

Correspondence.

These Law Reports.

SALT LAKE CITY,
July 1st, 1875.

Editor Deseret News:

Will you permit "a leading member of the bar of Utah" to call the attention of his brethren, "the gentlemen of the green bag," here and elsewhere, to a volume now in press of very great value to the profession, the advance sheets of which lie before me, and from which I shall quote, entitled, "An ex-Chief Justice's Reports of his Errors on the Bench among the Mormons." Lord Mansfield once said that "a truly great judge is always the first to detect and the first to correct his own errors," and this volume is a demonstration that this ex-Chief Justice was "a truly great judge." Shakespeare wrote "the Comedy of Errors," and this ex-judicial luminary has now furnished to the bench and bar of the world a volume containing nothing but his own judicial errors since 1870, and their correction by the Supreme Courts of this Territory and of the U. S.

The first case reported is that of *The People ex. rel. Hempstead vs. Snow*, in which it was decided that Hempstead was Attorney General of Utah, and Z. Snow was not. Reversed by the Supreme Court of the U. S., in 19 Wallace, U. S. Reports.

The second case reported is that of *The People ex. rel. Milton S. Orr vs. John D. T. McAllister*, in which this ex-Chief Justice & Co. decided that Orr was the Territorial Marshal of Utah, and McAllister was not. Reversed by the Supreme Court of the U. S. in the case of Snow above cited.

Then come the case of *The U. S. vs. Brigham Young, Joseph A. Young, Daniel H. Wells and Hosea Stout*, charged with murder in 1857, and 80 more indictments of like-kind for lewd and lascivious cohabitation, &c; in all of which this judicial gentleman and his like-minded associates decided that the grand jury which found those bills was a legal grand jury; that R. N. Baskin was a legal U. S. District Attorney, although appointed only by this ex-Chief Justice, not by the President, reversed again, and the indictments thereunder quashed annulled and held for naught by the Supreme Court of the U. S., in the case of *Engelbrecht vs. Jeter Clinton*, decided, 17 Wallace, U. S. Reports, in May, 1872, whereby 80 of the "Mormons," including many leading citizens, were discharged from malicious prosecution and false imprisonment, after having been in custody for over half a year, at an expense to them of \$500,000, and to the U. S. of \$50,000.

Turning over page after page of this volume, I find the case of *Ann Eliza Young vs. Brigham Young*, where this ex-Chief Justice's decision is reversed by Chief Justice Lowe; also *McKean vs. Geo. L. Whitney*, decision reversed by Justice Emerson; the *Todele County Officers vs. the Carpet Baggers*, decision reversed by the Supreme Court of Utah; *Cora Conway*, a member of the demi-monde, vs. the City of Salt Lake, decision reversed again by the Supreme Court of Utah Territory. Indeed this ex-Chief Justice's Reports demonstrate that he never gave a decision, where a "Mormon" was a party to the record, which was not against the "Mormon," and that his decision was invariably reversed and sponged out when reached by another tribunal.

As an autobiography of this ex-Chief Justice's perpetual daily blunders, these Reports are a success, and furnish a perfect "Comedy of Judicial Errors" by their author. Oh that mine enemy would write a book!

A subscription is now on foot, and rapidly filling up, to furnish each "leading member of the bar," who attended his judicial funeral at the Walker House some weeks since, with a copy, on the fly leaf of which is printed in gold—

"Oh wad some power the giftie gie us
To see oursel as ithers see us."

The volume will be printed at the office of the ring organ by subscription raised by the author in person, and have as its frontispiece the coat of arms of its illustrious compiler, ermine, ears, and all.

That this work will prove of the greatest benefit to the bench and bar, there can be no doubt, and it

will compel its author now to do what he never did before—study and understand the law.

"A LEADING MEMBER OF THE BAR."

Fat Offices—Confusion among the Ringites.

TOOELE CITY, June 27, 1875.

Editor Deseret News:

Political affairs in this county are in a very much muddled condition and this is more especially the case so far as the so-called "Liberal" party are concerned. The men of this, falsely termed, "Liberal" party, who for the past eight or ten months have fought so persistently for possession of the various offices of profit and trust in this county, are or were, previous to their induction into office by virtue of the potent mandamus of ex-Judge James B. McKean, laboring under the false impression that the persons who had heretofore held those offices

LIVED FAT

and were becoming very wealthy from the receipt of the regular salaries and the spoils and perquisites appertaining to the said offices. But since becoming possessed of these much coveted and in their eyes lucrative positions they have found to their chagrin that not one cent had ever been stolen from the public funds, that perquisites were as scarce as hen's teeth, that their dreams of wealth and consequent ease had vanished like the morning dew, that the income of the

COUNTY OFFICIAL

was a bare pittance, and that the former officials had depended mainly on the products of their farms and flocks for a living, being content to take honor as the principal part of their official remuneration. Now this with the "Liberals" was very much like moonshine on the water, very pretty to look at and a very fine thing to grow sentimental over when making stump speeches previous to election day, but not very substantial when it took the the place of

BREAD AND BEEF

in the cupboard. This state of things did not suit the enlightened and progressive "Liberals," and to work they went with hammer and tongs to remedy the fault. They maneuvered two of the original selectmen, who they knew would not fall in with their plans, out of office, and in the plenitude of their power filled their places by the appointment of two others, the first of whom they won for a tool by the use of high sounding praises and "Liberal" promises. The second is one of their own especial creatures, and holds the responsible positions in the party organization of money-holder. After this maneuver they easily ousted the assessor and collector, and then they cast about them for a man who would fill his place and at the same time suit their ulterior purposes and obey their rules, to wit, give one half of the gross receipts of his office into the hands of the said ——— for the purpose of forwarding their designs upon the tax-payers of the county in the future. Their

OLD DEBTS

to the lawyers, etc., had been liquidated by the simple method of appropriation. They found one person who would answer every purpose and fulfill their every requirement, in the person of ———. He was not high-priced and was just as good as new to them. So on being appointed by the bogus court he filed suitable bonds and immediately entered upon the duties of his office. They had now got everything into their own hands and for a long time all was plain sailing with them, and their course to the

PUBLIC CRIB

and a stout grip on the people's purse was smooth and without any apparent chance for failure. But the pithy proverb, "The best laid plans of mice and men oft gang a-glee," became a truism in their case. The late decisions of the Supreme Court came upon them like a clap of thunder from a cloudless sky, filling their souls with consternation and fear. Their joy was turned into sorrow, their triumph into defeat. The judge, the parson, the sheriff, selectmen, assessor, collector, his bondsmen and the various hangers on of the clique gathered in solemn conclave and supposed to be wise

heads were shaken at the suicidal course of these, in their jaundiced eyes,

RE-CALCITRANT JUDGES,

who prefer rendering decisions in accordance with law to playing second fiddle to a petty clique of missionaries. Much talk of the Bombastes Furioso style was indulged in. The parson and the judge would willingly carry a bogus petition to the Great Father in Washington, if money could be furnished them. Alas, there was the rock upon which they split—*de monish*, in their present demoralized and unofficial condition they could not get. They were willing to carry the case to a

HIGHER TRIBUNAL,

but then that again would require some of the sinews of war, and in the meantime they, the appellants, as one of them remarked, could not live on wind. Upon due consideration of these facts this plan was abandoned and the meeting after some loud threats, such as the tearing of the judicial ermine from the backs of the offending judges by an outraged and insulted people, the valiant six departed to their several places of abode, and the people of Tooele County are waiting patiently the reinstating in office of the men of their choice and the triumph of justice.

RUDIO.

R. S. Meetings.

LEVAN, June 30th, 1875.

Editor Deseret News:

We were yesterday favored with a call and visit from Sisters E. R. Snow, Horne, Howard, and Barney on their return from a tour through Sanpete County. The R. S., on hearing that they were coming here, arranged and made preparations for a meeting at 4 o'clock p. m. They arrived here about 3 o'clock p. m., consequently they were hurried to meet at the appointed hour, and were punctual in meeting, which was well attended by the members of the R. S. and brethren and sisters; Sister Snow having sent out a special invitation to all who felt like meeting.

The meeting was called to order at the appointed hour by the President, N. Hartley, and opened with singing and prayer. The President introduced these worthy sisters to the assemblage of Saints, and Sister Snow made the opening remarks, which were kind, cheering, comforting, and full of love for all those whom she is associated with. She showed the object of the "Relief Societies," and what God had called them to be. The remarks were listened to with much pleasure by the crowded audience and were very impressive. She gave some excellent instructions to the young girls and counseled them to organize themselves in retrenchment and other good societies, in accordance with the gospel and the commandments of God. She was followed by Sisters Horne, Howard and Barney, who all spoke with great credit to themselves, and the religion we profess. Their remarks were very appropriate in and applicable to our situation and feelings as a people, and I think will leave a lasting impression on the pure in heart, and those who are seeking to love God and keep his commandments. I think it was one of the best meetings I ever attended in Levan, and was highly appreciated by all present. These sisters left here this morning in good season and we wish them a safe return to their respective homes. Yours, etc.,

BRANCH CLERK.

Kanab Looking Up.

KANAB, June 25, 1875.

Editor Deseret News:

I am pleased to say that, notwithstanding the cold dry weather the past spring, our streams of water are holding out remarkably well, and our crops bid fair for a good harvest. We have a much wider breadth of grain this season than any previous, and our prospects for getting it milled are good, as we have a grist mill in course of erection by the well-known and thorough mechanics, James Leithead, Reuben Broadbent, Lorenzo Watson and others.

We have also a tannery going up, and will in a few weeks have hides in the vats. The people here and in the vicinity and in St. George have organized under the law, a company for tanning and manu-

facturing leather, and our prospects for giving the people a good understanding about their *soles* is flattering.

Permit me here to say, a good, reliable carrier and tanner, or one who thoroughly understands the currying business, can find a good location and constant employment here in Kanab.

Quite a number of families have located in Kanab this spring, and still there is room for more.

J. L. BUNTING.

Baptism of Indians—Base Ball.

KANOSH, MILLARD CO.,
July 2, 1875.

Editor Deseret News:

Bishop King immersed in the waters of baptism eighty-five Indians of various ages, of Kanosh's band, June 28th, under the superintendence of President Callister.

They were instructed by the brethren, interpreted by Bishop King, to live according to the peaceable principle of the gospel. Kanosh also spoke considerable, with much earnestness exhorting his followers to industry and good works.

Several had previously been baptized at Deep Creek, and some few were in the mountains, who will probably be baptized when they come in, making in all about one hundred souls.

The Fillmore O. K. base ball players came over to Kanosh, July 1st., accompanied by quite a number of the elite of that city, to play the Kanosh K. M. club a return match for the champion bat and ball and the championship of Millard County, when victory again perched upon the banner of K. M.'s, leaving them champions of Millard County for 1875.

The Fillmore club scored 42, the Kanosh club 64.

GEO. A. BIRD.

The Government Timber Business.

SALT LAKE CITY,
30th June, 1875.

Editor Deseret News:

The action of the officers of the government, in relation to cutting the timber on the public lands, creates no small amount of comment on the part of the public at large, and a recent fulmination by A. O. Patton, of the Land Office, calls for more than a passing notice.

The people of Utah, in common with the law-abiding citizens of our common country, desire that the property of the government shall be duly protected and guarded, and that its value may be enhanced in proportion to the ability it has to confer value in return, and agree with that able luminary of civil jurisprudence, Attorney General Wirt, that the "timber on the public lands should be protected from waste." But are we to understand that the building up of cities and towns, the erection of houses and outbuildings, the bridge timber and ties for our railroads, the multifarious uses to which this article in question is put, is all waste? Why, but for these very results, produced indirectly by the use of public property, the timber of our mountain ranges would be as worthless to the government as though buried in the fastnesses of Alaska.

What of the timber cut and taken from the public lands in Oregon, Washington Territory, Idaho, California and Nevada? Would this modern interpreter of the meaning of our law-makers have us believe that the law applies alone to Utah, while the balance of the public domain is free to all? What of the redwood forests of Truckee, where millions of feet of lumber are exported abroad, taken from the public lands, and no Register of the Land Office near to raise a warning cry, or take steps to punish the trespassers? Utah, owing to the superior vigilance of the government appointees within its borders, must stop its saw mills, allow the lumbering interests of the Territory to become a dead letter, stop building houses, railroads, places of business, and business generally, or buy lumber cut from the public lands outside of Utah. The difference between "tweedle dee" and "tweedle dum" is that one is in Utah and the other in Nevada, or in other words that the federal officials of our neighboring Territories and States have not had a "mission," consequently have not involved themselves in debt to the tune of hundreds of thousands, and are not under the necessity of making a law, or of interpreting the law,

to enable them to replenish their empty exchequer at the expense of the material interests of the Territory. "The amount to be realized to be placed to the credit of the judiciary fund without abatement."

The gentleman further states that owing to the fact that the Territory contains an element intensely hostile to the development of the material interests of the Territory, as a consequence the law (as he understands it) must be the more rigorously enforced. The object is doubtless to bring people to comprehend the fact that the Register of the land office is the proper person to give general information as to what are the material resources of the country. Truly we were not aware that the government of the U. S. had authorized the Register to use his official position to influence the development of this, that or the other resource. Again, "While on the other hand there is an intelligent, enterprising, industrious class, who deserve alike the admiration and encouragement of the people of the United States."

The Register among the number of course. It is really to be wondered at that the whole people do not stand uncovered in the presence of the intelligence, enterprise and industry of a certain class, who, ignoring the fundamental principles of our government, have for the past six years made our courts a farce, our legal fraternity a laughing stock, our material interests the shuttle-cock of their pleasures, and brought disgrace upon the name of the government they represent. And now they stand out and ask their countrymen to admire them and their acts! Really this is just a little too much of a good thing. We could stand the abuse lavished upon us, the lies circulated abroad, the arrest incarceration of our citizens, the and injury to business by the howl of the ring, the loss of time and means in defending ourselves against unjust lawsuits, that bore blackmail on their face, but to sing psalms of praises in honor of the men engaged in this disgraceful work is too much, really too much. Excuse us if you please.

The Register says "that the removal of the timber increases the danger of snow slides, which would render Utah's greatest source of wealth valueless." Imagine the laugh that would go up from a mining camp, when told that the Register of the Land Office had forbid the cutting of the timber so as to avoid snow-slides. Think of a scattering growth of pine trees staying the progress of a grand avalanche, acres and acres in extent, that comes thundering and bounding down along the precipitous crags of the Wasatch range, carrying everything before it, with momentum sufficient to carry in its wake boulders, cliffs and whole forests of timber; imagine this, if you can, and then you may be able to realize the gigantic nature of the intellect that could conceive and bring forth so remarkable a theory.

Are we to understand that this great Government, with its unlimited resources, its untold acres of broad, fertile land, its immense bodies of timber, stretching almost without interruption from the Pacific to the Atlantic, begrudges the "Mormon" people the stunted growth of pines that creep out among the rocks in the mountains that surround us, storm-topped and beaten upon by the winds that surge to and fro over their tops, gnarled and knotted by their struggle for existence, high up among almost impenetrable cliffs, rendering the life of the lumberman a precarious one indeed, after roads have been built, streams bridged and rugged nature overcome, and still we have not earned them! Well may an after thought come to the Register, and force him to say that "it is a distasteful task." No wonder that he turns in disgust from the work that he has set his hand to do. Any man who, by his acts, denies the right of an honest toil, places himself in so equivocal a position that, though he were born blind, yet would his eyes see to read the estimation in which he is held.

Narrow indeed must be the platform of a government that refuses all help and assistance to a people who, under the most appalling circumstances, have rendered habitable a once most inhospitable region, have peopled a desert, and built up a state, yet how infinitely small must be the principle that would build barriers to their pro-