

THE DESERET NEWS.

ELIAS SMITH, EDITOR AND PUBLISHER.

Wednesday, April 13, 1859.

In reviewing the extraordinary scenes that have transpired of late in Utah County; the doings of the Court; the movements of the army—who should be the gallant defenders of the rights of the citizens—bowing to questionable authority; the failure thus far of the interested to get up a collision between the citizens of the Territory and the federal authorities, as was evidently the intention, and seeing the calm that has succeeded the farsical proceedings that have been had to accomplish certain ends, several questions occur to mind that might be asked relative to those proceedings and the final result of the movements, and the effect they may have hereafter upon those who may have originated them or been instrumental in bringing them about, and inciting unprincipled men to action.

We are sanguine that truth and right will prevail, but what if it should eventually be made to appear that the court at Provo was held without authority of law?

If judges of United States courts can hold sessions where and when they please, why has Congress from time to time passed laws legislating so minutely concerning said courts?

Of what force and virtue, in law, are the decisions of courts held without legislative authority?

Is there virtually any difference between the acts and doings of such courts and those of vigilant committees, who take the administration of the laws into their own hands, so far as justice and right are concerned?

What if it shall hereafter appear that the witnesses accusing others of crime, were suborned?

What a misfortune it would be, if the woman who figured so conspicuously in and about the court, was merely claiming the property in question as the price of her inconstancy!!

By what law were the persons who were held to answer for alleged offences on the adjournment of court taken to Camp Floyd and incarcerated in a military prison?

What, if, when hidden things are revealed, it shall be made to appear that the late doings have been paid for by interested contractors, sutlers and camp-followers, in order to keep up the excitement in relation to Utah, and thereby induce Congress to make appropriations to defray the expenses of the expedition?

We shall be happy to see the time when we can have an impartial court, that offenders can be brought to justice, and the innocent enjoy their liberty.

THE COURT AND THE ARMY, after leaving Provo on the morning of the 4th, marched to Lehi, where they arrived at half past two p.m. The military camped near the city till the next morning, and then marched to Camp Floyd.

On arriving at Lehi and putting up at a public house, as we have been informed, the judge immediately recommenced sitting as a committing magistrate, and summoned a witness to appear before him in chambers, to testify to something, we know not what.

Not eliciting from the witness, what was desired, and having, as it appears, no ministerial officer at hand to send after another, and being seemingly determined, as the saying is, to *earn his money*, he got into his carriage and drove back to American Fork, and went into the plow-fields to look up a witness and examine him. Whether any of the soldiery went with him from Lehi or not, we do not know, but believe that he made the excursion alone; neither do we know what information he obtained, by this extraordinary exertion, to discharge to the letter the duties devolving upon him, as an associate justice of the Supreme Court of the United States, for Utah Territory. Few men exhibit more diligence and perseverance in the discharge of official duties, than the judge in question, and we do not remember, that we ever saw a man that could fill so many different offices at once, with more ease than he has thus far since he commenced his official career in this Territory. He is emphatically a working man and evidently intends to do all that his friends expect of him or that he has promised to do.

The court left Lehi, on the morning of the 5th, for Camp Floyd, in company with Major Paul's command, since which we have heard nothing further of its doings. We presume however that the judge is preparing to go to

the district to which he has been assigned, after the first of May, as we understand by letters from Carson, that he is to hold a court there in the month of June next, but whether any of the troops stationed in this part of the Territory are to accompany him or not, has not yet transpired.

By the Eastern mail, which arrived on Saturday morning, we received Washington, New York and Philadelphia papers to the 12th of March, from which a more concise history of the doings of Congress during the last days of the session is made to appear than we could possibly obtain from the papers received by the previous mail, tho' published subsequently to the adjournment.

According to law, the session should have ended with the expiration of the 3d day of March, but even the former method of lengthening out that day by turning back, or stopping time-pieces till the business desired to be done before the adjournment was consummated, was abandoned and the session continued till noon of the 4th, when both Houses adjourned *sine die*.

As usual, some of the most important bills for the consideration and action of Congress, in order to keep the machinery of government in motion, had been deferred from time to time till the last hours of the session, and notwithstanding the efforts that were made to pass them, and thus enable the government to fulfill its contracts and save the credit of the nation, several of them were defeated, among which the Post Office appropriation bill was the most important.

Late in the evening of the 3d, when it became apparent that nothing was likely to be done to relieve the treasury, the President sent in the following message, appealing to Congress to make the necessary appropriations to redeem the out-standing treasury notes, and urging the passing a separate bill for that purpose:—

"This is the last day of Congress, and there is no appropriation yet to pay the out-standing treasury notes. From the information submitted by the Secretary of the Treasury it is manifest that the present receipts will scarcely meet the ordinary expenses of the government. By the end of the fiscal year nearly eighteen millions will be due, with a considerable amount of paid for duties at the various ports, and no means to meet them. Thus the American people will be dishonored before the world.

It is impossible to avoid this catastrophe unless provision be made against it within the few remaining hours of the present Congress. If this was the first instead of the last session of Congress, it might be called together again. But if it reassembled to-morrow thirteen States will not be represented, and it will be impossible to reassemble all before the treasury must stop payment. The urgency of the case not only requires, but demands a separate bill to save the credit of the country.

JAMES BUCHANAN.

In the Senate, an amendment to the miscellaneous appropriation bill, authorizing the re-issuing of treasury notes, was adopted by a vote of 30 to 22, and after being once rejected in the House by 1 majority was subsequently agreed to,—yeas 94 nays 83.

This result was brought about seemingly by the exertions of the President and his Secretaries, who are reported to have been in the capitol during the last struggle to get the bill passed.

To effect it, some other items in the bill had to be abandoned, one of which, the Pacific mail steamer appropriation, Senator Broderick revolted at, and made an effort to defeat the bill, but finally gave way and at half past 11 o'clock on the 4th the bill passed in some shape and immediately received the signature of the President.

The amendment to the Post Office appropriation bill, adopted by the Senate, raising the rates of letter postage some seventy per cent and that of newspapers to a greater extent, seems to have been the cause of its defeat.—The house by a decided majority denied that the Senate had any constitutional right to originate any bill for raising revenue, and returned the bill. The Senate refusing to recede. A conference was agreed upon and a committee from each House met and an agreement was entered into, to report the original appropriation bill exactly as it first passed the Senate on the 26th of February.

On the report of the committee the House, on motion of Mr. Letcher, suspended its rules and passed the bill without opposition, and sent it to the Senate for concurrence, when it was read once by its title. Mr. Toombs availing himself of the rules, objected to a second reading and so the bill was lost.

A discussion was had of a spirited nature between some of the Senators in relation to the

matter, which was cut short by the adjournment.

No provision was made to defray the expenses of the Utah expedition that remain due and unpaid. An appropriation of five millions was asked for in order to enable the government to pay those expenses, and three millions for other deficiencies; but neither of them received the approbation of the majority of Congress and both provisions were stricken from the army appropriation bill.

Unquestionably many were sadly disappointed at this result; especially those who have been, directly or indirectly, instrumental in moving the expedition for the purpose of reaping a pecuniary harvest.

The Homestead bill, passed by the House on the 1st of February, had no action taken on it in the Senate, till the 28th, when Mr. Pugh of Ohio made a motion to take it up. The motion was lost by a vote of 26 to 29.

It was generally understood, by the knowing ones, that if the bill passed the Senate, the President would veto it.

Among the bills that were before Congress, during its late session and defeated, withdrawn or laid over, were the Pacific Rail Road bill; the Soldier's pension bill; the French spoliation bill; a bill for the codification of the revenue laws; the Cuba bill, and a bill abolishing the franking privilege enjoyed by members of Congress.

The bills passed were as follows:—

An act giving the assent of Congress to a law of the Missouri Legislature for the application of the reserved two per cent. funds of said State.

An act to protect the land fund for school purposes in Sarpy County, Nebraska Territory.

An act to confirm the land claim of certain Pueblos and towns in the Territory of New Mexico.

An act making appropriations for the support of the Military Academy for the year ending June 30, 1860.

An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1860.

An act for the relief of the Mobile and Ohio Railroad Company.

An act to fix and regulate compensation of Registers and Receivers of the land offices under the provisions of the act of April 20, 1818.

An act to authorize settlers upon the 16th and 36th sections, who settled before the survey of the public lands to pre-empt their settlements.

An act providing for the payment of the expenses of Investigating Committees of the House of Representatives.

An act for the punishment of forging or counterfeiting Military Bounty Land Warrants, Military Bounty Land Certificates, certificates of location, certificates of purchase and receivers' receipts.

An act to repeal an act entitled An act authorizing the Secretary of the Treasury to change the names of vessels in certain cases, approved the 5th March, 1856.

An act for the admission of Oregon into the Union.

An act granting the right of way over depot grounds on the military reservation at Fort Gratiot, in the State of Michigan, for railroad purposes.

An act to provide for the payment of the claims of the State of Maine, for expenses by that State in organizing a regiment of volunteers for the Mexican war.

An act to authorize the President to make advances of money to Hiram Powers.

An act to provide for holding the Courts of the United States in the State of Alabama.

An act to incorporate the Washington National Monument Society.

An act to authorize the Attorney-General to represent the United States in the proceedings in equity now pending in the Supreme Court between the Commonwealth of Massachusetts and the State of Rhode Island and Providence Plantations.

An act to continue the office of Register of the Land-office at Vincennes, Indiana.

An act to amend an act entitled An act authorizing repayment for land erroneously sold by the United States.

An act making appropriations for the Legislative, Executive and Judicial expenses of Government for the year ending June 30, 1860.

An act supplemental to an act for the admission of the State of Minnesota into the Union.

An act making appropriations for the payment of invalid and other pensions of the United States for the year ending the 30th June, 1860.

An act making appropriations for the consular and diplomatic expenses of Government for the year ending June 30, 1860.

An act making appropriations for the support of the army for the year ending June 30, 1860.

An act to provide for the care and preservation of the works constructed by the United States for bringing the Potomac water into the cities of Washington and Georgetown, for the supply of said water for all Governmental purposes, and for the uses and benefits of the inhabitants of the said cities.

An act making an appropriation for the payment of the expenses of investigating committees and for other purposes.

An act making appropriations for the Naval service for the year ending June 30, 1860.

An act to provide for extending the laws and judicial system of the United States to the State of Oregon and for other purposes.

An act to carry into effect the convention between the United States and China, concluded on the 8th of Nov., 1858, at Shanghai.

An act making appropriations for sundry civil expenses of Government for the year ending June 30, 1860.

Prospects of War in Europe.

The position of affairs at latest dates, seem to indicate that peace cannot much longer be maintained in that quarter of the world.

Much excitement prevailed in England, France, Austria, Russia, Prussia and Italy, and the prevailing opinion seemed to be that a collision between Austria and Sardinia and France was inevitable.

The King of Sardinia protests against the military movements of Austria in Italy, and especially against the addition of 30,000 men to the Austrian forces stationed in the peninsula, which the Cabinet at Vienna announced on the first of January, as being the intention of that government.

Napoleon favors Sardinia. Austria is not willing to recede, and if all parties persist in their course and the disagreement is not settled either by negotiation or arbitration, the torch will soon be lit, and the dogs of war let loose, to be called off when one side or the other cries enough.

There are two or three other questions that more or less threaten the peace of Europe, but they are not so likely to produce war as the Italian question, as it is called.

All the European powers, and especially those who would be most affected by a general war, are preparing for any exigency that may arise, and are watching the progress of events with more than ordinary interest and anxiety.

"IMPORTANT FROM UTAH."—The following is an extract from a letter dated Salt Lake City, January 29th:—

"The Utah Legislature has passed a law which virtually excludes all save Mormons from serving on juries, as it requires two years residence in the Territory, a property qualification, and that the party should be married. The United States courts have all been previously broken up through Mormon intrigues. A rich gold placer has been discovered at a place called Point of the Mountain, between Salt Lake City and Camp Floyd, by a Christian Brewer, a German. It was Archbishop Kenrick, of Baltimore (not Eccleston, as was inadvertently stated), to whom the officers of the army at Camp Floyd resolved to apply for a Catholic priest to act as chaplain."

What a pity, that so few or none of the people in this Territory own property, the Mormons excepted? and that no others can or will remain here long enough to make themselves eligible to serve as jurors? and that so many of the sojourners here are wifeless?

New Post Offices.

The following Post Offices have been established by the Postmaster General in the southern part of this Territory.

Pine Valley, Iron county, and Samuel Hambleton appointed Post Master.

Harmony, Washington county, Elisha H. Groves, Post Master.

Tecquerville, Washington county, John M. McFarlane, P.M.

Washington, Washington county, Harrison Pearce, P.M.

Heberville, Washington county, George Pectol, P.M.

Santa Clara, Washington county, William Crosby, P. M.

FROM AUSTRALIA.—By a letter, from a friend in San Francisco, we are informed that a company of some thirty Saints from Australia, under the charge of Elder T. S. Johnson, arrived there on the 21st of March en route for Great Salt Lake City.

They were intending to fit up and be ready to start about the first of June for the valley.

HON. A. V. BROWN, Postmaster General, died on the 8th of March at half past nine o'clock a.m.

HON. JOHN MARRON, Third Assistant Postmaster General, died on Friday, March 4th.

Mr. Marron had been the incumbent of the office, made vacant by his decease, for many years, and had the reputation of being an efficient public officer. We have not yet learned the name of his successor.

On the 11th of March the Hon. Joseph Holt, of Kentucky, late Commissioner of Patents, was appointed Postmaster General, in place of Hon. A. V. Brown deceased.