domestic slavery, that could not but terminate, when thus urged, in the formation of sectional parties, and a consequent destruction of the harmony and moral power of the Union, which are the main elements of its perpetuity.

It is not my purpose to take a partizan, but a dispassionate and patriotic view of our national troubles, and in doing so I would falsify the truth of history should I fail to say that neither the Northern people nor the Southern people are wholly free from blame for the great evil that has come upon the nation. Upon a question like that of slavery which has been the most prominent among the causes disturbing the harmony of the Union; a question involving moral, religious, social and political considerations, concerning which wise and good men in different ages have widely differed, it was not wise for men in either section of the Union to assume to be wholly right and their opponents wholly wrong, nor wise to allow differences of opinion to ripen into a sectional party spirit; and

hatred, so intense and rancorous that they usurped the throne of reason, and incapacitated men from seeing measures and events, except as through a glass darkly. The atmosphere of passion is ever an unsafe medium through which to look either upon men or things. The Federal Constitution had dealt with the subject of slavery as a political one, in the spirit of compromise, and it was the duty of all men loyal to the Constitution to continue so to deal with it. It was not, therefore, well for the people of either section, to give heed and influence to the sayings of men of extreme opinions in regard to it. The formation of a political party in the Northern States, upon the distinct basis of hostility to slavery, insignificant as that party was in its beginning, was ominous of evil. The people should have foreseen that beneath the rending and disintegrating power of such a wedge of disunion, the Federal Union, though strong as gnarled oak, must eventually be rent asunder. It has been a cardinal error of the people of the Northern States, towards their Southern brethren, to permit a fanatical abolition party in the North to enlarge its borders and strengthen its stakes, and to gain political consequence and power, until the opinion has been created among the Southern people that the whole Northern mind is imbued with bitter hostility to the Southern people, and a determination to destroy, through the intervention of Federal power, the Southern domestic institution of negro servitude. Influenced by this opinion, Union loving men of the Southern States have been led to the conclusion that the harmony of the Union was forever at an end, and to look, almost without regret, upon the prospect of its dissolution, an idea once utterly repulsive to the whole American mind. On the other hand, impartial justice demands that I should say, that the people of the South, sensitive, hot blooded, impulsive, and fond of rule, instigated and misled by ambitious political leaders, have been too much disposed to scoff at and defy the intelligent moral sentiment of the Northern people on the subject of slavery, and to force them by arrogant and insolent denunciation, to formally approve, as a political and social good, what they firmly believe to be a political and social evil. The people of the South have unwisely claimed a political importance and power for their domestic institution of slavery, not belonging to it. They have claimed rights for it under the Federal Constitution which the Constitution does not award to it. In fine, the people of neither section have been willing, as to this exciting question of slavery, to let each other alone, and in the spirit of mutual forbearance and kindness and national brotherhood to pursue the even tenor of their way, each content to form and regulate its domestic institutions in its own way, subject only to the Constitution of the United States.

From year to year, for many years past, the disharmony of the Federal Union, growing out of the subject of slavery and the other causes of difference to which I have alluded, has been increasing, encouraged by abolitionists at the North and the ultra slavery men of the South. Against this agitation the wisest and best men of the Republic have manfully contended. The struggle of 1820, in regard to the admission of Missouri into the Union, a struggle which shook the Union to its center as with the throes of dissolution, was safely passed by a compromise, wholesome at the time, but not, as the result has shown, resting upon a permanent self-adjusting principle, adapted to all future cases that might arise with the expansion of national territory and the changing relations of States. The next great struggle was that resulting in the Compromise Measure of 1850, which the history of your own Territory is identified. Your organic law was one of the compromise measures, and it bears the impress of the minds of the great statesmen Clay, Webster and Douglas, whose voices were potent in the national Senate, but are now hushed in death. It recognizes the right of a people of an organized Territory to exercise their legislative powers upon all rightful subjects of legislation, consistent with the Constitution of the United States, and to be admitted as a State into the Union with or without slavery as their Constitution may prescribe at the time of their admission.

The Compromise of 1850 was of vital moment to you, if I may say so, the peculiar people of Utah, for it embraced a principle upon which you seized as a protection to you in your right of conscience, and in the formation and regulation of your own domestic and social polity, so long as it conforms to republican principles of government and to the supreme law of the Federal Constitution.

It is, however, to be observed that as under the name of liberty many unblushing crimes have been committed, so under the doctrine of the sovereignty of the people of a State or Territory, excesses may be attempted which were never contemplated by the framers of the Constitution of the United States, to be guarded against and destructive of the great ends of government; hence, under such circumstances it should be the duty of Congress to act *pro re nata* more with reference to the equity of the case than to the question of the legality or constitutionality of the power to be exercised, a course which will be found indispensable to the maintenance of internal peace, concord and justice, each of which is an element of Union.

The Compromise of 1850 met the approval of the nation, except perhaps the small minority of men of radical opinions, with whose agitation and controversy are ever congenial elements, and to whose political importance they are necessities. It seemed to bring back

and settle the administration of the government, upon the principle of compromise by which the Constitution itself was formed. It distinctly recognized as the true solution of the question of slavery, and of all other questions of domestic or local policy in the States and Territories—the principle that each State and Territory should decide for itself, independent of the will or action of Congress, what local or domestic institutions, consistent with the nation's organic law, the people should have.

The Compromise measure of 1850 worked well, but it did not satisfy ultra men North or South. Their fiery and intolerant zeal could not be calmed even by that great and wise measure of peace. Therefore to carry out to what he believed to be the logical and proper result the principle of the Compromise Measure of 1850, and to establish a principle upon which all Territories of the United States should thereafter be organized, and to put an end to the agitation in Congress, or as a question of Federal policy, on the subject of slavery in the national Territories, Senator Douglas, of Illinois, introduced into the organic laws of Kansas and Nebraska, in 1854, a distinct declaration of the intention of Congress not to legislate slavery into any State or Territory, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States. This was as clear and comprehensive a declaration of the sovereignty of the people of the Territories of the United States, over their own local affairs, as any well meaning people cordially loyal to the Federal Constitution could desire. To remove every obstacle to the free action of this great principle of democratic government, the 8th section of the act of Congress of March 6th, 1820, known as the Missouri Compromise, which prohibited slavery north of latitude 36° 30', was declared inoperative and void, and as inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories, as recognized by the compromise legislation of 1850.

A measure so radical and far-reaching, involving the abrogation of the time-honored Missouri Compromise restriction, was not at once clearly and fully understood by the people, and it therefore so greatly agitated the public mind, and met with such bold and vigorous opposition in the north as to make even the friends of the great principle doubt the propriety of introducing so suddenly a measure so searching in its consequences. I need not say that I was among the opponents of the abrogation of that "restriction," because the parties to the compromise could not be permitted to their former status; but as the true relation of the great principle of popular right as embodied in the Kansas and Nebraska act, to the subject of slavery, was developed, the opposition thereto lost force, and the people virtually endorsed the measure by the election of Mr. Buchanan in 1856.

History has not yet fully pronounced her impartial verdict upon the wisdom of the Kansas-Nebraska act of legislation of 1854, but fair-minded men of all parties are rapidly coming to the conclusion, aside from the unfortunate embitterments it created by the repeal of the Missouri Compromise, that it afforded the best practical disposition by Congress of an exciting and dangerous question, one which threatened the longevity of our institutions. This assertion is confirmed by the fact that the party of the Administration now in power, which was organized and triumphed upon the basis of congressional prohibition of slavery in national territory, by its majority in Congress this very year, organized the territories of Nevada, Colorado and Dakota substantially on the very principle of congressional non-intervention with slavery, which was the distinctive feature of the Kansas-Nebraska act of 1854.

Had the principles of that act been generally approved, and fairly carried out, without interference from the Federal Government, then under the administration of President Buchanan, it can not be doubted that the civil war that now clothes the land in mourning, would have been avoided. But it was not to be. Men of strong anti-slavery opinions in the north, who had looked upon the Kansas act as an instrument by which slavery was to be introduced into Kansas, set to work, even pending the passage of that act, to fill up that territory by free immigrants from the northern States, while on the other hand, political leaders in the south, who had hoped by the Kansas act for the same result which northern men feared, set on foot a movement from Missouri and other slave-holding States, to possess themselves of political power in Kansas, so as to establish slavery there. These opposing tides of immigration, or invasion, as it in part might be justly called, led on by violent, and in many cases lawless men on both sides, soon came in collision on the plains of Kansas, and the Kansas civil war was the result.

It is due to truth to say that, in the conflict of opposing forces, the southern leaders were able to command the aid of Mr. Buchanan's Administration. Its power and patronage were unscrupulously brought to bear to strengthen the slave-holding interest in making Kansas a slave State. This bold and bold attempt in the interest of slavery, and in the face of its organic law, to override the popular will of the people of Kansas, signally and justly failed. The attempt and its failure demoralized the Democratic party, the most powerful political party known to American history, and at the same time combined in formidable union with the great Republican party of 1860, the anti-slavery opinion of the