

the white snow contrasts with the mire which it sometimes covers with its gentle garments of pity, or as the still and shining stars contrast with the loud and hissing meteors they encounter in their march through space.

How many of such men are there in Utah? Convicted liars, professional thieves, confessed assassins, trembling perjurers, who have hung for years upon the outskirts of the little societies which gather together and build themselves up amid these mountain fastnesses. One such man has served to accuse and cause to be imprisoned several of your most honored citizens. Half a dozen of such, instigated by cowardice and sordidness, would crowd every jail in the Territory.

It will not be forgotten that fifteen years ago a war broke out between the Mormons and the U. S. Government. I call it a war because it has been so considered and designated by those in authority. It was a war without a battle. It was rather a rebellion against the United States which did not proceed as far as war. I am not here to defend or apologize for that rebellion. It was doubtless without cause, it was certainly foolish. It has been forgiven and those who participated in it were pardoned many years ago.

During that war—or rebellion—many mistaken, foolish, but honest and earnest men went to the front filled with burning zeal, and ready to sacrifice and die for a cause which they believed to be unjustly assailed. And with this army of zealots who were filled with the martyr's spirit and the fanatic's scorn of numbers, there went a few men whose cupidity was excited by the hope of gain, or whose savage hearts swelled with a lust of rapine.

Bloody deeds were committed by these men, deeds which were overlooked at the time, because most men feared their perpetrators and few men cared for the fate of the slain. What shall now prevent the advent of a score of Hickmans, who may come forward and seek exemption from punishment, seek notoriety, seek gain, by swearing that they committed their deeds of blood at the instigation of men whose wealth is coveted, or whose power is envied, or whose conviction of some crime is eagerly desired and passionately pursued by many men of many motives? The Mormon people are judged abroad not by their thousands of deeds of charity and kindness, but by a few deeds of blood unjustly accredited to their leaders. You will never hear how tens of thousands of people have been brought from famine and hopeless toil to lives of peace and plenty, but you will hear of the Mormon rebellion and of Mormon outrages. You will never hear of the thousands of emigrants who have been fed and sheltered and succored, but the Mountain Meadow massacre is in every mouth.

This partial judgment of the Mormons has necessarily some foundation. It would be strange indeed if in the eventful careers of these followers of strange lights, these pioneers of a new theology, these builders of queer temples, these wanderers of the frontier, these architects of a desert state, these men who have faced the storm and the savage, who have wrestled with the sterility of nature and the hatred of man, who have been in a state of almost constant war with somebody ever since their prophets were murdered in Carthage jail, these men who have been environed with difficulties, and almost submerged with falsehood ever since they first forded the Platte—I say it would be strange indeed, if, when a drag net is thrown over their lives, some isolated facts should not be elicited, which could be so twisted by a perjurer's tongue, and so shaped by an unscrupulous and relentless prosecution, as to secure convictions from packed and prejudiced juries.

I marvel that so little should have been brought forward thus far. I marvel that it is only the assassin Hickman who is now dragged out of the deep. There are others doubtless who await his success to embark in the same business.

On such evidence it may happen that Brigham Young, and Daniel H. Wells, and George Q. Cannon, and many other honored citizens of Utah will be convicted by selected juries, sentenced by Judge McKean, and the sentence confirmed by the Territorial Supreme Court. Unless Congress shall provide for appeals to the U. S. Supreme Court, there will then be an end of the matter, and even if such appeal be allowed, the defendants may be refused bail, and incarcerated during the tedious process of appeal.

Perhaps the end of all this will be that some good men will be judicially murdered and many others incarcerated in felons' cells. You are standing upon the verge of an awful precipice, your foes have guarded

every outlet, your only chance is to break their ranks and gain the highway of safety by the path of local sovereignty. You must have a State government. Every other interest should bend to this end, every sacrifice should be made to secure it. Elsewhere there is no strength, elsewhere there is no hope. Every other refuge of good men, every other protection of innocent men is closed in your faces. A State government means juries not selected from a class but impartially from all citizens, it means Judges chosen by a majority of the people and not appointed from abroad, it means officers of your own selection, it means honest and economical government, it means equal taxation, it means peace, it means security, it means exemption from persecution—in a word it means power, not the power of a theocracy, nor yet the power of a ringocracy, but the essence of democratic republican government, the power of an intelligent, virtuous, public spirited, popular majority. It means for Utah a practical establishment of those theories of government which our revolutionary fathers struggled and sacrificed to establish, which their sons struggled and sacrificed to maintain. It does not, as has been sometimes suggested, mean the establishment of theocratic, or autocratic, or personal rule. Those who apprehend such result reason in a narrow circle; those—if such there be—who hope for such result fail to recognize their surroundings. A small and isolated society may be ruled in the primitive patriarchal fashion, but a large, prosperous community, with contending interests, cannot in the nature of things be thus governed. The very conditions on which a State government would be obtained in Utah would be necessarily self-enforcing, and every right and privilege of every citizen would be secure.

The principal obstacle in the way of obtaining a State government is one which it is in the power of the people of Utah to remove, it is the obstacle of an anomalous, unpopular social institution. It is indeed true that the local opponents of a State government offer other reasons and endeavor to make other difficulties against the admission of Utah into the Union, but these will not in my opinion be seriously regarded by Congress. The advocates of continued Territorial government are anxious that Utah should have a much larger population than at present, before being admitted as a State, and they urge that she should not be admitted even with the requisite number, unless a majority of such population shall be hostile to Mormon rule.

The argument of insufficient population will have but little weight. The census of 1870 gave Utah 86,000 people, and I am informed that in several instances entire settlements containing thousands of souls were omitted by the census marshals. Since then the completed overland road and the development of mineral resources has added not less than 30,000 to the population of Utah. Our population to-day is not less than 130,000, or ten thousand more than the present basis of representation, and but 27,000 less than the future basis of representation which will not take effect until March 1873. It is three times the population of Nevada, fifty per cent greater than that of Oregon, about the same as that of Nebraska, Florida and Delaware, and larger than that possessed by either Wisconsin, Michigan, Arkansas, Iowa, Minnesota, Kansas, Oregon, Nevada or Nebraska at the date of their respective admissions, and neither the Territory of Utah nor any county or municipality in Utah is in debt a single dollar. Taxes are lighter here than in any State or Territory of the Union. Our roads are public and the toll gatherer is almost unknown. Seventy miles of railroad have been constructed within the last two years without the grant of an acre of land or the help of a dollar of public money or credit, a hundred and fifty more miles will be constructed in the same way during the next twelve months, manufactures of woolen, cotton and iron are extensively established, agriculture thrives, the value of taxable property in the Territory—exclusive of mines—will exceed fifty millions of dollars, our mineral products nearly equal those of California; in short there is not a new community of equal numbers on the continent so thrifty, so self-sustaining, so filled with every element of wealth and growth.

The other objection to a State government, an objection urged by a handful of people and an irresponsible guerilla press, that in case Utah is admitted the Mormons will control her politics and elect her officers and representatives, is an objection to which the Congress of the United States will in my judgment accord no weight whatever. That body will, I venture to predict, see no good reason why the Mormons who constitute nine-tenths of the community, should not control public affairs here, and once satisfied that the social problem is in the way of a peaceful and just solution, there will, I think, be a disposition to give Utah the privilege of self-government.

The question of State government or no State government for the people of Utah, is simply a question of concession on the part of the people of Utah. I say a question of concession—I doubt indeed if it be longer that. The universal voice of a democratic republican nation of forty millions of people seems to be consolidated into a demand with respect to Utah, a demand which may perhaps be the offspring of prejudiced opinion—but if so it is an opinion which will not be enlightened and which cannot be disregarded nor overruled. The demand

is that the future marriage laws and marriage relations of Utah be placed in consonance with the rest of the Republic, the demand is that polygamous or plural marriages shall cease. Accede to this demand and you may have a State government, with condonation of the past, and secure exemption from persecution for the future. Deny it, and you will have neither a State government, nor cessation of persecutions. The war is over, secession is dead, slavery is dead, and in the absence of subjects of greater importance, Utah and her institutions will be the shuttlecock of American politics, to be bruised and beaten by the battledores of party for the next decade, unless she now grasp her opportunity and gain peace by gaining power.

In accordance with a public promise made when nominated to this Convention, I stand here to-day to advocate the surrender of polygamy. It may be that my utterances in this behalf will take from me the friendship and support of many men and women; if so, I must even pay the penalty. It is easier to swim with the current than to seek to stem it, and perhaps it is easier, but whether or not, it is a policy I have seldom been able to practice. I have not permitted myself to be disturbed by the titles of "Jack Mormon," "Apostate Gentile," "Saint Fitch," "Elder Fitch," and "Apostle Fitch," which have been so freely bestowed upon me during the last ten months by men whose small souls were incapable of comprehending that it was possible to pursue a great purpose by a liberal and comprehensive policy. That I am the friend of the Mormon people, wishing their welfare and happiness, and willing to do all in my power to advance that end, I have often publicly avowed by word and deed, and if my course in this respect shall have inclined this assemblage to-day to give more weight to my utterances than would have been otherwise accorded to them, then I am more than compensated for being traduced and steadily misunderstood by many who in times past honored me with their confidence and support. In another forum than this it was my future two years ago to stand up almost alone to ask the representatives of a great nation to be just towards an honest, earnest, calumniated people, and perhaps I may stand alone to-day in asking the representatives of that same people to be just to themselves.

I am not here to attack polygamy from a theological, a moral, or a physical, but from a political standpoint. Certainly I do not propose to question the pure motives or the honesty of those who believe in and who practice it. I am inclined to agree with Montesquieu and Buckle, that it is an affair of latitude, and climate, and race, and on these grounds alone its existence among a Saxon people living in a north temperate zone is a climatic anomaly. It did not grow out of any structural, or race, or social, or climatic necessities, and if it be, as asserted, the offspring of revelation here, I can only say that it needed a revelation to start it. That it has scriptural patriarchal origin and example is probably true, but that was in another age than ours and in a different land. If Abraham had lived on the line of the overland road in the afternoon of the nineteenth century, if Isaac had been surrounded by forty million monogamous Yankees, if Jacob had associated with miners and been jostled by speculators, there would, I apprehend, have been a different order of social life in Palestine. The Mormon doctrine may be the true theology and the writings of Joseph Smith the most direct of revelations. The practice of polygamy may be a safeguard against the vice of unlicensed indulgence, and the social life of Utah the most sanitary of social reforms. All the advantages claimed for this system may be actual, but nevertheless the fact exists that polygamy is an anomaly in this republic, existing hitherto by the sufferance of a people who now declare that it shall exist no longer.

Do you doubt this decision on their part? The evidences are all about you. Here is a people who expended thousands of millions of treasure and myriads of life to establish the freedom of the black race from oppression, and who yet regard with indifference if not with complacency the assault which has been made upon the rights and liberties of American citizens in Utah, because the objects of those assaults uphold a hated doctrine. Here is a people ordinarily jealous of the aggressions of rulers and officials, who yet endorse acts of despotism, and applaud assaults upon law and constitution because such assaults are made for the destruction of polygamy.

What if judges should be changed, or policies be altered? It would bring but temporary relief, for behind all, impelling all, contriving all, demanding all, enforcing all, there dwells the unconquerable all-pervading idea of the American people that polygamy must be extinguished—on this one thing all parties, all creeds, and all philosophies are combined. The press calls for it, the pulpit thunders for it, the politicians argue for it, the people insist upon it. You may delay the issue but you cannot evade it. Your antagonist is hydra-headed and hundred armed. Whether by bigoted judges, by packed juries, by partizan officers, by puritan missionaries, by iron limbed laws, by armies from abroad or by foes and defections at home, the assault is continuous and unrelenting. Your enemies are ubiquitous. Your friends—ah! it is your

friends who advise you constantly to baffle your enemies and resign this one feature of your faith. The history of all similar movements warns you, the violated laws of latitude confront you, your children unconsciously plot against you, for while polygamy is with you the result of religious connection, with them is but a result of religious education, and an inoculated faith, like an inoculated disease, is never very violent nor very enduring.

Can this people hope to retain polygamy against such influences and such antagonism? Some tell me that they trust in God to uphold them in a struggle to keep polygamy. Others would doubtless say that they trust in God to uphold them in the struggle to banish polygamy, and others yet that there can in the nature of things be no assurance that the Almighty will interest himself in the matter, or espouse either side. The early Christians trusted in God when the Roman Emperors gave them to the wild beasts. The Huguenots trusted in God when the assassins of St. Bartholomew's eve made the gutters of Paris reek with their blood, so trusted the Waldenses when their peaceful valleys were given to rapine, so trusted the victims whose despairing faces were lit by the glare of Spanish auto da fes, so trusted the martyrs whose faggot fires gleam down the aisles of history, so trusted the Puritans when driven out upon the stormy Atlantic, so trusted the Presbyterians when the Puritans persecuted them, so trusted the Quakers when the Presbyterians expelled them, so trusted the Acadians when driven from their homes. So trusted the myriads who in all ages have been sacrificed to the moloch of religious intolerance. Who shall say when or in what cases or in what way the Ruler of the Universe will interfere? "Render unto Caesar the things that are Caesar's, and to God the things that are God's." A belief in polygamy is a matter between the citizen and his God, the practice of polygamy is a matter between the citizen and his country. If you think that the laws of God call upon you to believe in it, then obey them unmolested, but the laws of your country call upon you not to practice it, so obey them and be unmolested. If for His own wise purposes the Almighty did not see fit to interfere by special and miraculous providences to protect those who refused to recant their professions, is it probable that he will so interfere to sustain those who refuse to surrender the practice of an ordinance and that not a saving, although perhaps a sacred ordinance? I say not a saving ordinance—I do not claim to know. I do not know what the Mormon doctrine may be with respect to the practice of polygamy. I observe, however, that not one tenth of your adult males actually practice it, and I naturally conclude that you do not consider its practice essential to your salvation, that it is something to be practiced or omitted as opportunity or ability may warrant. If this be so, then may not that lack of ability or opportunity arise from the antagonism of others, from the circumstances of the country, from overpowering laws—as well as from the circumstances of the individual? If one Mormon is permitted by his creed to say, "I believe in polygamy as a doctrine, but I do not practice it because my condition makes it inconvenient or impossible," why may not all say, "We believe in it as a doctrine, but we agree not to practice it because the general conditions make it inconvenient or impossible?" Why may not the earnest conscientious Mormon say, "I believe in polygamy as a doctrine, but in order to relieve my friends and associates from persecutions, in order to prevent the establishment of intolerable oppression, in order to preserve the thrift, the industry, the wealth, the progress, the temperate life, the virtues of Utah from spoliation and devastation and ruin, in order to save a hundred noble pioneer citizens from outlawry or the gibbet or incarceration; in order to achieve self-government and peace and liberty, I consent to surrender its practice for the future. And so consenting, I am content to embody my consent in the form of an organic law. So consenting, I mean in good faith to do as I agree to do; and so agreeing, I make my agreement public and of record."

To say on the other hand that you will make no compromise, that you will die rather than surrender the practice of this one feature of your faith, is the resolve of neither philosophers nor philanthropists. Such a resolve means another Nauvoo, it means that you consent to count more of your religious leaders among your list of martyrs, it means death to some, exile to others, ruin to many. If such be the well considered, deliberate determination of the Mormon people, there is no weapon in the armory of logic that will prevail against it, for you cannot reason with him who is bent on suicide. I hope that no such conclusion has been or will be reached. I hope that the assembling of this convention indicates a different and a wiser resolve. I speak to this people as a friend, I speak to them without thought of personal gain or advantage to myself to result from pursuing the course I suggest. Before God and before this Convention I do most solemnly assert, that did I intend to leave Utah forever on the morrow, I would give the same advice. Before God and before this Convention I do most solemnly declare, that did I know my little life would go out from earth with to-day's sun, I would give the same advice.

To this Convention I say, be wise in time.  
Concluded on page 45.