

several committees, nor those gentlemen composing the Senate and House of Representatives of the United States are ignorant either of the contents of those bills or of their injustice and unconstitutionality; nor in most instances of the demoralizing effects of such legislation upon the nation. Not one of them dare introduce such legislation for the governing of their constituents. All know, or should know that these acts are unconstitutional. All know that they are in violation of the treaty of Guadalupe Hidalgo. All know they are unjust and oppressive. All know that it is a breach of the covenant entered into in our Organic Act. All know that they are at variance with representation and republicanism. All understand that it is a religious persecution; and that these bills are gotten up as proscription, intolerant acts; and that in passing them they violate all the known guarantees of public and personal rights, social and religious freedom; municipal and individual immunities; and are introducing measures too palpable and flagrant to be known by any other name than that of despotism.

This latter term sounds harsh, and I would not be discourteous; but in all candor it is right to call things by their proper names. It is the fact that I would broach. Despotism is not confined alone to emperors or autocrats; there is the despotism of a mob; judicial despotism; military, civil, and religious despotism, manifested by generals, legislatures, and religious dictators; as well as a variety of other forms in public and private life. The despotism of the *sans culotte*, in their various sanguinary ebullitions in Paris, as well as that of Robespierre and Marat, under the Republic of France, was quite as revolting and reprehensible as that of Catharine de Medicis, in the butchery of the Huguenots. The despotisms manifested in the republic, dictatorship or empire of Christian or Pagan Rome were not very dissimilar in their effects upon their victims. Diplomacy, intrigue and finesse, though they may cover over the acts and doings of men, and give color to fraud and injustice, cannot remove the crime. Webster defines a despot as "one who rules regardless of a constitution and laws—a tyrant." And to be disfranchised by special legislation on purely religious grounds, regardless of constitutional and other guarantees by the Congress of the United States, is more reprehensible than that mob despotism which drove us from Missouri and Illinois; because, while the latter, who were unlettered and ignorant, did it under the influence of frenzy and excitement, the former in calm, deliberative council, in committee rooms and in their Congressional halls, where, with the united talent of this august assembly, these solons of the nation deliberately and in cold blood ignore, rend to atoms, and trample under foot the most sacred guarantees of our nation's franchise.

We will now briefly examine these bills, and as there is a great similarity among them, simply glance at some of the leading provisions of Messrs. Frelinghuysen and Logan. Section 1. "The U. S. Marshal is authorized to appoint deputies in each of the judicial districts of said Territory; to be approved by the Judge of the District Court, and to execute all processes, whether in the District Courts of the United States, or in the courts of this Territory."

Section 2. Gives the same power of appointment of deputies to the United States District Attorney, together with the "exclusive right to officiate in all Courts, either United States or Territorial."

The above interferes with the prerogative of the Legislature and people, depriving them of any right in regard to the election of officers for the management of their own local affairs, and places all the power in the Federal Government. It also makes an invidious distinction between this and other Territories.

Why does this bill not appoint these officers a place in the lobby in Washington, to persecute, prosecute, defame and vilify the Mormons; for that is what they have been both engaged in since the assembling of Congress?

Section 7. Gives the power to the U. S. Judge, Marshal and Clerk "to select the juries," depriving the people of any voice in the matter, and then, even with this jury of their own selection, "the court, and

not the jury, shall pronounce the punishment." Why not let the court do it all at first? There is no need of a jury in such a case, only hypocritically, to cover up the tyranny contemplated. It is true a number of names are to be selected and they are to be thoroughly mixed and shaken; but then the manipulators are all Federal, not local. Shall we be blamed for a lack of confidence in these gentlemen, when I assert that on the trial of President Young and others, under the administration of his honor Judge McKean, "after thoroughly mixing and mingling," under oath, etc., etc., out of one hundred and thirty thousand citizen Mormons, not one of them found his way into this jury? And we are demurely told that "this is being tried by our peers." Is this Federal justice?

Sections 8 and 9, Provide that the Federal officers "shall have power to regulate fees." These fees are by provided Federal officers, paid by them, to themselves and their own appointees; collected from and paid by citizens for the privilege of being oppressed, a very pretty Federal arrangement, and one that was used very effectually by Judge Durell, of Louisiana, in behalf of his friend Norton.

Section 10, Is a singular conglomeration of contradictions:

1st, It makes a woman a consort and not a lawful wife.

2nd, This woman, or consort, can go to a United States Court—a court of law, asking to be discharged from a relationship which is not recognized in law, and therefore not binding, and of which the court can take no legal cognizance. The court then is empowered to discharge her from a relationship which is not binding, and therefore null; to give her her children; and apporportion her husband—no, her paramour's property.

3rd, This illegal act "shall be registered on the records" of this legal court; and then she shall be a *femme sole*, or a single woman. What was she before, if she was not married?

4th, "Provided, nevertheless, that nothing in this section contained shall be construed to have the effect of recognizing the validity of any dual or plural marriage." This law is made to undo the validity of an act which it does not recognize, or declares invalid. Now it is visible, and then invisible. It can and it can't; it is legal and illegal, fast and loose. A woman is not married, and yet she is. She is divorced from a man to whom she is not legally bound, for "no dual marriage is recognized;" is adjudged alimony from a man to whom she was never married; and last of all, she is declared a single woman; and all this is done by law. To such crooked shifts are men put in seeking to violate justice, equity and law. Either the relationship is lawful or unlawful; if unlawful, it is not binding, it is simply a figment; if lawful, it cannot be broken.

Section 12 gives power to a judge, at his discretion, to declare any prison unsafe, and to place their victims in a military prison. Such an act is a fit finale of the above Federal again.

Section 13 provides that "If the U. S. Marshal, or any of his deputies, shall be resisted or threatened in the execution of his process" (which these bills are especially designed to provoke), "he may then call upon a military posse, if he in his judgment thinks it requisite." Now, as I said before, more than one of these officials have been prosecuted for felony; but the officer commanding at any military fort is authorized to detail such posse on the requisition of such men, and furthermore, "to furnish force, when necessary, to suppress any mob or riot." When did we have a mob or riot in this Territory? These bills evidently contemplate goading the people to desperation. The framers naturally think that the people will not stand the amount of tyranny contemplated, and that mobs and riots will ensue; then the military is called upon, anarchy is the result, followed by confiscation of property, and a division of the spoil. Blood, carnage and desolation are evidently contemplated; if they do not occur it will be no fault of the framers and abettors of these diabolical productions. On a Fourth of July celebration, in this city, the programme provided that each department should be headed by a company of militia. The acting Governor issued a proclamation prohibiting the assembling of mili-

tia; and called upon Gen. de Trobriand for troops, and requested him to fire upon the citizens if their militia should assemble on this national jubilee. The General, being more humane than this Quixotic Governor, said: "I feel called upon to perform my duty, but do not wish to destroy peaceable citizens. I will therefore bring the men, place them in position, order them to make ready; but you shall give the word FIRE!" The militia did not assemble; they listened to the command of this Brobdingnag; no blood was shed. The General, however, not being considered orthodox, was removed.

Section 17 provides that the Probate Judges and Notaries Public shall be appointed by the Governor, and removed by him, another federal arrangement. It is true that the Legislature, like so many figure-heads or dummies, may make a law, and "these officers may hold their offices for the time which the law provides." But what has the Legislature to do with it, if the Governor annuls it, removes the parties and appoints others? The power is with the Governor. The acts of the Legislature are fictitious.

Section 18 provides, That the "Supreme Court, or its judges, only have power to issue writs of habeas corpus." ALL FEDERAL. The Federals can make their own special appointments; manipulate or veto all laws; serve processes by their own officers, the U. S. Marshal and his deputies; select and pack their own juries; try them before their own judges; prosecute them by their own attorneys; put them in their own military jails; and then refuse them any redress or writ of habeas corpus, only through those very men who have thus condemned them. How much, in advance, is this of the government of Robespierre and Marat of Paris, or the action of the *sans culotte*? Where is Jefferson? Is it true you have appeals from the inferior to the Supreme Courts. So had William Tell to Gesler. So had the Christians when they were being sacrificed in Rome to Nero. So had Jesus to Herod and the Pharisees. So had the Waldenses and Albigenses to the Pope. So had our forefathers to the British government. But you can appeal to the United States Supreme Court? Not if they can help it. These same creatures are to point out the way. The road leads through them, if they shut it who can open it? The crowning infamy of these bills is to place the people under foreign rule and then prevent an appeal; for no appeal can be made to the Supreme Court of the United States if these bills pass; the whole Territory is placed at the mercy of four or five men, strangers and enemies. A century ago, our seniors and fathers, in their Declaration of Independence, enunciated the following sentiment, and declared to this nation and the world, that governments "derive their JUST POWERS from the consent of the governed." These sentiments have been taught in our schools, declared from the pulpit and forum; have been read once a year to our ten, twenty, thirty and forty millions of listeners in the various decades. Do you wish to throw in the teeth of your venerable seniors and ancestry, that they labored under a delusion; that they were in error in plain words that they lied? On the other hand, do you wish to pronounce to the world that your government is "unjust?" Gentlemen, take which horn of the dilemma you please, you have, so far as you have gone, and not I, written your own record, you are inditing your own history.

With all the reverence and respect due to the rulers of a mighty nation, from the tops of these distant mountains I call upon you to pause in your career, for I also am a teacher and have a right to be heard. I speak in behalf of one hundred and thirty thousand citizens of Utah. I speak in behalf of forty millions of free American citizens in the United States. I conjure you, out of respect for the memory of the dead, as the rightful guardians of the liberties of a vast nation, that stands proudly prominent among the nations of the earth, and in behalf of unborn millions, to pause. I conjure you, in behalf of our national honor and integrity, in behalf of republican principles and the cause of freedom throughout the world. I plead with you in behalf of our common humanity, and the rights of man, to reflect, would you, to gratify a morbid sentimentality, desecrate and tear down one of the most magnificent temples of human liberty ever erected? Would you wantonly deliver up the sacred principles of liberty, equity and justice, bequeathed by your fathers, to the grim, Moeloch of party, who is crushing, grinding and trampling under foot our God-given rights, and whose sanguinary jaws are extended to gorge and devour the quivering remnants of our feeble expiring liberty? Have we not had more than enough of trouble already with Georgia, North Carolina, Louisiana and Utah? Can we never be satisfied? "Let us have peace."

As I shall be under the necessity of further investigating this subject, I must for the present conclude.

Respectfully, JOHN TAYLOR.

LEGAL NOTICE.

NOTICE IS HEREBY GIVEN, THAT I, Alma Eldredge, Mayor in and for the City of Coalville, Summit county, Territory of Utah, will appear at the U. S. Land Office, Salt Lake City, Utah, before the Register and Receiver thereof, on the 31st day of March, A. D. 1874, at 10 o'clock a.m. of said day, to prove my right to enter the S $\frac{1}{2}$ N. E $\frac{1}{4}$ and S E $\frac{1}{4}$ Sec. 8, S $\frac{1}{2}$ N. W $\frac{1}{4}$ and S W $\frac{1}{4}$ Sec. 9, E $\frac{1}{2}$ N. E $\frac{1}{4}$ Sec. 17 and W $\frac{1}{2}$ N. W $\frac{1}{4}$ Sec. 16, Township 2 North, of range 5 East, of the Salt Lake Meridian, in the Territory of Utah, in trust for the several use and benefit of the occupants of Coalville in said county and territory according to their respective interests under the act of Congress, approved March 2nd, 1867, at which time and place any adverse claimants may appear and contest my right to enter the said land as aforesaid. Witness my hand this 16th day of February, A. D. 1874.

ALMA ELDREDGE, Mayor.

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