

MOUNTAIN MEADOW MASSACRE.

[From the Herald of yesterday.]

As efforts are made again to revive public indignation against the perpetrators of the horrid massacre at the Mountain Meadows, in 1857, and as infamous attempts were made during my official career to induce the belief that I neglected my duty in the investigation of that crime and the punishment of the perpetrators, I will thank you to publish the enclosed letter from the Attorney-General of the United States on that subject. Fearful as was that crime, and also that of Dr. Robinson in this city, they are crimes only against the Territorial law, to be prosecuted in the Territorial Courts by Territorial officers, and the officers of the United States have no more jurisdiction over these offences than have the United States District Attorney and Marshal and Courts of New York over the crimes of Tweed and Co. in New York. The United States officers never have and never can take any legal cognizance of either of these crimes, because they are not offenses against the laws of the United States, and Congress cannot, if it would, in any manner authorize either the United States District Attorney or Marshal to intermeddle with them in any way. There are no offenses or crimes in Utah punishable by the United States officers, except crimes against the United States statutes, such as stealing money from the post-offices here, bribery of United States officers, enticing soldiers to desert, stealing timber from the public lands, passing counterfeit money, &c. Murders, robberies, larcenies, keeping houses of ill-fame, selling liquor without license, are offenses solely against the Territorial laws, and must be punished by Territorial officers only—"Ita lex scripta est"—and neither the President, nor Attorney General, nor the Congress of the United States can change these laws if they would, and would not if they could.

Yours,

GEORGE C. BATES,

Ex-United States District Attorney,

Department of Justice, Washington,

November 2d, 1872.

George C. Bates, Esq.,

U. S. Attorney, Salt Lake City, U. T.

Sir,—I have received your letter of the 24th ult. wherein you state that "two terms of the Territorial court have been ordered by the Governor, to be held at Beaver City." You say "that if this department desires to have an investigation made of the celebrated Mountain Meadow massacre," you "will go to Beaver City, and associate yourself with the District Attorney for Beaver County and investigate the matter." You further say, "that Judge Hawley would doubtless appoint you as special prosecuting attorney for that case if so desired." You also ask instructions as "to impeaching a grand jury to investigate crimes against the laws of the United States, &c."

In reply, I have to inform you that this Mountain Meadow massacre is an offense against the laws of the Territory and cognizable by the Territorial courts, consequently all investigations should be made by the proper prosecuting officers of the Territory, and not by you in your official capacity of Attorney of the United States for Utah. I cannot, therefore, instruct you to proceed to Beaver county and investigate the matter. Should Judge Hawley see proper to appoint you especially to prosecute this case under the laws of the Territory, I will interpose no objection to such a course, provided it will in no wise interfere with your official duties.

As to impanneling grand jurors, that is a matter entirely within the jurisdiction of the court, and I presume that if, in the opinion of Judge Hawley, it is necessary to summon a jury to investigate violations of the laws of the United States, and one of the places designated for holding a United States court is situated in Beaver county, he will do so. You should, therefore, confer with him, as this department cannot make such an order as you wish.

Very respectfully,

GEORGE A. WILLIAMS,

Attorney General.

Eldor Salt Lake Tribune

In the recent attempts made "to revive public indignation against the perpetrators of this horrid massacre at the Mountain Meadows," there have been no unkindly criticisms of the action or non action of Federal officials in the matter of investigation of that affair. But it is proper here to say that Major John D. Lee, at the time of the massacre, was the legally appointed Indian agent for Southern Utah, and invited the Indians within his agency to aid him in the butchery of the emigrants. Afterwards he was instructed by the Superintendent of Indian Affairs to take charge (as Indian agent) of the emigrants' property. This Lee being an officer of the Government, and acting in that capacity (in so far as the Indians were concerned) at the time of the massacre, proves conclusively that the United States was a party to the horrid butchery, notwithstanding what Attorney General Williams may say to the contrary; and that it is the duty of the proper United States officials to have that affair investigated and, if possible, bring its red-handed perpetrator to justice. At the time of writing the foregoing letter to our United States Attorney, General Williams, and also Mr. Baker must have been ignorant of the fact that John D. Lee was an officer in the employ of the United States as above stated.

Ex-Monmon.