

gh some change in popularities, when he presents himself, or some reason or other, he is told, and is told he cannot a seat in this House, because of opinion of the majority he is lifted.

ay be plural marriage to-day; y be something else to-mor- r some offense, real or imagi- the next day; it may be the on to-day, the man who be- in marriage, and it may be row the Shaker, the man who not believe in marriage. It e the Catholic next day and to suit the ever-varying whim- ular caprice, if Congress can be new regulations for Dele- from the Territories. Such e the inevitable condition if nclusions adopted by the ma- of this committee shall pre-

as been stated that I represent oh; that I am the ambassador urch. Mr. Speaker, I repre- he people of Utah Territory. I ent no church, and yet I re- it every church that exists in rritory. I am not here as an ador from any church. I am because the voice of the legal- ized people of Utah Territory chosen me to represent them. I has been asserted al- o that I no votes outside of the com- ty of which I am a member. I e that statement also. It is ue, if the testimony of vote- selves can be believed, for have stated to me, many of that they voted for me.

o have a secret ballot in Utah rry, and there is no means owing the candidates for whom are cast. I was voted for, if y believe what I am told, by non-Mormons. My last con- at that was in the Forty-fifth ress received over 4,000 . There has been an increase e non-Mormon element since time, and as one prominent from Utah said to me in this recently, "Mr. Cannon, when ish to get the seat of the Dele- from Utah we will send some here with more votes than to get the seat." This was by a prominent non-Mormon of Territory, and if the entire vote een cast in the Territory at the election I have no doubt there d be nearly 5,000 in opposition at time. I am, therefore, a sentative of the people of Utah, if I do not represent them, cer- y there is no one to represent ; but I am here because the of Congress says that Utah Ter- y is entitled to a Delegate on floor, and because the law said should vote for the Delegate, because the votes were cast for

at in regard to licentiousness, urning which so much has been I wish to say a few words. Do lemen understand that if the le of my Territory, those who cused of violating law in hav- more wives than one—I say do leman, in considering this ques- not understand that if licen- ness and lechery were the ob- to be accomplished, that the le could reach this in a much per and much more popular ner than by marrying women sustaining and making legiti- e their children? Why it s no argument upon this t. The mere suggestion brings iction to the mind of any per- who reasons that the methods gue elsewhere and which pro- no wrath would be much more y to have been adopted to ac- plish such a purpose if that had the object.

hy should I stand here and be led, abused, and denounced as e been for lechery, because of rying wives? Was it necessary wives should be taken to grat- ensuality? I have no need to any wife to accomplish that. I e no need to take to myself the len and responsibility of a fami- or that purpose. The people I esent would not need to be kept of the Union (that being, we told, the great rea- on that Utah not sooner been admitted as one he States) if the motives which e been attributed to them on floor were the ones which have mpted them to contract marri- s. There would be no necessity lace themselves in such a pecu- position if the gratification of sion were, as alleged, the sole ect. What, then, is it?

Mr. Speaker, the people of Utah ve profound convictions concern- many things. They have left ir homes more than once for the ce of religion, and have been fore- to make themselves new homes

in a distant land. Marriage is an institution concerning which they have strong convictions. It may be said that this is not religion; but whether it is or not, they believe it to be religion. The Catholic has ideas as to what is religion. The Episcopalian has his ideas also upon the same subject; so with the Presbyterians, the Methodists, the Baptists, the Quakers, the Unitarians, and others; and who shall decide, until the great day when men shall be judged and rewarded or punished for the deeds done in the body, between them?

My constituents believe that God has given a command concerning marriage, and that He never gives a command without an object, and that object in this instance is to redeem the human family from the terrible evils under which in modern society it groans. It may be asked how redeem them? We answer by making marriage honorable; by up- lifting it, by elevating it above its present condition; by giving every woman an opportunity to be a wife and mother. To cut off opportunity for prostitution and concubinage, and to leave no margin for lust to prey upon. It may be said that the sexes are so evenly divided that there is not sufficient disparity between their numbers to justify the adoption of such a principle.

The people of Utah do not believe that plural marriage ought to be or can be universal. In Utah itself it is not possible, for the males out- number the females. But give every woman the opportunity to marry, punish fornication and adul- tery, and what woman would occupy an illicit relation with the other sex? The people of Utah believe that at the present time marriage is falling into desuetude, and in consequence corruption is spreading over the land, and we have felt that the country was big enough to all w us in that far-off Utah, not interfering with others, not forcing our views upon others, to test the effect of the patri- archal system of marriage in check- ing the tide of vice and preventing the spread of evils which modern society acknowledges its powerless- ness to extirpate.

I do not think it would be wise under present circumstances, that I should say anything more on this question. You may depend upon it, however, that there are more argu- ments in its favor than you have heard here or are likely to hear, and that the men and women choosing to embrace that principle are able to assign good and sufficient reasons for doing so.

I shall not allude to it from a scriptural standpoint. I may say, however, that so far as the condem- nation of the world is concerned, we are willing to be placed on the same plane with Abraham. And when we pray to go to Abraham's bosom we expect he will not look upon us as aliens or law-breakers; and when we pray to go to the New Jerusalem over each of whose twelve gates is written the name of each one of the twelve patriarchs, the sons of Jac- ob, we expect when we pass through those gates we shall not be ashamed to be known for what we are.

Since the commencement of this debate, the statement has been made so frequently, that I feel as though I ought to say something in regard to it in connection with this case; I mean the statement respect- ing the alleged conduct of the peo- ple of Utah in absorbing all the public lands. In the first speech on the Utah case, the allegation was made that the people of Utah, in pursuance of a well defined and settled policy, had absorbed all the public lands. It would seem as though it were unnecessary for any person, and for myself particularly, to say one word in relation to this matter, it being so well known that in Utah Territory, as well as in the other Territories and States over which the land laws have been ex- tended, every person can obtain land that is not occupied, every citi- zen who has the right to pre-empt or homestead land, and that there is no power in the local legislature to alienate the lands or to take away the title and bestow it upon any individual. Acts of the Legislative Assembly of Utah Territory have been quoted to sustain the idea that they have really given title or sought to dispose of the public lands. At no time and under no circumstances was any action of this kind taken with a view to bestow the ownership or title upon any person who might occupy the land or to whom any grant might be given.

But our canyon roads had to be made, and it required some action

on the part of the Legislature to in- duce men to build costly roads into our mountains and to build bridges over our canyon streams. I have known canyon roads there costing over \$12,000 to be swept away in a single storm. Grants of this kind were given in the early days of the Territory for such purposes, and also for herd grounds and for other pur- poses, that local rights might be pre- served. If such had been the design it would have been futile. We lived in Utah Territory for twenty years before the land laws were extended over us; we had to do the best we could. As soon as these laws were extended over our territory we then obtained title to our lands. These towns which have been spoken of could only get the same amount of land to their population that towns in other parts of the United States obtained. Where the inhabitants number one hundred, the law says, and less than two hundred, sites shall embrace not exceeding three hundred and twenty acres, and so on. The highest number that was allowed was 1,280 acres. That was to a town containing five thousand inhabitants. Now, Salt Lake City had outgrown the conditions for which the town-site act was design- ed and the inhabitants could not obtain title under it to their homes. My predecessor, Hon. W. H. Hooper, succeeded in getting a special act of Congress passed to meet the exi- gency.

The boundaries of the incorporat- ed cities of Utah Territory were made very extensive. There was a good reason for this. It is to be found in the fact that the settle- ments of Utah Territory were dif- ferently situated from those of every other part of the country. We had to do our farming by means of irrigation. We had to adopt the Mexican system of living in pueblos or villages. And it was thought a wise thing for municipal authority to be extended over the farms, the fields, the water, so that the water could be controlled and come with- in municipal regulations, and that men who farmed in the country might be within the towns, and have the social advantages, the school advantages and other advan- tages that were there to be obtained. Beside, it was an Indian country and we had to live in villages to secure protection. But under the old law no man could pre-empt in- side of an incorporated city. This was found out after the land laws were extended over the Territory.

It was not supposed at the time these corporations were granted that they would thus interfere with the settlement of lands outside of the town-site limits; and it put the Mormon people as much as it did all others to great inconvenience. They could not obtain title to their lands any more than any one else, until a law was passed by Congr- ss which relieved the people in that respect in that Territory and in all the Territories; so that every settler who came within the limits of an incorporated city could obtain his land if it was open to pre-emption or homestead entry. That is all there is connected with this allega- tion that the people of Utah have plastered the whole country with their incorporations in order to pre- vent settlement.

Another point, Mr. Speaker, in connection with this case. Let the resolution that has been proposed by the majority of the Committee on Elections be adopted and what will be the result? Nearly eighteen months have elapsed since the elec- tion for this Congress. President Hayes was President of the United States at that time. President Garfield succeeded him. President Arthur now fills the executive chair. During these three administrations the governor of Utah Territory, who ruthlessly violated the law and robbed the people of their franchises, still occupies that position.

Let this seat of the delegate from Utah be declared vacant, and you say to every governor in the United States who acts as a ministerial of- ficer in declaring the results of elec- tions, "You can give certificates to men not elected with impunity if we are in power, as was done in the Utah case, and no one will call you in question." And the returning board which goes to Utah Territory under the law just passed, if not superior men, will feel emboldened to do the same thing with every man who may be elected under that law, and who may be displeasing to a majority of that board. They may assume the same right, and say to the man, "You have received the votes, but we question your right, your eligibility, and we refuse to give you the certificate." Gentle-

men can you see what the effect will be?

You may depend upon it that the consequences of this action, if the report of the majority of the com- mittee be adopted, will not end with Utah Territory. Crystallize this fraud, make it effective by your votes, and its consequences will be far reaching and extensive. The Delegate-elect from Utah may be an insignificant person, but a great principle is involved in this case. It will not be the Mormons always. There will be some one else, per- haps, who will be unpopular. There will be some party in the minority against whom strong prejudices will be aroused and strong feelings evok- ed. This case will be cited as a pre- cedent for refusing right and justice to such persons, and it will be plead- ed in justification that this Forty- seventh Congress indorsed such action by sustaining the report of the majority of the committee on elec- tions. A great wrong of this charac- ter cannot be perpetrated even upon the people of Utah without produc- ing terrible results, which will be far-reaching and wide-spread.

There is one statement which I feel that I ought not to permit to pass unchallenged. It was stated upon this floor by the gentleman from Pennsylvania, [Mr. Beltz- hoover,] and he assigned it as a strong reason for joining in the ma- jority report, that in the Forty-third Congress I had unequivocally denied that I was what I have since ac- knowledged myself to be. And the gentleman from Tennessee [Mr. Pettibone] made that the founda- tion for his argument. He read from the statement which I made in the Forty-third Congress, and he cer- tainly has an admirable way of read- ing anything so as to make it suit the purpose of his own argument. He read:

I deny that I am now living with four wives.

And then he paused. Well, if that were without qualification it would look as though the gentleman from Pennsylvania was quite cor- rect in saying that I had unequivoc- ally denied the accusation. But there is something else in the sen- tence. There is a parenthetical sen- tence—"or that I am living or co- habiting with any wives"—which may be omitted. It will read then in this way:

I deny that I am now living with four wives in defiance or willful violation of the laws of Congress, etc.

I denied it then and I can deny it now. I never defiantly or willfully violated any law. In response to the tenth allegation contained in the statement, I said:

I deny that I am now living or have ever lived in violation of the laws of God, man, my country, decency, or civilization, or of any law of the United States.

Every lawyer knows that in pleading for the purposes of the ac- tion in controversy, allegations are denied and proofs are called for, or a defendant might violate the old common-law rule that a man is not bound to accuse himself, but to have the burden of proof to rest upon his opponent. But to show that the members of the committee in the Forty-third Congress understood ex- actly my position, for I want to make it so clear that it cannot be disputed, that that issue was raised and was accepted and was recognized as the true issue, I will read from their report. Before doing so I may say that the full committee decided, notwithstanding the accusation that had been made that I was not en- titled to my seat because of marital relations, that these relations were not a disqualification for a seat upon this floor, and the majority reported these resolutions.

1. Resolved, That George R. Maxwell was not elected, and is not entitled, to a seat in the House of Representatives of the Forty-third Congress as Delegate from the Territory of Utah.

2. Resolved, That George Q. Cannon was elected and returned as a Delegate from the Territory of Utah to the seat in the Forty-third Congress.

There the majority of the com- mittee stopped. But a minority of the committee reported the follow- ing resolution:

Resolved, That George Q. Cannon was duly elected and returned as Delegate from the Territory of Utah, and is entitled to a seat as a Delegate in the Forty-third Congress.

The issue in controversy, and upon which the contest was based, was brought plainly before the House, and the House by about a two-third vote adopted the majority report and the supplemental minor- ity report. In the report which was made by the minority of the com- mittee it was stated that—

The majority of the committee have failed and decline to report a resolution to the ef-

fect that George Q. Cannon was entitled to the seat upon the ground that he was dis- qualified by reason of the fact that he was the husband of more than one wife, and, as is assumed, is guilty of a violation of the act of Congress, etc.

You will see by this that the issue was fairly brought before the Com- mittee on Elections; it was not only brought fairly before the Committee on Elections, but it was brought fairly before this House. And this House, with the full knowledge of all the facts, thoroughly conversant with the statement made concern- ing me upon this point, and which I neither disputed nor denied, this House of a Republican Congress, by a vote of about two-thirds of the members present, confirmed me in my seat.

In the Forty-fourth Congress the same issue was made and the same resolutions were adopted. The House being pressed for time on account of business, the sub-committee did not report to the House, thinking it un- necessary to do so, as I already had my seat.

[Here the hammer fell.]

The Speaker. The time of the gentleman has expired.

Mr. Cannon, of Utah. I would like the indulgence of the House merely to clear up one other point. There was no objection, and the time of Mr. Cannon, of Utah, was extended.

Mr. Cannon, of Utah. After I had been confirmed to my right to a seat in the Forty-third Congress, a resolution was introduced by a member of the committee on elections, making charges against me concern- ing marriages and the commit- tee was authorized to investigate the matter. The committee, in submit- ting their report, made this state- ment:

Your committee think the evidence, un- challenged as it is by the Delegate, estab- lishes, &c.

That is, that I was living with more wives than one. The commit- tee then reported a resolution that George Q. Cannon, Delegate from Utah, being found upon due con- sideration of the evidence submitted and not controverted by said Can- non, to be an actual polygamist, &c.

The committee was authorized to report to the House; but when it did report the House refused to con- sider the report, and the case was dismissed.

That was in the Republican Forty- third Congress.

Mr. Speaker, I find myself in this position: I am here as the Delegate from Utah Territory regularly elected, properly qualified, fully en- titled to the seat. My constituents, as well as myself, believed at the time of my election that there was no barrier to prevent me from tak- ing my seat. Nothing has occurred since my election to interpose any such barrier. All these charges which are made against my con- stituency, which I have not time to allude to in detail or to disprove, but which I do state are false, all these charges were in existence years and years ago. They were in existence in the Forty-sixth Congress, in the Forty-fifth, in the Forty-fourth, in the Forty-third Congress. I have sat here during those Congresses. My right to my seat has been fully vindicated by the House. I came here under precisely the same cir- cumstances then that I come now. But it is now said that a law of Con- gress has been enacted which pre- vents me from taking my seat; that by the operation of this law I am excluded, and the seat is to be de- clared vacant. If this proposed re- solution be sustained, then I say fraud will be supplemented by this method of strangling, of murdering the representation of Utah Territory on this floor.

If the report of the majority of this committee shall be sustained, I shall leave this Hall of Representa- tives with a feeling and a conscience which will give me far more satis- faction in the days to come than if I were a member of this House and voted in favor of the adoption of the report of the majority declaring this seat vacant. I am a resident of Utah Territory and one of those people who are everywhere spoken against and against whom many vile charges are made, as were made against their predecessors, the Church of Christ, in the early days, and as Jesus predicted would be the case; yet I do respect my oath, and I pity any gentleman who with nothing to sustain him but popular sentiment is willing to trample upon the Con- stitution and the law and to strike down a people against whom popular sentiment is strong.

[Here the hammer fell.]

Mr. Speaker and gentlemen of the House, I thank you for your kind indulgence.