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## John W. Judd Letter

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## John W. Judd Letter

John W.Judd, Attorney at Law, U.S.Attorney for Utah. Rooms Io5-Io6-Io7 Commercial Block, Salt Lake City, Utah, Feb. 4, 1896 Hon. Jabez G. Southerland, Salt Lake City, Utah. My dear Judge:-Concerning the question which you put to me asking why I hesitated to dismiss the indictment against Higbee during the time I was U.S.Attorney, I beg to reply that when I was first appointed U.S.Attorney for Utah, I took personal charge of the Second District where the indictment was pending and made every effort I could to thoroughly investigate the particulars of the unfortunate massacre at Mountain Meadows with a view to discharge whatever official duty with reference thereto which my position imposed upon me. I talked with many of the prominent people of that section of Utah and I read the history of the trial of Lee as found in his autobiography, and I came to the conclusion in the first place that any attempt on my part to continue the prosecution against Higbee and others, would in all probability be abortiveon account of lack of testimony, which in its turn resulted largely from so great a lapse of time. I came to the conclusion that any attempt to try the case would simply result in harrowing up old sores not only in Utah, but that it would be published probably all over the United States and that nothing could result, except probably to leave us in a worse fix than we were. Moreover a generation had passed and there were mothers and fathers living in that section of the State who had been born since the massacre in 1857, and I felt that It could accomplish no good purpose to spread anew the disgusting and heart-rending details of that affair in view of, and to be read and re-read ought by a generation of people who knew nothing of it, and who shawka know nothing of it. When application was made to me to dismiss the case against Higbee my hesitation to do that was attributable to a doubt in my mind as to whether that man ought to be allowed to go back into the community and become a parcel of it

	Attorney at haw, U.S.Attorney for Utah, Roeme Joh-Joe-197 Coumercial Eleck,
	I was afraid that his very presence there would have the ef-
	fect of tearing open the old sores of the past and excite re-
	newed discussion, and to effect, in part at least, some if not all
	of the evils that a re-hash ix of the matter in court would ef-
	fect.I talked the matter over with the best citizens and while
	they for the most part insisted that Higbee himself was not
	really a guilty party, that whatever he did he did it under the
and the second second	pressure of absolute compulsion, they insisted that this was the
	largely understood by the community, and that his presence there
	would not be offensive.Still the doubt in my mind upon that
	subject was so strong that I did not feel that I ought to be
	the instrument in opening the way for him to go back; but I do
	not hesitute to say that the dismissal of the case is infinite-
	ly preferable to any trial of it. For the reasons heretofore
	stated I think a trial would do no good and it would upturn the
	community, cause a re-hash of what took place nearly forty years
	ago in the public print of the Territory and probably of the
	whole United States, and finally result in an acquittal.
	I hope this will be satisfactory to you and will serve your
	purpose.I have tried in my feeble way to state the matter so
	far as I am concerned exactly as I felt it.
	I am, with great respect,
	Dict."A". Your obedient servant,
	(Signed) J.W.Judd.
	show this latter to make inprincipal also Jags Janoid Dector. Rigner was never gality as I know from talking personally with
	Rigues was never gainty as a know that such producios over
	that mantacre that to could not have bad a full count
	personally windicated by an ancaltual.
	As his and and friends of the senses are content with a set
	dimetesal that order ought to be made.
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