

THE EVENING NEWS.

Friday, March 4, 1876.

SPEECH OF HON. THOMAS FITCH, OF NEVADA, ON THE "SULLON BILL."

(Continued.)

Already, since the railroad was completed, a schism has grown up in the Mormon Church which its president seems powerless to heal or subdue. They have given the women the ballot; and however the Mormon wife may vote now, however she may vote to maintain her social status or minister to her physical wants; however religious convictions may impel her or iron circumstances restrain her; however ignorant or poor she may be, sooner or later the assaulted, imprisoned, outraged instincts of human nature will arise and vindicate themselves. The house will be overturned upon the heads of the captors. Possibly, indeed, they who but now have given the ballot to the women of Utah have led a blind Sampson to the pillars of their temple.

Utah is no longer isolated. In that fact alone the days of polygamy are numbered. So long as an iceberg makes locked in polar fields it shares the assaults of the elements; but when the salt summer waves come stealing up from the south they detach it from its surroundings, they float it away, they eat out a piece here and crumble away a fragment there, until some day its foundations are gone and it tumbles with a crash into the ocean; and the process is repeated until there is nothing left to mark its existence save a chill in the water, which the Gulf Stream speedily eradicates. Sir, this social iceberg has stood in the midst of the great American desert, swelling its frost-bound proportions for a quarter of a century; but the railroad has unmoored it from its fastenings, and it floats without rudder or pilot in the surrounding ocean of civilization. A wave washes down from the railroad and makes a chasm in the church. Adventurous miners find precious metals in the vicinity, and another wave rolls in from East or West and makes a chasm in the family circle. Thus the elements of destruction are busy about it. Some day, not far off, death will claim the great organizing executive brain which holds it together, palsy the mighty will and hushing the potent voices that has led willing men and women through trackless and untrodden wastes. Neither the majestic march of events shall be long stayed or obstructed even perhaps till that fate which awaits us all shall have executed its plans.

I predict that the sagacious mind of that great Mormon leader, Brigham Young, grasping the prophecies which start from every foot-print of progress across the land he has redeemed from sullen void, will strangle polygamy by a revelation. But whether this prediction shall be verified or not polygamy is doomed. The disintegrating forces within itself will destroy it. The consciousness, the impulses, the very passions of mankind conspire against it. But if we assail it in such a spirit of violence and venom as we exhibit towards the wives of no other community; if we recklessly change the jury system, and in order to reach this one blot upon our national escutcheon provide for a violation of all the practices and usages of republican government; if we attack it as this bill proposes, with packed juries backed by lines of bristling steel, we shall consolidate while we would scatter, we shall unite forces which we would dissolve; we shall intensify the elements we would destroy; we shall vitiate if we shall not pervert by every means of official and unjustifiable persecution the tenets we would expunge or wholly destroy, unless, indeed, at immense cost of life and money, we hurl against polygamy so much of armed force as to exterminate those who practice it. Would any member of this House, actuated by the commonest impulses of humanity, susceptible to ever so remote a sentiment of charity for the weakness of his kind, feel justified in exterminating a fellowman because he violates and defies the religion of his fathers? Has the great Author fashioned all men of like perceptions and possibilities?

I call the attention of the patrons of this bill to the fact that we sit here and vote money and protection to the useless, brutal, murderous savage, whose highest instinct is bloodshed and plunder, and whose natural infidelity is only equalled by his imperviousness to the influences of mercy, while they propose without so much as a scrap of indorsement from the people, to vote away their resources upon an idea which rejects only upon itself and which cannot long survive under the glare of this reformatory age.

But, sir, if we deliberately elect to precipitate this Mormon war, right or wrong, let us reckon the consequences. We must select our bravest men and put them in the front; men who will fight well upon abstractions, men who will fight for the lust of blood, for the inspirations of patriotism, of national faith, or even of political liberty, are all wanting. By the half-hearted, intermittent method upon which we kept the Seminoles at bay, and are failing to keep the Apaches innocent of Saxon scalps, we shall never subjugate the Mormons, but may rather win to them recruits and adherents from all parts of the earth.

Mr. Speaker, this bill, with all due respect to the Committee on the Territories, is as inoperative as it is considered, as worthless for all practical purposes in detail as it is generally unwise and premature. I propose to scan briefly a few of its provisions. Section three provides that there shall be appointed for each judicial district of the Territory a deputy or an assistant United States attorney. Section four makes it the duty of the district attorney of the United States to attend in person or by deputy all the district courts in the Territory, to prosecute all criminal indictments returned to said courts. Section twenty-five takes away the present criminal jurisdiction of the probate or county courts, and gives the United States district or territorial courts exclusive jurisdiction in criminal cases. Mr. Speaker, I find on an examination of the statutes that the salary of the United States district attorney for the Territory of Utah is \$500 per annum. Where can there be found a lawyer who will take such a position? Where can there be found a competent attorney who will agree to devote all his

time to practice in these courts, and pay his traveling expenses, and prosecute all criminal cases for \$500 per annum and a doubtful amount of fees?

These sections of the bill just cited evidence to my mind the struggle between reform and reduction which has been going on in the minds of the members of the committee on the Territories. The committee wished to be at once virtuous and economical. They conjectured the House might possibly wink at a public scandal, but would certainly glare with pitiless eye upon a proposed public expenditure, and so with that same touching confidence and devotion which inspired those who drop money into the box for the heathen, feeling that their duty is performed whether the heathen ever get a cent or not, the committee provided for district attorneys and did not provide any compensation for these district attorneys.

If no gentlemen shall be found willing to prosecute polygamists without pay, and merely for the comfort and joy of the transaction, it is not the fault of the committee.

Mr. TAFKE. I should like to ask the gentleman a question on that point.

Mr. FITCH. Yes, sir.

Mr. TAFKE. What are the salaries paid to district attorneys in the Territories all over the United States? Is not this salary higher than usual?

Mr. FITCH. I understand that this office is one mainly of fees.

Mr. TAFKE. Is not this higher than usual?

Mr. FITCH. I will answer the gentleman if he will permit me. In the States the fees amount to a considerable sum, but no such duties are imposed upon United States district attorneys in any other part of the country as are proposed to be imposed by this bill, which obliges them to attend to all criminal prosecutions in all the courts of the Territory. The gentleman will observe that this bill takes away the criminal jurisdiction of every court in the Territory except the United States courts.

Mr. STRICKLAND. Is there any Territory where the probate courts have criminal jurisdiction?

Mr. FITCH. Yes, sir; they have jurisdiction up to a certain degree. I believe in all the Territories they have criminal jurisdiction on all cases of misdemeanors, and I believe in a certain class of felonies. But it is not the duty of the United States district attorney to prosecute criminal cases in the United States territorial district courts; that duty devolves upon local district attorneys elected by the people and paid by them.

Now, sir, section seven of this bill provides that the United States marshal and clerk of the United States court shall select the jury. It removes this delicate and responsible task from the usual arbitrament of chance. It takes it from the judge who might be unwilling to pack a jury, even to convict a polygamist, and places in the hands of the ministerial and executive officers of the court the dangerous and responsible power of selecting a jury to pass on the lives and the liberty and property rights of the people. Why not do away with the force of a jury draft and make the marshal and the clerk the jury? The result would be the same, and the process less troublesome and expensive.

I doubt very much, sir, if under the provisions of this bill a panel of thirty-nine men for grand and petit juries can be obtained in Utah. Mormons are excluded from the jury, and the Gentiles are not numerous. Section ten of this bill provides that no person shall be competent to serve either as grand or petit juror who believes in, advocates, or practices bigamy, concubinage, or polygamy; and upon that fact appearing by examination, on voir dire or otherwise, such person shall not be permitted to serve as a juror.

Webster defines concubinage as the act or practice of ameliorating the acerbities of bachelor life without the authority of law or legal marriage. These are not the exact words of Webster. His definition is a little clearer, but I prefer my form of expression. Gentlemen who wish to be entirely accurate can hunt up the authority.

Now, I doubt if thirty-nine men could be found in Utah able to take such an oath. Of course in the Springfield district of Illinois there would be no difficulty in obtaining a jury under such restrictions, though I fancy they would thin the panel even there. But Utah is a frontier community where men are not subjected to wholesome social restraints, and where, in this particular, at least, even they are singularly destitute of a shining moral example.

Section fourteen of this act places polygamy and concubinage upon a par with murder, in that it deprives the parties accused of these offences of the benefit of the statute of limitations. Permit me to place this law in working harness, that we may mark its operations and scan its harmonious proportions. A citizen of Springfield, Illinois, hitherto virtuous and respected, takes up his march across desert and mountain toward the golden land, and tarrying in the vicinity of Salt Lake City falls in with an emigrant train, and being deceived by the wiles of some sallow-browed and languishing Delilah, departs from the path of rectitude. Years roll by. It is a wild sally of his youth, perhaps repented and forgotten, or it may be forgotten without the repentance. But, behold! after all these years complaint is made; a regulation issued; he is taken before a jury selected by a most responsible Salt Lake clerk or marshal, convicted of concubinage, and the next we hear of him he is at hard labor in a military camp, a ball and chain attached to his ankles, suffering the punishments of an outraged conscience and studying the mysteries of that peculiarly impartial ethical code known as the Canon bill—a bill whose triumph will be seen in the deserted site where once flourished a deluded and misguided people.

Section nineteen is better than its predecessor, for it compels all officers, territorial or local, in entering upon their duties to take an oath that they will not hereafter practice bigamy, polygamy or concubinage. Perhaps if such a law had been in operation fifteen years ago, one of the witnesses upon whose musty testimony the committee seem to have relied would not have remained long enough in Utah to have acquired that information on the Mormon question of which he seems to have possessed himself. I allude to Judge Drummond.

The receivers to be appointed under section thirty of this act, who are to take charge of the property of convicted polygamists and divide it as proceeds among the former wives, are the only official persons in Utah not required to take this vow of virtue. The omission is significant, to say the least. Let me

call the attention of the House to the absurdity of this thirteenth section. It proposes to confiscate all property of all persons convicted of polygamy for the benefit of their wives. Why, there is no property in Utah save that which depends upon the peace and prosperity of the people. There are no accumulations of wealth. There is no coin to any considerable extent in the country. Lands and flocks and herds compose the bulk of the Mormon possessions. Let there be sixty days of war, and all the property left in Utah would not sell for enough to furnish a week's subsistence to the women in Utah.

Oh, but this bill proposes that the Secretary shall appropriate or expend the sum of \$100,000 for the relief of the forty thousand consubines to be taken from their protectors about two dollars and a half each! A munificent appropriation! Enough, with economy, to give them about three days' rations each! And, sir, what will you make of these forty thousand women whom it is proposed by this bill to take from those who now support and protect them? What position will they occupy? Which of you will open your doors to them or invite them to sit by your fire-sides or even labor in your kitchens? The flimsy barrier that protects them from the very depth of social degradation is the fact that they are wives by a custom existing in Utah. It is a pitiable position, but it is better than that of their unhappy sisters whom necessity rather than vice has driven to the streets of your cities and the wards of your hospitals and prisons. Sir, this is not the place to discuss that social evil which keeps pace with the steps of civilization, and bears aloft its putrescent glow by the side of her starlit pathway; neither is it the time to legislate for that smaller social evil which excites our attention because it is the only vice which stains a community otherwise most virtuous, most peaceful and exemplary.

I regard the children of Utah and scatter them homeless and hopeless waste through the arteries of your great cities; take the women of Utah and place them in the splendid dens that life the thoroughfares of Boston, New York, Philadelphia, Baltimore, and Washington; take the men of Utah, return them to the Atlantic States, and make them casual customers of those whom they now support and protect, and how much will Christianity have gained, how much will society have been benefited, how much will the honor and power of the nation have been vindicated and strengthened?

Mr. Speaker, I do not intend that my position upon this matter shall be misrepresented to my constituents or to the country. I regard the children of evil to be discouraged and a violation of law which should be if possible prevented. I simply doubt the wisdom of the means selected to achieve that result. For the coercion and misrepresentation and fraud with which the Mormons have sometimes sought to carry out their purposes there will come a day of reckoning and repentance. For the murders of Mountain Meadow the God of justice holds in his hand some terrible retribution. But because of crimes some of that people may have committed in the past, nor yet because of their refusal to obey the laws we have made for them alone, I am not willing to plunge headlong into war. If there be those upon this floor who desire to confiscate the property of these outcasts, who consent to give their men to the sword and their women to the bawdy, and who are ready to meet the just reproaches of a tax-burdened and humane people, they must proceed without my help. I am not willing to look upon the ruin of the great road which forms the keystone of the arch of the highway around the world. I am not willing to destroy the channel through which my people hope to receive the life-current of empire. I count the cost and I count the result, and I am not willing to pay the price of reaching that result. I will not vote for this bill which will add millions to the debt and thousands to the muster-roll of the nation's dead, and in the name of a people who have burdens enough to bear and kindred enough to mourn, I protest against the passage of this most unwise and ill-considered bill. I yield the remainder of my time to the gentleman from California, [Mr. SARGENT.]

The Very Best Sewing Machine!

THE AMERICAN COMBINATION SEWING MACHINE is the best in the market. In addition to all work done on other lock-stitch machines, this machine will work button holes, eyelet holes and do oversewing, the same style as by hand-sewing. It is a strong machine, will sew any kind of fabric and is as low in price as any other standard machine in use. Inquiries respecting it will be answered and orders received by DAVID W. EVANS, District News Office, S. L. City. d208-3awr

JUST RECEIVED.

THE finest stock of WAGON TIMBER, and MATERIAL ever imported to this city, also material for the manufacture of SLEIGHS, BOAT SLEIGHS, RUNNERS and SHOES. A portion will be sold at a small advance for cash down. Terms, pay on delivery of work, without deviation. J. C. LITTLE, Agent for Co-operative Manufacturing, Dec. 29th, 1875. d212-1

PETER SCHUTTLE, WAGON MANUFACTURER, 224 Randolph Street, CHICAGO. Office, Randolph Street, Corner of Franklin. d211-1

SANDS ALE BREWING COMPANY.

India Pale Ale, Stock Ales, PORTER and LAGER BEER. Corner of Pearson and Pine Streets. CHICAGO, ILL. d209-1y Fred. A. Wheeler, Secy.

CHICAGO TRADE. FAIRBANK, PECK & CO. No. 14, La Salle Street, CHICAGO, ILLINOIS. PACKERS OF



PURE LEAF LARD. Packed in Patent Air Tight Caddies of 3 lbs., 5 lbs., 7 lbs., and 10 lbs. each. This package is entirely new and found the most convenient ever introduced, both for dealer and consumer. The trade are invited to give it a trial. d210-1

Also, Manufacturers of EXTRA LARD OIL FOR LUBRICATING, EXPRESSLY FOR Flouring Mills, Saw Mills and Woolen Mills AND PURE NEATFOOT OIL. Special attention given to orders from UTAH d206-7m

CHAS. W. SANFORD Manufacturer of CONFECTIONERY, Of all kinds, by steam, and Wholesale Dealer in NUTS, CIGARS, CANNED AND GLASS GOODS Raisins, Figs, etc., 35 Randolph St., - CHICAGO. d211-1y

P. L. CARRITY, Manufacturing Confectioner, AND JOBBER IN FRUITS, Fancy Groceries & CIGARS 33 & 35 RIVER STREET, CHICAGO, ILL. "P. L. C." AND "CARRITY'S OWN" CIGARS! Having exclusive control of the above brands of Cigars, I can offer liberal inducements to the jobbing trade. d206-1y

BURLEY & TYRRELL, 48 LAKE STREET, CHICAGO, ILLINOIS, IMPORTERS AND JOBBERS OF CHINA, GLASS, AND QUEENSWARE FINE FRENCH, BOHEMIAN, GERMAN LAVA AND Parian Goods. Goods by the Package or repacked at NEW YORK PRICES, d206-1y

M. D. WELLS & CO. MANUFACTURERS OF Boots & Shoes 38 Lake St., Chicago. d206-1y

THE UTAH TRADE, d228-5m Especially Solicited

CULVER, PAGE & HOYNE, 128 & 130 LAKE STREET, CHICAGO. Manufacturers and Jobbers of PAPER, CARD BOARD, BLANK BOOKS, STATIONERY AND BOOK BINDERS STOCK, TOOLS AND MACHINERY. d208-1y

PHILIP WADSWORTH & CO. JOBBERS OF CLOTHING, AND Gentlemen's Furnishing Goods. 34 & 36 LAKE ST. CHICAGO, ILL. d210-1y

RAILROADS. GREAT CENTRAL ROUTE EXPRESSLY FOR FAMILY USE.



THE MICHIGAN CENTRAL RAILROAD AND CONNECTIONS

Unite in running FOUR EXPRESS PASSENGER TRAINS DAILY between Chicago and New York, Boston, and all intermediate points in New England, New York and the Canada. The renowned Pullman Palace Sleeping Cars are run on this line, exclusively from Chicago east, and are fully supplied on all night trains. The famous PULLMAN HOTEL CARS leave daily on evening trains running directly through to Rochester, N.Y., without change. The passenger equipment of this line is unequalled by any other in the country, and will be found by patrons to possess all the requisites of "SPEED, COMFORT AND SAFETY." Connected with the

GREAT CENTRAL ROUTE IS ALSO

The Blue Line Through Freight without Transfer

This Line is owned and operated by the Michigan Central, Illinois Central, Chicago, Burlington and Quincy, Chicago and Alton, Great Western, Canada, New York Central, Hudson River, Boston and Albany, Providence and Worcester, Worcester and Nashua, Housatonic and Jackson, Lansing and Saginaw Railroads.

THE "BLUE LINE" Is the only route that offers to shippers of freight the advantage of an unbroken gauge of track from Chicago and the Mississippi river to the seaboard, and is of the SAME GAUGE AS THE UNION PACIFIC, over which these cars will run on completion of that road.

THE BLUE LINE CARS ARE ALL OF UNIFORM BUILD, thus largely assuring the chances of delay from the use of cars of mixed construction, and the consequent difficulty of repairs while remote from their own roads.

The Blue Line is operated by the Railroad Companies who own it, without the intervention of intermediate parties between the Roads or Line and the public.

The facilities of the Line for making uniformly quick time are unequalled. All claims promptly settled on their merits.

Freight contracts given at the offices of the Companies in New York, Boston, etc.

H. E. SARGENT, Gen'l Supt. M.C.R.R., Chicago. H. C. WENTWORTH, Gen'l Pass. Agent, Chicago.

J. D. HAYES, Detroit, Gen'l Manager Blue Line. d107-1y

FROM OCEAN TO OCEAN! THE Chicago, Rock Island AND PACIFIC RAILROAD! THE GREAT CENTRAL IOWA SHORT LINE ROUTE BETWEEN OMAHA & CHICAGO VIA DES MOINES & ROCK ISLAND.

IS OVER 100 MILES SHORTER than via St. Joe, and no change of CARS.

IS WELL STOCKED WITH Elegant New Cars AND PALACE SLEEPING COACHES

THE FINEST IN THE WORLD FOR ALL THROUGH TRAINS

Two Express Trains leave Council Bluffs daily, upon arrival of Trains from the West, and make quick time over a thoroughly well constructed ROAD BED

Which is being laid with heavy Steel Rail, giving Passengers the advantage of SPEED, COMFORT AND SAFETY COMBINED.

Both Trains connect at Chicago with East Express Trains for the East.

Through tickets via this Line can be had at all Through Ticket Offices of the Pacific Railways, at Wells Fargo and Co's Office, Salt Lake City, and at Company's Offices at Omaha and Council Bluffs.

S. A. STEVENS, General Agent, Council Bluffs. L. Viole, Gen. Freight Agent, Chicago. High Middle, Gen. Pass. Agent, Chicago. A. M. Smith, Gen. Pass. Agent, Omaha.

COLE F. HOOKER, Western Agent. G. E. SMITH, Ticket Agent.

CHICAGO, ILL.

CHICAGO TRADE. AMERICAN IRON WORKS. JONES & LAUGHLINS, No. 40, 42 & 44 River Street, CHICAGO, Manufacturers of

American & Clair MERCHANT, BAR, PLATE AND SHEET IRON, Nails, Ship, Bolt and Railroad Spikes And Manufacturers of

PATENT SHAFTING AND PATENT TIRE, And Dealers in CARRIAGE HARDWARE

Wood Work for Wagons, Carriages & Cutters SPRINGS, AXLES, VISES,

Anvils, Blacksmiths' Bellows, Plow Steel, Cast and Spring Steel, Nuts and Washers, Carriage Bolts, Coll Chains, Coach Screws, Horse Shoes, Horse Nails, Maltese Irons, Stock and Dice, Trundle Screws, Wagon Box Straps, Ramps, Files, Scaff Bolts, Bolster Plates, Trolley Irons, Tire Bolters, Tire Drills, Etc., Etc.

Special attention given to mail orders. d5-6m

KEITH BROTHERS, 66 & 70 WABASH AVE., and 3 & 4 DEARBORN PLACE, CHICAGO. Manufacturers, Importers & Jobbers in

MILLINERY and STRAW GOODS HATS, CAPS, FURS, BUCK GOODS, UMBRELLAS.

OUR STOCK is the largest and most complete of any in our line in this country. Buyer who have formerly bought at the East are guaranteed the same or better terms than they have obtained there. We import direct from the Manufacturers in Europe our RIBBONS, SILKS, SATINS, FLOWERS, TISSUES, CRAPES, PATTERN BONNETS, etc., And can, therefore, sell at Importing Package House Prices. All orders will receive prompt attention, and Goods invariably warranted to please. d211-5m

JOHN V. FARWELL & CO. WHOLESALE DRY GOODS, NOTIONS, AND WOOLENS, 42, 44 and 46 Wabash Avenue, CHICAGO.

Keep the LARGEST STOCK IN THE NORTH WEST. We invite the inspection of our Stock, and We guarantee CHEAPER PRICES than be found elsewhere in the Northwest.

John V. Farwell, Charles B. Farwell, William D. Farwell, Benjamin F. Ray. d209-5m

HALL'S PATENT Fire and Burglar Proof SAFES

"VICTOR" COMBINATION LOCKS, Vaults and Vault Fronts Always on hand and made to order.

42 Sole Manufacturers of the celebrated HALL'S patent "CONCRETE" SAFES

Which have stood the test of nineteen years without a single failure.

All the latest improvements in Burglar Proof Work, including the DOVE-TAILED Work, acknowledged by all competent judges to be the most perfect safeguard against burglars now extant.

"Not one of our Burglar Proof Safes" has ever been robbed of a SINGLE DOLLAR by burglars or violence.

Call and examine our large stock, or send for Circulars and prices.

Hall's Safe and Lock Co., 38 DEARBORN STREET, CHICAGO, ILLINOIS.