

moderate and merciful in comparison with the measures in reference to Utah now before your honorable body, was considered even in monarchical England a grave stretch of governmental authority. The colonists were permitted to be heard by counsel when the bill was discussed, and Sir Robert Peel, who was a very radical supporter of the doctrine of the power of Parliament, and who denounced the course of the colonists as "foolish and unjustifiable," declared that the bill was "neither more nor less than one for the establishment of a complete despotism—one that would establish the most unqualified, unchecked, unmitigated power that was ever yet applied to the government of any community in place of that liberal system which had prevailed for upward of one hundred and fifty years." And he asked whether Parliament had "ever treated with so much severity a conquered colony amid the first heat of animosity after the contest." The measure failed, and the attempt to pass it cost the ministry, under Lord Melbourne, their official positions, for through its failure they were compelled to resign.

Canada not only protested against the interference of the home government but made demands, which Peel declared would if conceded, establish in the colony "a French republic." These demands not being granted, the Lower Province proceeded to armed insurrection, and went so far as to measure arms with the regular British troops. The Upper Province joined in the rebellion, but both were defeated. Lord John Russell introduced a bill in Parliament to suspend the constitution of the colony. But this was deemed too severe and subversive of the rights of British subjects, and so a new Governor was sent out; the grievances of the people were inquired into, and subsequently, Lord John Russell who had proposed the obnoxious and oppressive measure, seeing and acknowledging his error like a true statesman, introduced a bill establishing home rule by a legislative union of the provinces on the principles of free representative government, and on the wise policy advocated by the celebrated Fox, that "the only method of retaining distant colonies with advantage, is to enable them to govern themselves." Your memorialists respectfully ask whether it is too much to suggest that the example of Great Britain in examining into the alleged wrongs complained of by its colonies and refusing to violate the rights of its subjects, and the principles of liberty that enter into every constitutional government, might be profitably imitated by this great republic in its policy towards Utah, which has never swerved from loyalty to the national government nor rebelled against its laws, however severe.

There are other measures before your honorable body which, if not so sweeping as the bills for governing Utah by a legislative commission are none the less hostile to the rights and privileges of citizens. The proposition to compel a wife to testify against her husband, we submit, would do violence to the rules of jurisprudence that have become venerable with age and sacred by usage for centuries. The highest judicial tribunal in the land has declared that the rule that neither the husband nor the wife shall be compelled to testify against each other, is founded upon principles that "constitute the basis of civil society, to impair the sanctities of which would be to destroy the best solace of human existence," while to break it down, would be "to shake the very foundations of society." To attach witnesses, as is proposed, without previous service of subpoena, and a disobedience of the mandate of a court, would be unprecedented and subversive of the rights of citizens. No person, however innocent, would be safe from seizure under such a law, and while the individual accused of crime could give bail, and be at liberty pending his trial, the alleged witness, not charged with any offense, could be captured and incarcerated for an indefinite period. The elective franchise, now held by women voters, against whom no accusation is made, and who cannot be charged with polygamy or any other offense known to the law, is sought to be wrested from them, by which they would be summarily deprived of a right which they have exercised for twelve years or more.

The attempt in another bill to make non-membership in a certain religious organization a qualification for voting and holding office, appears to your memorialists so utterly subversive of the plain limitations of the powers of Congress, as defined in the Constitution, and of the genius of our government, that no remonstrance on our part will be necessary. The time has surely not arrived when a religious test shall be imposed as a qualification for any position of trust, or as a disqualification from exercising the elective franchise.

Your memorialists have to complain of gross misrepresentations, by which your honorable body has been deceived in reference to the true sentiments of the people of Utah and their political and social status. The public mind has been inflamed in consequence of untruthful rumors, facts distorted and tales invented, until it has become almost impossible to correct the false impressions that have been made, not only upon the country but also upon Congress. For, added to the exaggerations of the pulpits and the press, are official statements, which naturally have great weight, but which in many respects are as incorrect as the common base fabrications designed to mislead and prejudice the public.

We earnestly protest against the passage of any measures that have been prompted by this popular agitation

caused by misconception of the facts, and urge that it cannot be right, but it is manifestly unjust, to punish a whole community for the alleged offences of a portion of its people, and to deprive a large body of citizens, against whom no crime can truthfully be charged, of the commonest political rights and privileges because they do not think as other people desire, nor vote themselves under the control of those who persistently malign them.

Many of the people of Utah have descended from those noble patriots who struggled and bled for the liberties now enjoyed in the States of our glorious Union. They venerate the principles for which their ancestors lived and labored, fought and died. Shall they be deprived of the precious heritage bequeathed to them because they, like their forefathers, entertain religious views that are considered heterodox? Are they to be condemned and punished unheard? Shall popular clamor and sectarian animosity overawe the statesmen of the nineteenth century, and prevail upon them to wrest from citizens against whom no offense against the law can be charged, the commonest and yet most valued political rights and privileges? Because a few are accused of a practice that modern civilization condemns without understanding, are their fellow citizens who have committed no overt acts against the popular sentiment or the laws to be punished and relegated to serfdom? Are the services of the people who have opened up this vast region to civilized habitation and progress to be counted for nothing? Shall the many acknowledged virtues of a sober, thrifty, industrious and peaceable community be lost sight of, because of one feature of their faith which modern society does not tolerate? Must the libels of official and other persons interested in the subjugation of Utah and its exclusion from Statehood be always received as truth, and the denials and appeals for fair investigation by the accused people be ever rejected? By the blood poured out in defence of the liberties we are prevented from enjoying; by the struggles of the early colonists against measures similar in essence to those against which we now protest; by the principles enunciated in the Declaration of Independence; by the guarantees of the national Constitution; by the right of local self-government, which is vital to American liberty; by the franchise, which has become our valued property; by the toils and privations of the brave pioneers who led the way to these mountain fastnesses; by the just ambitions of our budding youth; by the bright hopes and lofty aspirations of a hundred and seventy thousand people who protest against oppression; by the vested rights of our sister Territories whose freedom is menaced by our threatened political destruction; by that justice and equity which should be meted out to all the citizens of this great nation, irrespective of creed or party, we appeal to you not to condemn us unheard; not to take from us the few political privileges that distinguish us from conquered slaves; not to deliver our fair and flourishing Territory into the hands of men irresponsible to the people; not to reverse for us the established rules of civilized jurisprudence; not to disfranchise the innocent for the alleged offences of the presumably guilty; not to encroach upon our rights of property; not to apply to us a religious test for political purposes; nor to pass any such rash and revolutionary measures as have been proposed, but to postpone any further action towards Utah until a committee of your own number or other disinterested persons appointed specially for the purpose shall have impartially investigated the whole subject of the situation in Utah, and have reported to your honorable body, so that you may act with a fair understanding of all sides of these important questions, and your memorialists will ever pray.

Signed, W. W. CLUFF,  
President of the Council,  
CHAS. W. SLAYNER, Chief Clerk.  
JAMES SHARP,  
Speaker of the House,  
JUNIOUS F. WELLS, Chief Clerk.  
S. L. City, March 13, 1884.

#### OUR DELEGATE INTERVIEWED.

HON. JOHN T. CAINE ON THE PRESENT ISSUE.

AN OUTSPOKEN DEFENSE.

Following is an account of an interview with Hon. John T. Caine, which appeared in the Washington Republican of March 31:

The Hoar-Edmunds Mormon bill, which is now on the Senate calendar under favorable report from the judiciary committee of that body awaiting action, has stirred up the Mormons of Utah and elsewhere to the highest pitch of excitement, and it is predicted in some quarters that should the bill become a law the truculent Saints will fight against its enforcement by force of arms.

John T. Caine, the Mormon Delegate to Congress from Utah, was interviewed last night on this and other measures now before Congress for the suppression of polygamy in that Territory. He could not believe that any of the various measures now before Congress will come to fruition, since "respect for the Constitution is not yet entirely obsolete, and manliness and fairness have still their place in the minds of our national lawmakers."

"The bills," he said, "were framed under a complete misapprehension of the political, religious and social life of the people of Utah; and if it were within the just power of Congress to make such laws, their enactment would in no sense simplify the situation." The Hoar-Edmunds bill provides that in Utah the wife may be compelled to testify against her husband and the husband against his wife in certain criminal prosecutions: while in support of the well-known rule of law forbidding such compulsion, the Supreme Court declares that to violate this rule would be to impair the sanctities of home and destroy the best solace of human existence. Another provision is that attachments, without previous subpoenas, may be issued, enforcing the immediate attendance of witnesses, giving thereby opportunities for the invasion of homes, the harsh or even brutal seizure of innocent citizens and their detention for indefinite periods; all in defiance of the highest rules of jurisprudence and the plain words of the Constitution, which says: "The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated." Again, the bill aims to take away the suffrage of the women of Utah, one of their most highly valued rights, and one against losing which they earnestly protest, while the advocates of the measure are professing with ridiculous inconsistency an intense and overwhelming desire to forcibly carry the Mormon women out of their self-imposed bondage. These provisions are unjust and un-American, beside being violative of law and the Constitution, but they are not more striking in these deplorable characteristics than those sections of the bill which provide for the management of the Mormon church by a board of hostile trustees appointed by the President and for the escheating of the property of the Church to the United States for certain public purposes. By the way, I see from the Republican that action has been taken by our government to prevent the confiscation of the wealth of the Catholic propaganda in Italy. This effort of the United States to stop such plunder must certainly meet with the approval of all fair-minded people. But to me it seems very strange that while American public men and newspapers have united in a condemnation of the Italian effort to despoil the mother church, none seem to have observed the similarity existing between that scheme and the one originated in our own Senate to strip the dominant church in Utah. And yet in principle they are the same.

"Is this Hoar-Edmunds bill the one of which you most complain?"

"No. Grossly unjust as it is there are others still worse. The Cullom bill in the Senate and the Cassidy bill in the House, which measures are almost identical, are more cruel and unjustifiable because, in addition to their own apparent and immediate evil they propose to open the way for even worse legislation than the Hoar-Edmunds bill. The Cassidy-Cullom proposition is, in plain words to give into political slavery 100,000 American citizens, to place their personal and property rights in grave jeopardy, and set up as their taskmasters the most irresponsible and selfish satraps whom politics could father or impecuniosity educate. The bill abolishes the last faint shadow of local self-government in Utah. It supplants the Legislature, and gives to a commission of fifteen men and a governor, to be appointed by the President, without responsibility to the people, every power of legislation. It would encourage, not more by the extraordinary authority which it offers to bestow than by the reckless spirit which would allow its passage, the inauguration of a tyranny more oppressive and dastardly than George III and his vicious advisers ever dreamed of imposing upon the American colonies. Indeed, Utah, saddled with a governor who holds the absolute veto power, with federal courts, commissioners, district attorneys, and marshals, with a system which gives to 17 per cent. of the population more than one-half of the jury representation, with a federal commission which moves or retards election machinery and legislates upon suffrage qualifications at pleasure, is already in as helpless a state as if she were a conquered province. For less than she endures today England a century since lost thirteen colonies. This new infamy is directed ostensibly against plural marriage, but its real object is to despoil and utterly subjugate the Territory. It is advanced innocently by its congressional promoters in the direct interest of a clique, some members of which would welcome chaos if only they might have plucking at the reins. This is strong language, but it is justified by the facts. Not even the most ardent supporter of this bill has explained in what way its passage and the consequent punishment of 100,000 innocent people will prevent plural marriage or eradicate the polygamy already existing. But even if polygamy would cease upon the consummation of the Cassidy-Cullom measure, congress may pause without impropriety to consider this question: "Which is the greater crime—the practice of patriarchal marriage by possibly 10,000 people, or the enslaving of a whole Territory, nine-tenths of the inhabitants of which are not even charged with offenses against the laws." To punish polygamy can Congress afford to violate the Constitution? If a sincere desire to enforce the laws against polygamy animated the men who are now crying for more legislation they

would cease to whine since they know that there are already in existence more than enough statutes to cover the case. The trouble is that they are not honest in their demand. They are too intent upon using former laws and seeking new ones to disfranchise their political opponents, to be able to pay much attention to the supposed purpose of the laws. The Edmunds bill became a statute two years ago, and under it about 12,000 people, without trial or official investigation, were deprived of the ballot. The Utah Commissioners admit that this number included, according to their opinion, the entire body of past and present practitioners of plural marriage. What more could in reason be asked? And yet before the ink of the executive signature to that law was dry the clique were declaring that it was a failure, that it did not go far enough, and were demanding further legislation. And unless some moral revolution should interrupt their schemes they will grow old and die with this unseemly, dishonest request upon their lips. But if their demand should be acceded to, and such a tyrannous measure should be passed as would place 200,000 industrious, thrifty, moral, and temperate people, with their homes and savings, at the mercy of a band of unscrupulous adventurers as sure as men shall live to write, future history will class our case with those of the early Christians—the Huguenots and the Pilgrims. I have no doubt that the creatures who seek the seizure of the Territory would be willing to pay us in the coin of next century's sympathy. But there are few men in Congress, I think, who would care to have their names linked in history with the infamy of our spoliation."

"What plan would you suggest for the solution of this question?"

"In the first place, comprehension of our circumstances and life, and then honest, fair treatment. As it is we are almost invariably misrepresented by the distorted accounts given of our acts and words, to suit the wicked or sensational desire of the people who circulate reports. This is particularly the case at Salt Lake, where the agency of the Associated Press is held by one of the clique, of which I have spoken. But it is noticeable here in Washington. When I made my argument against the Cassidy bill before the house committee on territories the Associated Press reported me as saying that I recognized the right of congress to punish polygamy if they so desired. I made no such statement, nor anything akin to it, because I think that such power belongs to the people locally, and was never given to the national legislature. And when the false statement appeared, I called the reporter's attention to the error and asked a correction. No heed was paid to my request. This may seem only a slight matter, but it serves to illustrate the facility with which falsehood is circulated concerning us, and the difficulty or impossibility of our correcting the errors. Not only would I ask a fair understanding of our case by the press and public generally, but especially by Congress. A full investigation of Utah affairs by statesmen is all we ask; and we should not appeal in vain for this right. We are citizens, not serfs. We are loyal, not traitorous. If any people in this land are worthy of consideration, we are entitled to honest dealing both for what we have done for the country and what we have suffered at the hands of its appointed servants. The clique who ask for strangling legislation are as a rule men who have not a single religious or moral objection against plural marriage. They use "polygamy" as a battle cry and in their hearts they do not have a single wish for its annihilation. If morality were their actuating motive, why did they not enforce without discrimination the disenfranchising provisions of the Edmunds act. That law expressly disqualified from voting and holding office not alone men and women who have entered into plural marriage with the most sacred and self-sacrificing motives which can govern humanity, but also practitioners of the social evil, monogamists guilty of marital infidelity, and makes altogether a very sweeping application. But the test oath for votes and officeholders was framed by the federal officials. With possibly party protective views, they provided that illegal cohabitation should not be any disability when indulged in, however indiscriminately, outside the marriage relation. Without any authorization of law, they interpolated in the registration oath the words "in the marriage relation," whereby only Latter-day Saints are excluded from the rights of citizenship, while females of the most degraded type, with the still worse male creatures whom they maintain, are accorded every consideration at the ballot box. The sexual crimes of these wretches, excite no animosity so long as their political affiliations are with the carpet bag rule of the Territory. Another charge I make is that men speak falsely when they designate the Edmunds law as a failure. Was the deprivation of 12,000 people of their rights of citizenship a failure?

A social revolution cannot be consummated and all trace of it obliterated in one year or two years. And I consider that before piling up cumulative statutes against a long suffering people Congress should learn by direct investigation whether the allegations made against us do not more largely arise from an unscrupulous and selfish enmity than from any actual evil which we commit."

#### BALL BURSTS HIS OWN BUBBLE.

The bubble that was blown by W. L. Ball, in regard to the alleged distress of settlers in the San Luis Valley, Colorado, has been probed and probably burst by himself. He succeeded in creating quite a stir. The affair delighted a certain class of people who imagined they saw in it a wedge with which to split a "Mormon" community, while others, sympathetic souls, believing Ball's representations of distress to be genuine, poured pelf into his lap. Being aware of the true character of the situation, we warned the benevolently inclined against spending their money on unworthy objects, advising an unbiased investigation on the spot before placing any funds within the reach of the base Ball.

The embezzlement by Ball of the charity funds supplied by generous hearted people for the benefit of the San Luis party of discontented persons is just what we anticipated, being a repetition of the conduct for which the record shows he was cut off the Church. He was found guilty of having embezzled the tithing funds entrusted to his care, also appropriating to his own use the money belonging to a benevolent institution whose object is the amelioration of the poor, the sick and the helpless—the Ladies' Relief Society. Now it transpires that he has stolen money donated by the charitably inclined for the benefit of his own party. The deep hypocrisy of the man is manifest in the fact that not long ago he published a document signed by members of his party certifying to his honesty. If our recollection serves us correctly, the name of his successor to the leadership of the little band was attached to it. Such men as he are greatly in need of such documents, as their actions cut no figure in sustaining a reputation for integrity.

According to appearances that class of people who rub their hands in delight at the slightest opportunity of creating or widening a schism in the ranks of the Latter-day Saints will have to draw felicity from some other source than the San Luis valley fiasco, the energetically worked-up sensation of an hour. They will have to seek other fields for their peculiar proclivity, and the really charitable will probably see the necessity of leaving Ball "alone in his fallen glory," as his former companions have done, and search for more worthy objects of commiseration.

#### THE SITUATION IN THE SAN LUIS VALLEY.

BALL DISCARDED BY HIS OWN PARTY FOR EMBEZZLEMENT OF CHARITY FUNDS.

This morning we received a visit from Elder Asa Hawley, of Inverary, Sevier County, who returned yesterday from a mission, the first part of which was spent in Alabama, where he labored for nineteen months. He met with a good deal of opposition, but also with considerable success, having personally baptized thirteen persons and assisted in the administration of that ordinance to eighteen others. Although many threats of violence were made against himself and other Elders, they escaped without receiving any personal injury.

At the close of the nineteen months he was transferred to Colorado, where he has been laboring nearly five months.

We at this point put some interrogations to Brother Hawley in relation to the situation of affairs in the San Luis Valley.

"How are the people prospering?" "Finely. The spring is open, farming operations were begun two weeks ago, and there are excellent prospects of a fruitful season."

What is the general feeling among the people?

The general sentiment is one of peace and contentment. Those feelings are universal among all the good citizens there.

What is the situation with the few malcontents of whom prominent mention has been made in the newspapers?

A split has occurred in their ranks.

What is the nature of the disagreement?

W. L. Ball, who was the ringleader of the clique, was sent by them to Kansas some time ago, for the purpose of selecting and purchasing lands in that State, to which they proposed to migrate for settlement. In going on this mission Ball was entrusted with a considerable sum of money belonging to the entire party in common. They discovered that he embezzled quite an amount of this money and appropriated it to his own use. They soon raised a hornet's nest about his ears, deposed him from the leadership and placed a man named Moyers in his stead. They denounce Ball as a scoundrel, a thief and a hypocrite. In consequence of his mercenary, mean, contemptible and hypocritical conduct he is despised by all classes of the community.

ABOUT twenty-five missionaries will leave for the Northwestern States Saturday morning.