

bill was taken out of his hands and referred to the committee of the whole and virtually defeated for that session. Of course, our enemies were not suited with that arrangement, they wanted some other bill passed, and hoping that the Poland bill would be the least objectionable and would pass the easiest, they brought that forward and urged its passage before the Judiciary Committee. A number of meetings were held, arguments were made for and against the bill, and finally, through laboring hard with prominent members of that committee a modification was obtained in one important section of the bill, namely, that referring to the selection of jurors. As the bill originally stood it possessed the same feature that all the rest did, giving to the Judge of the District Court, his clerk and the U.S. Marshal, the right to select all our jurors. This section was fought earnestly, and finally Judge Poland was induced to modify it sufficiently to have three commissioners appointed, who should have the selection of jurors. Eventually another change was made in that section, and the feature that now stands in the law as it passed was introduced giving the right to select jurors to the Probate Judge of each county and the clerk of the District Court, each to select alternately a juror from lists already prepared. I felt that this, itself, was a very great triumph, because as the bill originally stood it virtually left us, our lives, our liberties and all our property, at the mercy of three individuals who, judging by past experience in this Territory, would pack juries upon us without any scruples; and I felt that it was a great advantage to us that the infamous raid had been made upon us two years ago by the Judge of this district and those associated with him, for it gave me

an opportunity of setting forth what had been done in the past when there was no law to sustain such operations, and to argue what we might expect if there were a law to sustain them.

When the Poland bill was brought before the House there seemed to be a forgetfulness on the part of its sponsor—not its author but its sponsor—Judge Poland, that there was a rule in operation requiring every bill that contemplated an appropriation from the federal treasury to be referred to the committee of the whole. He had forgotten the point that had been made on the McKee bill, and when his reputed bill was introduced that point was again made, and sustained by the Speaker. Judge Poland saw that he could not carry it over the decision of the Speaker and the decision of the best parliamentarians in the House and, to save his bill from being referred to the committee of the whole, he withdrew it. At this point a man who had been down there, very anxious to get legislation, and urging it with his might, met me on the floor of the House, and said—"Mr. Cannon, before you left Salt Lake you told me that God was on your side, and I'll be d—d if I don't begin to believe it." I told him He was, and was on the point of telling him that he would be damned if he did not believe it, when we separated. For the moment, his fears being alive, I suppose he thought there was some power with us, as this was the second bill that had been so nearly killed for that session. Judge Poland succeeded afterwards in getting the privilege of reporting the bill to the House and having it there considered as in committee of the whole, and this saved the point of order.

As I have told you, the strength of our enemies did not consist in the justice or rightfulness of their cause;