



ELIAS SMITH...EDITOR AND PUBLISHER.

Wednesday,.....August 26, 1863.

TO OUR READERS.

The excessive drouth which has prevailed in this as well as in other parts of the Territory during the summer, has so lessened the streams, that all the water flowing from the mountains has been needed for irrigating purposes, and particularly the waters of Big Canyon Creek, on which the Paper Mill is situated, consequently the mill has been idle most of the time since the middle of July, and only about a dozen reams of paper have been made during the last month. Not having enough on hand for a full issue, after a delay of three weeks, we came to the conclusion reluctantly, that half a loaf was better than no bread, as the saying is, and so this week issue a half sheet. The watering season is nearly over, and the prospects are that the mill will be moving again in a few days, but there is some uncertainty about its furnishing us with a supply of paper for an issue next week.

CHIEF JUSTICE TITUS.

The Hon. John Titus, of Pennsylvania, arrived here on the 7th instant, to succeed Hon. John F. Kinney, as Chief Justice of the Supreme Court for this Territory, and was inducted into office on the 12th, by taking the prescribed oath, administered by Governor Doty. He hails from Philadelphia, where, as we are informed, he has been engaged in the practice of law for many years, and it is understood that His Honor has heretofore had the reputation of being a cute "Philadelphia Lawyer." In appearance he is very plain and unostentatious, assuming few or no airs in consequence of his "high official position," as many of the Federal Judges and other "representatives of Federal power" have done on their arrival in the Territory, rendering themselves superlatively ridiculous in the estimation of sensible men, and the butt of ridicule to those jocosely inclined.

Of the legal attainments of Chief Justice Titus, from what we have seen and heard we cannot speak understandingly, but presume that he is much better versed in the laws of the Keystone State than in those of the United States or of this Territory, and if not measurably a novice in colonial rules and usages, he is better informed relative to such matters than most of the Judges sent hither since the organization of the Territory, were on their arrival. He will, however, have an excellent opportunity during the fall and winter to make himself acquainted with the laws of the Territory, and be prepared to act promptly and understandingly in all matters which may be brought before him for adjudication when holding courts next spring. If not already advised of the fact he will soon learn to a dead certainty, that the duties of a Federal Judge in Utah are not very onerous. Under the existing laws of Congress; there can be only one Federal Court held in each of the three Districts in a year, that is one court by each of the Judges in the course of a twelvemonth, and as now arranged, they are only required to hold one court each year in their respective Districts, for the adjudication of causes arising under the laws of the Territory. The sessions of the several District Courts—Federal and Territorial, for the want of business, are not or have not often been of long continuance, generally not more than a week or ten days, and frequently not that length of time, consequently the Federal Judges have much time to spend in "dignified leisure," which to a lazy, slothful man may be very agreeable; but to an individual who has for a series of years been actively engaged in the practice of law, a life of that kind must of course soon become irksome, and in cases where the ermine has not been sought and no untoward circumstances exist, the invest-

ment can hardly fail to engender ideas of deportation.

In a country like this, where prices rule so very high, the salary of a Federal Judge is not very alluring and cannot be considered a potent antidote in cases of financial despondency, for with careful husbanding, without penuriousness it will barely defray current expenses—a fact which those who freely indulge in the use of alcoholic beverages soon learn after their arrival in the Territory. However, Judge Titus is not presumed to be one of that class, and should he follow in the footsteps of his predecessor and attend strictly to the duties of his office, he may be expected to pass away the time while he remains in the Territory very agreeably.

The young gentleman who accompanied the Judge—from Missouri we believe—and has within a few days been appointed by him Clerk of the Third District Court, will of course be sadly disappointed, if the fees and emoluments of the office are matters of consideration. Incumbents heretofore have complained that the compensation received was insufficient to defray the expenses incurred in keeping up a respectable office.

CALIFORNIA STATE ELECTION.

The general election in California for members of Congress, for Governor and other State officers, and also for State Senators and members of the Assembly, to be held on Wednesday next, the 2nd day of September, seems to be looked forward to with no ordinary degree of interest, by the citizens of that State, whether residing within its limits or elsewhere. As in most if not all of the loyal States, provision has been made by Legislative enactment, for the exercise of the elective franchise, by the California Volunteers, serving in the army, whether stationed in that State or in other States or Territories, and it is expected, as we are informed, that those on duty in Utah, will avail themselves of the privilege, and vote for the men of their choice for the several offices to be filled which they would have a right to, if at home, by the laws of that State.

How much interest the C. V's. have in the matter we know not from personal knowledge, but report says that they are not altogether indifferent in relation to the subject, and evidently have some things at stake in the result of the election. There are quite a number of Californians—civilians, not soldiers, residing here, who of course cannot vote with the Volunteers. They are, however, or some of them seem to be, anxious that things should move to suit their respective views in relation to the approaching political struggle for the mastery at the polls.

A few days since the following anonymous document, appealing to the C. V's, in favor of Hon. John G. Downey for Governor of that State, found its way to our table accompanied with a request that we should publish it for the benefit of those concerned. The facts set forth therein, so far as our knowledge extends, are substantially true and correct as alleged; but in the political wrangles of the Californians or of the people of any other State or Territory we are not directly nor particularly interested. We presume all the Democrats or Copperheads, as they are now generally denominated, among the C. V's, not in league with the party now in power in California, will vote for John G. Downey for Governor. Those of the "Unconditional Union" faith will unquestionably vote for F. F. Low. The Conservatives, if any there be, will of course cast their votes for the man they deem the most honest and capable and who most desires the preservation of the constitution with all its guarantees of civil and religious liberty:

JOHN G. DOWNEY.

This gentleman, as is very generally known, is in nomination, by the Democratic party, for the office of Governor of the State of California, and, from reliable information recently received from the several election districts of the State, there are good reasons for believing that he will be the successful candidate. His administration of affairs, when he had the honor of occupying the executive chair of that State is remembered with pride. There was not, during that time, a single instance which could call forth the censure of his bitterest foe. He proved himself to be what California was in need of—the unflinching advocate and defender of the rights of freemen, and the foe of the unscrupulous money speculators, who did not scruple to offer him half a million of dollars for his signature to a bill, which would have

brought ruin upon thousands of citizens had it become a law.

Such is the character of the Hon. John G. Downey who has been put in nomination for Governor of California, by the Democratic party in that State and it is hoped that the citizens of California, who are at present residing in Utah Territory, will fearlessly raise their voice in his behalf, so far as they are concerned. His loyalty to the United States can be vouched for and it is asserted, without fear of contradiction, that if elected, he will be the strongest advocate of the Federal Government, whom the people of California could elevate to that position.

For the suffrages of the C. V's, now stationed throughout this Territory, John G. Downey is respectfully recommended. In doing so an assurance is felt that they will cast their votes for him, because they know his worth. He has been fully tried and found to be (what others have signally failed in) upright and honest in the discharge of his duties. The California Volunteers are not in any respect indebted to his opponents. Look at the conduct of the present Governor and of the Legislature of that State towards them in reference to the bills before that body for an increase in the pay of the Volunteers and it can easily be determined what may be expected in the future if such men are allowed to control the executive department of California. It is hoped that the Volunteers will not soon forget this conduct; and now that it is in their power to assist in the election of a Governor who will secure them in their rights, they ought to avail themselves of the opportunity. *Volunteers of California, vote for John G. Downey.*

A CALIFORNIAN.

UNRELIABILITY.

There are few persons now so credulous as to expect truthful reports over the wires from the seat of war. There are many reasons for incredulity—such as the excitement at, and immediately subsequent to, a battle; the eagerness of the public for early news before facts can be collected; and the personal and party interests which a censorship of the press favors. To all this we have sobered down, and though we are as eager as the highest in the land for the dispatches, we confess that we hardly ever read them but by contraries. With all these extenuating circumstances and others that we can conceive of in the east, we must own that we were surprised to notice, that events transpiring around us here have partaken of the same telegraphic unreliability, when sent to foreign markets. The manager of the telegraph office has ever had our personal regards, as an honorable gentleman, and in looking at the flagrant falsification of the circumstances reported of the late murderous assault upon Sagwitch, by a California Volunteer, while the chief was a prisoner, we have doubts that the telegram reported was not free from a controlling influence which has no right in a telegraphic office.

In our last issue of the News, we stated the circumstances under which the murderous and fiendish act was committed:—Subjoined is the telegram from Salt Lake City, to the California press:—

"On his way to the treaty ground Sagwitch was shot by a member of Captain Army's company, who were on their return from Fort Connor, and were not informed of the projected treaty."

The above is a most wilfully deceptive story; worded to convey not only a falsehood in fact; but intended to shield a would be murderer. From that dispatch, it is intended that the reader should draw the conclusion that the shooting of Sagwitch was only improper because they "were not informed of the projected treaty." Now the facts are that Sagwitch was not shot on being met by the California Volunteers on his way to the treaty ground; but was actually a prisoner and asleep in the camp, not far from the side of Capt. Army, and under that officer's protection, because Capt. Army had been notified by Governor Doty of the forthcoming treaty, and requested by his Excellency to protect the Indian chief. There is more that might be said; but we opine that this is enough to suggest to the California press that telegrams sent from Salt Lake have not all been according to Gunter. We wonder if somebody did not magnanimously pay for that message to the press? We have reasons for believing that Capt. Army deploras the treachery of the act, and is too much of a gentleman to have covered up the foul deed by a telegram to the public, such as we have noticed. Who sent the dispatch?

ARRIVED.—Gen. Horace S. Eldredge, and John W. Young, arrived by the Eastern stage last evening.

THE SPANISH FORK ROAD.

The making of a road between Utah and Sanpete valleys by way of Spanish Fork has been in contemplation for a long time by the people of Fairview, Mount Pleasant, Springtown and other settlements in San Pete county interested in lessening the distance between the northern settlements hitherto in that somewhat isolated valley and Great Salt Lake city, from twenty-five to thirty-five miles. Liberal contributions of labor and means have, as understood, been made by many citizens for the furtherance of the enterprise. How much money has been appropriated by the County court of Sanpete for making the road northward from Fairview to the divide between Sanpete and Utah counties we do not know, but inasmuch as there has been no County revenue derived from taxation for the last two years, in the Territory, it is presumed the amount expended for that or any other public improvement, if any, has been but small.

The Legislative Assembly two years ago last winter appropriated five hundred dollars to be expended on said road, which, from some cause was not done till recently. Elder O. Hyde, now in this city, reports that a most excellent road has been made from Fairview over the Divide and far down Spanish Fork creek—and that with the co-operation of the people of Utah county interested in the enterprise, it is intended to push the work forward to completion at an early day.

AN EXTENSIVE IRON DEALER.

On Thursday, the 13th inst., V. Dives was tried in the Great Salt Lake County Probate Court on a charge for stealing six large wagon tires from Mr. John Taylor, in June last, was found guilty, and required by the jury to pay a fine of three hundred and sixty dollars and costs. During the trial some things were developed, indicating extensive transactions in iron, by the accused, within the last six months, of a somewhat suspicious character—the sales having greatly exceeded the amount alleged by the defendant to have been obtained by purchase and "picking up," according to the showing.

In the course of Friday the 14th, after Dives was set at liberty, upon his compliance with the "verdict of the jury" and the "order of the court" he was again arrested on a warrant issued by Justice Miner, upon the affidavit of Henry Standish, alleging that he, Standish, was minus some two thousand five hundred dollars worth of horse and mule shoes, nails, wagon-tire, iron axles, &c, &c, which, to the best of his knowledge and belief had been stolen by Dives. Search was made for the missing property, some considerable part of which is said to have been found on and about the premises of the accused, and thereupon, after a lengthy investigation of the case, Dives was required to give bonds for his appearance at the next term of the Court, in the sum of five thousand dollars, in default of which he was committed to the county prison, where he will probably remain till the sitting of the Court.

A GOOD OMEN.

Some two months since a thief by the name of Palmer was detected in helping himself to liquor by the gallon, having entered Felt's liquor store, in this city, in the night time, for which offense, on trial before Esquire Minor, he was fined one hundred dollars and sentenced to four months imprisonment in the county jail. The fine and costs having been paid and about one half of the term of imprisonment expired a petition was presented to Governor Doty, signed not very numerously, however, praying for Executive clemency in favor of the unfortunate liquor dealer who, since his confinement has, as represented, become exceedingly penitent, and expressed the belief that he has been cured of his infirmities. We have been informed that his Excellency thought otherwise on being presented with the petition, and remarked that too much leniency and mercy had heretofore been extended to persons convicted of crime in this Territory and he was not disposed to extend any clemency in that case nor in any other where justice had been meted out to offenders by the courts.

The course thus taken by Governor Doty meets with our cordial approval and thieves and other law breakers may not expect to be pardoned by the present Executive immediately upon conviction and before they shall have become convinced and know of a certainty that the laws of the land in their respective cases has been duly honored.