

34TH CONG.—3D SESS.

Uniform Coinage—Mr. Tyson.

HO. OF REPS.

home production of sugar for the reasonable prices which they have to pay for this article; and that those prices are controlled by the laws, supply and demand, the condition of the currency, and not by the duty imposed by the Government. The following table, from the New York Shipping List, chapter 4, p. 212, (Congressional Library,) shows that in—

		Current price in May.	
1816	the duty on sugar was 8 cents.	14½ to 16½ cents.	
1817	"	11½ to 14 "	
1818	"	10½ to 15½ "	
1820	"	8½ to 12½ "	
1823	"	6½ to 10 "	
1825	"	7½ to 10 "	
1829	"	6½ to 9½ "	
1831	"	5 to 7 "	

Here, then, is a foreign article competing with a home article, which is taxed three cents a pound from the year 1816 to 1831, a period of fifteen years; and the result of this attempt on the part of the Government to impose a burden on the consumer of this necessary of life is a reduction in the price of the article of from fourteen and a half cents to five cents, or of two-thirds.

From 1832 to 1842, under the operation of the tariff of 1832, known as the compromise tariff, prices fell from five and seven cents to three and a half to four and a half cents. Under the tariff of 1846, defective as it is, prices have ranged from three to four cents a pound. It must not be forgotten that in 1836 and in 1856 the failure of the home crops raised the price to ten and twelve cents all over the world. And in this connection those who may be curious to know what the price of sugar would be with the duty taken off, have only to calculate what it would be at the present moment, if, instead of making a very small crop in the United States, we had made none at all.

The hue and cry raised throughout the northern and western States about free sugar, although at the present prices every one has a right to complain, is relieved of much of its sincerity and force, when we remember that in 1854, when sugar was selling below its value, and molasses a drug on the market, similar petitions came pouring into Congress from the same source, and we were then gravely entertained with the great burden bearing down upon the masses, the *ad valorem* duty of thirty per cent. on sugar! It is evident there is a skeleton behind—there are a class of persons whose only real objection to the duty on sugar is, that it may afford a protection to slave labor. That class will not hesitate to trample upon the rights of a minority, however well recognized they may be, if they conflict with their devilish fanaticism. This class, I believe and hope, has little or no influence in this House. Why is so much solicitude bestowed on one necessary of life more than another? Why are gentlemen more tender in their mercies towards the people on this subject than on any other? You say sugar is high—is not flour high, very high? Is not bacon high? Are not all provisions high? And yet no attempt to cheapen these absolutely necessities of life; and all the sympathy seems to be aroused because sugar, which can be dispensed with, is high!

In the year 1856, \$77,000,000 worth of provisions were exported for the purpose of supplying the foreign demand, notwithstanding high prices. Why do not some of these gentlemen who seem to have taken the necessities of life of the people under their special care, introduce a bill to limit the exportation of provisions, of flour, bacon, grains of all sorts, whenever they get above certain fair prices, as is frequently done in Europe? If special legislation against sugar is to work out such admirable results, why not extend the operation of the rule to other products infinitely more essential to life?

The enormous consumption, and its rapid increase for the last few years, seem to excite considerable apprehension in the minds of those who pretend not to have much confidence in our capacity to maintain our supply. The effect of high prices, as a general proposition, is to curtail consumption; but it appears that, notwithstanding the present extraordinary rates, the consumption of 1856 exceeds that of 1855 by over a thousand tons. Is this fact to furnish any cause for alarm? Or is it not rather a living proof that the country is pregnant with wealth and prosperity? Does it

not exhibit, in its strongest light, the ability and capacity to consume? And who, I ask, have a better right to consume, although they may consume more than others, than those who are able to pay? This important fact of increased consumption, coupled with the extravagant prices of this article, must convince every one that the agricultural and industrial classes are actively and remuneratively employed, and that the country was never in such flourishing condition.

UNIFORM COINAGE.

REMARKS OF HON. J. R. TYSON,
OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

February 24, 1857.

On the joint resolution to provide for ascertaining the relative value of the Coinage of the United States and Great Britain, and the fixing the relative value of the unitary coins of the two countries, reported by Mr. PIERCE from the Committee of Ways and Means.

Mr. TYSON said: I am in favor of the resolution, but wish to amend it by inserting the words "on the decimal basis" after the first word in the seventh line. The object of the resolution, Mr. Speaker, is to appoint an agent to confer with European commissions, and report upon the subject of an international coinage. The amendment proposes a further object. It requires that the units should not only approximate in relative value, but that the whole should be on the decimal system.

The standards of value in the coins of England and the United States are so different that we are obliged to express this variance by the invention of a figure—the *par of exchange*. This is the commercial phrase to express that equality which is attained by adding nine and a half per cent. to our money. One object of the commission is to neutralize this inequality in such a way as, by mutual concession, to make the units of the two countries exactly commensurable. The adoption of a common standard would make five of our dollars amount to a pound sterling, and put an end to the existing inequalities in silver as well as gold coins. The English currency has at present ninety-two and a half metal to the hundred of silver, or seven and a half alloy; and ninety-one and two thirds of gold, or an alloy of nine and one third per cent. The American coinage has a little more alloy, having, like the French, the proportion of ninety to the hundred, or ten per cent. alloy. One chief duty of the agent appointed under this resolution, will be to confer with the English commission now in existence, for the purpose of devising some plan which may be mutually satisfactory, to equalize the respective standards of the two countries.

But another duty remains, and that is, to induce England to abandon her antiquated divisions of units, and adopt the decimal system. The English duodecimal and vicesimal modes of computation are inconvenient in practice, and too complex and troublesome in the transactions of international commerce. The practical inconveniences of the present system were shown by evidence adduced before a committee of the English House of Commons in the year 1853. The committee reported in favor of its abandonment, and the substitution of the decimal basis of coinage.

The decimal system was one of the few good fruits of the French revolution. Our country followed. The first movement was made by Mr. Jefferson, in January, 1790, who recommended the adoption of the French decimals in the division of coins. No coinage has been made in this country since the year 1800, except upon this basis; but the Spanish and Mexican units are, by acquiescence, still in common circulation. The decimal system now prevails, by law, in nearly every part of Europe, except in England, Germany, and Russia. In the two former countries a favorable impression prevails in regard to it. It is also in force in Chili, Columbia, and New Granada, in South America, and a feeling exists in favor of it in Mexico.

This Congress was petitioned, several years ago, by the Society of Geography and Statistics

in favor of uniform standards of weights and measures. It was one of the subjects which engaged the attention of the Scientific Congress which was held at Brussels in 1853. More recently, the same body, assembled at Paris in 1855, and strongly recommended the adoption of some uniform system of calculation as well as uniformity of weights and measures. They appointed a committee to confer with reluctant or ill-judging interests in other countries. With this committee, as well as with the British commission, the agent to be appointed under the resolution now before the House, will no doubt put himself in communication, and give to the country every light which science, experience, and the general interests of commerce over the world will require.

The whole subject of an international coinage in facilitating exchanges, and subserving the interests of commerce, is well worthy of the American Congress. Next to a universal language, everywhere spoken and everywhere understood, it will as eminently conduce to general peace and general good understanding, among nations, as any other measure which can be devised.

The resolution was passed as amended.

UTAH TERRITORY AND ITS LAWS—POLYGAMY
AND ITS LICENSE.SPEECH OF HON. J. S. MORRILL,
OF VERMONT,

IN THE HOUSE OF REPRESENTATIVES,

February 23, 1857.

The House being in the Committee of the Whole on the state of the Union, and having under consideration the bill making appropriations for the Territory of Utah—

Mr. MORRILL said:

Mr. CHAIRMAN: It was my purpose at an earlier period of the session to have submitted some remarks upon the territorial laws of Utah, and the "patriarchal institution" of polygamy which there prevails. With this object in view, I introduced a resolution into the House as early as the 19th day of January, calling upon the President for official information known to be on file in the Departments, relative to certain facts pertaining to the subject. But up to this time no response has been made; whether because, if made, it would have been found incompatible with the interests of Mormonism, or the interests of the outgoing Administration, the public will judge. Having read the territorial laws of Utah, which many of the members of the House may not have had an opportunity of doing, I have thought it might prove of some service to make an exposé of their peculiar character. I could have reached my object, any time that I could have got the floor, by making a motion to take up a bill which is now pending upon a motion entered for reconsideration; but I felt unwilling to consume the time of the House when it was evident that, from the press of other matters, no legislation could follow. For these reasons, I gave notice of my purpose, and obtained consent to publish what I had to say, with some liberty of expansion.

The report of Chief Justice Branderberry, Associate Justice Brochus, and Secretary Harris, for the Territory of Utah, to the President of the United States, December 19, 1853, and printed in executive documents in 1851-52, was regarded at the time as too extravagant for belief. Subsequent events have shown that the picture was not too highly colored, and that no officer, if not a Mormon or a jack-Mormon, can dwell among the Mormons without being subjected to greater insolence than that of which Shylock complained:

"Signior Antonio, many a time and oft,
In the Rialto, you have rated me:

Still have I borne it with a patient shrug;
For sufferance is the badge of all our tribe.
You call me—misheliever cut-throat dog,
And spit upon my Jewish gaberdine."

Many of the statements made in the report alluded to are of so grave import, and the Mormons having, by continued anubbing, finally subdued the General Government into absolute compliance with their wishes, that I shall reproduce them here, in order to refresh the memory of

34TH CONG....3D SESS. Utah Territory and its Laws—Polygamy and its License—Mr. Morrill.

Ho. of Reps.

gentlemen with a chapter of history. Commencing on page 8, document 25, of the report, it reads:

"We found upon our arrival, that almost the entire population consisted of a people called Mormons; and the Mormon church overshadowing and controlling the opinions, the actions, the property, and even the lives of its members, usurping and exercising the functions of legislation and the judicial business of the Territory; organizing and commanding the military; disposing of the public lands upon its own terms; coining money, stamped 'Holiness to the Lord,' and forcing its circulation at a standard fifteen or twenty per centum above its real value; openly sanctioning and defending the practice of polygamy, or plurality of wives; exacting the tenth part of everything from its members, under the name of tithing, and exorbitant taxes, from citizens, not members; penetrating and supervising social and business circles; and inciting and requiring, as an article of religious faith, implicit obedience to the counsels of the church as paramount to all the obligations of morality, society, allegiance, and of law."

"Our main reliance was upon Brigham Young, the Governor, for no man could govern them against his influence without a military force."

"We were informed afterwards that Mr. Blair had made several private applications to the Governor to know if he would allow an interview to the chief justice, but he refused, declaring that 'he did not wish an introduction, for none but Mormons should have been appointed to the offices of the Territory, and none others but d—d rascals would have come among them.'"

"The Governor rose to address the audience, and a profound silence ensued, as is always the case when he rises to speak. After reflecting in terms of condemnation upon the alleged hostility of General Taylor to the Mormons, and to giving them a government, he exclaimed, in a loud and exulting tone, 'But Zachary Taylor is dead, and in hell, and I am glad of it.' Then drawing himself up to his utmost height, and stretching his hands towards heaven, he declared in a still more violent voice, 'And I prophesy in the name of Jesus Christ, by the power of the priesthood that is upon me, that any President of the United States who lifts his finger against this people shall die an untimely death and go to hell.' To this sentiment there came up from those seated around us, and from all parts of the house, loud and mingled responses of 'Amen!' 'Good!' 'Hear!'"

"Upon a subsequent occasion, (the 6th of September,) in reply to the remarks made by one of the undersigned, (Associate Justice Broechus,) upon the subject before a large audience, the Governor reiterated and declared, 'I did say that General Taylor was dead and in hell; and I know it.' A man in the crowd, seemingly to give the Governor an opportunity of fixing his truth, spoke out, and said, 'How do you know it?' To which the Governor promptly answered, 'Because God told me so.' An elder, second only to the Governor in the church, (Heber C. Kimball,) laying his hand on the shoulder of Judge Broechus, added, 'Yes, judge, and you'll know it, too; for you'll see him when you get there.'"

"Upon the following Sunday, the Mayor of the city, Jedediah M. Grant, in eulogizing the strength of the Mormons, exultingly declared from the pulpit, in presence of one of the undersigned, (Mr. Harris,) 'That now the United States could not conquer them by arms.' Brigham Young, the Governor, announced, with great vehemence, from the stand to the individuals, while the feelings of the people were thus excited by such sentiments, 'That he had ruled that people for years, and could rule them again; that the United States judges might remain in the Territory, and draw their salaries, but they should never try a cause if he could prevent it.'"

"Another speaker, already referred to, standing second in the church, (Heber C. Kimball,) encouraged by the example set him by the Governor, declared, in a speech at a public meeting, 'that the United States officers might remain in the Territory so long as they behaved themselves, and paid their boarding; but if they did not, they (the Mormons) would kick them to hell, where they belonged.'"

"The preacher, Professor Spencer, of the University of Deseret, among other expressions of ill-feeling, declared that 'the laws and policy of the United States Government were intended to oppress the poor; and turning his eyes upon us, in presence of this large audience, further declared: 'The Government of the United States is a stink in the nostrils of Jehovah, and no wonder the Mormons wish it down. We can save it by force; but rather than save it any other way, we will see it d—d first.' Another Mormon, (Albert Carrington,) in refusing to join in firing a salute on the 4th of July, declared to Judge Broechus and others, 'that the United States was going to hell as fast as it could, and the sooner the better.'"

HOSTILE TO REPUBLICANISM.

The Mormons are quite as hostile to the republican form of government as they are to the usual forms of Christianity. In their official correspondence with Government they are respectful, but at home, publicly and privately, they indulge in the coarsest and most brutal assaults upon the United States Government and its officers. Officially courteous, they are everywhere else malignant backbiters and traducers. This is proven by the correspondence published in the executive documents, (first session of the Thirty-Second Congress,) from which liberal extracts have been given. It is proven by the united testimony of all "Gentiles" who have visited the country, and it is corroborated to any extent by the passages from the sermons weekly delivered at Great Salt Lake City, and then revised and published in the

Deseret News. They desire a kingly government, in order to make their patriarchal institutions more homogeneous. When they started out for Utah, it was with the purpose of establishing a kingly government; but the Mexican war coming on, the United States boundaries overtook and again inclosed them. Chagrined at this uncalculated result, they sent to England for permission to occupy Vancouver's Island, and to erect an independent government. This being refused them, they submit to a nominal allegiance, and lie in wait for an opportunity of defiance and revolt, when they can reach the "crowning glory" of their schemes, and of Brigham Young, at once. This man publicly proclaims, as I learn upon the authority of a gentleman but recently an officer in the Territory, (Major Holman,) that "God Almighty made him Governor; that the commission doesn't do it." In the report (page 15) of the executive documents before cited, a specimen of the hostility of Governor Young may be seen in his own words, thus: "I know the United States did not murder our wives and children, burn our houses, and rob us of our property, but they stood by and saw it done, and never opened their mouths, the d—d scoundrels." The number of the wives of Brigham Young is variously stated from sixty to ninety; and whether so large that no man can number them or not, he is understood to declare they are so large that he does not know the number, and does not always know or remember those he meets who claim to be his wives. Yet this man holds his commission as Governor, in defiance of the whole power of the United States Government, and proclaims, "I shall act as Governor until God Almighty says to me, Brigham, you needn't be Governor any longer."

Judge Stiles, (Mormon,) in a speech made at a mass meeting in the spring of 1856, declared that "the United States was crumbling and tottering, and the day was not far distant when he hoped to see it fall back into the arms of Deseret, (Utah)."

Of course this is utterly impotent, but it conclusively shows the unfitness of the man for a high judicial station; and he should be removed. All the United States officers appointed in Utah since anno Domini 1851, save the surveyor general, Burr, are either Mormons, or actively engaged in some sort of business or speculation which incapacitates them for a faithful and impartial discharge of their duties. Judge Drummond is a horse-trader. Judge Kenney is largely in the mercantile business.

From an article in the Deseret News of April 18, 1855, highly commended, I take the following extracts:

"It is comforting to turn from the dark and cheerless prospects of Babylon, to the more hopeful signs of the rising power and glory of Zion. Never was it more manifest that the Lord stands at the helm than at present; and never was the work more onward! For the Saints in Zion there happens just sufficient disturbance, through apostates, mobs, United States officials, or Indians, to prevent them from being lulled asleep, and to make them alive to their privileges." "Dwelling in the midst of the mountains, they have every natural help to life and vigor, every circumstantial incentive to bravery and heroism and fortitude, and every inducement to careful and persevering industry; whilst their balanced position—a thousand miles from the fashions and follies of Christendom—gives them ample room to grow and expand into a free, great, mighty, courageous, and generous people, untrammelled by the narrow gentile notions of Babylon, uncorrupted by the abominations of a degenerate world."

Evidences of this character might be multiplied to almost any extent, but I shall give but few specimens more, and those of a later date.

In a sermon delivered by President Brigham Young, Bowery, August 31, 1856, and published in the Deseret News of September 17, 1856, after saying: "True, we have more wives than one, and what of that? they (the Gentiles or 'wicked') have their scores of thousands of prostitutes; we have none."

This is an imputation against American women which their known virtue sufficiently refutes. Its character is very like the charge, as related by Hume, of a Turkish Ambassador in France. "We Turks," says he, "are great simpletons in comparison of the Christians; we are at the expense and trouble of keeping a seraglio, each in his own house; but you ease yourselves of this burden, and have your seraglio in your friends'

houses." It is natural that the Mormons should sympathize more with Turks than with Christians. Accordingly, they do rank them higher in the scale of civilization, repeat their slanders, and assimilate their domestic institutions.

In the same sermon brother Brigham proceeds, mingling clownish jokes with priestly roaring, to say:

"Mormonism is true, and all hell cannot overthrow it. They have succeeded in making us an organized Territory, and they are determined to make us an independent State, or Government, and as the Lord lives it will be so. [The congregation shouted amen.] I say, as the Lord lives, we are bound to become a sovereign State in the Union, or an independent nation by ourselves, and let them drive us from this place if they can; they cannot do it. I do not throw this out as banter; you Gentiles, and hickory and bass-wood Mormons, can write it down if you please, but write it as I speak it."

The lack of patriotism and the ingrained hostility of the Mormons to our Republic admit of no dispute. I would not punish them for these facts, but they are not such facts as are calculated to excuse the wrongs of a deeper dye.

PECULIAR LAWS.

I desire to call the attention of gentlemen specially to the whole code of the territorial laws of Utah. And in the first place it is to be observed that by section six of the act of Congress, providing for the organization of the Territory, it is provided that "all the laws passed by the Legislative Assembly and Governor shall be submitted to the Congress of the United States, and, if disapproved, shall be null and of no effect." The organic act also provides that the Governor "shall hold his office four years, and until his successor is appointed and qualified, unless sooner removed by the President of the United States." This provision enables weak Administrations to continue any Governor in his place for life, when once in power, without the direct responsibility of making the appointment, or, if a new appointment is made, it can be conferred upon one (like Colonel Steptoe) who will be sure to decline it. It is by this hold-over clause that Brigham Young is perpetuated in office. I design to cite some of the territorial laws to show how far this Governor Young has monopolized, not only the religious, but the civil and military power of the Territory. If I am not mistaken, it will appear that he has with and without forms of law secured to himself more despotic power than is now exercised by any ruler on the globe where written constitutions are observed; and the Congress of the United States thus far does not "disapprove" it.

On page 217 of the laws will be found:

"Sec. 55. The battalion of life guards in Great Salt Lake county shall be an independent battalion, not attached to any brigade or division, and shall be subject, at all times, to the call of the Governor and Lieutenant General."

This corps aspires to a Napoleonic model—a Swiss body-guard—and whether for purposes of offense or defense, or for the pomp of military displays—

—"all the while
Sonorous metal blowing martial sounds,"

is liable to all the suspicions republicans have ever entertained against usurpers and against a standing army in time of peace. It is not enough that the Governor is commander-in-chief of the Nauvoo Legions, spread over eleven districts, that all elections for filling the office of Lieutenant General shall be ordered by the Governor, (see Laws, page 207,) but he must have a battalion of life-guards attached to nobody but himself, and at all times subject to his call!

With the Governor seems to be lodged not only all control over the manufacture of "spiritual wires," but the manufacture of all other "ardent spirits." On page 108 of the Laws, section two, will be found, as follows:

"Be it further ordained, That when the Governor shall deem it expedient to have ardent spirits manufactured within this State, he may grant a license to some person or persons to make and vend the same, and impose such restrictions thereon as he may deem requisite."

There is a wide latitude of power here, and a confidence that might suffer some loss should a change occur in the office of Governor. Undoubtedly it creates a monopoly from which a princely revenue may be derived, and of which no legal returns are provided for.

In a new country like Utah there are few bridges, and the rivers are either to be forded or

34TH CONG., 3D SESS. Utah Territory and its Laws—Polygamy and its License—Mr. Morrill.

Ho. OF REPS.

passed by ferries. These ferries and bridges seem to be monopolized by the Governor and the leading elders, who are thereby enabled to extort very considerable tribute from the emigrant travel passing through to California. On page 267 of the laws will be found an act granting to the Governor exclusive privileges over two of the principal rivers, and which might be supposed to afford the best chances for the largest amount of tolls, as follows:

"Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That Brigham Young is hereby empowered to establish, regulate, and control ferries and bridges on Weber and Bear rivers, east of the main range of the Wasatch mountains, and to specify the rates of toll for the use thereof."

All other acts are repealed, and all other persons are to be subject to costs and damages if they operate, in any manner, ferries and bridges on those rivers. The act is unlimited as to time and as to rates of toll. That these rates are and will be oppressive, emigrant travelers furnish ample testimony. When similar grants are bestowed upon lesser lights of the church, such as brother Joseph Young, John Young, Joseph Busby, William P. Emery, Charles Hopkins, A. Wardsworth, O. Hyde, D. H. Wells, or others, the grant is restricted as to time, ten per cent. is to be paid over to the perpetual emigration fund, and the rates of toll are fixed. On page 246 of the Laws, will be found an act of this sort, which I will give as a specimen:

"Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That Joseph Young and William Y. Emery have the right to establish a ferry or ferries across Bear river for three years (during the foregoing seasons of each year) from the passage of this act, at a place which will best subserve the public interests between the mouth of said river and a point five miles east of the mouth of the canyon."

"Sec. 3. The said Young and others shall pay ten per cent. of all they receive as toll on said ferries and bridge, to the treasurer of the Perpetual Emigrating Fund Company, on oath or affirmation, on or before the 1st day of September, annually."

The rates of toll are, for one man, twenty-five cents; one animal and hack, one dollar; wagon and two animals, three dollars; with four animals, six dollars, &c., &c.

These rates would appear a little inflated; but then it is to be noticed that these prime favorites are put under bonds to disgorge ten per cent. (in some cases not but five per cent.) of any such excess for the benefit of proselyting foreigners, or the perpetual emigrating fund. I will give a section of another similar act (on page 244) of the laws:

"Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That Joseph Busby have the exclusive right of erecting a ferry, or ferries, on Ham's Fork river, for the term of five years, from and after the passage of this act, at some point within this Territory, for the accommodation of the emigration from the States to California, Oregon, and this Territory, provided he pay upon oath five per cent. of all moneys collected of said ferry, or ferries, into the treasury of the Perpetual Emigrating Fund Company, for the benefit of said fund, on or before the first day of September of each year."

When these persons fail to establish ferries or bridges, power is given to the Governor to appoint some other person to establish them. (See Laws, p. 247.)

In order more effectually to hold all Mormons within the gripe of the church, and compel them to discard all other tribunals, it is their policy to discard and drive out of the Territory all lawyers. That profession seems to be dreaded as their natural foe. In the Territorial Laws, page 139, the lawyers come in for it in this style, viz:

"Sec. 2. No person or persons employing counsel in any of the courts of this Territory shall be compelled by any process of law to pay the counsel so employed, for any services rendered as counsel, before or after, or during, the process of trial in the case."

"Sec. 3. It shall be the duty of the judges of all courts in the Territory to forbid and prevent all indecent and exciting language and behavior in their courts; and in case of a refusal to counsel being disregarded and resented by said counsel, it shall be the duty of the judge giving such rebuke to nullify the right to plead of such counsel, and to take measures to prohibit him from being heard as counsel in any court of this Territory, until such time as satisfaction has been given for his good conduct in future. And it shall further be his duty to impose a fine not exceeding one hundred dollars, on such counsel, as he may deem just; and he may commit said counsel to prison during the term of the court then being holden."

"Sec. 5. Any attorney, or person otherwise assuming to appear before any court in this Territory, in any cause whatever, shall present all the facts in the case—whether they

are calculated to make against his client or not—of which he is in possession, and shall present the best evidence that he can in the case to the intent that the true state of the case in litigation may be presented before the court; and for a failure to do so, or to comply with all the requirements of this act, shall be liable to all the penalty herein before provided for, and the further penalty of not less than one dollar, at the discretion of the court."

This is a tight place for lawyers. They must work without any legal claim for pay. They must not use "any indecent language," nor get excited. They must prove

"All doctrines plain and clear"

on both sides of the case at once, being liable for contempt, and for all sorts of short-comings to severe and summary punishment. Peter the Great, when in England, said "there was but one lawyer in Russia, and he was going home to hang him." The number in Utah cannot be much greater than then existed in Russia.

On page 390 of the Territorial Laws is a resolution of rather comprehensive dimensions, but not wholly bad, which authorizes each county to elect a council of twelve as referees, to decide all cases of litigation brought before them by mutual consent—their decision to be final; but not to vest in said council any judicial power. This, if designed to settle all differences peaceably and without costs, is well; but if for the purpose of concentrating all power in the church, it would wear a different aspect.

The act organizing the Territory of Utah "provided that the right of suffrage and of holding office shall be exercised only by citizens of the United States, including those recognized as citizens by the treaty with the Republic of Mexico, concluded February 2, 1848;" yet aliens are allowed to vote and hold office. Mormonism is the higher-law qualification. In point of fact, all the voters are mere machines to register the edicts of President Young. No one dares to throw a scattering vote; and hence the result is nearly always a unanimous vote. The President nominates, and the News publishes the nomination, and the Yankee and the Scot, the Welchman and the Swede, the Sandwich Islander and the Australian, all echo the same note. In order to be able to strangle any discordant or rebellious votes in their infancy, while the vote by ballot is established, they use the ballot as an irrefragable witness to ear-mark the voter. The act on page 233 of Territorial Laws will show the effectual means used to track out and hunt down any one of their number who should have the presumption to mar the unanimity of the ballot-box, and thereby the equanimity of the Lion of the Lord. Here is the law:

"Sec. 5." * * * "Each elector shall provide himself with a vote containing the names of the persons he wishes elected, and the offices he would have them fill, and present it neatly folded to the judge of the elections, who shall number and deposit it in the ballot box; the clerk shall then write the name of the elector, and opposite it the number of his vote."

It was also provided in the organic act that "no law shall be passed [by Utah] interfering with the primary disposal of the soil." Yet it is notorious that all the valuable portions of the land are squat upon; and the Territorial Assembly gives the power to occupy, rent, and transfer these rights of claims. Of course there is no necessity for any title to land from the United States. To buy that would be spending money foolishly. The Mormons know better. They have possession, and that is a good title against the United States. But land is reckoned rather valueless without wood and water; and these latter are monopolized not only by the Mormons, but by a few Mormons—the Governor and his apostles. It is only in proximity to the mountains in Utah that "wood grows or water runs." Whoever controls these places commands the destinies of the people, and sets his own limits to his wealth. The grants for these privileges are numerous. (vide Territorial Laws, pp. 63, 64, 72, 73,) and the Prophet and his apostles have no "moral convictions" against such special legislation. As a sample of these acts—an adobe from the Mormon temple—I will give here, (page 63, chap. vii):

"Be it ordained by the General Assembly of the State of Deseret, That Brigham Young have the sole control of City creek and canyon, and that he pay into the public treasury the sum of \$300 therefor."

As all the land requires to be irrigated to make it fruitful, the sole control of the city creek may

be considered the cream of these special grants; and brother Brigham, doubtless, finds the revenue squeezed from the Great Salt City very convenient for the maintenance of his Utahian spiritual views.

Other elders are fully provided for. On page 64 of the Territorial Laws, it reads, in favor of the President of the Council, thus:

"Be it ordained by the General Assembly of the State of Deseret, That Heber C. Kimball have the exclusive privilege of conveying the waters of North Mill creek canyon, and the waters of the canyon next north, to wit: about half a mile distant, to some convenient point below the mouth of the two canyons, and of appropriating the same to the use of a saw-mill, grist-mill, and other machinery."

By reference to the territorial statutes it will be seen that the names of Young and Smith occur so frequently as to suggest the idea that they are generic terms. Here is a law, on page 72, which clearly interferes with the primary disposal of the soil, in favor of one of the twelve apostles, as follows:

"Sec. 1. Be it ordained by the General Assembly of the State of Deseret, That the exclusive control of the timber in the canyons on the east side of the range of mountains west of Jordan, in Great Salt Lake county, is hereby granted to George A. Smith, who is hereby authorized to control the timber in said canyons, to work roads into them, and to direct when, where, and by whom, timber may be taken out therefrom."

"Sec. 3. No person shall be allowed to cut timber in any place in these canyons, without permission from the proprietor, who is hereby authorized."

Let these special grants should not cover all the valuable timber lands, I will extract another law which places "all timber" under the control of the county court.—*Vide Territorial Laws*, p. 127:

"Sec. 3. The county court has the control of all timber; water privileges, or any water course or creek; to grant mill sites, and exercise such powers as in their judgment shall best preserve the timber, and subserve the interest of the settlements, in the distribution of water for irrigation, or other purposes. All grants or rights held under legislative authority shall not be interfered with."

To strip and waste the timber on land is to destroy its value; especially so in Utah, where timber is not plentiful. Even contingent proprietors have the right by common law to prevent such waste. But here are "proprietors" set up by Utah against the world, when Utah is as much without a title as was Satan when he made some rather extravagant proffers to our Saviour. Besides, spoliation of timber is an offense against our own public laws for which the Government is to be indemnified, and for which the trespassers are liable to prosecution. While we are prompt enough to suppress these depredations in Michigan, Wisconsin, and Minnesota, why should we not hunt up the offenders in Utah and report them for such action as the public interest requires?

By the adroit course pursued by the Mormon people of Utah, it does not appear, as late as the 30th of June, 1856, that any of the public lands of the United States located in Utah have been disposed of. There are 120,270,720 acres of land in Utah. The amount given to schools and to the University is 6,681,707 acres. The amount of what is termed vacant public lands is 113,589,013 acres; so that it does not appear, although 220,377 acres have been surveyed, that a single acre has been sold in Utah, or that the United States has derived one dollar of income therefrom. Under this sharp practices of the people of Utah, the public lands of that Territory are, and will forever remain, utterly worthless for all purposes of revenue to the Government of the United States.

President Young is reputed to be a good financier, and it is quite evident that he is wide awake to the temporal interests of the prophet. It is the policy of the Mormons to teach their followers to value property only as it advances the interests of their church and its prophet, apostles, high-priests, and elders. The prophet Joseph had a revelation that he must not work. He then had another that the faithful must build him a house. All this, and much more, was implicitly obeyed. But the prophet Brigham does not trust himself altogether to the fulfillment of any such seemingly precarious prophetic revelations. New comers must surrender at once a tenth of all they possess; and he cannot be cheated, he says, neither in old spavined horses, and they must annually tithe themselves or go to hell at last. Tithing is the sharp point of their sermons and the burden of their songs. From the News, of April 18, 1856, I extract a verse, sung at a meeting of the thirty-

34TH CONG...3D SESS. Utah Territory and its Laws—Polygamy and its License—Mr. Morrill. HO. OF REPS.

seventh quorum, containing more truth, perhaps, than poetry:

"Now male and female, rich and poor,
Who wish to keep your standing sure,
That you salvation may secure,
'Come forward and pay up your tithing!'
A tenth that is, and nothing less,
Of all you do, or may possess,
In flocks, and herds, and their increase,
With pigs and poultry, ducks and geese;
A tenth indeed of all your toil,
Likewise the produce of your soil,
And if you've any wine, or oil,
'Come forward and pay up your tithing!'"

"Chorus.—Then if to prosper you desire,
And wish to keep out of the fire,
Nay, if you to be saints aspire,
'Come forward and pay up your tithing!'"

President Young is doubtless far the richest man in the Territory; and though his wives may not, as some others are seen to do, work in the field, some portion of his harem have sought to do washing for United States soldiers passing through there, to obtain pin-money; for Brother Brigham is supposed to be not so lavish of hard cash as he is of the "blessings of Abraham." He owns quite a number of saw-mills, as well as a wool-carding machine, which he advertises in the News. His various monopolies of wood and water in the canyons must be very lucrative if not oppressive privileges. But he tells Isaacser Mormon: "If you murmur against that elder, it will prove your damnation." In a sermon delivered December 5, 1853, he says:

"If an elder has borrowed from you, and you find he is going to apostatize, then you may tighten the screws upon him; but if he is willing to preach the gospel, without purse or scrip, it is none of your business what he does with the money he has borrowed from you. The doctrine of Brother Joseph is, that not one dollar you possess is your own; and if the Lord wants it to use, let it go; and it is none of your business what he does with it."

A strict compliance with the ordinance of tithing is exacted, or the "village Hampdens" are excluded from the church; and a religious excommunication in Utah is more terrible than anything of the sort can be elsewhere—subjecting the party to all sorts of petty persecutions. An outlaw growled at by the priests, is barked at by all of lesser degree.

In the last report of the Commissioner of the General Land Office, after stating that Salt Lake City is far greater in extent than it is entitled to be under the town site act of 1844, the Commissioner says:

"It is further stated that the public domain in the city, and out of the limits thereof, settled by Mormons, is being conveyed by the members of the church of Latter Day Saints, in consideration of their good will towards the church, to Brigham Young, trustee of the same, he requiring them to defend the property thus conveyed, against any one."

The Commissioner very properly says:

"This proceeding in the Territory is incompatible with our system, and suggests the propriety of congressional interposition."

Thus it will be seen that, notwithstanding the taxes which, with the tithings, are said to amount in all to thirty-six per cent. annually, of all the earnings of the people, the apostles, high priests, and patriarchs, are not content with their income. They have therefore had a revelation, commanding all the Saints to consecrate all their property to the church. Those who comply remain tenants at will—subject to the caprice and any new revelation of the rulers of the church. It would be difficult to conceive of a people doomed to a more abject submission than the forty thousand Mormons in Utah. "Congressional interposition" is demanded.

I propose now to give a statement of some of the appropriations which have been made for the benefit of Utah, from 1851 to August 18, 1856:

For salaries of governors, judges, secretaries, &c.....	\$73,100 00
Compensation, mileage, and contingent expenses of Legislative Assembly.....	155,168 37
1854, refunding to Territory of Utah expenses in suppressing Indian hostilities.....	20,940 65
1855, incidental Indian service.....	20,000 00
1855, penitentiary.....	13,000 00
Under treaty obligations for annual presents...	10,000 00

\$292,209 02

Here is nearly three hundred thousand dollars, and it does not include the mail service, public buildings, and twenty thousand dollars more on penitentiary, and some other items. Part of this

has not been expended, and part expended is understood to be unaccounted for. Large appropriations are still asked for the Territory. The cost of the transportation of the mail in Utah is \$14,753 04, while the whole amount of postage collected is but \$2,064 74. Notwithstanding the United States have refunded the \$20,940 65 for suppressing Indian hostilities, yet the United States officers there at the time affirm that there was no Indian war whatever.

Two townships of land have been voted by Congress to establish a university; but the university exists only in name. Money was asked for; and when land was given instead, it turned out a joke, for all the land there worth having can be had on the squatter-stealing principle. Instead of such a driblet as two townships, they seize the whole Territory. Even the act for \$5,000, at first passed by the Utah Legislature in behalf of the University, has been repealed.

We have memorials from Utah begging for money to pay for the provisional government of 1849, for a geodetic survey, for completion of the capitol, for a weekly mail, a railroad, military road, magnetic telegraph, &c.; but it seems to me, when so much has already been appropriated, and when such liberal sums are asked for—"so many folds of favor"—that ingratitude and disloyalty furnish sorry requital for our liberality.

Governor Young's memory touching money matters is hardly as accurate as prophets should be. In his report to the President, June 30, 1856, he says:

"In this connection, it may not be amiss for me to state, that nearly two years have elapsed since Congress appropriated over sixty thousand dollars, for the express purpose of making treaties, &c., with the Indians of Utah; that their funds have been traversed by Government surveying parties now almost a year, and will not one dollar of that appropriation has yet been expended within this superintendency, and, for aught I know, is still fast in the coffers at Washington. Is this just? Has it any precedent in usage toward tribes in any other State or Territory—more especially when the relative conduct, facilities, and advantages of the various tribes are taken into account?"

Upon this statement, the Secretary of the Interior, in a foot note, put the following extinguisher:

"Governor Young is mistaken in this, as the records of the Indian Office show that drafts to the amount of \$27,074 80, drawn by himself and agents, Hunt and Armstrong, have been paid out of this appropriation, for Indian purposes in Utah."

It will be seen in the Territorial Laws, page 132, that besides jurisdiction relative to the estates of deceased persons, that—

"Sec. 30. The several probate courts in the respective counties have power to exercise original jurisdiction, both civil and criminal, and as well in chancery as at common law, when not prohibited by legislative enactment," &c.

This would seem to be a pretty extensive jurisdiction for a court comparatively ranking with the common justice courts of the States; but, although they are to have criminal as well as chancery and common law jurisdiction, there is another act which relieves the court from a throng of puzzling embarrassments. It is to be found on page 260 of Territorial Laws, and proudly elevates the courts of Utah high over the heads of all other courts, and the Territorial Legislature above all other law-making tribunals, as follows:

"Sec. 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That all questions of law, the meaning of writings other than laws, and the admissibility of testimony, shall be decided by the court; and no laws, nor parts of laws, shall be read, argued, cited, or adopted, in any court, during any trial, except those enacted by the Governor and Legislative Assembly of this Territory, and those passed by the Congress of the United States when applicable; and no report, decision, or doings of any court shall be read, argued, cited, or adopted, as precedent in any other trial."

Here is a studied attempt to cultivate legal ignorance, or, if not that, to ignore all the world save the legal Solons of Utah. The Solon of today is, besides, to have no respect for the Solon of yesterday! The policy of bringing up precedents would institute comparisons, and "comparisons are odious;" therefore they are interdicted by the Governor and Legislature of Utah.

There are many other laws of the Territory which invite comment quite as much as those already cited. For instance, there is a law which allows them to remit taxes to any favorites they choose; to tax any person they may think is

about to move from the country; to take into custody the property of any person on complaint of anybody that he is about to remove, and is indebted to some person; to take "all property left by any deceased or absconded person, when there is no legal claimant known, or sufficiently near to see to it in season," for the benefit of the perpetual emigrating fund. All these laws, as worded, are liable to very great abuse, and would not be harmed by considerable pruning.

AFRICAN SLAVERY.

According to the theory of Mormonism, Divine revelation has made no progress; and neither Christianity nor Mormonism, as they say, denounces habits or practices which were permitted unto Abraham or Solomon. In a discourse delivered August 3, 1836, by President J. M. Grant, published in the Deseret News, I find such ideas as the following:

"When you read of the gifts that were bestowed upon and circulated among the people of God, you certainly would not wish others to suppose that more reading about them puts you in possession of the same blessings."

"Brethren and sisters, we understand the difference between enjoying and reading of enjoyment—between history of a feast and the feast itself; also, between the history of the law of God and the law itself."

Bondage and polygamy are therefore Bible doctrines, and no revelation can be true that is inconsistent with any portion thereof. Vices or crimes recorded in the Bible—as, for instance, the incest of drunken Lot and his daughters, the murder of the Egyptian by Moses, or the seduction of the wife of Uriah by David—would appear to furnish precedents of as much authority with Mormons as virtues, or as the example of Joseph, or of the good Samaritan.

Negro slavery already exists, to a limited extent, in Utah. Perhaps there are not more than one hundred negro slaves now in the Territory. The law under which they are held is as follows, (Territorial Laws of Utah, p. 161, chap. 17, sec. 3:)

"That any person bringing a servant or servants, and his, her, or their children from any part of the United States, or other country, and shall place in the office of the probate court the certificate of any court of record under seal, properly attested that he, she, or they, are entitled lawfully to the service of such servant or servants, and his, her, or their children, the probate justice shall record the same, and the master or mistress, or his, her, or their heirs, shall be entitled to the services of the said servant or servants, unless forfeited as hereinafter provided, if it shall appear that such servant or servants came into the Territory of their own free will and choice."

This patriarchal institution, when upheld by real Mormon patriarchs, assumes a new shape. It calls things by a softer name, and instead of slaves, we have "servants." So reluctant, too, are Mormon masters to punish their servants, that it appears to have been necessary to make it their imperative duty by law to "correct and punish" their servants. Thus, in the laws as aforesaid, page 161, sec. 6:

"It shall be the duty of the master to correct and punish his servant in a reasonable manner when it may be necessary, being guided by prudence and humanity," &c.

The Mormons are making some effort to establish the culture of cotton, sugar, and rice, in some parts of the Territory, and should they be successful in this undertaking, it might tend to increase the black-servant population; but the heterogeneous character of the emigration, coming from anywhere almost but the United States, with opinions, it may be supposed, hostile to any system of servitude, and the occasional years of famine, years of drouth and the grasshopper, when the people have been driven to the coarsest means of subsistence—living upon pumpkins in some instances—has operated, and may continue to operate, against the increase of this class of their population.

INDIAN SLAVERY.

But there is another type of slavery to which I will call the special attention of gentlemen who are going to ask the unanimous reprehension of Congress against the Cooly traffic. Not less than four hundred Indians, children or adults, are today held in bondage in Utah under the pretense of apprenticeship. It will be observed that this is the same sort of "whipping the devil round the stump" that is practiced in the Cooly trade. They are purchased of Indians, who steal from neighboring tribes, for sums anywhere from twenty to forty dollars each, utterly regardless

34TH CONG...3D SESS. Utah Territory and its Laws—Polygamy and its License—Mr. Morrill.

Ho. OF REPS.

of the means of capture or abduction. This traffic with Indians is directly encouraged by the Mormons, and under color of law. Any minors may be bound to service, (vide Territorial Laws, p. 156,) and it is made the duty of the selectmen and the courts to bind out to service all the idle, the vagrant, or the vicious minors. Of course all Indians are easily ranked in some one or all of these classes. They have also a law for the transfer of servants; and where there is a will, of course difficulties vanish. But lest all this should not be held to accomplish the object, they have a later law in words admitting of no doubt or double meaning, and curiously enough the title of this act is printed, "An act for the RELIEF of Indian slaves and prisoners." On page 173 of the Territorial Laws will be found, as follows:

"Sec. 1. Be it enacted, by the Governor and Legislative Assembly of the Territory of Utah, That whenever any white person within any organized county of this Territory, shall have any Indian prisoner, child or woman in his possession, whether by purchase or otherwise, such person shall immediately go, together with such Indian prisoner, child or woman, before selectmen or probate judge of the county. If, in the opinion of the selectmen or probate judge, the person having such Indian prisoner, child or woman, is a suitable person, and properly qualified to raise, or retain and educate said Indian prisoner, child or woman, it shall be his or their duty to bind out the same by indenture, for the term of not exceeding twenty years, at the discretion of the judge or selectmen."

"Sec. 8. The selectmen, in their respective counties, are hereby authorized to obtain such Indian prisoners, children or women, and bind them to some useful avocation."

Thus it appears that "any Indian prisoner, child or woman," that may happen to be in possession of "any white person," whether by purchase or in any other way, is relieved by being bound to servitude for twenty years; and the only consolation for the Indian is that there is nothing in the act to prevent a renewal of this kind of "relief" at the expiration of the first period of service, for twenty years more.

However cruelly we may have treated the Indians in other respects, either by encroachments upon their hunting-grounds, with or without treaties, or by harassing wars, no party and no government in this country has for ages sanctioned the idea of reducing the red man of the forest to slavery. However bitter may be the ultimate fate of the American Indian—and as a distinct race it is rapidly approaching extinction—this is a drag placed in the bottom of the cup by Utah alone, a Territory over which the United States is sometimes represented to have the right of sovereignty and eminent domain.

Now, sir, gentlemen may make their resolutions as denunciatory as they please touching the Cooly trade—they can hardly be too strong for me—but I hope they will not weaken and lower their emphasis, when they approach the Mormon Utah trade in Indian "prisoners, children and women." Let the race of King Philip, Ocoila, and Pocahontas, which has chased the sun almost half round the earth, in order to catch a few more golden moments, not be subjected to iron fetters in their expiring moments! Let the fiercest warrior of them all, as his ebbing pulse brings him nearer to the land of the "Great Spirit," still dream:

"I am as free as nature first made man,
Ere the base laws of servitude began,
When wild in woods the noble savage ran."

POLYGAMY.

There is one topic which has excited some consideration, whenever Utah has been discussed, and seems to acquire greater gravity in each successive year. Stealthily at first, but now openly, the practice of polygamy has become a deep-rooted and notorious institution of the Mormons. Under the Constitution of the United States, they are fostered and protected, and have assigned to them a Territory larger than many of the kingdoms of Europe. Under the guise of religion, this people has established, and seek to maintain and perpetuate, a Mohammedan barbarism revolting to the civilized world. It is polygamy in its most disgusting form, including in its slimy folds sisters, mothers, and daughters; and in order that no element of cruelty and loathsomeness may be wanting, it includes facility of divorce.

The petition for a bill of divorce is to be made to the probate court; and "if the court is satisfied that the person so applying is a resident of

the Territory, or wishes to become one," the court may decree a divorce, in addition to the usual causes, for absence "without reasonable cause for more than one year," or "when it shall be made to appear to the satisfaction and conviction of the court, that the parties cannot live in peace and union together, and that their welfare requires a separation." (Vide Territorial Laws, pp. 162, 163.) There are no legal bars here which may not be leaped over even if the male Mormons were the "cripples" they have been slanderously represented. It is not enough to make woman no longer an equal and man the tyrant; it is not enough to tear the endearing passion of love from the heart, and install in its place the rage of jealousy; it is not enough to usurp the complete sovereignty over woman, and degrade her to the level of a mere animal; but the Mormons, when their appetites become sated, through the intervention or favor of their high-priests, are enabled to indulge their caprice in the luxury and latitude of change and variety. As well might religion be invoked to protect cannibalism or infanticide. And yet we are to be told, because our Constitution declares that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof," that we must tamely submit to any burlesque, outrage, or indecency which artful men may seek to hide under the name of religion! But it is impossible to twist the Constitution into the service of polygamy by any fair construction. The fullest latitude of toleration in the exercise of religion could not be understood to license crimes punishable at common law; and, if Congress is prohibited from making an established religion, a Territory must be equally prohibited, for a Territory is the creature of Congress, and Congress cannot authorize a Territory to authorize an incorporated company of priests to do what it may not do itself. The practice under our Constitution has been, and is specially provided for in the organic act of Utah, that territorial laws are annulled and void the moment they are disapproved of by Congress. We cannot shirk the responsibility by creating a territorial government to do that which the Constitution inhibits to ourselves. If the laws of Utah are in our judgment such as are "not fit to be made," it is our duty to annul them; and if they create an establishment of religion, then it is clearly an open and palpable violation of the Constitution, and not too sacred to go untouched. On this subject there never could have been any difficulty had the "Book of Mormon" controlled the appetites of the lusty Joseph Smith, Jr., and his followers. That book is as emphatic against this "abomination" as any "Gentile" could desire. To show the possibility of the degeneracy of even Mormonism, I will make a literal extract from "The Book of Mormon," printed at Nauvoo, Illinois, A. D. 1840:

"And now I make an end of speaking unto you concerning this pride; and were it not that I must speak unto you concerning a greater crime, my heart would rejoice exceedingly because of you. But the word of God burdens me because of your grosser crimes. For behold, thus saith the Lord, this people begin to wax in iniquity; they understand not the scriptures; for they seek to excuse themselves in committing whoredoms, because of the things which were written concerning David, and Solomon his son. Behold, David and Solomon truly had many wives and concubines, which thing was abominable before me, saith the Lord; wherefore, thus saith the Lord, I have led this people forth out of the land of Jerusalem, by the power of mine arm, that I might raise up unto me a righteous branch from the fruit of the loins of Joseph. Wherefore, I the Lord God will not suffer that this people shall do like unto them of old. Wherefore, my brethren, hear me, and hearken to the word of the Lord: for there shall not any man among you have, save it be one wife; and concubines he shall have none: For I the Lord God delight in the chastity of women; and whoredoms are an abomination unto me: Thus saith the Lord of hosts. Wherefore this people shall keep my commandments, saith the Lord of hosts, or cursed be the land for their sakes. For if I will, saith the Lord of hosts, I will raise up seed unto me, I will command my people; otherwise, they shall hearken unto these things. For behold, I, the Lord, have seen the sorrow, and heard the mourning of the daughters of my people in the land of Jerusalem; yea, and in all the lands of my people, because of the wickedness and abominations of their husbands. And I will not suffer, saith the Lord of hosts, that the cries of the fair daughters of this people, which I have led out of the land of Jerusalem, shall come up unto me, against the men of my people, saith the Lord of hosts; for they shall not lead away captive the daughters of my people, because of their tenderness, save I shall visit them with a sore curse even unto destruction; for they shall not commit whoredoms, like unto them of old, saith the Lord of hosts."—Page 124.

All this would seem to be sufficiently explicit; and it is to be remembered that, according to their own theory, Mormonism does not permit new revelations to contradict the old. In the "Mormon," of January 31, 1857—to which P. P. Pratt, one of the twelve apostles, contributes—in a short account of the faith of the Mormons, it is stated:

"We believe in the Bible, the Book of Mormon, and in living and continued revelation; but we also believe that no new revelation will contradict the old."

But years after the Mormons had been suspected and accused of polygamy, and as it is now fully known not wrongfully, they met the charge with a positive and plump denial by publishing the following ordinance:

"All legal contracts of marriage made before a person is baptized into this church, should be held sacred and fulfilled. Inasmuch as this Church of Christ has been reproached with the crime of fornication and polygamy, we declare that we believe that one man should have one wife, and one woman but one husband, except in case of death, when either is at liberty to marry again."

Out of their own mouths let them be condemned! Tried by their own code, the Lord of hosts must "visit them with a sore curse even unto destruction."

Notwithstanding the prevarications collectively and individually, for no Mormon admits, when away from "the land of Zion," that he has more than one wife, it is now declared openly that the plurality doctrine, "the blessing of Abraham, Isaac, and Jacob," was revealed to Joseph Smith, Jr., "the prophet, seer, and revelator," on the 12th day of July, A. D. 1843. It was artfully concealed, though Joseph had, it is now reported, not less than forty wives, many of whom subsequently became the helpmates of brother Brigham for supplying "tabernacles" to those "noble spirits that have been waiting for thousands of years, and which He (the Lord) designed should come forth through these my faithful servants." I call attention to a discourse by Elder Orson Pratt, August 29, 1852, and the first I have found which avows the doctrine. From this I take a single extract more, as follows:

"I think there is only about one fifth of the population of the globe that believe in the one wife system; the other four fifths believe in the doctrine of a plurality of wives. They have had it handed down from time immemorial, and are not half so narrow and contracted in their minds as some of the nations of Europe and America, who have done away with the promises, and deprived themselves of the blessings of Abraham, Isaac, and Jacob."

In order that it may be seen how polygamy is now attempted to be hedged in and barricaded by law in the very citadel of the church, I will give the chief sections of the act incorporating the church from Territorial Laws of Utah, p. 103:

"Sec. 1. Be it ordained by the General Assembly of the State of Deseret, That all that portion of the inhabitants of said State which now are, or hereafter may become residents therein, and which are known and distinguished as 'The Church of Jesus Christ of Latter-Day Saints,' are hereby incorporated, constituted, made, and declared a body, corporate, with perpetual succession, under the original name and style of 'The Church of Jesus Christ of Latter-Day Saints,' as now organized, with full power and authority to sue and be sued, defend and be defended, in all courts of law or equity in this State; to establish order and regulate worship; and hold and occupy real and personal estate; and have and use a seal, which they may alter at pleasure."

"Sec. 3. And be it further ordained, That as said church holds the constitutional and original right, in common with all civil and religious communities, 'to worship God according to the dictates of conscience;' to reverence communion agreeably to the principles of truth, and to solemnize marriage compatible with the revelations of Jesus Christ, for the security and full enjoyment of all blessings and privileges embodied in the religion of Jesus Christ, free to all; it is also declared, that said church does, and shall possess and enjoy continually, the power and authority, in and of itself, to originate, make, pass, and establish rules, regulations, ordinances, laws, customs, and criterions, for the good order, safety, government, conveniences, comfort, and control of said church, and for the punishment or forgiveness of all offenses relative to fellowship, according to church covenants; that the pursuit of bliss and the enjoyment of life, in every capacity of public association and domestic happiness, temporal expansion, or spiritual increase upon the earth, may not legally be questioned: Provided, however, That each and every act, or practice, so established, or adopted, for law or custom, shall relate to solemnities, sacraments, ceremonies, consecrations, endowments, tithings, marriages, fellowship, or the religious duties of man to his Maker; inasmuch as the doctrines, principles, practices, or performances, support virtue, and increase morality, and are not inconsistent with, or repugnant to, the Constitution of the United States, or of this State, and are founded in the revelations of the Lord."

"Sec. 5. And be it further ordained, That said church shall keep, at every full organized branch or stake, a regis-

try of marriages, births, and deaths, free for the inspection of all members, and for their benefit.

"Sec. 6. And be it further ordained, That the presidency of said church shall fill all vacancies of the assistant trustees necessary to be filled, until superseded by the conference of said church."

On these provisions hang all the law and prophets of polygamy, and will hang until we interfere. As all these territorial enactments are subject to revision by Congress, unless we exercise the power reserved to us, while they remain on the statutes of Utah we are *particeps criminis*. They have our tacit approval, for they are to remain laws only so long as we do not disapprove of them. There is no latent ambiguity in the phraseology of "temporal expansion or spiritual increase," because it is provided, that "every act or practice so established (by the incorporated church) or adopted, for law or custom," which relates to marriages, "may not be legally questioned." The General Assembly of the Territory of Utah has incorporated a church, over which one man presides with an insolent and all-grasping power, with authority to establish the practice of polygamy, and *not be legally questioned* therefor. Now, I submit that we not only have the power, but it is eminently proper that we exercise it by disapproving of and annulling this act.

It is to be noted that the Mormon faith, as expounded by Brigham Young, is, that God and Adam are one and the same person. He says: "When our father Adam came into the garden of Eden, he came into it with a celestial body, and brought Eve, one of his wives, with him." Also, that "Jesus, our elder brother, was begotten in the flesh by the same character that was in the garden of Eden, and who is our father in heaven." They also assert (*vide* Sermon of Grant, August 7, 1853) that Jesus Christ was a polygamist—the sisters of Lazarus being his wives—and that it was for this cause he suffered persecution. This will help to explain the phraseology of the church charter.

From all these statutes, from all the teachings set forth in the Mormon tabernacle, from all the evidences within our reach, it is clear that an ecclesiastical hierarchy exists in Utah, with a plenitude of power greater than that which can to-day be exercised by the Pope of Rome. Its grasp is more merciless and far more selfish than Pius IX. would dare attempt over the miserable lazzaroni of Italy. Whatever of similitude may exist in many respects, it would be libelous upon Catholicism to charge that Catholics claim the prerogatives for their church which are claimed by the Latter Day Saints for the Mormon church. Commencing with tithings, not to be evaded by the poorest day-laborer; continued by a monopoly of land, wood, and water privileges; swelled in its current by the waifs, castaways, and escheats incident and contrived as to the rights of property; the whole wealth of the Territory, present and future, threatening to be finally and wholly absorbed by the church and its dignitaries; and ending in the foul abomination of spiritual wifery.

This hierarchy is clearly repugnant to the Constitution of the United States, which guarantees to every State a republican form of government. The republican form of government in Utah is a dead letter, existing only *pro forma*, and only so much of the tattered remains are exhibited as will secure the largesses of the National Government; while the real *bona fide* government is that of the Mormon priesthood. The obligations of the Constitution cannot be held in abeyance or postponed, nor have the people of Utah the right to evade them. A republican form of government in substance, and not the shadow, is required at the hands of the United States at all hazards. How can this be complied with, if we suffer our Territories, while in a state of pupillage, to so educate the people, mold their habits, fix their affections and their antipathies—to so control the rights of persons and property, as to make a republican form of government unprofitable, sinful, hated, and impossible?

All human experience proves that it is in vain to undertake to regulate men's views of God and eternity by human legislation. All such attempts are resolved into persecution, and there are no sects which are not blessed with members ambitious of martyrdom. The blood of foolish saints is not less the seed of some churches than the

blood of wiser saints. In this regard, it makes no difference whether Joseph Smith, Jr., was an imposter, a vulgar, fiddling tavern-keeper or not, his followers believe, or affect to believe, that he was a prophet of God—the brother of Moses and Christ—with equal power to work miracles, to raise the dead, and heal the sick, grant forgiveness of sins, to interpret and pronounce new divine revelations, and that Brigham Young, as the successor of Smith, is also a prophet, and a "lion of the Lord." This may be lamentable, but it cannot be cured by law. Faith is intangible. But when the works of such a religion, in its overt acts, exhibit the grossest immorality and debauchery, and covertly asserts civil and criminal jurisdiction over all its members, it is questionable whether legislators should remain neutral, or whether the "livery of heaven" should screen men from criminal courts, because they have the impudence to give their crimes the privileges of a sacred name. Could a man, charged with burglary or rape, find privilege and excuse before any of our courts on a plea that it was an act done in accordance with the religion of the prophet Mercury, or the prophet Priapus, and that our Constitution permits the free exercise of religion? And, if individuals could not thus shelter their villainy, where is there a chance for Territories to creep in for similar grace?

The test which Brigham Young requires as the sole dispenser of the "blessings of Abraham," is subserviency to the priesthood, as will be seen in one of his published discourses of February 27, 1853:

"The elders of Israel frequently call upon me—'Brother Brigham, a word in private, if you please.' 'Bless me, this is no secret to me. I know what you want; it is to get a wife!' 'Yes, brother Brigham, if you are willing.'"

"I tell you here, now, in the presence of the Almighty God, it is not the privilege of any elder to have even one wife before he has honored his priesthood, before he has magnified his calling. If you obtain one it is by mere permission, to see what you will do, how you will act, whether you will conduct yourself in righteousness in that holy estate."

"Many applications will unquestionably be made to me for wives, and, perhaps, by men, too, who will steal, or trespass upon me, their neighbors, kill their stock, do wickedly in various ways. Nothing would damn such men sooner than to give them this privilege. I tell you the truth, if you are a first-rate good man, and honor your priesthood, it is your privilege."

This power, held in the hands of one man, and that man Brigham Young, is one which may be wielded with tremendous effect. When Judge Brandenburg was upon the point of leaving the Territory, in order, if possible, to change his purpose, Brigham Young went and urged him to remain, telling him that "he would even black his boots, and that he might have as many wives as he chose, if he would only stay." If such a license is granted in one case as a bribe, doubtless it is in others. If the license is a powerful temptation to some men, when granted, the refusal of it is a not less fearful vengeance to others.

"SPIRITUAL WIVES" REBELLIOUS.

That the women in Utah would escape from their miserable fate, if it were in their power, is shown by the escape of the fourteen traitors to polygamy who fled with Colonel Steptoe, and also by reported cases where women have preferred—"a dinner of herbs rather than the stalled ox"—to seek the protection and undivided affection of the Indian rather than to remain in Mormon scraglios.

One plan of ridding the Territory of polygamy—and the idea derives some pungency from having been suggested by one himself a Mormon—is to make some regulation by which those who have more wives than one, shall be *compelled to live under the same roof with them!*

The remarks by President J. M. Grant, Sunday, September 21, 1856, as reported in the *Deseret News*, shows that even now the women require urgent counsels. For example:

"I say that there are men and women that I would advise to go to the President immediately, and ask him to appoint a committee to attend to their case; and then let a place be selected, and let that committee shed their blood."

"We have those amongst us who are full of all manner of abominations—those who need to have their blood shed; for water will not do—their sins are of too deep a dye."

"And we have women here who like anything but the celestial law of God; and if they could break asunder the cable of the Church of Christ, there is scarcely a mother in Israel but would do it this day. And they talk it to their husbands, to their daughters, and to their neighbors, and say they have not seen a week's happiness since they be-

came acquainted with that law, or since their husbands took a second wife. They want to break up the Church of God, and to break it from their husbands and family connections."

"We have been trying long enough with this people; and I go for leaving the sword of the Almighty be unsheathed, not only in word, but in deed."

"I go in for leaving the wrath of the Almighty burn up the dross and the filth; and if the people will not glorify the Lord by sanctifying themselves, let the wrath of the Almighty God burn against them, and the wrath of Joseph and of Brigham, and of Heber and of high heaven."

From the discourse of President Young, to put down the embryo rebellion among the women, on the afternoon of the 21st of September, 1856, I make a single extract:

"I wish my own women to understand that what I am going to say is for them, as well as others; and I want those who are here to tell their sisters—yes, all the women of this community, and then write it back to the States, and do what you please with it. I am going to give you from this time to the 6th day of October next for reflection, that you may determine whether you wish to stay with your husbands or not; and then I am going to set every woman at liberty, and say to them: 'Now go your way, my women, with the rest—go your way.' And my wives have got to do one of two things—either round up their shoulders and endure the afflictions of this world and live their religion, or they may leave; for I will not have them about me. I will go into heaven alone, rather than have scratching and flapping around me. I will set all at liberty. What! first wife too? Yes, I will liberate you all."

These extracts fully show that the Utah hierarchy seriously claims jurisdiction—whether exercised in fact or not—over their members, so far even as to take life itself. The sad-toned rebellion of the women had reached the ears of the Presidents; and hence two of them on the same day appeared—

"Pierce as ten furies and terrible as hell!"—

to "deal damnation" upon all they judged to be the foci of "ecclesiastical marriage" and especially to intimidate the now helpless and degraded women, all of whose hopes of happiness have perished, and all of whom, loud in their complaints, were exerting an influence fatal to polygamy.

Whether these bloody threats ever have been or ever will be put in execution is not for me to say; but they certainly do not tend to allay the suspicions widely entertained, as I am informed, by gentlemen who, having been United States officers of the territorial government, have resided there, (Major Holman and Judge Brandenburg.) They suppose that there is a secret society existing there called *Danites*, *Shanpips*, or *Destroying Angels*; and, though sometimes falsely claimed to be a masonic society, with some variations, that its real mission is to fulfill the dark and unwritten prophecies of the heads of the Mormon church. There is a mystery hanging over this subject that it would be well for all "good Mormons" to have cleared up.

Whatever provocation the Mormons may have had, it would not justify the murder of Governor Boggs by Porter Rockwell, then and now a Danite, who was arrested and broke jail; and is now in good standing, it is said, in the Mormon church. The murder of Secretary Rabbitt, for no known reason save that he was suspected of being an insincere Mormon, has been attributed to the same hand. The murder of Gunnerson's party—charged upon the Indians—is quite often placed to the account of the "Destroying Angels" as the aiders and abettors. The murder of Jacob Lance—the man charged with rape—though pretended to have been killed by a woman, was slain, as is believed by many, by a Danite, or "a woman with a great peard under her muffler," as Sir Hugh Evans would say. The horse of one of Colonel Steptoe's men came back from a short trip out of the city, with no rider in the saddle. The loss was never satisfactorily explained. Mr. Hartley, a lawyer from Oregon, dwelt awhile in Utah; but going out one day with Bill Hickman, a Danite, has not been heard of since. Many California emigrants have disappeared on the Utah route, and the "deep damnation" of their taking off has been charged to the account of the Indians. All these charges may be slanderous stories; but if they are, they are lies with many circumstances tending to arouse suspicion. It is almost incredible to suppose the doings of the Thugs can find a parallel in the history of any portion of America; but these Mormon prophets and apostles, if they do not mean anything, (and they claim for themselves and all revelation a literal interpre-

34TH CONG....3D SESS.

The Tariff—Mr. Horton, of Ohio.

Ho. OF REPS.

tation,) should be more wary about talking of unsheathing the sword, fixing the place, and the shedding of blood in word and deed.

WHAT IS TO BE DONE?

I have no desire to make party capital by making any issues touching Utah. It is a subject requiring the deliberate attention of statesmen. I only aspire to present some facts, in the most authentic form within my reach, calculated to draw attention to the subject. It is quite within the power of gentlemen to throw the question into the pool of partisan politics by giving "aid and comfort" to the wildest theories to which any religious imposture ever gave birth. The President and Rulers of the Mormon Church have already sought shelter in the bosom of the Democratic party by their proclamation of the 14th August, A. D. 1856. They find fault with the Republican party for including their "sacred institution" in the phrase of "the twin relics of barbarism." They also declare:

"The Democratic Convention in Cincinnati, which nominated James Buchanan for President, passed the following resolution:

"Resolved, That Congress has no power under the Constitution to interfere with or control the domestic institutions of the several States, and that all such States are the sole and proper judges of everything appertaining to their own affairs not prohibited by the Constitution."

"This is the principle of the Democratic party, which they have extended to Territories as well as States, and the doctrine of sovereignty apply to us in the desert as well as to the settlers in Kansas or Nebraska."

"The Democratic party is the instrument, in God's hand, by which is to be effected our recognition as a sovereign State, with the domestic institution of slavery and polygamy, as established by the patriarchs and renewed to the saints of latter days, through God's chosen rulers and prophets."

There is, I hope, room to doubt whether the Democratic party will allow itself to be used for any such purpose. Their political necessities must be great, when they accept of such conditors upon the conditions indicated.

It may be very properly asked, supposing it should be shown that a state of things exists in Utah which all would admit to be wrong, what are you going to do about it? The subject is not without its difficulties, but they are not altogether insurmountable. For one, I should greatly prefer that the people of Utah would, upon a calm reconsideration of their own affairs, remove by their own action all just matters of complaint. But, if they choose to refuse, or neglect so to do, we have only to say by our silence and non-action that we will acquiesce, or to constitutionally express our disapproval.

1. We may "disapprove" of all the laws of the Territory that we please, and thereby annul them, and for such reasons as may appear proper.

2. We may circumscribe the boundaries of the Territory, and give the inhabitants much narrower limits.

3. If the second proposition be adopted, we may then abandon them, and leave them to fight out their own independence and salvation, spiritually and temporally, in their own good time.

4. We may cut up the Territory, and annex it to the various adjoining Territories.

5. We may organize a territorial government on the old plan of a Council, consisting of a Governor and judges—not Mormons; and with a military force sufficient to maintain it.

I have thus given in extenso enough of the statutes of Utah, their doctrines and ordinances, to show their leading characteristics, and that they are dangerous and should be annulled; and I cannot but hope enough of earnest men will ere long be found in Congress ready to devise some action—not of persecution—whereby our common country may be rescued from the great reproach of a barbaric age.

THE TARIFF.

SPEECH OF HON. V. B. HORTON,
OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,
February 14 and 16, 1857.

The House being in the Committee of the Whole on the state of the Union, and having under consideration the bill to reduce the duty on Imports, and for other purposes—

Mr. HORTON, of Ohio, said:

Mr. CHAIRMAN: To address the House at the

end of a week's session, and at this hour of the day, when all are fatigued, is not an easy task. The debate has been a protracted one. The subject is one of great moment; and, though these facts do not lighten the task, I am impelled to ask the attention of the committee to such views as I may present. I do not intend to go over so much ground as some gentlemen have done who have preceded me in this discussion. The gentleman from Virginia [Mr. SMITH] has discussed the elementary principles which enter into the consideration of the subject, not only of the tariff, but of the Government itself. I have not the time, had I the inclination, to follow that gentleman in all that he has said relative to the protective system. It is not necessary to my purpose.

Nor, Mr. Chairman, shall I undertake to roam over the field which the gentleman from Virginia, who spoke last, [Mr. GARNETT], occupied. Some things said by him I shall mention in passing. He told us that we are about to inaugurate an Administration of the General Government whose mission it would be to develop and carry into operation the great principles of free trade. The great Democratic party is in the ascendant, and free trade is to be one of the boons which it is to bestow upon the country. So says the gentleman from Virginia. In 1846, when the present tariff was established, there was a Democratic Administration of the Government, with a large majority in this House. Why were not the principles of free trade inaugurated then?

When President Pierce came into power, his party had an overwhelming majority in this House and in the country. Why were not the principles of free trade adopted then? Did not the first report of the present Secretary of the Treasury inform us that the revenue was too large; that more money was accumulated than the Government required? Did not Mr. Guthrie urge upon Congress the duty of reducing the revenue, and preventing a large surplus in the Treasury? Yes, Mr. Chairman, the finance reports of the Treasury Department, for a number of years, have warned Congress of the necessity of reducing the income of the Government. The danger of wasteful expenditures has been urged again and again; and, sir, why has not the party in power done what it has so long been promising to do? The past has been full of promises—the professions of the past are but repeated in the promises of the present. The eloquent gentleman from Virginia [Mr. GARNETT] has assumed a very precarious position. He claims to assure us that the incoming Administration will inaugurate the principles of free trade. Let him look to his laurels; for I fear he will prove himself to be neither a prophet nor the son of a prophet. The Democracy has not done in the past, and will not do in the future, what the gentleman predicts with so much confidence. Why? Because the inauguration of free trade, as the policy of the country, carries along with it the support of Government by direct taxation. Is the country prepared for that? I think not. We shall continue to pay the expenses of Government by a tariff on imports—no statesman, no practical legislator, can, in view of the interests and requirements of the country, do otherwise than what they have done in the past—lay a tariff for revenue, with incidental protection. Let politicians and theorists preach as much as they please, no man who assumes to be a statesman can sustain himself in any other position.

Well, then, Mr. Chairman, I propose to come down from the high position of the elder gentleman from Virginia, [Mr. SMITH], and from the still higher flight of the younger gentleman from Virginia, [Mr. GARNETT], to the safe level of every-day common sense—to practical legislation—to a careful examination of the real, practical interests of our whole country, and to a prudent adaptation of measures to the welfare of the people.

Mr. Chairman, the Secretary of the Treasury, who comes from your State, is, I believe, a strict Democrat, and has never done anything to call his orthodoxy in question with his party. Yet he takes the ground that I do, practically, and his party friends have to turn their backs upon him, and disavow all his doctrines, before they can inaugurate the principles of free trade. In his first report, in December, 1853, he told the

country that that was the whole theory and the whole practice that any sound legislation, from any party, could carry out in this country with success. I am quite sure that the people will put down any other theory or practice. What did he tell you? He told you that you must reduce the revenue to the wants of an economical administration of the Government, and that in that reduction you must take care to protect the great interests of the country.

The project of a tariff bill, which he presented in 1853, if I remember aright, had very nearly the same characteristics as the bill of the majority of the Committee of Ways and Means now under consideration. It recommended the extension of the free list, and the protection of those articles which, while they enter into general consumption, are necessary to the strength and independence of the country. The bill of the Secretary was considered a judicious one. It afforded revenue sufficient for an economical administration of the Government, and for the payment of the public debt, and avoided unnecessary burdens upon the business of the country.

In 1854, and again in 1855, Mr. Guthrie repeated his views; and in his last report on the finances, the same ground is gone over again. Congress, however, has not seen fit thus far to adopt the suggestions of the Secretary, or to mature any plan of its own which should bring the revenue down to the wants of the Government. Looking back for a few years to the legislation of Congress, we cannot fail to see that we have done that which we ought not to have done, and left undone that which we ought to have done.

The Secretary of the Treasury has been more diligent in the discharge of his duties. To allay the alarm in the money market, and to ease the business of the country from the pressure upon it which the accumulation of the surplus revenue would produce, he redeemed a large amount of the public debt, long before it was due; paying to the creditors of the public, for the privilege of doing so, from 1853 to 1856, in premiums, \$4,609,882. The whole amount of public debt redeemed, from March, 1853 to Nov. 15th, 1856, was \$40,918,427. A large portion of this immense sum was paid years in advance of maturity. The coin was thus returned to the channels of circulation, and great injury to business avoided. Still further to relieve the country from the evils likely to grow out of the public hoarding of coin, the Secretary deposited at the Mint several millions of dollars, to enable it to pay at once, in coin, for bullion deposited, which could not circulate as money until coined. The course pursued by the Secretary entitles him to the thanks of all well-wishers to the real interests of the country. Had Congress been equally mindful of the public welfare, the money might have remained in the pockets of the people. We have, however, permitted the hoarding process to go on, in spite of the care of the Secretary, and in spite of expenditures which in some instances savor of extravagance. A large surplus has accumulated; it is still accumulating, and ought to be diminished. Every interest of the country requires that this hoarding by the Government cease. The Government will not be administered economically with an overflowing Treasury. The evils of extravagance will extend themselves into every branch of the public service. With extravagance comes a host of evils. We cannot absolve ourselves from the duty of our position without perfecting a law which shall leave in the pockets of the people all money not necessary for the wants of Government, practicing economy.

One of the difficulties which lie in our way in remodeling a revenue bill arises from devotion to different theories of political economy. I think this difficulty may be lessened, if not entirely avoided, if we forget theory so far as we can, and look steadily at the interests of the country as situated at present. Our duties are practical duties; the interests we are called upon to look after are practical interests; let us have practical and sound judgment, and the results of our action will be practically beneficial.

The balance in the Treasury on the 30th of June, 1856, was \$19,901,325
Estimated balance, June 30, 1857 ... 22,345,220
Estimated balance, June 30, 1858 ... 43,995,710