guard-tents of the 10th Infantry. His escort—a corporal and four men—surrendered him into the custody of the United States Marshal, Mr. Dotson, at the door. The Court room was crowded with spectators, among whom were Col. Johnston and Gov. Cumming.

Stowell is a thick, heavy-set man, not more than five feet six inches in hight, with a rough and obstinate, but not malignant countenance, short and shaggy black hair, and an illiterate expression. He was clothed warmly, and with tolerable neatness, Judge Eckels having personally inspected and provided for his physical cleanliness before the arrival of the Marshal at camp.

He listened to the reading of the indictment with composure, and was evidently gratified and surprised to find his name in such notable company. At its close he entered a plea of not guilty.

Upon a question by Judge Eckels, what time the prisoner would desire to prepare for his trial, his counsel, Mr. Charles Maurice Smith (formerly a lawyer at Port Royal, Virginia, and more recently associated with Beverley Tucker in the editorship of *The Washington Sentinel*), stated that by agreement with the United States Attorney he should request that the case might go over to the next term of the Court. The prisoner would desire the presence of witnesses, whose attendance, in the present confused state of affairs in the Territory, it would be difficult, if not impossible, to procure.

The United States Attorney, Mr. Hockaday, said that so far as the Government was concerned it was prepared to proceed to the trial at any moment, but he thought the interval requested by the prisoner no longer than reasonable. He should offer no objection to the request of the prisoner's counsel for another cause, that, although, as he had said, the Government was prepared to proceed at the earliest moment, a brief delay would suit the public interest. There were important witnesses in the States, whose presence before the Grand Jury it had been impossible to secure, and in the same indictment with Stowell there were numerous other names of persons who had not yet been arrested.

Judge Eckels then said that the delay requested was certainly not unreasonable, and that the case might lie over. In consideration of the grave character of the offense charged in the indictment, upon which the prisoner had been arraigned, and its important significance in view of the events transpiring in the Territory, he deemed it his duty to remark thus publicly what under ordinary circumstances there would be no occasion to say, that in this Court there should be no undue haste, neither undue delay in the trial of any case, and least of all a case of this magnitude and description. No prisoner should be abridged in time for preparation for his trial, nor denied any facility for procuring witnesses which the Court can afford.

Stowell was then again surrendered by the Marshal into the charge of the military, and returned to the guard tents. On account of the restrictions imposed upon that officer by his instructions from the Department of the Interior, and for other reasons, it has been impracticable for him to provide a place in which prisoners may be kept safely in civil custody. By an arrangement between Judge Eckels and Col. Johnston, the embarrassment arising from this cause has been obviated, and the army guards all persons held in custody by order of the Court. The Colonel, and indeed every officer under his command, have displayed a disposition to assist the Court in the discharge of its duties, which deserves public acknowledgment.

The United States Attorney will start this evening for Washington, with the intention of returning before the Army can move in the Spring. By the permission of Col. Johnston the duties of his office will be discharged during his absence by Lieut. Henry B. Kelly of the 10th Infantry. Upon the receipt of the news of the proceedings of the Mormon Legislature, the Grand Jury, which was dismissed on Dec. 30, was to-day re-convened, and will probably find an indictment for treason against every member of that body.

Mr. David A. Burr, son of ex-Surveyor-General Burr, was to-day appointed Assistant Clerk of the Court.

The animals on Smith's and Henry's Forks have improved perceptibly under the influence of the mild weather. There has been little snow since I last wrote, and but few days when the thermometer has ranged far below zero in our vicinity. It is posible that before this letter reaches you that the camp may be shifted to some point higher up the Fork, perhaps between the volunteer camp and Eckelsville. All our wood has now to be hauled nearly two miles to the tents, and principally by hand. The fringe of cottonwood trees along the Fork has been very much thinned for more than a mile north and an equal distance south of the camp, only so much of it being left as is necessary to shelter us from the winds that sweep along the valley.

The stakes have been driven to-day for the corners of a log-cabin, which it is proposed to build near the road, to be used as a theater.

While the scurvy is prevalent at Fort Laramie it has not yet made its appearance among us.

MESSAGE OF BRIGHAM YOUNG TO THE MORMON LEGISLATURE.

DELIVERED IN GREAT SALT LAKE CITY, DECEMBER 15, A. D. 1857.

Gentlemen of the Council and House of Representatives.

The people, for the promotion of whose advancement in correct government you are now assembled in a legislative capacity, are so remote from the high-wrought excitement and consequent entangling questions common to the populous marts of national and international commerce, are so little prone to deem more property, rank, titles and office the highest prizes for human effort, and through enlightened choice are so invariably peaceful and law-abiding, that your duties partake but in a small degree of that varied, perplexing and intricate description so characteristic of the legislation of most, if not all other communities. But, however orderly and upright are a people, the changes and experience incident to transpiring circumstances, and consequent new views and events, afford ample scope for the exercise of that candid deliberation and prudent forethought, without which legislation is liable to be far more detrimental than beneficial.

Those unparalleled habits of industry, sobriety, order and respect to the just rights of all, which so preemi nently distinguish the occupants of a region uninviting to dwellers in more favored climes, have continued in a rapidly-increasing ratio to advance Utah to a position in social and political progress worthy the highest commendation. During the past year, for reasons well understood, our progression has not been so particularly marked by improvements under appropriations from the Territorial treasury as it has by unostentatious, persevering and skillful individual efforts most successfully applied to extending the area of our tillable land, to the gradual introduction of a more economical, systematic and judicious cultivation of the various products adapted to our soil and climate, to the requisite care and improvement of stock, to the erection of more commodious private dwellings, and to a large and highly-encouraging increase in domestic manufactures. These pursuits and their results, in the comparatively humble, limited and tardy mode as yet compelled by the time, thought and means that can be devoted to their conduct and attainment, are tame and uninteresting to those who dwell amid the whirl of mental and physical energies constantly taxed to their utmost tension in the selfish, unsatisfying and frenzied quest of worldly emolument, fame, power, and maddening draughts from the siren cup of pleasure; but they are laying for us and our children a foundation broad, deep, strong and durable, upon which, through the blessings of our God, to rear a superstructure for the temporal well-being of ourselves and the thousands upon thousands who will seek unto us for sustenance and the enjoyment of the inalienable rights of civil and religious liberty.

Whether our agricultural interests, though so broadly underlying and essentially upholding all other avocations, require at present the further aid of special legislation, may well be questioned, since private enterprise has accumulated individual means until our agriculturists and graziers are abundantly able, either singly or by a combination of a few of the more energetic, to procure those approved labor-saving machines and import those kinds and numbers of domestic animals that their ripening experience may dictate. And aside from that constantly increasing experience and ability, and a higher tone of energy in their application, the Deseret Agricultural and Manufacturing Society have, through the appointment, from time to time, of lectures upon these and other practicable branches of industrial pursuits, and the annual distribution of prizes for the best specimens of home products, diffused a laudable emulation for attaining superior excellence in every department pertaining to our temporal advancement, insomuch that with the facilities as yet at our command it would appear advisable to still leave these and kindred interests to the able management and fostering care of that Society. True, their recurring annual fair, held in this city in October last, owing to circumstances beyond their control, was by no means so fully attended nor the articles in exhibition so numerous and varied as would otherwise have been the case, still the most casual observer could not but note and be gratified with the abundant evidence of the industrial prosperity of our Territory.

The mechanical skill of our artisans, so far as material would permit, has also been assiduously applied to the home supply of those necessaries and comforts so essential to well-ordered civilized society, thus freeing us in a goodly degree from the heavy tax of imported goods; yet there is an ample and ever-increasing demand for the products of their labor at very liberal rates of compensation, which will doubtless afford all necessary inducements for home manufacture to the full extent of the raw materials in our possession, except, perhaps, in the article of iron. They also, in common with all other classes of our producers, share proportionally in the benefits arising from the annual exhibition of their handiwork in our Fairs.

In some instances, especially so in relation to the sugar cane, cotton, wool and dye stuffs, the want of the raw materials has been a serious drawback. It therefore affords me the greater gratification to be able to inform you that there is a fair prospect, at an early date, that our wants in those particulars will be amply supplied, independent of the burdens of importation. The Sorghum or Chinese sugar cane has been generally and successfully cultivated in small patches in a great variety of soil throughout many of our settlements, and has been proved to be well adapted to a wide latitude of our climate. This plant is an almost invaluable acquisition, being singularly prolific in seed as well as in a large amount of most excellent forage, and affording a remarkably large proportion of juice, highly charged with saccharine matter, which can easily be manufactured into a sirup almost if not quite equal to the far-famed golden sirup of the sugar refineries, thereby relieving us from the necessity of submitting to a burdensome drain of our circulating medium or the deprivation of a healthful article of diet. A small crop of a very good sample of cotton was successfully cultivated in our southern settlements during the past season, also a few stalks of indigo, and preparations are being made in that region for the production of cotton and indigo to supply our demands, as speedily as indigo seed can be procured in sufficient quantity. Madder can be raised in all our settlements, and it is a matter of astonishment that no seed of so useful and easily cultivated a plant has ever been brought into this Territory, so far as I am informed, and it is to be hoped that our friends abroad will take the earliest steps to supply this want. Our quantity of wool is still far short of an adequate supply, chiefly caused by a measurably culpable inattention to the care of so valuable a class of stock as is our sheep, and to depending too much upon foreign supplies which are at any time liable to be beyond our reach. Your influence, counsels and example can do much toward encouraging the production of wool and flax, that our spinning wheels and looms be not compelled to stand idle, and the people caused to suffer through their own improvidence in affairs within their reach and comprehension.

The manufacture of iron has not been prosecuted with that success so fondly anticipated and so much desired, but an engine having been furnished to the company, it is expected that all compatible attention will be given to supplying an article which enters so largely into our various daily operations. In fine, there is no known limit to the resources kindly provided in the elements surrounding us, no trammel upon the skill and energies of the people, to hinder any from putting forth their talents to the fullest stretch for enriching, beautifying and making heavenly the mountain and desert region in which our lot is cast.

Our schools, to those unacquainted with the facts and circumstances connected therewith, may seem not to have received that attention which their importance demands; at the same time each Ward throughout the Territory has provided one or more comfortable school-houses commensurate with the number of pupils to be accommodated; and proportionably more has been done in Utah for the true enlightenment of the rising generation, than has ever been accomplished under like conditions in any other portion of the Union. And aside from the stated hours and exercises of schools, education is constantly attainable from books, from conversation, from reflection, at home, abroad, in highways and byways, and as its developments implant the desire for still higher attainments, academies, colleges and universities will arise at the summoning wand of increasing wealth and leisure for learned acquirements until, ere long, we shall as far outstrip the world in every branch of true science as we now do in that knowledge which savoreth of eternal lives. In this great cause, also, your influence and example can be made productive of much good, even though your judgment should lead you, during your present session, to waive direct legislation upon this subject.

Reports from the Auditor and Treasurer, which I have the honor herewith to transmit, will furnish you the requisite information touching the condition of the financial affairs of the Territory.

The parent Government exercises a general supervision over the aborigines within its borders, yet a brief allusion to the red men within and around Utah may not here be inappropriate, the more especially since the expense of their care and support has, from the beginning, fallen almost exclusively upon us, and from present appearances bids fair to do so altogether; and still, after we have invariably fed and clothed them, and treated them with the utmost forbearance, in proper consideration for their degraded condition, if we do not turn out and safely, and without charge, escort to their destination those passers-through who have cheated and then poisoned and wantonly slain untutored savages, lying and corrupt presses throughout the Union will send forth against us a united and prolonged howl of base slander and false accusations, charging upon us all the murders and massacres occurring between the Missouri River and the Sierra Nevada Mountains, with the sole intent to excite to frenzy a spirit for our extermination. However much we may be disposed to deplore that savage usage which wreaks indiscriminate vengeance, we still more deeply deprecate that double-dyed villainy of fiendish editors and their lie-loving readers who willfully suppress and falsely color facts and subvert truths for the sole purpose of raising an unhallowed hue and cry against an innocent people, for those editors and readers have been better taught; and suggest that if all such characters would organize themselves into patrolling Vilglance Committees for the purpose of restraining the cruel and outrageous conduct of a portion of the annual passing emigration, they would soon learn that the Indians are far oftener, if not always, when difference of education and habits is included, "more sinned against than sinning;" that the most forbearing will not forever patiently endure a continued tirade of unjust threats, abuse and vituperation; that kindness is much more winning than severity, and that the inhabitants of Utah, as ever, are at home noiselessly pursuing their peaceful avocations and struggling to mete out even-handed justice to all, irrespective of creed or party. But, however Government may neglect, and however enemies may rage and falsely accuse, the experience derived from a long observation of the yearly improvement in some of the most degraded Indian tribes upon the Continent, strongly prompts me to again recommend the continuance of that humane policy so uniformly pursued by Utah toward her wild denizens, gradually leading them like children in the rudiments of civilization, which has so often resulted and will ever result in saving lives that would otherwise have been and otherwise will be destroyed, and which my judgment dictates to me the wisest, most humane and even cheapest policy that can as yet be adopted.

You are already aware that upon examining the bids for carrying the mail on the route between this city and Independence, Mo., in the Fall of 1856, the contract for that route was awarded to Mr. Hiram Kimball, a citizen of this Territory, in compliance with a rule requiring the acceptance of the lowest responsible bid. You are also aware that the requisite service began to be put upon that route so early as February last, upon the first unofficial intimation of the acceptance of the bid, and several weeks before the arrival of official notification, the letter containing that notification having wintered at the Devil's Gate in care of a mail conductor in the employ of the former contractor. So soon as that notification came to hand, arrangements were entered into for the services of the requisite number of trusty and efficient men to transport the mail and select station points at convenient distances, and erect suitable buildings and provide grain and forage thereat; animals and vehicles were rapidly forwarded throughout the whole length of the route, and with such liberality and energy were these proceedings conducted that, instead of occupying and often exceeding the schedule time of thirty days, as had heretofore been the custom in the most favorable seasons of the year, the trips were performed in a less and still lessening number, until Mr. John R. Murdock and Company took the July mail through in the unprecedented short time of fifteen traveling days, with every prospect for even that brief period being still further shortened. This prompt, safe and reliable service, attained by the expenditure of upward of $125,000 in a few months, was well understood in the Post-Office Department in Washington, but instead of even making punctual quarterly payments at the low contract rate of $23,000 a year and extending every legal facility and encouragement in their power to the contractor, that Department, taking an unjust and altogether unwarrantable advantage of a clause wisely designed for the protection of public rights, tyrannically disannulled the contract, alleging, as cause for such outrageous usurpation, naught but a failure in commencing the service at the time required, when they well knew that service was put upon the route weeks before the arrival of the acceptance of the bid, unduly detained through the fault of their pet contractor, and bolstering that allegation with the false and slanderous assertion, "the unsettled state of "things at Salt Lake rendering the mails unsafe under "present circumstances." To all human appearance such conduct could only have been actuated by the fell design to prevent Utah from receiving a single dollar of public money for the performance of public service honorably contracted for, even though that service were performed in a praiseworthy manner hitherto unexampled, and to deprive us, if possible, from becoming acquainted with the exterminating plans concocted in Washington against the most loyal Territory known since the days of the Revolution. Would they have dared to thus treat any State or any other Territory, or to have even suggested such treatment? Every one knows that they would not. What is obviously the only inference to be drawn from such tyrannical usage by so important a Department of the General Government? That a deep-settled and predetermined plan has been agreed upon to deprive us of every vestige of constitutional rights—for that usage accords only with the cry, constantly reiterated throughout the States, "Destroy the inhabitants of Utah," thereby compelling a numerous portion of the citizens of our boasted Republic to fall back upon the indefensible right of self-defense and adopt lawful measures for their own protection.

It is a matter of deep regret that officers of a Government, founded at so great a sacrifice by our forefathers upon "a land choice above all other lands," have become so sunken in degradation as to have utterly lost sight of those pure and just principles embodied in the Constitution, and prefer, in the mad pursuit of low, groveling and selfish aims, to adopt and carry out that suicidal policy, a persistence in which can but end in rending to pieces a nation that otherwise might become the happiest and most powerful on the globe. Reckless office-holders and office-seekers have their poisoned fangs so deeply buried in the vitals of the body politic and are so thoroughly organized and drilled in the defense and attack of the spoils, while the tradesmen, the mechanics, the husbandmen and the humble laborers—the real virtue and sound intelligence of the Republic—are so busily occupied in their daily toil, and, except here and there a few, are so little aware of the dire portent of the future, and of the measures necessary for insuring public tranquillity, that it is a discouraging task to attempt arresting the turbid current of official corruption that would sweep every vestige of truth, virtue and human rights from our unhappy country; but the crimsoned satellites of plunder, oppression and usurpation may rest assured that every friend of liberty will resist their destructive progress and stand fast by the Constitution and all laws conformable therewith.

True, all human instituted governments contain more or less of the weakness pertaining to imperfection, and to this law our Government is by no means an exception; still, I am not acquainted with any man-made form of government in which are sown so few of the seeds of its own dissolution. Lovers of justice as were the Revolutionary patriots, endowed as they were in their deliberations and acts with a goodly portion of that wisdom which cometh from above, and wielding an influence seldom attained by so small a number, yet they were unable to devise a republican form of government without a system of checks and balances, dividing the federative power into three distinct branches controllable only by the will of the sovereign people. Their former experience makes it matter of no surprise that in their deliberations and acts they leaned so strongly to the side of the largest degree of individual freedom, nor, having suffered so sorely under the cruel rod of religion established by secular power, that they so clearly and strenuously guarded and guaranteed the widest scope to freedom of conscience and consequent right of worship in accordance therewith. But with the sound judgment and experience possessed by those great statesmen, it is only another evidence of the weakness incident to humanity, even when acting under the best of motives, that after having so long groaned under the bitter oppression of British colonial rule and successfully struggled for the establishment of the inherent right of each and all to "life, liberty, and the pursuit of happiness," with the positive guaranty that every one should be privileged with and protected in the blessings flowing from a republican form of government, whose characteristic consists solely in the well-defined and well understood fact that the rulers and laws shall proceed only from the election and consent of the governed, they should in April, 1784, pass Resolutions, and in July, 1787, over two months previous to the adoption of the Constitution, pass an Ordinance specially legislating for American citizens residing on public domain, directly contrary to the very genius of the Articles of Confederation by which they had mutually pledged each other they would be guided. And that very legislation, contrary as it was to the authorities and limitations of the Articles of Confederation existing at the time of the passage of the celebrated Ordinance of '87 and to those of the Constitution adopted in the same year, as well as to the great truth embodied in the Declaration of Independence, that governments derive their just powers from the consent of the governed, could be and was indorsed by Americans so long as the usurped power was exercised in justice; and the portion of that illegal legislation copied into "Organic Acts" for Territories could still be endured, were it not so grievously abused, as is the case when officers are attempted to be forced upon a free people contrary to their known and expressed wishes. Still, looking as our patriot fathers measurably did to the governmental experience and example of the mother country, and surrounded as they were by so many conflicting views and entangling questions, it is not a subject of so much surprise that they inadvertently took so illegal a course, as it is that an early Congress, under the Constitution, continued to perpetuate and endeavor to make legal that which neither was nor ever could be law, without first destroying or re-modeling the very Constitution from which Congress derives its power to act. And, again, the course of that Congress is by no means so surprising as that Congress after Congress, with a lengthening experience in the workings of the governmental machinery and a boasted increase of enlightenment, should still continue to fasten a portion of that unconstitutional relic of colonial barbarism upon American citizens, whenever a laudable spirit of enterprise induces those citizens to lawfully occupy and improve any portion of the public domain. And it is most surprising of all, that Americans occupying public domain in Territories have so tamely submitted to such long-continued and obvious usurpation.

Even since the more odious features in the Ordinance of '87 have been omitted in the Organic acts more recently passed by Congress for Territories, which acts are but illegal patterns after that unconstitutional ordinance, officers are appointed to rule over American citizens in Territories, and to have a voice in the enactment, adjudication and execution of Territorial laws; and worse still, those officers are frequently appointed from a class well known, through the rightfully expressed wishes of large majorities, to be justly objected to by those whom they are appointed to govern. Call you that republican? It is British colonial vassalage unconstitutionally perpetuated by tyranny and usurpation in the powers that be. It is difficult to conceive how a people so enlightened as are Americans should for so long a period have suffered themselves to be measurably disfranchised by usurpations curtailing their rights when passing an air-line from a State into a Territory, more especially when that changing of locality is to result in the improvement of regions that would otherwise remain waste.

It is foreign to my present purpose to detail that policy which should have governed from the beginning in relation to enlightened residents in our Territories, a policy that would not have curtailed them in the least Constitutional right, and would thereby have utterly excluded that odious and suicidal inconsistency existing from the first until now between the form and the administration of our Government, and would have caused the administration as does the form, to guarantee equal freedom to all, in Territory as well as State, but will merely remark, in passing, that the continued practice of that wretched inconsistency has done and is doing much to undermine the fair fabric of American liberty.

Utah, also, like other Territories, saw fit to waive those Constitutional rights so illegally denied to citizens who cross certain air-lines of a common country to extend the area of civil and religious liberty, and an act organizing our Territorial government was passed by Congress on the 9th of September, 1850. Fortunately for us a wise and good man then occupied the executive chair of our nation, a statesman whose sound judgment and humane feelings prompted him to extend to us our rights, so far as the "Organic Act" and hungry office-hunters would permit. He appointed a part of the customary appointees in accordance with the wishes of the people, and no doubt thought that he had appointed good men to fill the remaining offices, but in this he was partially disappointed, being deceived by the foolish although very common habit of recommending men who are not worthy. I am also confident that his successor endeavored to make as good appointments for us as circumstances and unwise counsels and recommendations would allow, but during his administration prejudice began to set in strongly against Utah, and he was so unfortunate as to appoint, at the instigation and solicitation of a then influential Senator in Congress, a person who proved to be as degraded as his capacity would admit, and who, it is reported, came, acted, left, and still acted in accordance with the instructions from the Senator who procured his appointment, but in a manner outraging morality, justice, humanity, law, and even common decency.

The members and officers of the last Legislative Assembly, familiar with the evils visited upon the innocent by the miserably bad conduct of certain officials heretofore sent here by Government, knowing that all republican governments, which both our General and State Governments are in form, are based upon the principle that the governed shall enjoy the right to elect their own officers and be guided by laws having their own consent, and perfectly aware that by the Constitution residents in Territories are guaranteed that great right equally with residents in States (for Congress has not one particle more Constitutional power to legislate for and officer Americans in Territories than they have to legislate for and officer Americans in States), respectfully memorialized the President and Senate to appoint officers for Utah in accordance with an accompanying list containing the names of persons who were her first choice for the offices placed opposite those names, but if that selection did not meet with approval they were solicited to make the appointments from a list containing other and a larger number of names of residents who were also the choice of the people, and if that selection was also rejected, to appoint from any part of the Union, with the simple request, in such event, that the appointees be good men. In this matter of appointment of officers, what more rights could the most tyrannical in a republican government ask a Territory to waive? Yet up to this date no official information concerning the action, if any, taken upon that memorial has ever reached us.

Time glided by, and travelers and newspapers began to confirm the rumor that the present Executive and a part of his Cabinet had yielded to the rabid clamor raised against Utah by lying editors, corrupt demagogues, heartless office-hunters and the ignorant rabble, incited by numbers of the hireling clergy, and were about to send an army to Utah with the sole and avowed purpose, as published in almost every newspaper, of compelling American citizens, peacefully, loyally and lawfully occupying American soil, to forego the dearest constitutional rights, to abandon their religion, to wallow in the mire and worship at the shrine of modern civilization and Christianity, or be expelled from the country or exterminated. Where now are constitutional rights? Who is laying the ax at the root of the tree of liberty? Who are the usurpers? Who the tyrants? Who the traitors? Most assuredly those who are madly urging measures to subvert the genius of free institutions and those principles of liberty upon which our Government is based, and to overthrow virtue, independence, justice and true intelligence, the loss of either of which by the people, the celebrated Judge Story has wisely affirmed, would be the ruin of our Republic—the destruction of its vitality. And ex-President James Madison, among other purposes, declared it to be the purpose of Government "to avoid the "slightest interference with the rights of conscience "or the functions of religion, so wisely exempted from "civil jurisdiction."

Has Utah ever violated the least principle of the Constitution, or so much as broken the most insignificant Constitutional enactment? No, nor have we the most distant occasion for so doing, but have ever striven to peacefully enjoy and extend those rights granted to all by a merciful Creator. But so unobtrusive and wise a course does not seem to please those who live and wish to live by office, and those who make and love lies; and since those characters are numerous, and also powerful through well-disciplined organization, and since Utah has yielded right after right for the sake of peace, until her policy has emboldened the enemies of our Union, it must needs be that President Buchanan, if he has ordered an army to Utah as reported—for he has not officially notified me of such a movement by his order—has at length succumbed, either of choice or through being overcome, to the cruel and nefarious counsels of those enemies, and is endeavoring to carry out a usurpation of power which of right belongs only to the people, by appointing civil officers known to be justly objectionable to freemen and sending a so-called army under mere color of law to force those officers upon us at the point of the bayonet, and to form a nucleus for the collection and protection of every gambler, cut-throat, whoremaster and scoundrel who may choose to follow in their train. Such a treasonable system of operations will never be endured, nor even countenanced, by any person possessed of the least spark of patriotism and love of constitutional liberty. The President knew, if he knew the facts in the case, as he was in duty bound to do before taking action, that the officials hitherto sent here had been invariably received and treated with all the respect their offices demanded, and that a portion of them had met with far more courtesy than elsewhere would have been extended to them, or their conduct deserved; he also knew, or had the privilege of knowing, that the memorial of the last Assembly, as already stated, respectfully informed him that Utah wished good men for officers, and that such officers would be cordially welcomed and obeyed, but that we would not again tamely endure the abuse and misrule meted by official villains, as were some who have formerly officiated here. Such being a few of the leading facts, what were the legitimate inferences to be drawn from the rumors that the President had sent a batch of officials, with an army to operate as their posse? That he had willfully made the official appointments for Utah from a class other than good men, and placed himself, where tyrants often are, in the position of levying war against the very nation whose choice had made him its chief executive officer.

Fully aware, as has been justly written, that "patriotism does not consist in aiding Govern-"ment in every base or stupid act it may per-"form, but rather in paralyzing its power when "it violates vested rights, affronts insulted justice, "and assumes undelegated authority," and knowing that the so-called army, reported to be on its way to Utah, was an undisguised mob, if not sent by the President of the United States, and if sent by him, in the manner and for the purpose alleged in all the information permitted to reach us, was no less a mob, though in the latter event acting under color of law, upon learning its near approach I issued, as in constitutional duty bound, a proclamation expressly forbidding all bodies of armed men, under whatsoever name or by whomsoever sent, to come within the bounds of this Territory. That so-called army, or, more strictly speaking, mob, refused to obey that proclamation, copies of which were officially furnished them, and prosecuted their march to the neighborhood of Forts Bridger and Supply (which were vacated and burnt upon their approach), where it is said they intend to winter. Under these circumstances I respectfully suggest that you take such measures as your enlightened judgment may dictate, to insure public tranquillity and protect, preserve, and perpetuate inviolate those inalienable constitutional rights which have descended to us a rich legacy from our forefathers.

A civilized nation is one that never infringes upon the rights of its citizens, but strives to protect and make happy all within its sphere, which our Government, above all others, is obligated to accomplish, though its present course is as far from that wise and just path as the earth is from the sun. And, under the aggravated abuses that have been heaped upon us in the past, you and the whole people are my witnesses that it has more particularly fallen to my lot and been my policy and practice to restrain rather than urge resistance to usurpation and tyranny on the part of the enemies to the Constitution and Constitutional laws (who are also our enemies and the enemies of all republices and republicans), until forbearance under such cruel and illegal treatment cannot well be longer exercised. No one has denied, or wishes to deny, the right of the Government to send its troops when, where and as it pleases, so it is but done clearly within the authorities and limitations of the Constitution, and for the safety and welfare of the people; but when it sends them clearly without the pale of those authorities and limitations, unconstitutionally to oppress the people, as is the case in the so-called army sent to Utah, it commits a treason against itself which commands the resistance of all good men, or freedom will depart our nation.

In compliance with a long-established custom in appointing officers not of the people's electing, which the Supreme Court of the United States would at once, in justice, decide to be unconstitutional, we have petitioned and petitioned that good men be appointed, until that hope is exhausted; and we have long enough borne the insults and outrages of lawless officials, until we are compelled, in self-defense, to assert and maintain that great Constitutional right of the governed to officers of their own election and local laws of their own enactment. That the President and the counselors, aiders and abettors of the present treasonable crusade against the peace and rights of a Territory of the United States may reconsider their course and retrace their steps is earnestly to be desired, but in either event our trust and confidence are in that Being who at his pleasure rules among the armies of heaven and controls the wrath of the children of men, and most cheerfully should we be able to abide the issue.

Permit me to tender you my entire confidence that your deliberations will be distinguished by that wisdom, unanimity and love of justice that has ever marked the counsels of our Legislative Assemblies, and the assurance of my hearty cooperation in every measure you adopt for promoting the true interests of a Territory beloved by us for its very isolation and forbidding aspect, for here, if anywhere upon this footstool of our God, have we the privilege and prospect of being able to secure and enjoy those inestimable rights of civil and religious liberty, which the beneficent Creator of all mankind has, in his mercy, made indefeasible, and perpetuate them upon a broader and firmer basis for the benefit of ourselves, of our children and our children's children, until peace shall be restored to our distracted country.

BRIGHAM YOUNG.

RESOLUTIONS.

Expressive of the sense of the Legislative Assembly of the Territory of Utah, relative to the Message and official course of his Excellency Governor Brigham Young.

Resolved, That we unanimously and most cordially, for ourselves and in behalf of the well-known feelings of our constituents, concur in the sentiments and doctrine advanced in the message delivered by his Excellency Governor Young to the Legislative Assembly of this Territory, convened in the Representatives' Hall in Great Salt Lake City, Dec. 15, 1857.

Resolved, That the entire policy and all the acts of his Excellency Governor Young have been able, just and humane—conducive to and protective of the development of the best interests and welfare both of this Territory and of the General Government, so far as that policy and those acts could accomplish so desirable a result.

Resolved, That we hold ourselves, our means and influence in readiness to sustain his Excellency Governor Young in every act he may perform or dictate, in accordance with the Constitution and constitutional laws of the United States and the laws of Utah, for the protection of the lives, peace and prosperity of the people of this Territory.

Resolved, That neither the present nor any other Administration of the General Government shall enforce profane, drunken and otherwise corrupt officials upon us at the point of the bayonet, and that the attempt so to do, by the present incumbent of the Executive chair of our nation, has incurred that contempt and determined opposition of all good men, which such an act of usurped authority and oppression so richly deserves.

Resolved, That, while we deprecate the bitter hostility manifested toward a most loyal and innocent people by the present Administration of the General Government, we will continue to resist any attempt on the part of the Administration to bring us into a state of vassalage by appointing, contrary to the Constitution, officers whom the people have neither vote nor voice in electing; nor shall any persons appointed to office for Utah by the present Administration, either qualify for or assume and discharge, within the limits of this Territory, the functions of the offices to which they have been appointed, so long as our Territory is menaced by an invading army (for such an army cannot have been sent to protect either the citizens or the passing emigration, but is manifestly sent to aid in trampling upon American liberty), nor so long as such appointees are so pusillanimous as to require a numerous armed force to attend their beck to enable them to carry out the traitorous designs concocted for depriving American citizens of their indefeasible and vested rights.

Resolved, That we will at least have our Constitutional rights to a voice in the selection of our Territorial officers, and in the enactment of local laws for our Government.

Resolved, That these resolutions be signed by the members of the two Houses and be printed in *The Deseret News*.

Unanimously adopted and signed, Dec. 21, 1857.

COUNCILORS.

HEBER C. KIMBALL, President.

Daniel H. Wells,	Lorin Farr,
Albert Carrington,	Benjamin F. Johnson,
F. D. Richards,	Leonard E. Harrington,
Wilford Woodruff,	Warren S. Snow,
Joseph Holbrook,	Lewis Brunson,
Lorenzo Snow,	George A. Smith.

REPRESENTATIVES.

JOHN TAYLOR, Speaker.

W. W. Phelps,	Reddick N. Allred,
A. P. Rockwood,	Chauncy W. West,
J. C. Little,	Jonathan C. Wright,
Daniel Spencer,	Aaron Johnson,
Alexander McRae,	James C. Snow,
Orson Hyde,	Preston Thomas,
J. W. Cummings,	Jacob G. Bigler,
Hosea Stout,	George Peacock,
Joseph A. Young,	P. T. Farnsworth,
H. B. Clawson,	Isaac C. Haight,
John Rowberry,	John D. Lee,
John D. Parker,	Isaac Bullock.

In compliance with their unanimous and cordial desire, and as nearly every man, woman and child throughout this Territory would gladly do, the officers of both Houses of the Assembly subscribed their names to the foregoing resolutions, as follows:

OFFICERS OF THE COUNCIL.

LEO HAWKINS, Secretary.	SAM'L L. SPRAGUE, Messenger.
JOHN T. CAINE, Assistant Sec'y.	JOHN SHARP, Foreman.
GEO. D. GRANT, Serg't-at-Arms.	CYRUS H. WHEELOCK, Chap'n.

OFFICERS OF THE HOUSE.

JAS. FERGUSON, Chief Clerk.	BRIGHAM YOUNG, jr., Mess'ger.
PATRICK LYNCH, Ass't Clerk.	WM. DERR, Foreman.
W. H. KIMBALL, Serg't-at-Arms.	JESSE HAVEN, Chaplain.

AN ACT Disorganizing and Attaching Green River County.

SECTION 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Utah, That Green River County is hereby disorganized and attached to Great Salt Lake County for election, revenue and judicial purposes; and that the representative apportioned to Green River County is hereby apportioned to Great Salt Lake County: *Provided*, That this apportionment does not take effect until after the present session of the Legislative Assembly.

SEC. 2. All laws and parts of laws conflicting with this act are hereby repealed.

Approved Dec. 22 1857.

I certify that the foregoing is a correct copy of the original act on file in my office.

WM. H. HOOPER,
Secretary *pro tem.* for Utah Ter.

NAMES OF MEMBERS AND OFFICERS

Of the Legislative Assembly of the Territory of Utah.

COUNCIL.

Great Salt Lake, Tooele and Shambip Counties—Heber C. Kimball, Daniel H. Wells, Albert Carrington, F. D. Richards, Wilford Woodruff.

Davis County—Joseph Holbrook.

Malad, Cache, Weber and Box Elder Counties—Lorenzo Snow, Lorin Farr.

Utah and Cedar Counties—Benjamin F. Johnson, Leonard E. Harrington.

Juab and San Pete Counties—Warren S. Snow.

Beaver and Millard Counties—Lewis Brunson.

Iron and Washington Counties—George A. Smith.

OFFICERS OF THE COUNCIL—Heber C. Kimball, President; Leo Hawkins, Secretary; John T. Caine, Assistant Secretary; George D. Grant, Sergeant-at-Arms; Samuel L. Sprague, Messenger; John Sharp, Foreman; Cyrus H. Wheelock, Chaplain.

STANDING COMMITTEES IN THE COUNCIL.

ON PRINTING—Albert Carrington.
ON MILITARY—Daniel H. Wells, Franklin D. Richards.
ON ELECTIONS—Geo. A. Smith, Wilford Woodruff.
ON CLAIMS—Wilford Woodruff, L. E. Harrington, Benj. F. Johnson.
ON JUDICIARY—Daniel H. Wells, George A. Smith, Lorenzo Snow, Albert Carrington.
ON PUBLIC WORKS—Joseph Holbrook, Lorin Farr.
ON INCORPORATIONS—Geo. A. Smith, Lewis Brunson, Lorin Farr.
ON ROADS, BRIDGES AND FERRIES—Wilford Woodruff, Joseph Holbrook, Warren S. Snow.
ON EDUCATION—Albert Carrington, Franklin D. Richards, Lorenzo Snow.
ON LIBRARY—D. H. Wells, Lorin Farr.
ON ENGROSSING—Albert Carrington, Lorenzo Snow.
ON PETITIONS—Geo. A. Smith, L. E. Harrington.
ON AGRICULTURE, TRADE AND MANUFACTURES—Albert Carrington, Wilford Woodruff, Geo. A. Smith, Joseph Holbrook, Lewis Brunson.
ON REVENUE—Daniel H. Wells, Lorenzo Snow, Lorin Farr.
ON COUNTIES—Benjamin F. Johnson, L. E. Harrington, Warren S. Snow.
ON HERDING AND HERD GROUNDS—Warren S. Snow, B. F. Johnson, Lorin Farr.
ON TERRITORIAL AFFAIRS—D. H. Wells, Geo. A. Smith, W. Woodruff, A. Carrington, Joseph Holbrook.

HOUSE OF REPRESENTATIVES.

GREAT SALT LAKE COUNTY—John Taylor, W. W. Phelps, A. P. Rockwood, J. C. Little, Daniel Spencer, Alexander McRae, Orson Hyde, J. W. Cummings, Hosea Stout, S. W. Richards, Joseph A. Young, H. B. Clawson.

TOOELE AND SHAMBIP COUNTIES—John Rowberry.

DAVIS COUNTY—John D. Parker, Reddick N. Allred.

WEBER COUNTY—Chauncy W. West.

MALAD, CACHE AND BOX ELDER COUNTIES—Jonathan C. Wright.

UTAH AND CEDAR COUNTIES—Aaron Johnson, James C. Snow, Preston Thomas.

JUAB COUNTY—Jacob G. Bigler.

SAN PETE COUNTY—George Peacock.

MILLARD AND BEAVER COUNTIES—P. T. Farnsworth.

IRON AND WASHINGTON COUNTIES—Isaac C. Haight, John D. Lee.

GREEN RIVER COUNTY—Isaac Bullock.

OFFICERS OF THE HOUSE—John Taylor, Speaker; James Ferguson, Chief Clerk; Patrick Lynch, Assistant Clerk; Wm. H. Kimball, Sergeant-at-Arms; Brigham Young, jr., Messenger; Wm. Derr, Foreman; Jesse Haven, Chaplain.

STANDING COMMITTEES IN THE HOUSE.

MILITARY AFFAI