

CONGRESSIONAL.

In the House, Jan. 26, FERNANDO WOOD, a Representative from New York City, in a set speech on confiscated property, took occasion to grossly slander the great majority of the inhabitants of Utah. At the close of Wood's speech the Hon. Mr. Smithers, Representative from Delaware, obtained the floor, but, as the morning hour had expired, he had to yield to the order of business on the Speaker's table, and therefore could not speak upon the subject under debate until the next morning hour, Jan. 27, when he very courteously gave our Delegate, the Hon. J. F. Kinney, an opportunity to repel Wood's base and libellous attack on Utah. Mr. Kinney informs us that for some reason the reporter has failed to furnish all that he said, perhaps on account of his having spoken very rapidly, being limited as to time.

In addition to the report taken from the *Globe*, we print a telegram from Robert Tombs to Wood and Wood's reply thereto, that all may see how much Wood, in his remarks, varied from fact upon that point.

[From the Daily Globe of Jan. 28.]

PERSONAL EXPLANATION.

Mr. KINNEY. I ask the gentleman from Delaware to yield me the floor for the purpose of a personal explanation.

Mr. SMITHERS. I do not like to be discourteous, and I will yield the floor with the understanding that the time the gentleman occupies is not to be taken out of my time, and that the gentleman will occupy not more than ten minutes.

Mr. KINNEY. I rise to repel the attack made upon the people I represent, by the gentleman from New York [Mr. FERNANDO WOOD] in his speech yesterday. I should consider myself unworthy to represent that people were I to remain silent and allow that accusation, coming from the source it does, to remain unanswered and unrepelled.

The gentleman was not discussing anything which pertains to my Territory or constituents when he descended from the legitimate argument he was making upon a constitutional question before the House for the purpose of traveling clear around into the Territory of Utah to attack a loyal people. I say the gentleman had no right to do this. If Utah had been before the House, or any measures affecting its interests, then perhaps it might have been germane for the gentleman to indulge in this vindictive attack upon my Territory. I am sorry that I have been compelled to ask the gentleman from Delaware, [Mr. SMITHERS] to yield me the floor to reply to that part of the speech of the gentleman from New York.

Sir, I presume that this attack falls more harmless upon the ears of the country and the members of this House than if it emanated from any other source in this House.

Mr. FERNANDO WOOD. Permit me to ask the gentleman—

Mr. KINNEY. I have but a very few moments, and I am not disposed to yield the floor for the purpose of answering any question.

Mr. FERNANDO WOOD. I desire simply—

Mr. KINNEY. I decline to yield. The gentleman introduced himself into this House by offering a resolution declaring the present war to be inhuman; and for that reason, and because of the known political standing of the gentleman, his known sympathy with rebels against the best government the world ever saw, his attempt yesterday fell comparatively harmless upon the country and upon the members of this House.

The gentleman does not confine himself to declaring this war to be inhuman; but in his speech as reported in the *Globe* of this morning, he characterizes this war as a *hellish crusade of blood and famine*. Has it come to this, that a man can stand up in the American Congress, when the Government is struggling for its existence, when a formidable attack is made to destroy the Government handed down to us by our fathers—I say has it come to this, that a man can stand up in the American Congress and pronounce this as a *hellish crusade of blood*? A *hellish crusade*, indeed, sir! A *hellish crusade* I presume it would be for a man to defend himself against an assassin; a crusade for a father to defend his wife and children against an attack made by an assassin at midnight; a crusade, indeed, for the Government to struggle in putting down a rebellion which strikes at the life of the nation.

Why, I say, did the gentleman travel out of the order of discussion for the purpose of attacking the people I represent? Why did he do it? I will tell you why. It was because the people of Utah are loyal to the Government, and have no sympathy with rebels. I know of no other reason but this. They are loyal, and have been, to the Constitution and the Government ever since the war commenced—yea, before, ever since the people have had an organization in this country; loyal to the Government, loyal to its institutions, and submissive to its laws.

But, sir, in justice to the gentleman from Delaware I must be brief. The gentleman from New York says:

"But, sir, that is not the only case. I come to a later and yet more pertinent and significant case—the Mormon rebellion. These profligate outcasts, who have always been hostile to your moral and political institutions, were treated with by commissioners."

These "outcasts!" Mr. Speaker, I am told and this House is told that the people of Utah are outcasts. I hurl back the accusation upon the gentleman. I pronounce it false. I pronounce the statement false that the people of Utah have ever been in rebellion against the Government or its laws. I have had some experience in the Territory of Utah for some years as its chief justice, and I take this occasion to say that the people of that Territory have always been submissive to the laws, have always been loyal to the Constitution and the Government, and have always been obedient to the authorities of the Federal Government in that Territory. I will tell you, sir, why this formidable military force was sent to Utah in 1858. John B. Floyd was then Secretary of War and James Buchanan was President of the United States; and it was for the purpose of bringing about this very state of things that now exists and prepare the way for it that a large force of ten or fifteen thousand men was sent into the Territory of Utah, and that, too, when the people of the Territory were pursuing their peaceful avocations, loyal to the Constitution and the Union. I say that there was no cause for sending that army to Utah. None existed whatever. There was no reason for it, but that arch-traitor, John B. Floyd, foreseeing, as he did, that the time was near at hand when the southern States would revolt against the Government and establish a government of their own, set on foot a large military force against the people of Utah, transporting to it an army at an expense of forty or fifty million dollars, thus impoverishing the United States Treasury, and for the purpose of preparing the way by crippling the North, with a view to the rebellion which is now upon us. These men were sent to Utah with all the paraphernalia of war, with infantry, artillery, and cavalry, for this purpose alone. The people were quiet; they were peaceful; they were loyal; they were submissive to the Government and to its laws. I say that it was for this purpose, and only for the purpose of impoverishing the Treasury of the United States and of disposing of the army of the United States, for after that army was recalled it was engaged at Fort Crittenden in destroying the munitions of war that they might not be brought back to the northern States to assist in putting down this rebellion.

Mr. SMITHERS. Will the gentleman from Utah pause awhile? He has already occupied the ten minutes he requested of me. I wish now to understand whether the time which he occupies is to come out of my hour? If not, I am perfectly content that he shall proceed.

The SPEAKER. The understanding is that the gentleman from Delaware has yielded the floor to the gentleman from Utah for a personal explanation by unanimous consent, and hence the time occupied by the gentleman from Utah will not come out of the gentleman's hour.

Mr. KINNEY. Mr. Speaker, it was for the reason I have stated, and for that reason alone, that the traitor, John B. Floyd, inaugurated this war against the people of the Territory of Utah; but I say to the gentleman that not a gun was fired upon either side, neither by the Federal troops nor by the people of the Territory. It was only the appearance of war, and it was for the purpose of destroying the arms and crippling the means of the Government and impoverishing the Treasury of the United States, as I have stated, that this large military force was sent forth against a peaceful and loyal people. The gentleman says that the people of Utah were in rebellion. Sir, they never have been in rebellion against this Government. They have not, as the gentleman from New York has, any sympathy with rebels. The gentleman should look to his own city. I think he has been a very distinguished citizen of the city of New York, and has had the honor of presiding over that vast metropolis; and it is said, I do not know with how much truth, that the recent riot in the city of New York, by which the streets flowed with blood, and innocent women and children were butchered—it is said that a large share of the responsibility of that riot rests upon the shoulders of the gentleman from New York. But, Mr. Speaker, when a man will stand up in the Halls of this Congress at this time, when it is important for every man, if he enunciates sentiments at all, to enunciate loyal sentiments, and attack the Government and the loyal people I represent, I trust that his attacks will be harmless and of no effect.

I would ask the gentleman if he did not, when vessels carrying arms to the south from New York were detained by the Government, and he was telegraphed to by the Governor of Georgia on the subject, telegraph to the Governor of Georgia that he regretted exceedingly that these vessels had been taken into custody by the Government, and that he had not the power of releasing them and sending them on their way rejoicing?

I presume such is the case; and are we, I say, are grave members of the American Congress, assembled to legislate for the best interests of the country, who are trying to save for posterity the Government bequeathed to us by our fathers—are we to sit here and listen to sentiments breathing treason against the Government without saying a word against it?

If I were a member of the House in full fellowship, in place of being a Delegate, the first thing I would do would be to introduce a resolution in this House to expel the gentleman, as unworthy to occupy a seat upon this floor. [Great laughter.] I think it is due to

the dignity of the body, due to the nation, due to the people whom we represent, that he go back to his constituents, or rather to the place to which he more legitimately belongs—to the southern confederacy.

Mr. Speaker, I propose to quote a little further from the gentleman's speech; and I will say that the speech as it appears in the *Globe* and as it was delivered yesterday in the House differs in some very essential particulars. Undoubtedly it has been prepared with care by the gentleman, and that we have the right to take it as it appears in the *Globe*.

He says, in speaking of what he terms the Mormon rebellion—

"It commenced early in 1857. The immediate cause was opposition to the exercise of Federal authority and the appointment of a territorial Governor. On the 15th of September of that year Brigham Young issued a proclamation in the style of an independent sovereign, announcing his purpose to resist by force of arms the entry of the United States troops into the Territory of Utah. He proceeded to carry out this threat. He organized an army, declared martial law, seized Government fortifications, destroyed Government property, and put the Territory in a state of complete defence against the Federal Army."

I ask the gentleman for his authority when he says that Governor Brigham Young seized Government fortifications and destroyed public property. If he was as familiar with Utah as he seems to be with the rebels, he would never have made that statement. There were no Government fortifications in Utah at that time, and none were seized by Governor Brigham Young or by the people of Utah.

It is true, Mr. Speaker, that when the people of Utah heard for the first time after the Federal army was fairly on its way across the plains that a tremendous military force was on its way to that Territory for the purpose of destroying them, of exterminating them from the face of the earth, for the purpose of pillaging and plundering their fair possessions—it is true they did then precisely as any other people would have done under such circumstances; they prepared for their defense.

But that army entered Salt Lake City peaceably and in quiet. Not a gun was fired, not a drop of blood was shed. And this grand programme inaugurated by Floyd for the purpose I have indicated and as has since fully appeared to be true, after remaining there for some two years, destroyed nearly all their munitions of war (for they were engaged many months in doing it) and were then recalled, and the grand farce ended.

That is all there was of the Mormon rebellion, as the gentleman called it; not a rebellion by the Mormons, not at all, but a military expedition, set on foot and carried into effect in 1858 by John B. Floyd, for the purpose which I have already stated; and it has had its effect. It has crippled the North. For the time being it crippled and impoverished the treasury of the United States; and Mr. Floyd and Mr. Buchanan were content, for it cost the Government nearly fifty million dollars.

Sir, the people of Utah have under all their discouragements and embarrassments built up a beautiful city in the midst of the great American desert. They are feeding, and have been for years, the employees of the overland mail. They are furnishing the necessary supplies for the purpose of developing the resources of the rich mineral regions which surround them. They have afforded a safe retreat from the Indians to the wayfarer as he passes on his weary pilgrimage to the other side of the Rocky Mountains for the purpose of developing the resources of the Pacific coast.

The time may come, Mr. Speaker, and I hope it will come during the present session of Congress, when I may have the opportunity of elaborating this subject, and showing to the American nation that the people I have the honor to represent upon this floor are a much-abused people; that they are entitled to receive, in place of the condemnation of the country and of those who represent the people in Congress, their sympathies for what they have done in establishing a colony in the great heart of the American desert which is indispensable to the people and to the Government. Thanking again the gentleman from Delaware very kindly for his courtesy in yielding me the floor, I will not detain the House longer.

Mr. FERNANDO WOOD. I hope that the House will bear with me for a moment.

The SPEAKER. For what purpose does the gentleman rise?

Mr. FERNANDO WOOD. I rise for the purpose of saying a few words in reply to the Delegate from Utah.

The SPEAKER. Does the gentleman from Delaware yield for that purpose?

Mr. SMITHERS. I extend the courtesy to the gentleman from New York, with the request that he will be brief, for I may be taken off the floor by the expiration of the morning hour.

Mr. FERNANDO WOOD. Mr. Speaker, I promise the House that I shall only have a few words to say.

In the course of my argument yesterday, it became necessary, in illustrating the statement that it had been the practice of the Government to appoint commissioners to treat with rebels in arms against its authority, to allude to the Territory of Utah. In doing so, sir, I had no expectation of exciting the ire of the Delegate from that Territory. The statements I made were gathered from executive documents on file in the archives of the Government. Almost every allegation that I uttered with reference to the Delegate's constituency were nearly verbatim extracts from official papers.

Mr. KINNEY. Let me ask the gentleman a question.

Mr. FERNANDO WOOD. I cannot yield to the Delegate a courtesy that he denied to me.

Mr. Speaker, I was exceedingly guarded in my reference to that question, lest I might be seduced into some assault upon the peculiar institutions of that region, lest I might call upon the gentleman's political friends to know why, when they are suppressing, as they allege, the vile institution of slavery, they do not, as promised by the Chicago Platform, suppress that other of "the twin relics of barbarism," polygamy? [Laughter.] But, sir, I avoided any reference to those peculiar institutions which I believe under the theory of our Government, so long as they are republican in form, we are obliged to tolerate, whether they are moral or immoral.

The Delegate tells us, Mr. Speaker, that the Government of the United States made war upon Utah; that the Secretary of War sent an army to conquer Brigham Young. Well, sir, I again refer the gentleman to the public archives. I refer him to the report of the Secretary of War made to the President of the United States, and which was transmitted to Congress, where it is distinctly stated that it became necessary to send an army, under General Alfred Sidney Johnston, because the Government officials were denied access to the Territory; because the Governor appointed by the President, and confirmed by the Senate, as well as the United States territorial judge, also appointed by the President and confirmed by the Senate, were denied the exercise of their official powers within the Territory. It also became necessary for the President to appoint two commissioners, ex-Governor POWELL, of Kentucky, now a Senator of the United States from that State, and Ben. McCullough, formerly of the Army of the United States. They went out with instructions from the President; they did proceed to the gentleman's Territory; they did meet a commissioner representing the other side, and did treat with Brigham Young; they did meet with the leader of the rebellion; and they did finally amicably adjust the questions at issue. That is all I said.

I thank the gentleman from Delaware for giving me this opportunity to say that my statements of yesterday were made from official data. If the Delegate from Utah chooses hereafter to dispute them I shall be prepared to furnish the documents to which I have referred.

One word, Mr. Speaker, in conclusion, as to a matter alluded to by the gentleman, and which is personal to myself. He inquired whether, when I was Mayor of the city of New York, I did not send a communication to the Governor of Georgia, regretting that arms had been stopped on their way to the South. I thank the gentleman for this opportunity to deny most emphatically and positively that there is any other foundation for that, other than this: before the commencement of this rebellion, and before any action by the Federal Government, the municipal police of New York stopped in transitu, upon the wharf, and when going on board the Savannah steamer, merchandise of every character whatever. Not arms, sir, not munitions of war, but the merchandise of New York merchants engaged in a lawful commerce. And then the Governor of Georgia telegraphed to me to know about the matter. The fact, sir, that the telegraph was in operation unrestricted; the fact that there was no interruption of intercourse between Georgia and New York, and the fact that mails were being carried as regularly as ever, are sufficient to prove that so far as the States of Georgia and New York were concerned, there were no unfriendly relations upon which to allege that there was any correspondence of an improper character. The Governor of Georgia telegraphed to know whether it was by my order, as Mayor of the city of New York, that merchandise in transitu was thus stopped. I replied it was not; that under our municipal regulations the police of the city of New York was not responsible to the Mayor, and that he had no control whatever over them.

That was my reply, and that is the matter upon which the gentleman from Utah hinges his accusation against my loyalty. I am not called upon to defend my loyalty, and I charge any man with falsehood who impugns it. My loyalty, and the threat of the gentleman to expel me—I will be ready to meet that question here and elsewhere when any gentleman has sufficient temerity to make the proposition.

Again thanking the gentleman from Delaware for this opportunity to reply, I yield to him the floor.

Mr. KINNEY. Will the gentleman from Delaware yield to me for one moment?

Mr. SMITHERS. I think this debate has gone far enough, and I decline to yield.

CORRESPONDENCE BETWEEN SENATOR TOMBS AND MAYOR WOOD.

"Milledgeville, Jan. 24, 1861.

"To His Honor Mayor Wood:

"Is it true that any arms intended for and consigned to the State of Georgia have been seized by public authorities in New York. Answer at once. R. TOMBS.

To this the Mayor returned the following answer:

"Hon. Robert Tombs, Milledgeville, Ga.:

"In reply to your despatch I regret to say that arms intended for and consigned to the State of Georgia have been seized by the police of this State, but that the city of New York should in no way be made responsible for the outrage.

"As Mayor I have no authority over the police. If I had the power I should summarily punish the authors of this illegal and unjustifiable seizure of private property. FERNANDO WOOD."