



ELIAS SMITH...EDITOR AND PUBLISHER.

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## TO THE PUBLIC.

I hereby inform the public that the DESERET News is not and has not been an organ of mine, for, except matter accompanied with my name, I have only occasionally, and that too some time ago, known any more of the contents of the News until after it is published, than I have of the copy furnished to the compositors of the New York Ledger.

BRIGHAM YOUNG.

G. S. L. City, Jan. 28, 1863.

## EXECUTIVE ENORMITIES.

Our anger has not yet fully abated, perhaps not sufficiently to enable us to speak of the recent flagitious acts of the Chief Magistrate of the Territory without using some rough adjectives, to express the contempt entertained for them not only those recently performed, in extending the pardoning power vested in the Executive, by the act of Congress establishing a Territorial Government for Utah, to individuals convicted of the crime of murder, and of resisting the execution of the laws in a high-handed and violent manner, theretofore unknown in Utah, but for the many other contemptible, diabolical acts and proceedings done and performed by him in derogation of law and the administration of justice, and if not in violation of his official oath, a palpable breach of the trust imposed by his appointment to and investment with the office of Governor of this Territory.

What the Executive's intentions were, on his arrival here last summer, we know not, but he expressed a great desire to be successful in his administration, and to do good to the people, for whom he was prodigal in his professions of attachment and friendship; so much so that, with our sceptical inclinations, we had serious doubts as to the verity of his asseverations; in truth, but little credence was given to the uncalled-for assertions, suspecting that they were highly seasoned with hypocrisy. We confess, however, notwithstanding the unfavorable opinion thus formed, that we did not expect ever to witness what has since transpired.

To recount the acts of or refer to the course pursued by the Executive, from the first of August till the 10th of December last, when he read to the Legislative Assembly his insulting message, would be useless at this time, and we shall not say more concerning them than to state, that many of his associations were of an order not considered commendable by Jew or Gentile, saint or sinner having correct ideas relative to what constitutes respectable society—such as men of refined taste and sound morals prefer, and should be sought for by representatives of "Federal power," and all others possessing any degree of self-respect.

The odious message to the Legislative Assembly dissipated the doubts that were entertained by many relative to the real sentiments of the Executive, and thenceforward he was considered an inveterate enemy to the people, by those who had previously been favorably impressed as to the honesty of his intentions and the "geniality of his soul." Next followed the pocketing of all the acts passed by the Legislative Assembly of a general character and necessary to the development of the resources of the country, the extension of public improvements, and to the efficient administration of justice—a more arbitrary and diabolical proceeding than was ever before known to have been resorted to by any Governor of a State or Territory, since the adoption of the Federal Constitution, and less flagrant acts than which, have revolutionized governments and consigned the perpetrators to everlasting infamy and disgrace.

While the message was being prepared, and the doings of the law-making department made void by withholding his approval without assigning any reason for so doing, a plan was being arranged by this model "representative of Federal power," assisted by his counselors, whose names have become by words throughout all the valleys of the mountains, having in view the subversion of every right granted by the Constitution to American citizens, and the establishment in Utah—for the government of the people thereof—a despotism more detestable than any now in existence, revolting in its character, emanating from pandemonium, or devised by those whose right to seats there cannot be disputed. The plan thus matured for the suppression of constitutional freedom in the Territory of Utah having failed by the non-compliance of Congress with the wishes of its originators, who prayed for an enactment to enable them to accomplish their hellish designs upon the people inhabiting these peaceful mountain vales, the next thing was to strike a blow at the administration of justice, and make void the proceedings of the judiciary by turning loose upon the community a septenary of convicts found guilty of murder upon one of the most impartial trials ever witnessed, and that too immediately upon their conviction and incarceration—a more atrocious, malignant act than which, was never committed by a person invested with executive authority in any civilized country since man dwelt upon the earth. Not satisfied with that outrage upon community, on the same day, as will be seen by the published document, the pardoning power was also extended to sixty-seven other persons convicted at the last term of the Territorial District court held in this city, of a high crime, the very thought of which should make the condemned and their sympathizers blush for shame, and the fines severally assessed as punishment for the offense, together with the costs accruing in the prosecution were all remitted and blotted out, thereby contemptuously abrogating the orders and decrees made, and the judgments rendered by the judicial department of the government in the exercise of its legitimate functions.

Having thus in brief, noted some of the enormities committed by the Executive of the Territory within the last few months, comment's are deferred for the present, and we will only say, that if the verdict of the government, of the nation and of the civilized world, when all the facts shall become known, shall not be condemnatory of such proceedings, we shall be mistaken, and be led to believe that justice and righteousness are to the "jurors aforesaid" unknown. The indications are, that the nuisance complained of, will, at no distant day be removed.

## FIRST AND SECOND DISTRICT COURTS.

According to appointment of the Federal Judges, made in virtue of the law in such case, provided, the Federal court in the First or Central Judicial District, to which Judge Drake was assigned by the Legislative Assembly last winter, comprising the counties of Utah, Wasatch, Juab, Sanpete and Millard, will, or should be, held at Provo, commencing on the third Monday (20th) of April, and continue three weeks. The Federal court in the Second or Southern Judicial District, to which Judge Waite was assigned, comprising the counties of Beaver, Iron and Washington, has in like manner been appointed to be held at Parowan, commencing on the fourth Monday (25th) of May.

The time for holding court in the Second District, for the transaction of Territorial business, as appears from a recent enactment of the Legislature, is the third Monday of May, at Saint George, Washington county, one week before the time for holding the Federal court at Parowan. The time for holding the Territorial District court in the First District as provided by law, is the first Monday in June, at Manti, Sanpete county.

The time intervening between this and the time set for holding the Federal court at Provo is very short, but as yet, no arrangements whatever have been made, so far as known, for the holding of said court by Judge Drake, who, we believe has never so much as visited his District, or intimated that he intended to do so, although nearly three months have passed away since the assignment of the Associate Justices was made. It is understood that Judge Waite has made no arrangements

for going to his District, nor for holding courts there, and as both of these worthies refuse to comply with the wishes of the people, by resigning the office with which they have been invested by the President, by and with the advice and consent of the Senate, it is presumed that they intend to remain in this city, perhaps as "committing magistrates," and draw their salaries as long as they can deceive the government by hellish misrepresentations relative to the disloyalty of the people of Utah, and clamorous braying concerning the vast amount of crime that has been committed in the Territory, and especially in that part of it comprising the First and Second Judicial Districts, to which they have respectively been assigned.

It was hoped, on the arrival of the two Associates Justices last summer, that as soon as their fields of labor could be designated, or in other words, as soon as they should be assigned to Districts, which could not be done until the meeting of the Legislative Assembly on the second Monday in December, that they would, as faithful officers of the government, take up their residence in their respective Districts, and enter at once upon the discharge of the duties they were appointed to perform as required of them by law, and the solemn oath they had to take and subscribe. The hope that was thus entertained and often expressed has not been realized, as the individuals in question have thus far followed in the footsteps of their predecessors by continuing their abode in this city after their assignment, plotting against the liberties of the people, braying and howling about the commission of alleged offences against the laws of the Territory and of the United States by the citizens of Utah, averring the impossibility of bringing criminals to justice, and that too without making any effort whatever to administer the laws, or to bring those thus accused of the most heinous deeds in the catalogue of public wrongs or offenses, to that punishment which, if guilty, they so richly merit.

It is not our intention now to refer in detail to the history of the Federal Judges who have been assigned to the Central and Southern Districts, before and since the coming of Buchanan's army, as time and space would forbid, if thus inclined. A narration of their proceedings would exhibit a degree of turpitude not pleasant to dwell on or relate. They have never discharged the duties of their office, but have continually sought to bring evil upon the people they were sent here to judge, and why, those who made their acquaintance while in the Territory, know very well.

There is a bare possibility that the Associate Justices now here, will go to their respective districts and hold courts according to appointment, but so far as known, not so much as an intimation has been given that such was their intention, and we venture an opinion there will be no District courts, Federal or Territorial, held in either the First or Second Judicial District till after the successors of the present Associate Justices shall have been appointed. Should there be any courts held by them or either of them as prescribed by law, we shall have to acknowledge for once that we have been disappointed.

## ANOTHER CATTLE DRIVE.

There seems to be a fair prospect of its becoming "a time-honored custom," especially in Great Salt Lake county, to have an annual drive or gathering up of stock running at large on the public domain, to enable owners to get that which they could not easily find by searching for it on the extended range, where cattle and stock of all kinds not heard of, often and very generally get scattered far and wide during the winter season. That much good results from such gathering operations to many individuals cannot, in truth, be denied, neither can it be doubted that in instances not a few damage accrues to others, and it has been, and yet is, a mooted question whether more good than evil results to interested stock owners by such arrangements. Our opinion is that if proper care was taken there would be but little or no benefit derived from stock drives of any kind, but we are aware that many difficulties exist in relation to such matters not easily remedied, and years may pass away before all of them will be removed.

There had been so many applications made by the citizens to the officers of Great Salt Lake county, who are supposed to have a

supervisory control of such matters, within the last few weeks, for the authorization of a general stock drive together up the cattle on the plains west of Jordan, to enable them to find their missing animals which were turned out there last fall, that on mature reflection and careful investigation of the matter by the members of the County Court at an adjourned session, held on Saturday last, it was deemed advisable by a majority present to give countenance to another annual drive, to come off on Tuesday and Wednesday next, the 14th and 15th days of April inst., the drive on Tuesday to be made on that part of the range south of Taylorsville and the mouth of Harker's canyon, and on Wednesday the stock on that part of the range north of and between those two points and the lake, to be assembled in like manner for general view, inspection or survey.

That the matter may be conducted with as much order as possible, the following gentlemen have been proposed to make the arrangements and conduct the affair throughout, viz.: Reuben Miller, Andrew Caboon, Isaac M. Stewart, David Brinton, Archibald Gardner, Alexander Baron and James Gordon to superintend the drive on Tuesday, on the upper end of the prairie. For the management of the drive on Wednesday, on the lower range, Col. J. C. Little, John Sharp, A. H. Raleigh, Thos. Box, Simon Baker, George Nebeker and Levi E. Riter have been proposed. The stock on the upper range will be collected at what is known as White's Fort, and on the lower range at or near the lower Jordan bridge, where the committee may direct. Cattle, horses and mules are to be included in the drive. The stock gathered on the first day not claimed and taken away, will be drove down to the place of gathering on Wednesday.

It is presumed that the two committees will perfect their arrangements and make a thorough job of it, but with due deference to their business qualifications, which are known to be of the first order, we do not expect they will be able to give general satisfaction.

## PROGRESS OF THE WAR.

The news from the east relative to the progress of the war has of late been considerably mixed. Now and then a favorable report as to the success of the Federal arms, in certain places, has been made, but the next day a contradictory report has generally been received. It is quite certain, however, that Charleston has not been taken, and that Vicksburg has not surrendered to Gen. Grant. There has been no announcement that Rosecrans has been attacked and defeated, neither has anything transpired indicating that "fighting Joe Hooker" has either advanced towards Richmond or fallen back upon Washington.

THE ANNUAL CONFERENCE.—The Thirty-third Annual Conference of the Church of Jesus Christ of Latter Day Saints was commenced on Monday, and has not terminated. The meetings have thus far been held in the old Bowery. Thousands of people from the country and other places north and south are in attendance. We have met with friends since Saturday last from every county in the Territory with the exception of Green River. Of the proceedings, we cannot definitely speak, as we have not had the privilege as yet, of attending so much as one meeting. The minutes entire will appear next week.

ANOTHER FIGHT WITH INDIANS.—On Wednesday last, late in the afternoon, a fight took place between a small detachment of U. S. troops from Camp Douglas, under Lieut. Ether, and a party of Indians, a little north of Cedar Fort and some five miles from Fort Crittenden. There are various rumors in circulation concerning the skirmish, generally agreeing that the troops retired in good order and that no one was either killed or wounded. Reinforcements were sent out from Camp Douglas that night, but if there has been any more fighting done it has not been reported.

IMPROVEMENT.—Some specimens of glass buttons, from the works of Messrs. Stewart and McLachle, were shown us last week, which were much superior to those referred to a few weeks since. We trust they will use all reasonable diligence and celerity in preparing for the manufacture of window glass—which is in contemplation.