

DESERET NEWS:

WEEKLY.

TRUTH AND LIBERTY.

PRINTED AND PUBLISHED BY THE
DESERET NEWS COMPANY.

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WEDNESDAY - JANUARY 20, 1886

THE LEGISLATIVE ASSEMBLY.

The Legislative Assembly which convened its twenty-seventh session today is composed of representative men elected by the suffrage of nearly all the voting population of this Territory. They have been chosen by the people through a free ballot. No man or woman who had a voice in electing those gentlemen to their responsible positions was under any coercion or compulsion of any kind or nature. No one but themselves could know how or for whom they voted unless they chose to declare it.

The Counselors and Representatives who make up the Legislature are there to express in formal enactments the and will-wishes of the large majority of Utah's population. They, like the citizens who elected them, are free and independent. But they are not irresponsible. Neither are they expected to endeavor to place upon the statute books the expression of their private or personal proclivities. They represent others. They are to utter the popular voice. They are responsible to their constituents.

We say this much because the attempt will be made, and has already been made, to falsify their position and place them in an improper light before the public. They have not been selected by the little knot of conspirators who wish to rule this Territory, and therefore they may expect to be abused by its disreputable organ. If they would take their cue from that dictatorial instrument, play into the game of its backers and pass only such laws as the adventurers who want to control the people and their affairs demand, they would be lauded to the skies as the most manly, intelligent and untrammelled patriots that ever sat in a legislative body.

The impudence of the small combination that assumes to say what must or must not be done by the legislators, appears the greater because of its numerical insignificance. They were only able to elect one member of the Assembly, and that, as claimed, by the most apparent frauds. Yet they assume to dictate the course of the people's representatives without any reference to what the people want, and to predict all sorts of dire results if the legislators will not come into line to the crack of their whip.

It is the duty of the law-makers to study the wishes and wants of the great body of the people, and to pay no attention either to the threats or the enjoining of a plotting coterie of ambitious malcontents, bent on making mischief where they cannot gain complete control.

We suggest that they get down to solid work as soon after organization as possible, that the rush and bustle usual on the last days of the session may be avoided, and that the Governor may have due time to consider the measures requiring his approval, so that he may not have as an excuse for his veto or omission to sign, the lack of opportunity to thoroughly examine the bills sent to him for his autograph. Sixty days soon slip away in these busy and exciting times, and as many of the legislators are new to the business, they should get to work at once and familiarize themselves with their duties.

We bid them welcome to the capital, and hope their labors will be pleasurable to themselves and profitable to the community, who look for the embodiment of the wants of the many and not the realization of the designs of a clique.

REVIEW OF THE GOVERNOR'S MESSAGE.

GOVERNOR ELI H. MURRAY's biennial insult to the Legislative Assembly was delivered on Tuesday afternoon and appeared in full in the DESERET NEWS of the same evening. The opening paragraphs bear the ear-marks of the signer, being full of awkwardly expressed twaddle and that false insinuation and double-faced hypocrisy which characterize most of his public effusions. Some of the latter portions indicate a more vigorous hand and clearer brain, but the whole message is in a spirit of hostility under the pretense of friendship, and of studied insolence in the garb of advice.

The wish that the intercourse of the Governor and the Legislature may be mutually pleasant is a piece of impertinent sarcasm when viewed in the light of his succeeding utterances. Very pleasant, officially, must that

intercourse be when the Executive assumes an offensive attitude to begin with.

The very first assertion is an attempt to place the Legislature in a false position. It is not true that relations of the Legislature with the General Government are in conflict. We are aware that certain individuals who use the Governor as their tool have sought to involve the Legislature and the Government in a conflict. That is a different matter. And what would be the use of a conflict between a body of men like the Legislature and a mere set of "aspirations," for, according to the Governor's learned definition of the Government of the United States, the "combined aspirations of men" is all that it consists of.

Passing by some lumbering, ungrammatical and highfalutin sentences without meaning, we come to the statement that "existing evils in the Territory primarily should be corrected by the legislators of Utah rather than by Congress." That is quite correct. If there are any evils in the Territory to be corrected by legislation, the duty to correct them devolves upon the local legislature. And, as we view it, Congress has no business with those local concerns in the first place, and in the second place it cannot understand or regulate them as well as the Legislature, even if it was proper for Congress to interfere in purely local concerns. Let Congress attend to national affairs and leave the Legislature to its own local affairs, and there will be no trouble and no conflict.

The Governor next tells the Legislature to "Remember the aid given by the Government to the hardy pioneers who settled Utah." Why did he not point one solitary instance of "aid" ever offered to the "hardy pioneers"? What have they to remember? They came here in poverty and opened this desert region to civilization. They unfurled the stars and stripes and occupied it as American citizens, the "Mormon" battalion being then engaged in active service for the Government against Mexico. They formed a State government, asked admission into the Union, and were given the mockery of a Territorial satrapy. They asked for bread and were given a stone. When their crops were completely destroyed by vast armies of grasshoppers, and they had to dig roots and eat hides, how much "aid" did they get from Government or any other earthly source? When they were lied about by debauched officials, the Government did not stop to investigate, but sent an army here to subjugate or destroy them. Oh! yes, we have much "aid" to "remember," have we not?

He next tells them to "remember" a lie. That is, that "not one life of those who settled Utah was put in jeopardy in the battles with Mexico." It is history that five hundred of the band of pilgrims who sought a home in these wilds were marching across trackless deserts to Mexico, to fight for the Government, and that their march was unparalleled. Was there no jeopardy in that? Was there no jeopardy to the people when the physical strength of their company was chiefly taken from them for the Mexican war, while they had to face a journey of more than a thousand miles through an Indian country, and to a spot where no white man lived or a shelter could be found? The Governor was never known to issue a document about Utah that was not laden with falsehood, direct or implied.

"The blood of the people of Utah was not required" in the civil war, simply because they were kept out of the Union by the false policy of the Government and the deceptions of just such officials as Governor Murray. But even here he conceals the truth. President Lincoln, though he could not lawfully require it, requested "Mormon" aid against the Indians on the plains during that war, and President Young promptly responded to his dispatch, and Utah volunteers performed the service, risking their lives in aid of the Government as much as any other soldiers, though not engaged in fratricide.

"The sovereign voice of a generous Government," is a piece of Murray balderdash. The people, not the Congress are sovereign in these United States, and the generosity of the Government towards Utah, as we have shown, has not yet been very conspicuous. If the Government would give as justice in the form of a State we would not ask for any generosity. "The blessings of liberty," on which he descants, look "mighty small" to a body of elected legislators, whose combined acts for sixty days can be rendered null by the whims of one hostile, jeering and malignant official.

He proceeds to say that the argument is "dangerous and fallacious" which contends that the Legislature need not pass laws on subjects that Congress has undertaken to regulate. But he does not show wherein the argument is either dangerous or fallacious. If the Legislature should re-enact the laws against polygamy, they would be no more effective than now. If an attempt was made to pass anything different to or in conflict with those laws it would be counted void. There is no escaping these conclusions. Congress has undertaken a task which the Legislature may not interfere with, and it would be folly to attempt to do so. That disposes of a heap of roundabout verbiage with which the Governor's message abounds.

It is not true that the Legislature of Utah is organized to "satisfy the expectations of public opinion." Its mem-

bers are to pass laws for the people who have elected them, and to faithfully represent their constituents, not their enemies. Each commonwealth in this country has its own Legislature so that its own interests may be subserved and its own views may be crystallized into legal regulations. Other communities may attend to their own affairs.

After wading through more unmeaning and foggy sentences, fallacies about the duties of the Legislature—which have nothing to do with the "execution of the laws," as he makes out, but are only to make the laws—and stuff about a "groove of thought" into which the people are said to have fallen, over which the Legislature has no jurisdiction, we reach something tangible in the message.

He wants the Territorial government organized in all of its parts in conformity with the laws of Congress. It is already so organized. No part of it is or can be different and remain. The legislative, executive and judicial departments are all as constructed by the general Government, and the request of Governor Murray is only his insidious way of presenting an untruth.

He wants "the system of polygamy" denounced by Territorial statute. Laws are not to denounce but to forbid by penalties. Congress has done all that is necessary in this direction and a great deal more, disfranchising polygamists by wholesale and providing heavy punishment in individual cases.

He wants "the marital and property rights of women made secure and ample." They are already made so, and in a far higher degree than in most parts of the Union. The expression of this wish is another peculiar Murray false insinuation.

He wants the exercise of political power by ecclesiastical authority abolished in Utah. This is in the same spirit as the two previous innuendoes. No ecclesiastical in Utah holds political authority under the Territorial government by virtue of his Church position. Every Church minister and member has the right to use his influence in politics as much as an individual, a drunkard and a debauchee. If a respected Church official gains more influence by his precepts and example than a politician who betrays his greed for power and pelf, or a Federal officer who vilifies the people whom he would like to rule for his own advantage, so much the better for the Church official and the people, and so much chagrin for the scheming adventurers. The Legislature has nothing to do with it one way or the other, neither has the Governor of the Territory.

The circular which he claims to hold from the Presidency of the Church of Latter-day Saints is not addressed to the Governor nor to the Legislature. It is to the members of the Church, in that capacity. It is not his business nor that of the Legislature to take any cognizance of it. He might as well have introduced a circular from a Presbyterian synod or a call from a Methodist conference for funds.

He next attempts to apologize for his attempt to deceive the President of the United States, resulting in the forwarding of soldiers here in a time of peace. He did not gain what he expected. Only sixty-five men were forwarded, and he points to the quiet that followed and that now prevails as a justification! Everybody here knows that the present peace is the normal condition of the Territory, and that the few soldiers that have been added to the camp, have no more to do with that quiet than the addition of a little more snow on the mountains which came and has remained with the troops. See how quiet it has been since the snow fell, therefore the snow brought peace to Utah. That is the kind of logic that the Governor gives us. The peace that prevailed before either the soldiers came or the snowflakes fell, doesn't count in the Governor's "justification" of his perfidy.

The Governor proposes to ask four questions but only puts three, and makes a muddle of referring to the fourth without telling us what it is. Those questions are laid as a trap to the Legislature to place them if possible in some form of antagonism to the Government. It is a contemptible trick, very bunglingly contrived. It ought to be treated with silent contempt, as we hope it will be.

The "unlawful government" nonsense is then repeated, and "Section Seven of the Organic Act," which is the Governor's pet hobby, is ridden forth once more, branded E. H. M. The "unlawful government" which he has claimed in so many pub. docs. as existing in Utah, consists in the election by the people of the Auditor of Public Accounts and Territorial Treasurer instead of their appointment by the Governor and Legislative Council. They form no part of the Territorial Government, but it suits the Governor's purpose to put the matter in that light so that he may deceive the country and make "rebellion" appear where it is not.

The law says these officers shall be elected by the people, which is proper. The Governor claims the right to nominate them and appoint them with the aid of the Council. It is a matter in dispute. It has gone as far as the Supreme Court of the Territory. It will perhaps have to go to the Supreme Court of the United States. The Governor parades the opinion of the Attorney General and of all things—the DECISION of the Utah Commissioners, as superior to a law on the statute book, passed by a Legislative As-

sembly and duly signed by a "Gentile" Governor.

The "decision" of the Commissioners is as valuable as a decree of any five convivial gubernatorial companions in a favorite bar-room. The opinion of the Attorney General is entitled to respect but is not judicial. And it knocks half the underpinning out from the Governor's pretensions and the Commissioner's "decision." They denied the right of election of the Commissioners to locate university lands, and the Attorney General says they were wrong. Perhaps when the other pretensions are fully tested they may prove to be wrong also. The Attorney General cites the decision of the Utah court in *ex parte* Duncan, but he does not refer to the ruling of the Supreme Court of the United States which gives a different construction to that which he adopts with the lower court. The highest court ruled that a law of Utah not disapproved by Congress received the implied sanction of Congress.

The Governor's mock humility in saying that he has yielded "the right" he has claimed so long when he finds that it was an attempt at usurpation, is quite affecting. It is enough to make a stoic go into convulsions of hilarity. To yield a right that he never held and make an heroic virtue of the yielding, is quite in keeping with other characteristics of our dramatic and dress-parade Executive. His disingenuous remarks about Governor Young's nomination of the officers will be taken at their value, when it is understood that Governor Young did not pretend to nominate officers whose position was made elective by the people.

The Governor has a bee in his bonnet about "the right of dower." It is a relic of the common law slavery of woman, has been abolished in several States, and something far better is given to the women of Utah in their individual property rights and the elective franchise.

The next paragraph our readers should look over critically. It is a pretended recommendation in favor of public morals. It is really a protective suggestion in behalf of male prostitutes. He does not ask for the punishment of the lechers who visit houses of prostitution to consort with the degraded inmates, but he wants persons punished who, as witnesses of such bestiality, can give information leading to the prosecution of the debauchees. See how cunningly the paragraph is constructed to reach certain classes and let the other escape. Reasons for this discrimination could be given, but they will keep. Revelations of the "Road House" and other resorts will be in order in due time, and may explain a good many things.

The suggestion about the militia is misleading. The present law is a good one and is only rendered inoperative through gubernatorial obstruction. The Governor is made Commander-in-Chief by the Organic Act, and the regulations of the militia law cannot, and, as we understand it, do not intend to depose him. The recommendation to repeal the law is only more "buncombe."

The debt to the Government, if any exists, is only on paper. The Government took away the penitentiary from Territorial control, and therefore its expenses must be met by the Government. Prisoners have been confined there for breaking Territorial laws, when they ought to have been sent, according to local law, to the county jail. The error is not of the Territory, the Territory cannot be made to pay the expense. Congress has no right to make expenses and say that any Territory shall pay them.

The statement of the Governor that "The last Legislature signally failed to meet the requirements of Congress on the subject of registration and elections," is a flat falsehood, which the records show conclusively. The only "requirement of Congress" on this subject is in section nine of the Edmunds law, and is not really in the nature of any "requirement" whatever. It simply says the "Legislative Assembly may make such laws" "as it shall deem proper concerning the filling of the offices declared vacant," the only restriction being that they must be "conformable to the Organic Act and not inconsistent with other laws of the United States." The Legislature did pass such an act, it was not inconsistent with the Organic Act nor with any laws of the United States, and Governor Murray vetoed it and thus continued in office the five useless Commissioners at a cost of \$65,000 a year to the Government.

He wants a Territorial Election Board and a Territorial Equalization Board, but not either unless it is so constituted that he can nominate the officers composing it. A Territorial Veterinary Surgeon, whom, "I Eli H. Murray," can nominate will be satisfactory, otherwise not. The Territorial Insane Asylum is all right because the Governor had a finger in the pie of the Board. The University, though its officers are similarly appointed, is all wrong because he cannot put his thumb in that piece of pastry. He "deeply regrets" something that was brought about solely by his own vanity and obstruction, and then sniffs his regrets with hypocritical duplicity. When he was submitting to the Attorney General the question of the Commissioners to locate University lands, why did he not also submit the question of the University officers? Was it because he was afraid of the answer? And if the Legislature has the right to say how those Commissioners shall be elected, has it not also a right, under Garland's

opinion, to say how the officers of the University shall be elected?

There are points of minor importance in the message that are not worth the space for comment. A house of correction for juvenile offenders, aid to tree culture, protection of stock owners, etc., are suggestions that are well enough and the request for non-delay in the forwarding of bills to the Executive is only just to himself and the people. But there are so many insinuations and implied censures in nearly all of the recommendations, that they make the message highly offensive to every member of the Assembly who has a sense of self-respect.

The document has been carefully prepared for outside effect. The members who, out of respect for the office, not the person, listened with silent patience to the insults, threats and insinuations that were hurled at them in the stilted and pompous tones and lumbering sentences of an official who has done all in his power to bring about an issue that he deceitfully pretended to deplore, ought to take rank with the boil-afflicted patriarch, and be numbered with those who come up through much tribulation. They knew what it was for, they knew the course of the sententious author. What they will do with it remains to be seen. It belongs for the present to the legislature waste basket, and for the future to the vendor of candles and soap. However, it is to be spread on the minutes, and will remain for some time as a specimen of Utah gubernatorial wormwood and gall.

CALL A HALT!

We have not space to-day to say much on the outrages at West Jordan described in our local columns. Words will not do justice to the feelings which deeds of that kind arouse in every heart susceptible to abhor at brutality and insolence to the weaker sex and to the infirm. We call the attention of Marshal Ireland to the acts of some of his deputies, for which he is responsible, as related elsewhere in this paper. We remind him that human nature will not bear too great strain upon its patience and endurance. We find no fault with a firm performance of a duty, however disagreeable. Officers armed with a warrant of arrest have a right to serve it, no matter how much some persons may object. If they are obstructed they may use proper force. If they are resisted violently they may use violence. But they have no right to force their way into people's domiciles without documentary authority, to insult women, to impose upon the weak, to go on the rampage at their own sweet will, arrest whom they choose, intrude where they like and terrorize peaceable citizens. This lawlessness of officers of the law has got to be stopped. We mean just what we say. We will not throw a straw in the way of a lawful execution of any legal process. But we warn the burly brutes who think they are at liberty to be a law unto themselves when they are raiding "Mormon" houses, that they may go a step too far. We shall no doubt be accused of threatening officers. We do not care for that. They know better, and so do we. Our caution is for their good as well as the peace of the community. We want no bloodshed nor broken heads. But if the officers of the law do not act within the law there is bound to be trouble. If the details furnished to us by reliable persons are correct, the conduct of some of those deputies was simply damnable, and such as only low-lived and cowardly officials would be guilty of. Let the matter be fully investigated.

A SWEEPING GUBERNATORIAL RECOMMENDATION.

GOVERNOR ELI H. MURRAY, in his message to the Legislature, recommends and urges the passage of a bill, the full text of which he furnishes to the members, for fear they might not have sense enough to frame one embodying his notions. Of course they are not original; who ever knew anything original to emanate from his inner consciousness? It is a copy. But our sententious and stilted Executive hadn't even gumption enough to adapt his plagiarism to the local situation. Here is one of its provisions:

"That every certificate, record, and entry of any kind concerning any ceremony of marriage whether lawful or not, in any Territory of the United States, and any record thereof in any office or place, shall be subject to inspection, etc."

The words we have italicized form the ludicrous part of the recommendation. The Governor, in those Methodist-exhorter tones of his, and wiping the moisture from his burdened brow, gravely urged the Utah Legislature to pass a law for all the Territories of the United States. We know that he has aspired to fill all the offices in this Territory with his own appointees, by his own dictum, but we did not expect that he would advise the usurpation suggested above to the Legislative Assembly in regard to other Territories. He threatened the members with dire results if