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FEDERAL JUDGES IN UTAH.

We have carefully avoided, up to the present time, saying anything of the late homicides at East Weber. Our silence simply arose from the fact that we wished to see the matter assume a definite shape. But now that judicial authority has spoken on the subject it demands notice.

A brief statement of the facts are as follows: Some time since Isaac S. Potter, commonly known as Ike Potter, is said to have stolen and killed an ox belonging to a person living on East Weber. He was arrested. He requested time for trial, which was granted, he giving bonds. Soon after he absconded, but in a short time returned in company with some Indians and others who bore the reputation of belonging to a band of desperadoes and thieves, of which he was the reputed chief. I its said, on good authority, that he threatened to "clean out" the settlement of Coalville with the Indians, but whether that is true or not, that, in connection with the fact of his having arrived in company with Indians, said to be members of the notorious Black Hawk's band, was sufficient to give much weight—in fact absolute certainty, to such a statement among people who felt themselves, in common with other parts of the Territory, in daily danger of Indian outrages.

After his return, we understand, he stole and killed a poor man's only cow, and for this he, and two others, named Charles Wilson and John Walker, were arrested. It is alleged by some that, after they were in custody they tried to escape, were followed, and two of them were killed, while one of them was seriously wounded. On the other hand it is said that they were taken out and shot, a thing that is improbable on the face of it, because, if they had been, it seems that all three would have been killed, whereas one of the gang was mercifully spared to bear testimony in the matter! Our own opinion is that they were trying to escape, and that the citizens, terribly exasperated and despairing of obtaining justice from the Federal Courts, of which more hereafter, became summary executioners, and killed two, while the third escaped with wounding, and we think it highly probable, weighing all the circumstances, that they would have killed them if they had not tried to escape.

To fully understand this subject, so as to be able to form a righteous judgment upon it, will require some investigation and explanation. In the first place we may safely say that this Territory, almost since its organization, has been afflicted with a class of Federal Judges who have striven with the most assiduous pertinacity to do everything in their power, under color of law, against the peace, happiness, safety and good order of the law-abiding citizens of the Territory. This is a matter of history, and we have the documents to sustain it. There have been some honorable exceptions, to whom we are will-

ling, very willing, to accord all needful credit; and though some may think our terms rather strong, they are not so harsh as we may be compelled to use, and sustain, for if ever a community was cursed with a judiciary imbecile, corrupt, base, unprincipled, and vigorous only to do evil, the inhabitants of the Territory of Utah have been. This we design to show at a future date.

In the next place, this Isaac S. Potter, who was killed, bears a reputation known to every man in the Territory of three years' standing in the community, as that of a desperado, thief, agent of Indian ravagers, and accomplice, if not the actual murderer, in at least one murder. He has been a convicted felon, tried, sentenced and confined for his crimes; and released from his confinement on a writ of *habeas corpus*, issued by Judge Drake, a Federal Judge, and tried by him in a most unusual and extraordinary manner. On the 10th of March, 1863, Isaac S. Potter was indicted for grand larceny, before the Probate Court of Utah County. He was found guilty, and fined in four hundred dollars. On the 17th of the same month he was indicted for murdering Thomas Jefferson Barney. This Barney, after receiving his death wound, admitted to having been a member of a band of thieves, of which Potter was declared to be the chief; and confessed that the band was leagued with Indians for the worst purposes. Potter, through informality in the proceedings on this count was acquitted; but was indicted on another charge of grand larceny, besides that for which he was convicted on the 10th. If we remember rightly, he was committed to the Penitentiary for five years. Now, this desperado, thief, accused murderer, and ally of Indians, was released by Judge Drake, in the knowledge of these facts, *without the presence of counsel* on either side; his greatness in the judiciary and in legal lore being, it is presumable, more than sufficient for the occasion.

And here we would like to ask, in this connection, what scoundrel, thief, murderer, or villain, has ever sought immunity for his crimes in this Territory, when convicted by a Territorial court, who has not been liberated by Federal Judges, and on some pretext or other, turned loose on society to prey on the industrious, peaceful and orderly citizens? We ask information on this point. Is it not a fact that a futile attempt was made last winter to punish some of the band of this same Potter, and that they were released by Judge Titus by writ of *Habeas Corpus*? Has such not been the rule for the last thirteen years? And, weighing all the circumstances, viewing that such has been the rule, knowing that Judge Drake released this very Isaac S. Potter, who boasted of having escaped forty two times from the punishment to which he was justly entitled; and that Judge Titus released members of his band, on writ of *Habeas Corpus*, who had been convicted of crime, he well understanding their character, is it any wonder that the feeling should prevail in portions of this Territory, *we cannot get protection from the Federal Courts; they constantly release upon us criminals, thieves and murderers, whose boast is, that the Federal Judges are their friends; we must protect ourselves, and administer summary punishment to the guilty?* We do not wonder at these men being killed; we do wonder that it has been borne so long; and we also wonder, sometimes, that an outraged and justly incensed people do not administer summary punishment to the legal and official protectors and abettors of such criminals.

We have in hand such a mass of documents and authenticated data concerning the outrageous acts of some of these Federal Judges, that we must postpone another dose until another number; giving it as our calm, unbiased opinion, that the history of the judicial proceedings in this Territory is unparalleled in the history of the world. We do not wish to be understood as including all our Federal Judges in these strictures. As we observed, there are honorable exceptions.

FARMERS AND MERCHANTS.

Notwithstanding that unfavorable circumstances threatened to make the present harvest a very light one, we understand that there will be an average crop of breadstuffs, the Territory over. This is matter of thankfulness to the Lord, whose mercies have been so visible and abundant. Still, there are prospects for the coming year which inculcate wisdom in handling and caring for the products of the earth now being secured.

The locusts have come somewhat late to do any serious damage this year; but they are depositing their eggs all over the country in innumerable quantities; and the supposition is a natural one that next spring they will hatch out in myriads, and may do immense damage. This, of itself, would seem to be sufficient to compel the least observant to hold on to their grain, until next year would show whether this supposition is or is not correct.

It has been the custom and policy of merchants here, for years, to take advantage of the necessities of the farmers, and, with a show of conferring favors upon them, let them have goods of various kinds to be paid in grain after harvest. By this means much of the harvest has been mortgaged before the season for gathering it has arrived; and the merchant has had the power of saying to the farmer, "Your grain is worth only so much to me, and that is all I will pay you for it;" while the farmer, feeling in his honesty bound by his promise and obligation, has to let it go to satisfy the demand of his creditor at about such terms as the latter may be disposed to offer. This is changing their relative positions; for the agriculturist should be in a position to demand a remunerative price for his produce, seeing that he is the basis of the prosperity of the community.

The policy which runs in debt during the spring and summer, promising to pay in the fall, is an exceedingly poor one, seeing that it mortgages an uncertainty. To run in debt at all is poor policy, and should be carefully avoided by all who desire to prosper financially; but the fact exists, as we understand it, that many of our farmers are in this situation. We could not think of encouraging any man in failing to meet his engagements. And it seems as if men must accept the consequences of their carelessness; and if they have been unwise enough to place themselves in such a position, they must extricate themselves as best they can.

But this matter has a public bearing, and, under the circumstances, one of no common interest. If the merchants are to have the power of saying how much grain shall bring, and of exacting so many bushels for so much indebtedness, not only will they be likely to hold that grain, and, in the face of prospective scarcity, demand a price far above that which the producer is allowed; but such a large quantity may be so demanded to meet their obligations, the price allowed being low, and so much may have to be sold by the producers to meet what they deem necessary wants, that our

supply for next season might be seriously lessened. Should next harvest prove an insufficient one, either from locusts or any other cause, such a lessening of the amount of breadstuffs now in the Territory would be attended with the most serious consequences.

It would be wise for the people to act upon the counsels which they have so often received, and lay up a sufficiency of breadstuffs, at least, to last them until the harvest after next. This being done, let the producers have something positive to say about the price they shall receive for their grain. Pay your debts, but give merchants and traders to understand that you wish a fair remuneration for your labor; and that you object to making them rich in six months by your toil, while you must struggle on for years laying a foundation to rise above even poverty.

NOTICE.

At Logan, Cache County, at a Council meeting held August 31, Henry W. Isaacson was cut off from the Church of Jesus Christ of Latter-day Saints, for unchristian like conduct.

GEORGE L. FARREL,
Clerk of Council.

HOME ITEMS.

SABBATH MEETINGS.—Bishop Lorenzo D. Young spoke of the introduction of the gospel in this dispensation; the power which accompanied it, compared with the powerless systems of religion in the world; his own conversion to the truth; and the blessings which obedience to the gospel brings to those who receive and live according to its privileges.

Elder Joseph W. Young treated on the revelation commanding the plurality of wives, showing that it is a Divine injunction upon us, and, consequently, no one has the right to interfere with it, for no person has the right to step between the Lord and His children, when He commands their obedience to His will. He glanced at the corruption and wickedness in the world, from which obedience to the principles of life can alone save the people.

AFTERNOON.

Elder Henry Cumberland, who has recently returned from a mission to Europe after an absence of two years and four months, gave a brief account of his labors in the ministry, and of his efforts to aid the Saints to emigrate from the place where he had labored.

Elder Samuel W. Richards reasoned upon the nature and object of our existence in this probation,—to increase life and perpetuate it. He quoted the Scripture, "Adam fell that man might be; and men are that they might have joy;" and inquired if we understand the benefits that have come upon the human family because of the fall? Urged young men to assume the responsibilities and duties of this life, which will have an influence in exciting more thought with regard to the life to come. From various scriptures and with several reasons, he showed the blessings arising from and following posterity; and exhorted the young to commence and fill up the measure of their creation.

Elder E. L. Sloan spoke briefly on the subject of marriage, reasoning that the condition of the world to-day and the history of the past combine to prove plurality of wives to be the normal and natural order of marriage among mankind.

Elder Joseph F. Smith treated on the results to the nations of their rejection of the gospel, refusing to obey the commandments of God, and seeking to destroy those who did.

Pres. H. C. Kimball exhorted the Saints to increased diligence and faithfulness in obeying the word of the Lord; and blessed those who have been laboring so diligently to finish the new Tabernacle.

THEATRICAL.—There was an excellent house on Thursday evening, on the debut of Amy Stone and Mr. Stone. The play was Fanchon the Cricket, and the playing was received with lavishly bestowed applause. The lady charms her audience in the simplest and most natural manner in the world. She is an exceedingly clever actress, and we should judge from her reception on Thursday evening that she will draw crowded houses during her brief engagement here. She is also an accomplished songstress and a graceful clever dancer. Mr. Stone is a very admirable comedian, and danced a comic hornpipe with all the easy grace and neatness of an accomplished artist. The performance of Fanchon was in every way a success; and though it was played at here once before, it seemed an entirely different piece on Thursday evening. The whole cast acquitted themselves in good style; and the performance was indeed a treat.

On Saturday night the fine drama, the Pearl of Savoy was performed for the first time here.