

bellion because they do not cease to commit acts which we have passed laws designating to be crimes. I say you have no right to destroy the government of the Territory, to punish the 12,000 offenders who peaceably submit to the execution of your criminal laws and make the best defence in their favor, or the best evasion of the law they are able to make for themselves, as other criminals do.

But if there were any pretext for the destruction of republican government in the Territory, so far as the 12,000 are concerned, what sort of pretext or excuse is there for the destruction of the government to punish the remaining 100,000 who believe that polygamy is right but violate no law by the practice of it?

Is it rebellion against the government of the United States for 100,000 people professing to be Mormons to avow their belief that the practice of polygamy is right though they never practiced it, or that it was right when practiced by David or Solomon? The proposition is simply monstrous. Neither this Senate nor this Government has the shadow of a right to punish any man for his opinions on any such subject, or to punish 100,000 people of a particular sect because 12,000 of the same sect violate the same penal code of the United States or of the Territory. If they should rise in armed rebellion, or in any forcible manner set aside the courts and resist the officers of the law, then there would be an excuse of arbitrary authority until the rebellion is crushed.

But there can be no excuse for any such arbitrary, illegal, or unconstitutional measures, on account of the belief entertained by the mass of Mormons, or the violation of the criminal law by a small minority, who do not resist the process of the criminal courts. There is scarcely a State in the Union that does not have a penal law against the practice of adultery and fornication; there is not a city in the Union where these offences are not practiced; but what constitutional law would say that there was any excuse for an act of the State Legislature abolishing the charter and laws of the city and putting the people under arbitrary government, or putting them to the sword, because a portion of the citizens may practice adultery and fornication? So long as they hold themselves amenable to the criminal laws, and neither refuse to obey the process of the courts, nor use force to set their authority at defiance, no such act could be justifiable.

If the practice of these social crimes by a portion of the people of a community is rebellion against the Government, because the Government has passed laws declaring these offences criminal, then there is not a city in the Union that is not in rebellion to-day. The proposition is preposterously absurd. But some persons profess to believe that these unconstitutional and arbitrary measures will ultimately drive the Mormons into open resistance and war. Possibly some hope so. But there is not the slightest probability of such an occurrence. Every utterance which we hear from the Mormon priesthood and the Mormon people is one of loyalty to the Government of the United States; and while they complain that they have been cruelly oppressed and feel that the hand of the Government has been placed heavily upon them, they advise each other to look to God for protection, and in no event to forcibly resist the laws of the United States, come what may.

Then let me not that the violation of a criminal law by a portion of a peaceable people who offer no armed resistance to the execution of the law is rebellion, or such defiance of the law of the United States as to justify the enactment or enforcement of arbitrary and oppressive measures tending to the subversion of republican government, and the destruction of the liberties of the people. No, Senators, you can not justify arbitrary oppression by any such false pretext. But if some you say their government should be destroyed, and arbitrary despotism established in its stead, because they persist in practicing polygamy in violation of penal law. We appoint their governors, their judges, their prosecuting attorneys, and their marshals. We have by statute declared a person who has practiced polygamy, or who believes it is right, ineligible as a juror to try a person indicted for polygamy in the Territory.

The governor of the Territory is appointed because he is opposed to polygamy; the judges, the prosecuting attorneys, the marshals, and the clerks are appointed for the same reason. Jurors are selected from the class alone who are opposed to the defendant. If they refuse to swear that they have not practiced polygamy (and that they do not believe it is right to practice it, they are excluded from the jury-box. In other words, when a Mormon is put upon trial for the practice of polygamy he can be tried under the statute only by jurors who have not practiced it and do not believe it is right. With all these advantages in favor of the Government we also enact the penal laws for them, and we have made polygamy in Utah a penitentiary offense and we have punished some of the Mormons in the penitentiary for its practice.

This certainly gives the Government advantage enough over the unfortunate defendant. If he can be acquitted with the judge, jury, marshal, prosecuting attorney, and clerk of the court against him, it must be because he is not proven to be guilty. With all these advantages against them they offer no forcible resistance to the laws, but submit to them as other citi-

zens do. Under these circumstances, if you destroy their government because you cannot convict all who commit crimes, to be consistent you must tear down and trample under foot the government of the people of New England and other sections of the Union, because they persist in practicing illegal marriage and prostitution in open violation of law.

If the Mormons should be destroyed because 12,000 of them practice polygamy, then how will you excuse the people of New England when 36,000 of them, divorced for causes unknown to the law of Christ, marry again at pleasure and practice polygamy in the teeth of the divine law, and when an army probably three times as large as all the polygamists of Utah practice prostitution and adultery in violation of the divine law and the criminal laws of the respective States? If you are ready to use force outside of the Constitution and in violation of it, why crush one and not the other?

Why destroy republican government in one and have no word of censure for the other? Or, to give it a broader scope, though our means for arriving at the facts are limited for want of statistics, I think I can safely say within the bounds of reason that for every one Mormon who practices illegal sexual intercourse twenty, and probably fifty, persons in all other parts of the Union practice the same crime. The Mormon says he does it in the marriage relation. The people of the other States and Territories of the Union practice it outside of the marriage relation. The crime is the same, the moral guilt is the same, in the one case as in the other. Why, then, should the Government pour the vials of its wrath upon the heads of the Mormon offenders, and take no steps to punish an infinitely more numerous, and equally wicked, army of offenders living in the States and other Territories? The Mormons may well turn to us and say, "Physician, heal thyself." Or the Mormons, in the language of Him who spake as never man spake, may turn and look us in the face, and may justly say, "Thou hypocrite, first cast out the beam out of thine own eye, then thou shalt see clearly to cast out the mote out of thy brother's eye."

Mr. President, these extraordinary measures for the punishment of the Mormon people in Utah are persistently pressed upon us by the able and distinguished Senators who represent in part that very remarkable section of the Union known as New England of which I have already spoken. The head and front of the Mormon agitation has had its origin in New England; but this proud little section, as I have shown, has its peculiarities, and while it has many remarkable qualities which challenge the approbation of mankind it is not, as shown by its own authors and divines, free from some of the imperfections of our nature. It has frequently been styled the "land of isms" by those who may not have judged impartially. I believe, however, it may truthfully and justly be said that no other section of the Union has been so prolific of "isms" which have sprung from the brain of the New England people, that Mormonism is not one of the least important. As already shown, Brigham Young and Joseph Smith, the prophets and founders of the Mormon sect, first drew the breath of life in the salubrious and bracing atmosphere of the highlands of Vermont. With the characteristic energy and restless ambition of that proud little State they conceived it to be their duty and felt inspired to found a new sect, which they termed the "Latter-day Saints." This sect also has its peculiarities. Its founders being native New Englanders, partook probably to some extent of the New England character on the social question.

Their prophet while viewing the dark visions that rolled before him thought he saw a bright millennial dawn, which cheered his heart and authorized him to proclaim to the world that permission was granted to each of the faithful to add to the family circle another help or other helps meet for him.

The vision was communicated to the faithful; and it was accepted as a revelation from the Most High, and the liberty it gave has been practiced to an extent that has excited the envy of some and the just indignation of many more of the population of other sections of the Union. This sect, persecuted as few sects have been, led by their prophet deep into the wilderness and exposed to hardships and sufferings that were almost intolerable, has by the aid of its persecutors sprung in its feet and risen and prospered to a remarkable degree. In their industry, their thrift, their attention to education, and their prosperity they greatly resemble the good people of New England from which they sprang.

But having sprung from New England stock, they must not forget that it has often been charged by those who felt that they had been the sufferers that the people of New England, who are very prosperous and attentive to their own business, are understood to claim as a sort of divinely given right, like the Mormons claim divinely given polygamy, that they should give some of their attention to other people's business, and that they should not be entirely inattentive to the regulation of other people's affairs. Some people seem to be of the opinion that in the course of events, Southern affairs having been regulated, we had reached a period where for a time New England was out of a job, or unemployed in the regulation of other people's affairs; and it was thought that such a people

with such a mission naturally grew restless and excitable when deprived of the comforts attending the execution of their inspired calling. And it has been said while looking around for a proper subject for the exercise of their peculiar prerogative, their eyes rested upon prosperous Mormonism, and they determined to regulate it before attending to other like pursuits.

The wrath of some of the representatives of New England at the sexual impurity of the Mormons was not appeased by the warnings given by some of the purest and best sons of that proud section of the Union that it might be shown in the contrast between the two sections that nothing appeared unfavorable to the Mormons, who were the descendants of New England stock, and carrying out under different names and in different modes the practices of the fatherland. These faithful warnings and the cry of "physician, heal thyself," addressed to New England, have only tended to increase her ire and intensify the indignation of some of her statesmen in the National Legislature, until we have reached the point where it burns with such intense heat that they are ready to "cry havoc and let slip the dogs of war" for the extermination of this hated sect, if it does not at once surrender the tenets taught by its New England founder, and modify its practices of the "tender passion" so as to conform to those which now predominate in the land of its birth. What right has Utah to practice any but the New England system? This burning indignation is not directed so much against the practice of Utah as it is against the manner of the practices and the name by which they call it.

And sooner than have the crusade fail and not have the misnomer corrected, we find able, zealous men who are ready if need be to disregard and trample under foot the constitutional restraints which lie at the very foundation of our Government, and to pass laws which no court can reconcile with fundamental law, and therefore no court can execute; to sweep away with the violence of a tempest the fundamental principles of republican government and the unbroken usages of half a century in order to blot out the Territorial government, crush out of existence the forms of our republican system, and undermine the very pillars upon which it rests, rather than fall by coercive means to compel free love in Utah to conform in its methods, its practices, and its nomenclature to free love in New England. To accomplish this great object the Territorial practices of half a century are to be blotted out, local self-government is to be destroyed, the church is to be plundered, and the prosperous region of Utah is to be subjected to the rule of satraps whose unlimited power will enable them to rob and pillage the people at pleasure. If this system is once inaugurated, bitter as was our experience in the South during the late reconstruction period when our affairs were being regulated, it was mildness itself compared to what is in store for Utah as long as the wealth accumulated by the Mormons is not exhausted.

Mr. President, I shall be a party to no such proceedings. Other sections of the Union have frequently run wild in keeping up with New England ideas and New England practices on issues of this character. I presume they will do so again, but I, for one, shall not be a party to the enactment or enforcement of unconstitutional, tyrannical, and oppressive legislation for the purpose of crushing the Mormons or any other sect for the gratification of New England or any other section. The precedents which we are making, when the persons and parties in the States who feel it their duty to regulate the affairs of others find themselves unemployed and the regulation of Mormonism no longer profitable, will be used against other sects. Whether the Baptists, or the Catholics, or the Quakers will be selected for the next victim does not yet appear. But he who supposes that this spirit of restless and illegal intermeddling with the affairs of other sections will be satisfied or appeased by the sacrifice of the Mormons has read modern history to little advantage.

The Mormon sect is marked for the first victim. The Constitution and practices of the Government are to be disregarded and if need be trampled down to gratify the ire of dominant intermeddling. When the reconstruction measures were under consideration in 1867 the great leader of the House of Representatives, Mr. Thaddeus Stephens, of Pennsylvania, frankly avowed that the measures were unconstitutional, but claimed the right in the then state of things to regulate the affairs of the South outside of the Constitution.

And such is the fanaticism now prevalent in reference to the Mormon sect that when it is clearly shown the regulation which they desire can not take place within the Constitution and laws, the restless regulators will doubtless be ready to follow the example of Mr. Stephens and regulate Mormonism outside the Constitution. But why should Southern men become camp-followers in this crusade? While there is nothing in the test-oath prescribed by the Utah commissioners that condemns cohabitation with more than one woman in Utah, if it is done outside of the "marriage relation," there seems to be an unbending determination that, come life or death, come war or come peace, the Mormons must be compelled to conform to the practice of New England and conduct their prostitution outside of the marriage relation or they must suffer the penalties.

The Mormons may, however, be comforted by the reflection that their privileges need not be curtailed if they are obedient, nor the present practice diminished, but they must change the name and no longer conduct the wicked practice in what they call the "marriage relation."

The Government considers this no great hardship, as it freely permits in the Mormons, if called by the right name, what it does not punish in other people. For, without violating the policy of the Government in so far as it has been proclaimed by its Utah Commission, if the Mormons will conform to its requirements as to the mode the practice of prostitution in Utah need not in the slightest degree be diminished. The clamor is not against the Mormon for having more than one woman, but for calling more than one his wife. And the Mormons will do well to remember that the policy of putting the whole population, men, women, and children, to the sword, and filling the whole land with wailing, blood, and carnage will not be wanting in advocates if a portion of them still continue each to cohabit with more than one woman in what they call "the marriage relation."

The Government and people of the United States have deliberately determined that they must call it by the proper name. Let the Mormon who has a plurality of women remember that he must conform to the practice elsewhere and call but one of them his wife.

This, Mr. President, is the point we have reached. This is the distinction we have drawn. This is our present policy and practice as applied to the Territory of Utah. What consummate statesmanship!

Others who feel it their duty upon such hollow pretexts to destroy a prosperous Territory by such unconstitutional and illegal means as are proposed will doubtless proceed with this unnatural warfare until they have seen the result of their folly.

Let those whose ambition prompts them to such deeds of daring take part in this tyrannical and illegal conquest over a helpless people, who, to gratify an insatiable fanaticism, are to be crushed without the morals of this country being in the slightest degree improved or illegal sexual intercourse in the least degree diminished, and let them enjoy the fruits of their triumph.

But as I have sworn to support the Constitution of the United States and can not therefore belong to the army of the conquerors, I shall have no right to claim any of the trophies of the victory. Nor when the slaughter comes shall I have upon my hands the stain of the blood of any of the victims. Nor shall I share in the responsibility when in future our unconstitutional and unjustifiable legislation against the Mormons shall be used as a precedent for like legislation to crush some other sect or denomination who may chance, as the Mormons now do, to fall under the ban of popular fanaticism and indignation which will afford another pretext for New England interference and regulation.

## BY TELEGRAPH.

PER WESTERN UNION TELEGRAPH LINE.

### AMERICAN.

SAN FRANCISCO, 19.—A dispatch from Sonora, California, gives the particulars of one of the most complicated tragedies that probably ever occurred. Edmund Gallaher, 22 years old, shot Mrs. Otis Greenwood in the face and breast with a double-barreled shotgun. Her son Otis ran after Gallaher and fired twice at him without effect. Robert Watson pursued Otis Greenwood. The latter turned on Watson and shot him twice in the neck and back and Watson fell, whereon Watson's son opened fire on Greenwood, but the latter escaped to Sonora where he surrendered.

Learning the facts the sheriff started for the scene and arrested Gallaher. Both he and Greenwood were lodged in jail. Mrs. Greenwood and Watson have since died. The tragedy was the result of a dispute about Watson running water across Greenwood's mining claim. Mrs. Greenwood is a widow of a prominent lawyer in the locality. The others are all respectably connected.

New York, 19.—Alexander J. Defosse, formerly manager of the Opera House at New Orleans, was arrested by the sheriff in a suit brought against him by his wife, Kate L. Defosse, for a limited divorce. She charges that he abandoned her about six months ago, and left her without money or any means of support. Unable to furnish \$3,000 bail he was sent to jail.

Detroit, Mich., 19.—The safe of John Collins, township manager of Peck, Safford county, was blown open last night by burglars. Ten thousand dollars in cash and securities were stolen. No clue.

St. Paul, 19.—This morning occurred what will probably be a double murder and suicide. J. Cechura, owner of a small house, had rented rooms to Mrs. Katherine Messerschmidt, aged 76, and her daughter Margaret, aged 27. The woman paid the rent to Cechura's wife, which angered him, and to-night he entered the room of the mother and daughter, armed with a long butcher knife. After a short talk he attacked the women, stabbing the old woman in the back and breast, resulting in instant death. He then attacked the daughter and stabbed her in the left lung and inflicted a dozen other slight

wounds. She will probably die. Cechura then went to his own room, locked himself in, took poison and cut the arteries of both arms.

SAN FRANCISCO, 19.—When the estate of the bonanza millionaire, W. L. O'Brien was being administered, a man named Patrick H. O'Brien arrived in this city and succeeded so well in establishing himself to be a brother of the deceased, that, as stated at the time, \$750,000 were paid him as a compromise of his claim. Patrick died shortly after his brother, and now comes John O'Brien, until recently a private soldier in the Eighth Infantry, claiming to be a son of Patrick, and will commence suit for his share of the \$750,000 alleged to have been paid to Patrick H. O'Brien for his claims against the millionaire's estate.

EL PASO, TEXAS, 19.—The Rio Grande River has shown more water here than at any time in a quarter of a century. Horse Railroad and Mexican Central Railroad bridges have been swept away, and the valleys below Camp Rice and old Fort Quitman have presented the appearance of a vast inland sea. The flats between the general town and the river, on which are the Atchison, Topeka & Santa Fe Depot buildings, have all been submerged. The damage to Yoleta, Socorro, San Elizario and Camp Rice have been proportionately great. It is understood the American town of Presidio, Texas, has been nearly destroyed.

MEXICO, 19.—There was a washout on the Mexican Central near Agussientes yesterday. The passengers were transferred. The break will be speedily repaired. The rains continue heavy in northern Mexico. No rain has fallen in the valley around the capital this month. The dryness is almost unprecedented.

LIMA, 19.—A large number of houses were destroyed by fire in Pisagea on the 14th.

CHICAGO, 19.—The sub-committee on arrangements of the Democratic National committee to-day issued the following:

Democratic National Committee, Room 22, Palmer House, Chicago, Ill., June 19th, 1884.—The applications made to the members of the National Committee for tickets of admission to the Democratic National Convention indicate a misunderstanding of the method by which they are distributed. The tickets are printed and issued by the committee according to the rule which have been followed at previous conventions. They cannot be given as a favor to any person. The hall will have 10,500 seats, and of these 2,000 will be occupied by delegates, alternates, officers and committees. About 500 seats will be allotted to the press. Subscribers to the fund to pay the expenses will receive 750 tickets, and 75 more will be used for distribution among the local committees of the city and country officers. It is supposed 1,200 tickets will be given to Senators and Representatives in Congress, veterans and other eminent men of the country, who will attend the convention; 950 tickets will be reserved by the National Committee for contingencies, and the remainder of the tickets will be given to the delegates, making six tickets each for distribution to the public.

Signed,

W. C. GANDY,  
W. L. SCOTT,  
A. F. BROWN,  
A. F. VILAS,  
M. M. HUME,

Committee on Arrangements.

Applications by newspapers for desk privileges should be made prior to June 30th by letter, addressed to Austin H. Brown, chairman of the committee on press and telegraph, Indianapolis, Ind.

Nashville, 19.—In the democratic convention at the afternoon session the wrangle about the majority and minority reports was renewed, and after discussion the majority report was adopted with the addition of a section pledging acquiescence in the will of the Chicago convention. The platform declares the settlement of the State debt by the last Legislature is final and pledges its faithful maintenance favors the just taxation of railroad property, and the regulation of railroads by a state commission; believes in encouraging popular education; denounces the present tariff as a masterpiece of injustice, inequality and false pretenses; favors the reduction of the tariff, and demands that no more revenue be raised than is required to defray the legitimate expenses of the Government economically administered; declares that revenue raised for any other purpose, whether by custom house taxation or otherwise, is unauthorized by the Constitution; pledges the democracy of Tennessee to cheerfully support the platform adopted by the coming National Democratic Convention, not only on the tariff question, but all other measures of reform.

Governor Bates was renominated by acclamation.

Adjourned sine die.

Chicago, 19.—The national convention of Americans (or prohibitionists and anti-Masonic) party, for the purpose of nominating candidates for president and vice-president of the United States, met in preliminary session in the hall of the Young Men's Christian Association this evening. Hon. J. L. Barlow, of Connecticut, was made temporary chairman. Addresses were made by Gen. Riley, of Rochester, New York, and President Blanchard, of Wheaton College. Committees on credentials, resolutions, etc., were appointed; the temporary chairman was made permanent, and a number of secretaries and vice-presidents