

### JOHN D. LEE.

The Supreme Court of the Territory has denied the motion made by John D. Lee to set aside the judgment of the Second District Court and grant a new trial, and has remanded the prisoner to that Court that a day may be fixed for carrying into execution the sentence passed upon him. It is not thought probable that the case will be further appealed to the Court of last resort; so if the judgment just pronounced is final, no great time will elapse before this arch criminal will be made to expiate the crime he committed at Mountain Meadows nearly twenty years ago. The part this Mormon elder took in that dastardly and treacherous assassination, was fully exposed by half a score of witnesses at his first trial in Beaver, some of whom were also participants in the butchery. Until the facts were fully laid bare in the course of that judicial investigation, it was generally supposed that this condemned criminal was the plotter and chief perpetrator of the massacre, and his name has been loaded down with almost the entire opprobrium of the deed. An outcast from society, hiding in huts and caves, and bound by religious oaths to keep his dread secret, the world had no means of knowing how deeply his hands were steeped in crime, and the Mormon leaders found it very convenient to cast upon their guilty confederate all the infamy. Brigham Young, in pursuance of his policy that "dead men tell no tales," ought to have made away with this accomplice years ago; for he holds a dangerous secret. It has not yet been brought out clearly in the evidence that Brigham Young ordered this massacre of the Arkansas emigrants, but the implication comes so near that he is convicted in the mind of every person who is acquainted with the facts. There was no lack of motive. The company was composed of citizens from Arkansas and Missouri, States particularly repugnant to this chosen people of God, because of the slaughter of the Prophets, and of that sweet-scented Apostle—the debaucher of Mrs. McLean—Parley P. Pratt. An army of the United States was also approaching Utah at the time, and these crazy fanatics, in the fulfillment of their mission, supposed it was their duty to slaughter and despoil all the foes of Israel's God who came within their reach. Then these emigrants possessed tempting spoil—gold, clothing, wagons, horses, even much cattle. To prevent this company of emigrants going through to California and depriving the hardy settlers there of the danger in which the Saints were placed; to have sweet revenge upon these enemies of the Lord for the blood of Prophets and martyrs slain, and then to spoil the Philistines! To reward God's chosen servants with the horses, and mules, and the lowing herd, and valuable personal effects carried by these unconverted heathen was an opportunity too rare to be allowed to slip by. The emigrants as they rested near this city, were ordered forward on their toilsome journey, and George A. Smith, the second man from God, was sent on in advance to stir up the passions of the people against them, and assign the task of their taking off to two or three leading priests in the southern portion of the Prophet's dominion. At Parowan the fatal council was held, and the details there arranged were carried out with terrible fidelity upon the blood-stained plain of Mountain Meadows.

Bishop Dame, the colonel of the Iron county militia regiment, seems to have been entrusted with the management of the butchery, and he called to his aid two subordinate priests, Haight and Higbee, who were also respectively lieutenant colonel and major of the militia regiment. Lee, as Indian interpreter, was called upon to bring up his red friends to aid the Lord's army in the work of extermination. Dame was either wary or cowardly, for he did not visit the field, and so far as evidence has been elicited, he is not directly inculpated.

That Lee could clear away all mystery by a full confession, there is no room for doubt, and it is intimated that he has entrusted to his attorney some written details which inculpate one or more persons who hold prominent positions in the Mormon hierarchy. But the unhappy culprit seems to halt between two opinions. No doubt his dread endowment oaths exercise a mysterious influence over his mind, and in his conversations with wogolly Outsiders, he is unflinching in his declaration that he will never betray his friends; meaning, most probably, his superior priests associated with him in the butchery. At other times he will feel less constant. He remembers with a strong sense of resentment the life of infamy he has led, an outcast from society, and the opprobrium that has fallen, as a heritage of guilt, upon his children; at such times he declares he will get even with his betrayers, and to indulge his sense of injury he will ever and anon set to work upon his memoirs. Notwithstanding his present intention to observe the obligations of his religion, it is more than probable that as his final day approaches, he will be led to reveal his guilty secret. He seeks to palliate his own crime against humanity by pleading religious fanaticism—he could betray trusting women and innocent children to their doom as an acceptable sacrifice to his Maker. But those designing knaves who concocted this gross delusion, and manufactured revelation to impose upon their willing dupes, are the parties really responsible for the fearful catalogue of crime which reddens the annals of this Latter-day Church; and until these men are made to atone for their sins, the demands of justice will never be satisfied.

Mr. District Attorney Howard is entitled to mention in the trial and conviction of this leading Mountain Meadows assassin. We do not like the way he obtained control of the jury, we condemn the false statement he made to the world, that the everlasting priesthood had no hand

in the fell deed. But he was fighting the devil with fire. He found himself compelled to resort to trickery and subterfuge—to steal a march on the unsuspecting Saints in the jury box, in order to get them to find a verdict according to the evidence. Because these Mormon jurors attach no sanctity to an oath imposed in a Gentile court, and unless instructed otherwise by their spiritual masters, use the opportunity of their office to shield their brother Saints from punishment. By such conduct Mr. Howard has succeeded in breaking the spell which has held potency in this Territory for twenty years, and bringing justice home to a saintly criminal. Perhaps, the end justifies the means. It is certain if he had not adopted Tunic faith—assumed the thing he was not, and gone to a length in the discharge of his duties which must be pronounced unprofessional, he would never have got away with his man. We cannot approve his course on the grounds of strict morality, but he seems to have made it an object of his ambition to circumvent these infallible high priests and out of their own mouths to condemn them. And he has succeeded in this to admiration. For his zeal, his untiring energy, and his inexhaustible resources in prosecuting a difficult and disagreeable duty, he is entitled to the thanks of the community. He has brought one murderer within reach of justice by such novel and exceptional means, now let us see if Mr. Howard has the cunning to make further use of his charms.