

ed paper, which contained his address, he said a person named Tommy Lyon went to him yesterday noon and said a friend wanted to see him, and he, (witness) gave me Lyon his address, where the "friend" could find him if he desired to do so.

Mr. Deihl, barber, said that in his shop, last week, he heard Kramer say he could furnish three men who would swear that Baker was not in this country at the time Robinson was killed, but it would take \$5,000 to get them here.

This closed the evidence, and after an arrangement that the counsel on each side should occupy an hour each in argument, the court adjourned until this morning.

Ten a.m. 22nd. The argument for the prosecution was opened by the Ass. Pros. Att. who, on this occasion as on all others whenever he has had an opportunity to harangue against "Mormons," did it with a seeming most hearty good will, what he lacked in grace of style and elegance of diction being counterbalanced by vehemence in denunciation and effort to prove his case and convict. He insinuated that the whole police force were now on trial, and got through his "piece" in about an hour.

COURT PROCEEDINGS, 22nd, 10 a. m.—Mr. Fitch, for the defense, followed, occupying about an hour and a half. He said the ass. pros. att. had mistaken the proper course in law, in his argument in this case. First he must make out that a crime had been committed, and next, by whom committed. He, Mr. F. was now arguing a case before a judge and a lawyer, not before a justice of the peace, who is not thoroughly posted with regard to the requirements of the law. He read Ram on Facts, to show that reliability is that which bears evidence of truth, and is very different from probability. Not that he would wish it understood there was a probability of the prisoners at the bar, having anything to do with the murder of Dr. Robinson. There was no evidence in the testimony of Thos. Butterwood as to the identifying of Hampton and Burt. Butterwood said Baker was north of Third South St., while the evidence showed he was several rods south. He did not see the face of either of the men, yet he swears to their identity from their form. He also heard the murdered man exclaim, "Oh God, don't murder me," when he was one and a half blocks away, while other witnesses could not hear it, though much nearer. Why did Butterwood hide? If so frightened, how could he recognize men running by whose faces he could not see, merely because they had on overcoats? Commit men, on such evidence and every jail would overflow. It has been rumored that the police had a hand in it, and Butterwood seeing these men in the police since, had made up his mind that they looked like the men, who ran past him.

Counsel referred to the discrepancies in Baker's testimony, and said it would not bear scrutiny; it bears evidence of a made-up story. He produced the note given by Baker to John Kramer, to get copied, in another hand, which he denied writing, although his hand is evidenced in the copy of note written in court.

Mr. Bates joined in comparing the letters. Mr. Fitch showed the resemblance in the two hands, and although not one of the greatest experts, it was easy to show the resemblance in the two notes. After referring to the testimony, in brief Mr. Fitch argued that it would be most unjust to allow men to stand committed upon such testimony.

22nd, 2 p. m.—The argument for the defense was continued by Mr. Hempstead. He scarcely thought, after all that had been said by the Ass. Pros. Att., and by Mr. Fitch for the defense, that it was necessary for him to say much. There had been a great deal of testimony taken that was unnecessary, and that had no weight in the case. He denounced the crime as a most atrocious one. He was engaged in the original investigation of the case, and he regretted to say that after the most faithful scrutiny, he, with all others engaged therein, had failed to get one clue pointing to the guilty parties.

Thomas Butterwood may be honest, yet his testimony is such as not to point to any one implicated in the commission of the crime. This man, remarkable to say, on the day of the murder, walked ten or twelve miles, and met no man that he knew; he had lived in this city ten or eleven years and did not know his way home. Although not acquainted with Baker, he remembers him and professes to having heard him talk about getting supper, a distance of twelve or fifteen rods, Baker and partner were behind Butterwood, and yet Baker sees everything done by men crossing from Reeves' store to where Robinson was killed, and secretes himself in Houtz's corner and sees men run away. Butterwood professes to having heard the deceased say, "My God, don't murder me," a block and a half away, while C. King, on the opposite corner, could only hear a scream.

Blythe and Toms are testified against the witness Baker, who, in his evidence, was positive of too much, remembering everything that occurred and many things that did not occur. He told everything that occurred. There is a general resemblance in the letters of the two notes. His signature and the original note are written with one kind of pencil.

Mr. Bates, United States Attorney, closed the argument. He denounced the murder, said common law is common sense, and we

have common sense. These witnesses have no hope of reward, there is no reward. There is no reason why these defendants should not be bound over as being mixed up with the affair. He did not say the testimony was sufficient to take them before a jury for trial. He held it to be the duty of the Court to bind these men over and send the case to the grand jury. The learned counsel occupied about three quarters of an hour, and throughout was listened to with the most profound interest, his arguments for justice, alike to the dead and the living, being brilliant and forcible, and his sentiments a credit to head and heart.

The Judge, in summing up, manifested his usual bias, and had he been engaged on the part of the prosecution, he could not have dilated on the evidence in a more partial and one-sided manner. He said he would have been uncertain if he had read the testimony from manuscript. He had seen the witnesses. Some testified truly, but they did not tell all the truth; others were guilty of telling that which was not true; others again told that which was true, although they made some mistakes.

He referred to the clearness of the night, and the enormity of the crime. Old residents were here then in a city of 12 or 13,000 inhabitants, and no one is brought to justice in six years. It was evident that more had to do with it, than those who committed it. He briefly went through the testimony and concluded that it was stronger against Hampton than against Burt.

He thought Butterwood had not made up this testimony with Baker, as they agree only about going to get supper.

Baker had made some mistakes; he could not remember the height of the fence. In his judgment he felt that Burt should be discharged, but the others be held over to answer the grand jury.

Mr. Hempstead asked that they be admitted to bail, but the Court thought he would not exercise the discretion of admitting them to bail. The ass. pros. att. wished the prisoners separated and sent to Camp Douglass, but Mr. Bates said General Morrow could not take care of them. He had not the convenience. The Court ordered that the marshal take care of them in his own way.

Mr. Burt was discharged from custody.

Correspondence.

SALT LAKE CITY, Dec. 19, 1871.

Editor Deseret News:—

Dear Sir:—It would appear from the public prints that there is some rivalry for the honor of inaugurating the present crusade against the Latter-day Saints. The claimants it would seem are not the openly profane, the professed worldling, nor the avowed infidel, but the long faced, sanctimonious pseudo Christians, who ignorantly or hypocritically pray, saying, "Thy kingdom come, thy will be done on earth as it is done in heaven;" and with the next breath boast of the measures they have devised to destroy that kingdom from the face of the earth. They are as consistent as those very religious men who lived upon another hemisphere, who, when they killed Jesus, his apostles and other former day Saints, considered themselves very meritorious, and thought they did God a service. For all the honor and fame that either party will obtain by this murderous policy, they will be unenvied by the upright and honorable, both in time and in eternity.

It may be said of our persecutors and would-be assassins, as Jesus said to gentlemen of like canting pretensions, "Ye are of your father the devil, for his works ye do." And again, "Which of the prophets have not your fathers persecuted and slain, that were sent unto you?" The present crusade is evidence to men, angels, and God, that this "generation of vipers" is true to the policy inaugurated by their master when he inspired Cain to rise up and slay his brother Abel, because his works were good and accepted of God, and his (Cain's) own works were evil, and were rejected. Have not the religious bigots of this age killed our Prophets, Joseph and Hyrum, and directly or indirectly martyred hundreds and thousands of the Latter-day Saints? They have, and the blood of those thus slain cries to the Almighty for vengeance upon these murderers and their sympathizers. The murderers of Joseph said, "We know the law won't touch him, but powder and ball shall." Those so called honorable gentlemen who desecrate the judgment seat, virtually say, "We know the law won't touch these Prophets and Saints, but by arbitrary arrests, by the testimony of certain witnesses, by carefully choosing a very select jury, by ignoring the rights of American citizens, by perverting the laws, by a few dashing legal squibs and elaborate opinions and rulings, and other professional manoeuvres, from which there is no equitable appeal, we'll try them, and then peradventure we shall have the

supreme pleasure of either committing them to the penitentiary, or something else still better.

I should be glad were it possible to entertain a better opinion of the Federal judiciary in this Territory; but the facts daily transpiring force upon us the conviction, that they are determined to convict the innocent, if prejudice, perversion, and high-handed injustice can compass the object, and the fact is not less demonstrative that they are not less ready to screen the guilty, and under their judicial protection, send them back into society unpunished, to re-enact their damnable crimes with impunity. And all this is in the free, enlightened republic of America! Oh, consistency, whither hast thou fled?

Who are the chief in this conspiracy against our rights and liberties, by which the very lives of the honest and innocent are placed in daily jeopardy? Some influential and reliable newspapers say they are Methodists. If so, may the Lord speedily deliver the country from their wicked influence and tyranny, for if this policy be continued, it will not be many years before this nation will fall under this withering curse. Who has decreed that this land shall be an asylum for the oppressed and down-trodden of every nation. When the British government assayed to fasten its shackles upon the fathers of the country the Lord Almighty burst their bands asunder, and bade the oppressed go free. His arm is not shortened that He cannot save, nor is His ear heavy that He cannot hear, but when His time comes to deliver his people, He will break the accursed yoke of bondage from off our necks, for this is the land of liberty! And who will say that these "degenerate sons of noble sires" who study day and night how they can most effectually rivet their religious, political and judicial fetters about our necks, and bring our fathers, brothers, and friends into durance vile, and who turn loose upon our once peaceful community, prostitutes, thieves, murderers, and every unclean bird of prey that hovers round the federal representatives in this Territory; who, I say, will guarantee to these petty tyrants a better and more honorable fate than those that have preceded them? Where is ex-Governor Boggs, and that Methodist priest Bogart, and other Christians, who led mobs against the Saints in Missouri? and ex-Governor Ford of Illinois, and ex-President James Buchanan and Floyd, Benton, Douglass, and a host of others who have been prominent in the ranks of our enemies, each hoping to distinguish himself by wiping out the church of Jesus Christ from the earth? They are gone where the present opposition are fast hastening. But no matter whether they remain, or whether they be gone. It may be said in the language of the immortal Shakespeare, no saint will e're be found "so poor to do them reverence."

Yours respectfully,

JAMES H. HART.

RICH FIELDS FOR HOME MISSION ARIES.

We advise those Christian clergymen and religious professors who are missionarily inclined, before going to Jerusalem or Japan, to visit of evenings the 1,750 whisky saloons and beer cellars; go into the dance houses in the cellars on Kearney, Pacific, Broadway, and other neighboring streets; stroll around in and among the 1,200 houses of prostitution and assignation; visit the 250 gambling dens and palaces; call on the numerous pawnbrokers and places where stolen goods are received; walk leisurely about the wharves and the more filthy business portion of the city and carefully watch the children who are educated by their parents to beg or to pilfer from tubs and barrels and sacks, potatoes, beans, or whatever of light stuff they can safely lay their hands upon; after giving all these departments the consideration that a knowledge of their legitimate workings requires, let them enter the city and county prisons, and all the benevolent and charitable institutions where the poor, the sick, the blind, and deaf, and mutes are fed and clad and sheltered. After seeing and studying these, and the causes that brought these crowds to their criminal, helpless and dependent condition, we invite these students of our Christian civilization to study the system of business and the laws that control the entire range of interchange from the Bank of California down to the peddler of matches, and learn how admirably everything is arranged to make men selfish and sordid, cold and heartless; to cramp an honest, confid-

ing and loving disposition to a condition of greed for gain, suspicion and virtual hate, qualifying the weaker in tact and skill, the more deficient in energy and enterprise, the more confiding and humane to sink by the way and fill all the several departments of crime and dependence named above, and then consider whether there are not greater, more numerous and important fields of labor at home for their efforts; and finally, whether if it be desirable or morally honest to vaccinate other nations with the numerous and terrible vices of our civilization. —San Francisco Pioneer.

THE following are from the Ogden Junction of Dec. 23rd.—

A BAD MONEY BOX.—A boy three years old, son of G. J. Turner, foreman of car repairs on the C. P. R. R. in this city, last Wednesday put a two-cent coin in his mouth and attempted to swallow it, but it lodged in the gullet and nearly choked him. Dr. P. L. Anderson was sent for, who, finding it impossible to take the coin from the boy's throat, forced it downward. Violent vomiting ensued, continuing more or less for ten hours. The child, however, under the Dr.'s treatment, is now in good health, though the coin remains in his bowels.

PAINFUL ACCIDENT.—Mr. Meinbhart, an old man 75 years of age, was on the line near Weber Station, U. P. R. R. on Wednesday last and was knocked down by a freight train, one arm falling on the rail; two trucks passed over it, crushing it to pieces at the elbow. Dr. Nellis was sent for who found it necessary to amputate the limb. The operation was successfully performed, the Dr. taking off the arm between the shoulder and the elbow. The aged patient bore the operation with remarkable fortitude.

DENUNCIATORY.—Mr. J. McKnight, writing from St. Louis to the Ogden Junction, says—

"It is absolutely out of my power now to fill the private requests and courteous invitations to call and converse. I meet scarcely a gentleman who does not in unqualified terms denounce even the barest approach to interference by Congress with the domestic concerns of Utah, as not only unconstitutional, unwarrantable and unjust, but imperious, detestable and barbarous. Indeed these self-same sentiments were expressed in my hearing this very evening, at his residence, by one of the wealthiest and highest esteemed members of the St. Louis bar."

Bradlaugh, the English Reform demagogue, is described as "A bold, audacious, brilliant, assuming man. Brutal in his instincts, self-conceited, egotistical, overbearing, with a tongue that cuts like a rapier, haughty, vicious, boorish, avaricious, in fact everything that is calculated to sway a class who demand a ruler reflecting their own debased natures, and with whom they can therefore have feelings of sympathy. He is working for the chief magistracy when the new order of things shall begin, but he will never see his ambition gratified, because of his unpopularity both with the aristocracy and the middle classes."—Ex.

BEGIN AT HOME.—The Bozeman (Montana) Avant Courier says:

"When we consider the number of Oneida and free love communities existing in the New England states, in the centre of what is termed civilization *par excellence*, the spiritual seances of those free-lovers where affinities are revealed and accepted as a Higher Law, to the detriment of good morals and all social and civilized laws, we wonder that the law has not been brought to bear upon these people at home, in every way more culpable, instead of making a crusade upon the Mormons of the far West, who recognize a plurality of wives as one of the essential doctrines of their religion, and many have been reared in that belief."

"Whatever may be the short comings of the Mormon people, they possess the virtues of industry, economy, and excellent moral habits, combined with a remarkable degree of patience and perseverance under trying circumstances."

HIGHLY FAVORED.—The Reese River Reveille says, "No people on this continent have been as highly favored by the march of time as the Mormons." Yes, we could mention some of the favors, only we don't want to hurt some people's feelings.