

ing His commandments, remembering our obligations to each other; that we continue preaching the Gospel to the nations, gathering the honest in heart who receive the word through the ministrations of the Elders; and inasmuch as this is God's work we have no need to fear. There are those who dwell here in 1848-9 who for days and weeks scarcely tasted bread. Those who have passed through these scenes will never fear anything that may come upon us again. I often think of the peculiar circumstances of the Savior when upon the earth, who when Herod the Great sent word to him, inquiring who this Jesus of Nazareth was; the answer of the Savior being, Go tell him that the birds of the air have nests, and the foxes have holes, but the Son of Man hath not where to lay His head. Think of it my friends; He by whom the worlds were created, who gave the law upon Mount Sinai; He who communicated with the brother of Jared, directing him to cross the sea and people this continent; He who was and is our great Ruler came and dwelt in the flesh, instead of making himself the possessor of houses and lands and earthly substance, had not where to lay His head. And after passing through a life of sorrows he was tried for His life, when the judge washed his hands, saying, he found no fault in Him. The fact was He was above the law, He was without sin and of the things of which they tried to convict Him He was not guilty, wherein He said He was the Son of God, which they, in their blind ignorance, looked upon as blasphemy.

Now, we are charged with blasphemy, because we believe and declare that the holy Priesthood has been restored to us from heaven. It is made blasphemy to believe that Peter, James and John were sent from heaven to earth to ordain Joseph and Oliver, and because, as they had been instructed to do, they ordained others to the same Priesthood and then commissioned them to go to all the world and preach the Gospel. This is put forth and published as one of the blasphemies that we believe in which has made us to incur the displeasure and wrath of this self-righteous generation. While we contemplate that the Prophets of God have been slain, their blood ruthlessly shed, and the nation has never made an expression to exculpate themselves from the act, they have never even expressed their disapproval of it, but, on the contrary, multitudes have said, they were glad of it, but that they disliked the way in which it was done.

While this is upon the nation and until they wash their hands of it, we can but look upon them with sorrow and apprehension, and dread for thus acquiescing in breaking and overriding the fundamental laws of the land; for if these things can be inflicted upon us they can be done to others. And they have been to others. Do you not recollect when the army came here, it was the nation's first effort against the "Mormons," against what they were pleased to term a "twin relic"—polygamy; and having extirpated the "twin relic" of the south—slavery, which was deemed necessary to secure the triumph of the republican arms, now the attack is made again upon the people representing the remaining "relic." They and we are in the hands of God, and it becomes us to move on in all our duties quietly, peaceably and prayerfully. The nation, of course, can cause us a great deal of bodily and mental suffering if God permits. They have already shown what they are capable of doing by their deprivations and arbitrary rule in the south; and we have every reason to believe they would do as much for us were it the pleasure of the Almighty to permit them.

The few men now sitting in Congress, from the Southern States, who had the manhood and the moral courage to protest against the measure, which has since become a law, aimed directly at our liberty and rights, knew from experience the effects of military law, and those usurpations which have tended to ruin their country after the desolation caused by the war. They had been through the furnace, they could feel anew the burnings of the fire, and they could see the grief into which we are to be crowded.

The question with us is, are we sufficiently devoted to the interests of the kingdom of God to enable us to confidently believe, without a doubt, that He will sustain us in all that we may be called upon to pass through? If we are He certainly will not permit any more to come

upon us than we can endure and that will be for our good; because He is that God who is nearer to us than a friend or a brother.

He had told us that those who kept His commandments had no need to break the laws of the land. We made no law nor passed any ordinance contrary to the laws of the land; the law-makers of the nation made the law which brought us in conflict with our government; and, therefore, we must look to Him to overrule this conflict, and trust that He will do better for us than we know how to ask or even to think for ourselves, provided; we pursue the path of duty faithfully and steadfastly.

I pray that we may so take consideration of our ways that we shall not feel vindictive to those who are vindictive towards us; but, on the contrary, rise above such a feeling upon the more elevated platform which was introduced by the Savior in which He taught His disciples to do good to them who despitefully used and persecuted them. This is a lesson that we have not fully learned.

May the Lord bless and prosper all who seek to do His will, and may His mercy be multiplied to all nations until the ends of the earth shall see the salvation of our God, and until the kingdoms of this world become the kingdoms of our God and of His Christ; may we live and our generations after us to perform efficient and faithful service in bringing about His purposes. Oh, that our enemies might see the error of their ways, repent as in dust and ashes and thus place themselves in a condition to receive the favor of God, and thereby escape the terrible judgments that must sooner or later overtake those who wilfully battle against the truth.

It remains for us to continue to bear our testimony to the world, to build our Temples, in which to perform the work for ourselves and our dead, essential to salvation and exaltation in His kingdom, and to build up a Zion to the glory of God. That this may be our determined purpose to a faithful consummation, I humbly pray, in the name of Jesus, our Lord. Amen.

UTAH CONTESTED ELECTION CASE.

(Continued.)

Mr. Cassidy. Mr. Speaker, the American Congress has been an accessory to the crime of polygamy quite long enough. I am in favor of the suppression of polygamy in Utah, and to that end I am in favor of suppressing polygamists whenever and wherever one dares to raise his head. Especially am I in favor of placing a quietus upon the chief of all the polygamists in Utah, George Q. Cannon.

Every argument that has ever been urged by anybody anywhere against polygamy in Utah will apply, with equal force to the case now under consideration in this House. The seating or non-seating of George Q. Cannon has a direct and important bearing on the true solution of the question of polygamy as it exists to-day in the Territory of Utah. Cannon is the representative man of the lecherous, law-defying element of that Territory; he is the representative head of all that is bad and debasing in the damnable system of polygamy. His mission here is well understood. First, he has been returned as the Delegate from Utah, Congress after Congress for ten years, to make polygamy respectable in the eyes of the civilized world.

Brigham Young declared that polygamy was a God-given revelation through him to the Mormon Church, and when his own people and the great body of the American people all over the land began to murmur about it, he publicly proclaimed that he would cram the vile doctrine down the throats of the American people and of the American Congress. That is why Cannon is here to-day; that is why he was sent here in the first place. Brigham Young knew of the liberality of our Constitution and laws with reference to the subject of religious liberty and toleration, and he also knew that if he could succeed in installing a leading polygamist in one of the highest official stations in the Government, that act in and of itself would go further towards popularizing polygamy with the Mormon people than any number of sermons from the most gifted of his apostles and pulpit orators. Subsequent events demonstrated clearly that he reasoned well. Con-

non was accorded a seat in this body and polygamy at once boomed all along the line.

The rank and file of the Mormon Church saw that the government of the United States recognized and respected, or at least tolerated the new doctrine; that it was no bar to the attainment of the most commanding positions of official trust and honor and emolument under the government; and hence they embraced it with great zeal and enthusiasm. The history and statistics of the Mormon Church show a marvellous increase in polygamous marriages in Utah immediately following the admission of Cannon to a seat in this body for the first time. The ratio of increase was unparalleled. The number of such marriages sprang from less than fifty for the year preceding his first admission, to more than four hundred for the succeeding year, and the unlawful system has continued to grow vigorously and steadily year by year since that time; and all because, as I believe, this House gave countenance and dignity to polygamy and popularized it with the Mormon people, by according to George Q. Cannon a seat upon this floor almost without a word of protest from any source whatever. Every succeeding triumph in Congress adds to the strength and vitality of the monster in the West. The best end to kill of a snake is its head.

There has not been a lawful election in Utah for 25 years. The ballot is tainted, yeapolluted, with illegality from one end of the Territory to the other. Under Mormon law, girls under age and alien women of all ages are permitted to vote at all elections. An election in Utah is simply the recorded will of the Mormon Church as directed by the leaders of that organization.

But I have a stronger objection to the admission of Cannon. He is not a citizen. He is an alien. True, he holds an alleged certificate of naturalization, but there is no record of a court of competent jurisdiction behind it. He was not qualified to become a citizen of the United States at the time this certificate purports to have been issued. Contemporaneous facts and circumstances are conclusive to my mind that he had not resided in the country over two years prior to its issuance. Governor Murray was cognizant of these facts. He went into an exhaustive examination of all the circumstances, arriving at the conclusion that Cannon was not a citizen. I believe that that decision was correct.

But gentlemen on this side say the Governor usurped powers that did not belong to him. They talk of the sacredness and binding effect of precedents. The nearest parallel that I have been able to find to the course of Governor Murray was that raised in the celebrated Cronin case in Oregon in the Presidential year of 1876. Governor Grover, of Oregon, held that Watts was ineligible to the office of Presidential elector because he held a federal post-office. Governor Grover's position was sustained by some of the ablest democratic lawyers in the United States, and there was hardly a democratic politician anywhere who was not willing and anxious to accept the Presidential election by the aid of Cronin's vote. Governor Murray has said that Cannon was not elected because that Cannon was not eligible. The parallel in the Oregon case is complete to this extent, and the democratic portion of the electoral commission also concurred in the opinion of Governor Grover, holding, every man of them, that Watts was not eligible, and therefore not elected. But, it is true that they did not claim that Cronin was elected. They simply held that there was no election at all, which our committee now says, by the report of its majority, was the case in Utah. The pending resolution goes no further.

Then we have the Mountain Meadows massacre and the terrible work of vengeance of the destroying angels in Utah, all directly traceable, as I hold, to the Mormon system. Cannon was always high in the councils of the Mormon Church. He was second in command to Brigham Young. The leaders condoned and concealed the bloody work of the numerous members of their church for more than twenty years, thereby becoming accessories after the fact to all of these terrible crimes. I hold George Q. Cannon morally responsible for his share of these offenses against mankind and civilization. Morally he comes here handed from the Mountain Meadows massacre and the hundreds of assassinations perpetrated by the destroying angels of

the Mormon leaders. He also comes as a self-confessed bigamist, and therefore a self-confessed felon under the law. I am against him and the whole foul and disgraceful system which he represents. [Applause on the Republican side.]

Mr. Calkins said: Mr. Speaker: In presenting this question to the House I had intended to submit a purely legal argument, and not extend my remarks to any phase of the case not strictly within the record; but the remarks made by the contestant in this case I must not allow to pass without challenge. I do not wish to be considered as having struck an unnecessary blow at a man or a people who now seem at least not to be in the ascendancy; but I deem it just to history, just to the people of the United States, and just to the people whom the gentleman says he represents, to say that all is not so fair in the history of that people as would appear by his remarks; for I remember that as early as 1855 a speck of war appeared in the Territory of Utah, growing out of the defiance of the Mormon people to the authority of the Government, and to suppress that insurrection the Government was compelled to and did send there its army, headed by the brave and gallant man who afterward fell fighting on the other side at the battle of Shiloh.

I am also reminded that coming up out of the past is a tale of blood, the equal of which is scarcely found in any of the annals of bloody crime that history records, and using language that my distinguished friend sitting in front of me [Mr. Burrows] once used, "so horrible and atrocious that a savage might have sat at their feet and learned deeds of cruelty."

I remember that a peaceable Arkansas colony on its way to the land of the setting sun, fell victims, after having surrendered under a truce, to a horrible butchery. I remember that one of the leading members of this Mormon colony many years afterwards was convicted and punished for having been a *particeps criminis* to that horrible massacre. So with the fair scenes and pictures that have been presented in this House to-day these of darkness and bloodshed should not be forgotten, as well as the fact that, with all the virtues which have been referred to as belonging to them, there they stand to-day confessing as a part and parcel of the religious tenets of their creed a crime against our civilization so heinous that no man upon this floor save the contestant himself has dared to apologize for it. These are some of the historical facts allied to and connected with the contest now presented.

I shall spend no further time upon this part of the subject, Mr. Speaker; I think it is unnecessary. Allow me to pass now to the consideration for a few moments of the merits of this contest, as well as to answer some of the objections which have been urged against the majority report, and first let me say in answer to so much of the contestant's remarks wherein he says that he had no fear of the majority report before the passage of the recent Mormon law, because the best lawyers on both sides of the House had condemned it, that if the statement be true, and if the best lawyers on both sides of the House did condemn it, and thereby find a way by which they could stultify the sentiment of this country, and vote to seat him on this floor, I am content to take my seat upon the back row, and find my vindication in the familiar quotation, "Where ignorance is bliss 'tis folly to be wise."

I admit that there is room for argument and for disagreement, not only between good lawyers, but between all lawyers, upon the constitutional question; but I claim for the report that no Congress nor any tribunal has sat upon it, or has ever passed judgment upon the question involved. Now, what is the question presented by the report? When you reach it it is well and sharply defined. It is said by those who criticize the report that Delegates in Congress are within the terms of the Constitution, so far as membership is concerned, and that the Constitution applies to Delegates.

Now, what are the constitutional provisions? What are the provisions relied upon and quoted in support of the questions presented here? The first one is the first clause of section two of article one, which defines what the membership of the House shall be, or what shall constitute the House of Representa-

tives. The clause in question is as follows:

The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

It is here clearly expressed in words unmistakable, and in precise and unequivocal language, who and what members of Congress are. They shall be "chosen every second year by the people of the several States;" not by Territories, but by the people of the several States. Let us pass to the next step. For some purpose this is a separate and distinct legislative body. This House is separate and individual in reference to all powers of its own organization, with reference to the election, organization, and the returns of its own members, with reference to the expenditure of its contingent fund, with reference to the punishment of infractions of its dignity, and with reference to its power and right to expel a member. For these purposes the House is separate and distinct as much as if it relied on no other branch of the Government for legislative purposes. So when you apply the constitutional provisions to the power of the House over the election returns and qualifications of its own members, it stands, as the text of the Constitution shows, as a judge to pass upon these qualifications and elections.

Take the next step. What are the qualifications of a member of the House? They are defined in the Constitution; and here comes the first point of divergence between myself and those who disagree with me. The framers of the Constitution being familiar with the history of parliamentary bodies knew, as everybody knows who has studied it, that every parliamentary body ought to be and is the sole judge of the qualifications of its own members; so they defined what the qualifications of a member of Congress should be, but did not define what his qualifications might be. They separate the positive qualifications which must attach to him from the disqualifications which may attach to him. What did they do? They provided that a member at the time of his election should have three requisites, namely, citizenship, age, (twenty-five years,) and inhabitancy, and reserved to the House itself the right to say by a two-third vote what should be ground for expulsion from the body for any misconduct, for any misbehavior, for any crime involving moral turpitude; in short, what might be or become a disqualification; and the provisions of the Constitution in this regard were made to apply to the members elected from the States. That is all. Then it is provided that for any disqualification which may be found attached to any member which in the judgment of the House is sufficient by a two-thirds vote of the members he may be expelled.

I repeat that if it were not for the constitutional restriction upon this body for any cause which it might see fit or deem proper, it could expel or exclude a member from a seat on the floor by a majority vote. Upon that point, Mr. Speaker, I desire to call the attention of the House to the history of the House of Commons and its rules respecting the power of that body over its own members. I call attention to section 58 of Cushing's Parliamentary Law, wherein the author says that it never was pretended that there was any power restraining that body from exercising this authority over its own members, and its exercise of that right so capere was it that it allowed men, and their seats upon the floor would under twenty-one years allow them then in other parliaments in other expel them and refer again allow to take their seats.

parliaments if the majority of the them to sit. In this case, in a few words this is: That a Delegate commits this: That a Delegate words within the constitutional notations is remitted in his stand before this body to the general power of this House to judge of the qualifications of its members, which power resides exclusively in this House. It obtains that power in two ways: first, as to its members, by a direct provision of the Constitution; second, it resides in this House by common parliamentary law which has existed ever since parliamentary bodies were established. Hence, as regards any person attached to this House not a member in a constitutional sense, his qualifications are remitted to this House