



ALBERT CARRINGTON.....EDITOR.

Wednesday.....March 16, 1864.

A FEW FACTS.

A matter creating a little temporary excitement lately occurred in Farmington, and we herewith publish the main facts in the case, that the public may be correctly informed thereon; commencing with a decree of the Probate Court in Davis county, as follows:—

UTAH TERRITORY, DAVIS COUNTY. PROBATE COURT, SPECIAL TERM, HON. THOMAS GROVER, Judge. Upon the petition of Samuel Milton Howe for a bill of divorce from Sarah Frances Howe, his wife, the Court decrees that the bonds of matrimony existing between Samuel Milton and Sarah Frances Howe are this day dissolved; and also the Court decrees that the said Samuel Milton Howe shall have the two children, namely:—Susan Eliza and Moses Howe, also all of the property now in the possession of the aforesaid Samuel Milton Howe.

Given under my hand this 15th day of May, A. D., 1863.

(Signed,) THOMAS GROVER, Judge Presiding.

JOHN LEAVITT, Clerk.

Personally appeared before me John T. Caine, a Notary Public in and for the county of Great Salt Lake, Territory of Utah, Samuel Milton Howe, who, being first sworn according to law, says, I reside in the town of Farmington, Davis county. On Monday, March 7th, 1864, Mrs. Chaffins informed me that Henry Hyson, a soldier from Camp Douglas, and my divorced wife Sarah Frances, who is now Mrs. Hyson, were coming to take away my little girl Susan Eliza. About noon on said day the said Hyson and my divorced wife came to my house and said to my little girl, "don't you want to see your little brother?" meaning Moses, and put him into the girl's arms. The girl brought the child to me, when I said to my present wife, "I will not let this child go again to the camp, if I can help myself." Upon that Mrs. Hyson struck my wife upon the head, at the same time using very abusive language, and took the child away, without any hinderance on my part. I requested some lookers on to keep an eye to the woman and child, until I should go down the street. I went down to Judson L. Stoddard's; Henry Dalton was there. I told them what had transpired, and asked their advice; they told me to take the child, as it had been decreed to me by the Court, when the divorce was granted. They came down with me, as I requested them to witness what was done. I found the woman and little boy were now at Blanchard's. While Mr. Stoddard was talking to Hyson; I went to the woman and said "Sarah, I am going to take this child." She said, "No, by God, you w'ont." I then took hold of both her hands from behind and opened her arms, and a man by the name of Dobbis, at my request, caught the child from falling; it was asleep at the time, and I carried it home without awakening it. She followed, striking me and using abusive language, to which I paid no attention. Mr. Hyson followed and talked to her a little, after which she followed me home, and staid with me till Wednesday afternoon. Mr. Stoddard told me to treat her well, and I did so, and gave her the best bed I had in the house while she staid with me, myself and wife sleeping on the floor. Mr. Hyson left the town, threatening to come back with an armed force, and to take the child from me. I did not see him again till Wednesday, when he came on horseback to my house and took the woman with him, and requested me, that in case he could not get a chance to take her to the City that night, that I would let her stay over night, and send her down the first opportunity. I said I would do so, but they did not come back. Last night, (Thursday, March 10th,) between twelve and one o'clock, I was awakened by a noise, and heard a command given to surround this house. I next heard a loud knocking at the door, and, upon enquiring what was wanted, was informed that there was a command from Gen. Connor, and they wanted to come in, upon which I opened the door; the commander of the party, said to be a Lieutenant, entered my house and said he had orders from Gen. Connor to take my children to the General's Quarters, and if I refused to give them up they would take them, if they had to burn Farmington down. I remonstrated, saying that the child was sick, and I had been giving it medicine, and did not wish to remove it at that time of night. He said it made no difference, he should take the children, let the consequence be what it might. I told them if the children had to be taken I should go with them and take care of them. I then requested them to give me time

to get a little breakfast for the children, which was refused. We were hurried into a wagon, (my wife accompanied me,) and were conveyed to General Connor's quarters at Camp Douglas, a distance of about twenty miles from my home. The night was very cold, and the children suffered much from hunger and cold on the road, being without food and proper clothing. We arrived at Camp Douglas about one o'clock to-day, and were immediately conducted to the quarters of General Connor. Gen. Connor spoke to me very roughly, and said I ought to be dealt with, or punished very severely, and, without any formal investigation or hearing of the matter, ordered that Mrs. Hyson should take the youngest child. She asked for the other, when he told her that she had left that, and if she wanted it she would have to apply to the United States Court for it. My wife being very faint through hunger and fatigue, Gen. Connor invited us into another room and tendered us refreshments. We, (myself, wife and daughter,) were then placed in a wagon and conveyed to the main street of Great Salt Lake City, and there left to get back home as we best could. I never sent Mrs. Hyson a note informing her that I was about to leave the country, and that, if she wished to see her child, she must visit my residence to do so. No armed men assisted me when I took my child from Mrs. Hyson.

SAMUEL MILTON HOWE.

Subscribed and sworn to before me, this eleventh day of March, A. D., one thousand eight hundred and sixty-four.

JOHN T. CAINE, Notary Public.

ANOTHER STATEMENT.

John W. Hess, Bishop of Farmington, Davis county, Utah Territory, says I saw Henry Hyson and his wife and Mr's. Hyson's youngest child, by Samuel Milton Howe, go to Mr. John R. Blanchard's house in Farmington to stop, I think, on Monday, March 7th, 1864. Samuel Milton Howe, I was told by those looking on, came to Blanchard's house and took the child from Mr's. Hyson, and went home with it. Mr. and Mrs. Hyson both followed Howe, chatted awhile there, and Hyson went back to Blanchard's, after telling Mrs. Hyson that he would come to Camp Douglas and get force enough to come and take her and children. Hyson soon after started for Camp Douglas, and on Wednesday, March 9th, he came back on horseback and took his wife with him. In taking the child from Mrs. Hyson by Howe, her former husband and father of the child, there were only a few idle spectators looking on, as is common, and no force was used, nor did any one interfere in the matter, further than a Mr. Thomas Dobbis, at Howe's request, took the child when Howe released Mrs. Hyson's grasp from it.

This is about all I know of the affair. (Signed,) JOHN W. HESS, Great Salt Lake City, March 11th, 1864

The foregoing is a plain and correct statement of the principle facts connected with the late raid from Camp Douglas. There were not only no armed citizens to aid either Howe or his divorced wife in their contention for the possession of the child; but, from all we can learn, there was not one of the casual spectators who had the least desire or disposition to interfere in favor of either party, further than a Mr. Dobbis, by Howe's request, took the sleeping child, that it might not fall when freed from the mother's grasp, handed it to Howe, who took it, still asleep, to his home, demonstrating that there was not much noise made or force used even by Howe. The citizens in Farmington were aware that the question had been heard and decided in court, and were perfectly willing that it should rest with the Court and the parties.

Whether the Probate Judge erred in judgment in decreeing both children to the father we know not, not being cognizant of the facts in the case. But the fact is patent that either party, feeling aggrieved, had the privilege of appeal, or of a re-hearing upon the production of satisfactory reasons therefor. That no appeal or re-hearing has been asked for, during a period of almost ten months, is a strong indication that the decree was correct.

Why Howe permitted his divorced wife to leave with the youngest child, we have not inquired, but presume chiefly on account of its being a nursing babe.

Howe's forcibly taking the child, after leaving it several months in the mother's care, is laid to the advice of a friend in whose judgment he confided. Now we neither question the good faith of Howe in asking advice and acting upon it, nor that of his friend in giving it, but we take leave to question the wisdom of the advice then given. True it is a very commonly received opinion, and often acted upon, that a person has the right, if able, to possess himself, whenever and wherever found, of what the law awards him. But it is clearly our opinion that, in this and kindred cases, if not in all cases, the more prudent and law-abiding course is to petition the Court to enforce its decrees or decisions.

This would at least cut off the opportunity for evils that may arise in pursuing a different policy.

We have deemed it but just to print thus much in behalf of the citizens of Farmington, who have, in our opinion, been recklessly and grossly slandered in relation to the affair of Monday, the 7th inst., the main, true facts of which affair can be briefly summed up as follows:—That Howe, acting in good faith upon the advice of a friend upon whose judgment he had a right to rely, took possession of his child decreed to him by the award of a competent Court; that there were casually present, as is usual, a few curious spectators who neither had or took nor cared to have or take any part or lot in the matter; and that but few of the citizens even knew of or concerned themselves about it, being busily occupied in very commendably attending to their own affairs, a practice we cordially wish was more generally observed.

It would be pleasing if the foregoing comments warranted us in dismissing the subject, but justice requires a passing notice of the armed raid from Camp Douglas, on the following Thursday night, 10th inst.

We know of no correct rule by which adding one wrong to another makes a right, neither are we aware of the legality of armed interference in a civil case, where peace, order and the civil law are reigning paramount. To place the main point in the most favorable light, we will admit that Howe did wrong in taking the child from the mother by force, instead of asking the Court to enforce its decree. But did that in the least warrant Hyson in procuring an armed posse to turn take the child from Howe by force? Most assuredly not, for, as already stated, adding one wrong to another never did and never will make a right; nor does wrong doing by one justify a like course in another. If Hyson deemed his wife wronged, were not the courts as equally open to his complaints as to Howe's? Some may answer no, but that is simply a subterfuge, as Hyson would have proved, had he entered his complaint.

Whether the armed body of men who stealthily visited Howe's house, in the dead hours of night, went there by military command, or solely upon the persuasion of Hyson, we are not informed. If by command, then has some one, in our opinion, committed a grave and dangerous error, for we are not aware of Government troops having any authority to interfere in civil cases, in a loyal State or Territory, except upon requisition of a Court when the execution of its judgments is resisted. If upon Hyson's persuasion, then they were purely a mob, and have reason to thank their good fortune that they were not treated, by the forbearing people of Farmington, as a mob.

Prudence on the part of all parties and classes is doubly a virtue in these times when there are so many causes at work to tempt to haste, harshness and wrong; and it is a virtue whose precepts should be very carefully observed by persons in authority, lest at any time, in this fast age, so small a matter as a trifling quarrel between two obscure persons kindles a strife only to be terminated after great expense, suffering and loss. We are a people fully informed upon and jealous of our rights, civil as well as religious; and encroachments upon them naturally and justly stir a quick spirit of resentment, not always easy to be kept within the strict bounds of moderation and even-handed justice.

Suppose we all act upon the true principle of conceding to others their rights as rigidly as we claim our own, will there not be a marked improvement in the condition of society?

Man is placed on the earth to save himself and as many more as he may be able to assist, for doing which it is well to ever bear in mind the old adage that "molasses catches more flies than does vinegar."

TOO SMALL BUSINESS.—It may not be true, we hope it is not; but it has been reported to us that certain trucksters have gone into shaving damaged Greenbacks on Main Street. A Greenback is worth the figure on its face or is worth nothing. Merchants, trucksters and every person else have a right to refuse damaged Greenbacks the same as any other damaged goods; but if a corner of the paper reduces it five or ten cents in purchasing, the person who consents to the shave may set it down that the party, small enough to shave needs watching. "Whistle-triggering" is really too small business.

ELDERS ABROAD.

As a matter of general interest we publish the present fields of labor of several of our missionaries, as furnished by Pres. George Q. Cannon.

- Elder Isaac Bullock appointed to preside over the London District.
Henson Walker, Scottish District.
W. H. Shearman, Birmingham
William Willes, Bristol
Edmund F. Bird, Southampton
Fred. W. Cox, Newcastle-on-Tyne
M. F. Farnsworth, Nottingham
C. M. Gillet, Sheffield
W. H. Waylett, North Wales
David P. Kimball appointed to preside over the Southampton Conference.
David Gibson Bedford Conference
Sept. Sears, Liverpool
George W. Grant, Manchester
E. Eldredge junr. Preston
Junius S. Fullmer, Dorsetshire
H. C. Fowler, Hull
John Nicholson, Sheffield
C. W. Sawyer, Newcastle-on-Tyne
Joseph Romney, Norwich
Franklin Merrill, Worcester
John Rider, Essex
John Sharp, junr., Dundee
George Sims, Kent
John South, Land's End
Miles P. Romney, Cheltenham
John V. Hood, Glasgow
George Swan, Leeds
Heber J. Richards, Nottingham
Stephen W. Alley, Derbyshire
Justin C. Wixom, Leicester
Charles A. Benson, Herefordshire
Joseph H. Felt, Durham
Evan A. Richards, West Glamorgan
Jonas N. Beck, Reading

CHANGES.

- Henry Amott from laboring in the Nottingham Conference to Lincolnshire.
James A. Cunningham from Durham to Bedfordshire Conference.
Benj. Stringham from Sheffield to Bedfordshire Conference.
John L. Dolton from Land's End to Cheltenham Conference.
Finley C. Free from Stafford hire to London Conference.
Harry Luff from Bristol to Leicester Conference.
Ensign J. Stocking from Kent to Leicester Conference.
Oscar F. Lyons from Leicester to Bristol Conference.
W. W. Riter to preside over the Swiss, Italian and German missions.

PAPER MONEY.—Since the publication of the "act concerning paper to be used as money," in No. 23 of the DESERET NEWS, March 2, any one circulating as money other paper than United States and postal currency has been liable, upon complaint of any person, to be tried for a misdemeanor and, if convicted, sentenced to fine, or imprisonment, or both fine and imprisonment. And those who issued the paper whose circulation, except to return it, was prohibited in the aforementioned act, have, since its publication, been liable to pay a heavy interest on any amount presented for redemption, if not at once redeemed, from the date of presentation until it is redeemed.

The act herein alluded to was passed by the Assembly to protect the public against loss, and we are sorry to learn that it is wantonly disregarded by some of those for whose benefit it was passed.

Thinking that this has arisen more through ignorance of the law than from any design to trample upon it, we pen this caution, assuring those who may continue to disregard the law that they will, ere long, be complained of and punished, if they persist in so lawless a course.

We have also been informed that parties who have issued the prohibited paper refuse to redeem it when presented, unless it is brought in amounts each equalling five dollars. This is entirely wrong on their part, for the law specifies no given amount to be presented at a time, and whether said amount be one, two, three, or more dollars, if not redeemed upon presentation, it will draw the heavy interest legalized for it in that act, until it is redeemed by the one who issued it.

Please let us hear of no more passing of the paper legally prohibited, neither to children, or any other persons; nor of its redemption being refused upon the ground that it is not presented in sums of five dollars. Honor a law of your own making.

A HINT TO OUR AGENTS.—As the time is drawing near when teams from the settlements will be passing through this city, our agents will oblige us by sending along at that time all the cotton, molasses and everything else that they may have on hand belonging to this office. NOW do not forget this.