

REVERSES.

BY JOHN LYON.

Let reverses come,
As come they will, unsought,
To teach the human mind
What theory ne'er taught;
By ways and means designed
God's wisdom to impart,
By good and ill
To guide the will,
And make us pure in heart.

Let reverses come,
Howe'er of hope bereft,
When all looks blank and dead,
And nothing hoped-for left,
But misty visions fled,
Save the sad thought, to know
That all is lost,
The phantom ghost
Of misery and woe.

Let reverses come,
Though hard to bear, designed
Our schoolmaster severe,
To teach the selfish mind
A safer course to steer
Than grumbling at our fate,
That ebbs and flows
In mental throes,
Urged on by love or hate.

Let reverses come,
When hope can hope no more,
Nor consolation bring,
From life's long garnered store,
That scared on Fancy's wing
In youthful happy days,
A frowny mead,
Withered and dead,
To crown our wished-for days.

Let reverses come,
Though riches, power and fame
Lie levelled with the dust,
Yet there's an inward flame
That cannot fade nor rust,
Beyond all earthly strife,
That leads the soul
To bear control—
The hope of endless life.

Let reverses come;
Though wisdom's dearly earned,
'Tis worth all else below,
When in God's way we've learned
Which we could never know
From books, or schools, or men—
Intelligence;
The recompense
Is past all human ken.

Correspondence.

UTAH AND THE MORMONS.

Editor Deseret News:

As time rolls on and Congress is again in session, it seems necessary, in the common routine of events, that Utah and the Mormons should be dragged into the political arena and receive their usual quantum of knocks, kicks and upheavals, from the battledore of public opinion, aided by the press; and they are therefore brought forward before the Congress of the United States, for their delectation and that of the nation and the world, as were the wild beasts and the gladiators of Rome to gratify the sanguinary appetites of their assembled votaries. True to the response of their chieftains, already several champions have thrown down the gauntlet, and expressed themselves ready to do battle for their cause and party. There seems therefore nothing left for us but to defend ourselves as best we may. Fortunately, or otherwise, it has been our lot to be unceremoniously dragged before the public for the last generation. We have, at various times, been flattered, lauded and caressed; and in turn defamed, vilified, driven, robbed and pillaged. Sometimes, we have been represented as the most pure, virtuous, intelligent, industrious, patriotic and humane people on the face of the earth; and then again as the most corrupt, vile, inhumane, desperate vagabonds in existence.

Now there is nothing extraordinary, either good or bad about us; we are simply common mortals, and the defamation of our enemies will not make us much worse, nor the laudation of our friends improve our morals or character. Jesus was not much changed from the time that the multitude threw garlands in the road and spread their garments for him to pass over, crying, "Hosannah! Blessed be he that cometh in the name of the Lord;" to the time that they cried, "Crucify him!" "Let him be crucified."

We have never claimed, nor do we now, any special rights or privileges, but we do claim and have a right to expect our inalienable and constitutional rights, as American citizens. We do claim the rights enjoyed by other States and Terri-

tories, without any invidious distinctions or special legislation; and above all we do claim the right we accord to all of worshipping God according to the dictates of our own conscience; and we further believe that the President, the Members of Congress, the Judiciary, and other officers of Government are as much bound by their constitutional obligations as we are, and that the great national compact into which we have all entered is binding upon the whole commonwealth. We are of right the peers of this great common brotherhood: we claim equality in social, moral, religious, legal and political rights; we ask so much, we demand no more. We are getting tired of special legislation, packed juries, and mission jurists.

But why beat about the bush? Who does not know that it is the "Mormon" religion that is attacked under the guise of polygamy. Now if polygamy be a crime, why not treat it as such openly, and honestly, without any subterfuge? Why drag in any mawkish sentimentality, or narrow, contracted, religious intolerance, bigotry and superstition? We, a number of us, avowedly proclaim ourselves polygamists, and shrink not from the issue. But we consider that we have political as well as religious rights, and we aver that it is unjust, oppressive and infamous to place a whole Territory under the ban of unconstitutional enactment; to rob them of their inalienable rights, and tear ruthlessly away the last vestige of human liberty from a whole territory simply because a few polygamists live in it. If polygamy is a crime, let it be so understood and acted upon; but what have other citizens to do with that? Because Boss Tweed and a few of his coadjutors committed high crimes in New York, shall the city or State of New York be condemned for that? Because of some irregularities in the Customs and Freedmen's Bureau, shall we abolish the whole system of these institutions? Would the honorable gentlemen composing the Congress of the United States like to be ostracized, or even partake of the odium attached to the Credit Mobilier fraud? Yet that is the kind of legislation which is contemplated by the framers of several bills now before Congress.

These bills are a direct attack upon the rights, immunities and freedom of the citizens of a whole Territory; guilty or innocent, unheard and uncondemned. Do we consider that in doing this we are laying the axe at the root of personal and individual freedom and the inherent rights of man? We have heretofore had just cause to be proud of our institutions, our freedom and equality; of our orators and statesmen. We have taken the lead in every liberal and beneficent act, and stand in the world as the proud representatives of human liberty and the rights of man. Has it indeed become necessary to trample under foot every vestige of republican institutions to destroy "Mormonism"? Hatred as it may be to us, can we not find some plausible excuse, some legal outlet, to wreak our vengeance on their devoted heads, without rending into fragments our own institutions, recklessly grasping the pillars of State, and like Sampson pulling down the house on our doomed foes, though we ourselves perish in the overthrow? Such acts may become an unthinking populace, a frenzied mob; from reverend seniors, and grave Senators, we look for more deliberation.

One prominent feature contemplated in some of those bills is the repealing of our city charters. Now what can this mean? Situated, as we are, in the midst of a mining population, where reckless and unprincipled men gather from the whole nation, and from abroad; where the revolver and bowie-knife are used, instead of argument; where highway robbery, by characters under the euphonious name of *road-agents*, is of almost daily occurrence; where cattle and horse-stealing is engaged in as a regular business, and organized bands of thieves depredate upon communities; where even railroad travel is becoming unsafe, and special police and bloodhounds are considered necessary to protect treasure in transit thereon; where hired desperadoes are employed, at so much per diem, or by the job, to obtain and retain forcible possession of mines and other property—what can it mean? Shall Salt Lake City and other cities of the Territory be deprived of all law, stripped of all legitimate authority, of protection

against the aggressions of such bands of desperadoes? Shall our cities, by legislative enactment, become an elysium for outlaws, cities of refuge for such infamous characters, where unbridled crime, in all its hideous deformity, can run riot? Shall they become the pandemonium of renegades, cut-throats, road-agents, gamblers, thieves, and vagabonds, from which they can issue to depredate upon the community? Shall debauchery and vice hold high carnival, and the people become the prey of the jackals and vultures of the world? We have, in all conscience, difficulties enough to contend with, to maintain peace and preserve order without having Congress assist in the introduction of anarchy. Instead of such treatment, we need, and have a right to expect, their fostering care. It was found quite an arduous undertaking to suppress the Modocs a while ago, by all the power of the army which could be brought to bear; but this proceeding would throw us open to a worse and more desperate set of renegades. What is the object? Is it designed to introduce anarchy, to compel us to copy after the fashion of others, in the introduction of Vigilance Committees, Ku-klux, Jay hawks, Plug-uglies, or some other of the many questionable adjuncts, introduced of late, to aid in the government of society? Is it designed by this anomalous species of disintegration, by depriving us of legal protection, to force us to fall back upon our reserved rights in the maintenance of "life, liberty, and the pursuit of happiness"? "Self protection," it is averred, "is the first law of nature;" and, reasoning from cause to effect, can it be the intention of our reformers in Congress, by introducing anarchy, to force a whole community to equally extravagant measures, that a pretext may be found for spoil, robbery, plunder, and the devastation and ruin of a whole community, and this simply to get rid of a troublesome political problem? It is to be hoped that there is no such intention; but then, what means the robbing of the people of the last vestige of civil liberty, as contemplated in these bills; the placing of them under the exclusive jurisdiction of Federal officers and appointees, generally carpet-baggers, who have no sympathy with the people, but who are most of them, their openly avowed enemies? What mean these military posess and military prisons, provided for in these bills? People must think. Are we living in war times? Or is it intended to provoke hostilities and make war upon us; a judicial military war, provoked and provided for by legislative enactment?

But do you not think that these officers will do you justice? No. Emphatically NO! Nor are there ten men in a thousand in this Territory, who believe they will. More than one of the appointees, by Federal authority, here, have been prosecuted as felons, and have been associated with the villains above referred to.

I am not writing under the very questionable shelter of a *nom de plume*, and have nothing but facts to relate, for which I hold myself responsible. Calmly and deliberately then I avouch that most of our federal officers have not been, are not, and cannot be relied upon; for which I propose to give facts; but, as I shall reserve that for another communication, I will briefly state some things that I could sincerely wish were not true. I will here state, then, that while our Territorial courts, officers and municipal authorities, have been always foremost in punishing crime, whether committed by "Mormons" or Gentiles, some of the United States officials have shielded and protected criminals, and for this purpose every subterfuge known to the law has been brought into requisition. Thus, by writs of error, injunctions, habeas corpus, pardons, and officious and indecent interference, they have exhibited themselves as the abettors and protectors of crime. They have liberated felons and murderers, encouraged drunkenness and riot, protected and shielded brothel houses, winked at and sustained gambling, and so clogged the wheels of justice, in both civil and criminal cases, that they have brought the judiciary into such contempt that it has become a stink in the nostrils of honest men.

It would only be just here to say that they liberate those criminals; because of an alleged lack of jurisdiction in the inferior courts, and Territorial officers and for want of

a proper jury law. This, however, is simply a figment. Whatever the cause, however, the effects are the same, and the courts are brought into the most profound contempt. It is the almost universal opinion here, that these obstructions are thrown in the way of justice for the purpose of obtaining adverse legislation, which would enable them to carry out their designs against the interests and liberties of the people; for previous to their advent the authority of these inferior courts was not disputed; the Territorial and federal courts worked harmoniously. The question naturally arises what has brought about this change? Justices Boreman and Emerson are enabled to operate under our laws; the latter simply recommending a slight change in our Territorial law, which the legislature is now contemplating. Again I ask for a reason? Is it the brilliant talent, the unerring judgment and profound forensic knowledge of these gentlemen which produce this change in the administration of law? It would seem not; for two of these decisions, on these very points of authority, have been reversed on an appeal to the Supreme Court of the United States—the *Englebrecht* case and that of *Zerubbabel Snow vs. the United States*, in the Territorial Attorney case. After the ruling on the first case, a little more modesty would have been becoming his honor the Chief Justice; for the action of the Supreme Court in that case reversed all the rulings in his court for the space of about eighteen months, where appeals were taken; thus rendering nugatory all his acts in both civil and criminal cases, where objections had been had, for that time. In the latter case, Mr. Justice Bradley, of the Supreme Court of the United States, says, "That the organic act establishing the Territorial government of Utah . . . constituted a governor, a legislative assembly, and certain courts and judicial executive officers, among the latter are an attorney for the Territory and a marshal." "By the 6th section of the act it is enacted, that the legislative power shall extend to all rightful subjects of legislation." "This recital shows that the business of these courts, when acting as circuit or district courts of the United States, is to be kept distinct from their business as ordinary courts of the Territory, and gives countenance to the idea upon which the Territorial legislature seems to have acted, in appointing separate executive officers for attending the courts when sitting as Territorial courts. By an act of that legislature, passed March 3rd, 1852, it is, among other things, provided, that an attorney general shall be elected by the Legislative Assembly, to attend to the legal business on the part of the Territory, before the courts where the Territory is a party." "This law, it is understood, has always been acted upon, until the recent decision of the Supreme Court of Utah, denying its validity. Similar laws have been passed and acted upon in other Territories, organized under similar organic acts." "The judgment of the Supreme Court of Utah must be reversed."

"D. W. MIDDLETON,
"C. S. C. U. S."

In view of such arrogance and assumption of authority, our Territorial federal judiciary, as indicated by the above arguments and decisions and the reversal of their rulings, are we still to be told by these same gentlemen, in opposition to the rulings of the Supreme Court of the United States, "That we are clogging the wheels of Justice, and that we need some special legislation from Congress?" What do such assertions indicate? Among less assuming men, the general usage of courts of this Territory, from its organization to the present, would be sufficient; especially when, as Mr. Bradley says, "similar laws have been passed and acted upon in other territories." Yet, following the very reversal of their acts, and a confirmation of the acts of the Utah Legislature, we are still told, by these same gentlemen, that we need some special legislation for Utah. For what? Such audacity is precisely on a par with the acts of a federal aspirant for office, now in Washington, who, with one-tenth of the number of voters, is contesting the seat of Mr. Cannon, the people's candidate, aided by another federal official, Mr. Carey. He knows that he could not get a seat upon any principle of justice, as well as the other officials know that nothing but arbitrary power

can give them the desired legislation.

The question naturally arises—What is the object of the appointment of such men? Is it to perform certain Territorial duties; or is it, like ravening wolves, to tear in pieces the people they are sent among? Or is the purpose to furnish pay ostensibly for Territorial services, to enable them to lobby and log-roll in Washington, for the advancement of their political status? For it seems that the federal officials need a stronger representation than do the Territories in Washington.

A benevolent sentiment and an enlightened Christian charity would like to find an excuse for the action of our chief justice, and when one looks upon his gray hairs, his wrinkled forehead and solemn, careworn features, the thought necessarily intrudes, may not the learned gentleman be at least sincere in his erratic administration? For there is something praiseworthy, nay sublime, in the contemplation of a judge, who, impressed with his responsible position, as the nemesis of the law, with an unflinching will and an iron nerve, sternly yet faithfully dispenses even-handed justice to all. But when we reflect that he ignores the law of Congress, enacted for the purpose of suppressing polygamy, and made use of and perverted a Territorial statute, passed by a legislature of polygamists, for the purpose of suppressing debauchery and lascivious cohabitation; and then, after dishonestly adopting their law for the punishment of a crime for which it was never intended, he repudiates another law, passed by the same legislature, the jury law, and manipulates a jury, for the evident purpose of condemning the accused, then this beautiful picture fades away. When we further reflect that another gentleman, who had led forth an exiled community into the wilderness; who had planted a colony among the red men; who had made a resting place for thousands of weary travelers to the far west; who was, there, the pioneer of telegraphs, railroads, agriculture and irrigation; who had introduced cotton, woolen, silk and other manufactures; who had projected and built up scores of cities, towns and villages, with a thriving, moral, religious, industrious, energetic and patriotic population; who had built up a State in the wilderness; whose humane Indian policy, profound statesmanship, executive ability, and unbounded philanthropy have been the admiration of statesmen in this nation and throughout the world—yet that this man, Brigham Young, must be singled out, as the object of the ire of the judge; and, ignoring his services to the people, the State, and the nation; he issues his mandate, based on the above law, to drag this honored, venerated gentleman, bowing under the weight of three score years and ten, and debilities caused by a life of incessant herculean labor, to travel a distance of three hundred miles, and brave the storms of an inclement winter, in this altitude, and appear before his august presence, in his court, held over a stable, to be bantered and badgered by heartless minions of the law; be jeered at by jockeys, stable-boys and bootblacks, and then to be informed that after all, it is not he that the judge is after; that so far as he is concerned it is simply a farce that is being enacted; for his honor remarked that, "It is therefore proper to say that while the case at bar is called the *People versus Brigham Young*; ITS OTHER AND REAL TITLE IS *FEDERAL AUTHORITY VERSUS POLYGAMIC THEOCRACY*."

Now independent of this double dealing, could no representative of a system be found, but this honorable and venerable gentleman? In view of such acts, the beauty of the ermine fades; the reverence for its wearer vanishes; and in place of the dignity of a court, and the majesty of the law, we see an exhibition of fraud, trickery, inhumanity, injustice and tyranny.

As I have more to say on this subject, and this article is sufficiently long, I must conclude for the present.

Respectfully, &c.,

JOHN TAYLOR.

Gail Hamilton expresses the opinion, in the *Christian Union*, that "Adam's fall is a very discouraging circumstance."