Correspondence.

SALT LAKE CITY,
March 31st, 1874.

Editor Deseret News:

Sir—At the close of my letter of the 16th inst. I referred to the date of our jury law, which was Jan. 21, 1859, and to the date of our law defining the qualifications of jurors, which was approved on the same day. I did this for the reason that much ado is made over it, in that it does not (say they) aid in executing the polygamy act of Congress, which was approved July 1st, 1862—See. 12 Statutes at Large, p. 501—three years and about five months after the jury law was approved. Thus you see it could not have been in the minds of our legislators to defeat such an act of Congress, as the act of Congress was not in existence. *Every effect has a cause, and in turn the effect becomes a cause for another effect.* By turning to my letter, dated Nov. 21, 1873, printed in the Salt Lake *Herald*, it will be perceived that I then said—"When the U. S. army was at Fort Bridger, one hundred miles from this city, in 1857, a grand jury was called in the army, taken from the army and army followers, as it was said. That grand jury indicted several men in Salt Lake city. Whether a venire issued or not I do not know, but if it, did it was issued to the U. S. marshal, and the jurors were by him selected, as I, in my former letters, said was the practice under the Utah law;" and the crimes in these cases were offences against the United States. This, no doubt, was the cause of the passage of our jury law, and of our law defining the qualifications of jurors. The fact that some of the new settlers want the law changed to meet their views only shows what may be anticipated if the law be changed. This is greatly strengthened by what took place in the Englebrecht and Clinton case. concerning which, as I stated in my letter to the *Herald*, of Nov. 1, 1873, that 62 jurors were selected, and 58 of these were new settlers. Were any of us in the States, would they change the jury law to give us an opportunity to serve on juries? Are we to blame for wishing to keep the power in the hands of those to whom it rightfully belongs, both in theory and in practice?

But they say crime goes unpunished in Utah. Well, they said so in 1851, when I first arrived in the Territory, and founed no valid law had been passed on the subject of crimes after the passage of the organic law, until a very short time before I held my first court. And for this among other reasons I held that a person indicted in the name of the United States for an alleged crime committed in this Territory against its laws, could not be judicially punished.

To show that I entertained the same views then which I now entertain, I respectfully beg leave to submit to you for publication the copy of a letter which I then wrote to the Hon. John M. Bernhisel, then deligate in Congress from this Territory, omitting a few matters not having any reference to this subject. It is as follows.

"GREAT SALT LAKE CITY,
Utah, July 12, 1852.

"*Hon. J. M. Bernhisel, M. C., Washington, D. C.*

"DEAR SIR:—

"Your letter to me, dated April 29, referring to an extract of my letter to you dated Feb. 28, came to hand by the last mail. I have also received the extract referred to and a publication.

* * * * * *

"I do not feel called upon by any sense of duty I owe to myself to answer such communications as that of Mr. ——— and of Mr. ——— and the writer to the Saint Louis *Republican*, to which Mr. ——— referred; nor another supposed to be written by Mr. ———, relating to my religious sentiments, which my friends in the State of Ohio have sent me, but if my statements will benefit others I am willing to make them, and when made I am willing they should be published.

* * * * * *

"In one of your letters to a gentleman in this city, you say some respectable members of Congress have taken exception to my charge to the jury in the case of ———. I do not know how many there are, nor how well read in the law these respectable members may be, nor do I know what errors, if any, they are able to see; but as this comes from a source that commands respect on my part, it may not be amiss to write you a line on the subject. The newspaper reports lead to the belief that I laid down a doctrine not correct; they make me say what I did not say. The case, so far as my charge is concerned, is reported in the DESERET NEWS issued Nov. 15, 1851.

"I cannot but express my surprise that any member of Congress, learned in law, should differ with me in the legal conclusions there laid down, as the case then stood.

"The idea conveyed by the papers that have come under my observation is this—that I held that the Territorial Courts had jurisdiction to punish criminals for crimes committed beyond the limits of the Territory, but no jurisdiction to punish for crimes committed within it. Now if this be the objection of these members of Congress, I must certainly believe they either never read the report, or read it very inattentively. No such idea is expressed, nor anything from which such a conclusion could be drawn.

"It is to be remembered that we were sitting as a United States Court, and not as a Territorial Court. The indictment had been presented by a grand jury called on behalf of the United States, and the prosecution was carried on in the name and by the authority of the United States. Let me inquire, Have the United States Courts authority or jurisdiction to punish for crimes committed in a State within the body of a county and against the laws of the State, or must the State Courts do it?

"If an indictment should be presented by a grand jury, called to attend a United States Court, for murder committed in a dockyard over which the United States have the sole and exclusive jurisdiction, and it turned out in evidence that it might have been committed in the body of a county in the jurisdiction of a State, what would the judge of the United States Court say? Would he not charge the jury that if they found the crime to have been committed in the body of a county, the verdict must be not guilty? but if it was in the dockyard, then the verdict should be guilty and leave the question of fact to be decided by the jury? On the contrary if an indictment should be presented in a State Court, for murder committed in the body of a county, in or near which there was an extent of country ceded to the United States for some national purpose, and it turned out in evidence that it might have been committed within the county ceded to the United States, what would the State judge say? Would he not charge the jury that if the crime was committed in the body of the county the verdict must be guilty, but if committed in the country ceded to the United States, then it should be not guilty, and leave the question of fact to be decided by the jury? In that way each court would keep within its own jurisdiction.

"But though these are among the plainest propositions arising out of the relations which the United States and the several States bear to each other, yet they are not literally correct in relation to the Territorial Courts. The only difference, however, is this: the Territorial Courts possess a far more complex jurisdiction than either the United States Circuit and District Courts, or the State Courts; they, in truth, possess both. But does this state of the law in regard to the Territorial Courts change the principle of the supposed cases above mentioned? I do not think it does. I held in the ——— murder case, that when the Territorial judges sit as national courts, they have the same jurisdiction in cases arising out of the Constitution and laws of the United States as the Circuit and District Courts of the United States, and must look to the laws of the United States, not to the Territorial laws, for their authority to punish; and as we were then sitting as a national court, and the prosecution being in the name and by the authority of the United States, the defendant was entitled to a verdict of not guilty, unless it appeared affirmatively that the crime was committed in a country over which the United States had the sole and exclusive jurisdiction. If a crime against the United States be committed in a District or Circuit of the United States, the offender must be tried by the District or Circuit Court sitting in such district or circuit; but there are a class of crimes that may or must, from their very nature, be committed out of a circuit or district; in this class of cases the law has wisely provided, that the Circuit or District Courts, according to the nature of the crime, into which the accused shall be first brought or found, shall have cognizance of the case.

"There is a large extent of country between this Territory and the Missouri River, over which the criminal law of the United States, so far as applicable, has been extended, and yet this is not in a circuit or district of the United States. Should a crime be committed in that country, the Court authorized by law must try the offender provided it get the jurisdiction of the person. In the ——— murder case I held that if the crime was committed there the verdict should be guilty. Had, however, the verdict been guilty under that charge, another very important and far more difficult question might have arisen. It might, and probably would, have been made a question whether the United States Courts in Utah had jurisdiction of the case; or whether, by the 24th, 25th and 26th sections of the Act of Congress, chapter 161, approved June 30th, 1834, regulating trade with the Indian tribes, it would have been our duty to dismiss the case and send the accused to the State of Missouri or Arkansas to be tried. But this question was not raised, and therefore was not hinted by me.

It is more than probable that the newspaper reports which have come to my notice, are the result of bad faith, or very gross ignorance of the law. It is also probable that they originated with the returning officers, to aid them in many of their assertions relating to crimes going unpunished here. It was well known to these officers that there had not been any criminal code passed here when they left, except one with only a few provisions, passed after the Organic Act took effect, and before they had organized under it. The effect, in law, of the Acts passed by the State of Deseret before the Organic Act took effect, and of those passed afterwards and before organizing under it, was occasionally the subject of conversation among us. I had indicated to them that the acts passed after the Organic Act took effect, and before organizing under it, might require an act passed by a legal Legislative Assembly declaring such Acts to be valid and legal. In this case, so far at least as these Acts related to crimes, they would be valid from the approval of the declaratory Act, and not from the date of these Acts thus legalized.

"The crime for which ——— was indicted was committed after the Organic Act took effect, and before the Legislative Assembly had been called together under it. The result of which was, the criminal code passed after the Organic Act took effect had not, at the commission of the crime, been legalized; and, unless the English criminal law, with its some one hundred and fifty death penalties, transportation, etc., as it existed at the Declaration of Independence, was in force here, Mr. ——— could not, in the name and by the authority of the Territory of Utah, be judicially punished.

"The people of the United States and of this Territory would have had just cause of complaint against me, had I, knowingly, without the authority of law, used my judicial station to try, convict and punish Mr. ———, even though he might have taken the life of an innocent and meritorious citizen.

"I, having noticed the fact that in the winter of 1850-1, after this Territory was created, the Legislature of the State of Deseret met and passed sundry acts, among which was a criminal code, ought perhaps to assign a reason why they did not meet under the Organic Act, as by law they might have done. This took place before my arrival, therefore I am dependent on others for the reason, but I have been informed, and I believe correctly, too, that they did not get any official information of the provisions of the Act until February, nor any news about the creating of the Territory until the latter part of December. If this be correct, it is a reasonable excuse.

"In conclusion, I must say I am well satisfied with the effect produced by the trial of Mr. ———, and the views then expressed; also with the effect of the views expressed in another case tried before me last winter, when the doctrine here indicated was considered. Since then the Legislative Assembly has passed a very good criminal code.

"Yours truly, Z. SNOW."

Salaries of British Ministers.

The following is a complete list of the members of the newly appointed British Government, with the salary of each office:

First Lord of the Treasury—Mr. Disraeli, £5,000.

Lord Chancellor—Lord Cairns, £10,000.

Lord President of the Council—Duke of Richmond, £2,000.

Lord Privy Seal—Earl of Malmesbury, £2,000.

Secretary of State for Foreign Affairs—Earl of Derby, £5,000.

Secretary of State for India—Marquis of Salisbury, £5,000.

Secretary of State for the Colonies—Earl of Carnarvon, £5,000.

Secretary of State for War—Mr. Gathorne Hardy, £5,000.

Secretary of State for Home Department—Mr. R. A. Cross, £5,000.

First Lord of Admiralty—Mr. Ward Hunt, £4,500.

Chancellor of Exchequer—Sir Stafford Northcote, £5,000.

Postmaster General—Lord John Manners, £2,500.

Vice-President of the Council—Lord Sandon, £2,000.

First Commissioner of Works—Lord Henry Lennox, £2,000.

Financial Secretary to the Treasury—Mr. W. H. Smith, £2,000.

Patronage Secretary to the Treasury—Mr. Hart Dyke, £2,000.

Lord Chamberlain—Marquis of Bath, £2,000.

Master of the Horse—Earl of Bradford, £2,500.

Lord-Lieutenant of Irland—Duke of Abercorn, £20,000.

Chief Secretary for Ireland—Sir M. H. Beach, £4,000.

Attorney-General for Ireland—Dr. Ball, £1,200.

Lord Advocate—Mr. E. S. Gordon, £2,388.

Chancellor of the Duchy of Lancaster—Colonel Taylor, £2,000.

President of the Board of Trade—Sir C. Adderley, £2,000.

President of the Local Government Board—Mr. Sclator Booth, £2,000.

Attorney-General—Sir John Karslake, £7,000 and share of patent fees.

Solicitor-General—Sir R. Baggalay, £6,000 and fees for contested business.

Secretary of the Local Government Board—Mr. C. S. Read, £1,500.

Judge Advocate General—Mr. Stephen Cave, £4,000.

Under Secretary for Foreign Affairs—Hon. Robert Bourke, £1,500.

Under Secretary for India—Lord George Hamilton, £1,500.

Under Home Secretary—Sir H. Selwyn-Ibbetson, £1,500.

Under Colonial Secretary—Mr. James Lowther, £1,500.

Secretary to the Admiralty—Hon. Algernon Egerton, £2,000.

Civil Lord of the Admiralty—Sir Massey Lopes, £1,000.

Mistress of the Robes—Duchess of Wellington, £500.—*St. Louis Democrat.*

The Practical Benefits of Trades Unions.

Workingmen in England seem to be far ahead of their brethren in this country in achieving practical results for their organizations. Here the most which a trades' union hopes or endeavors to do is to control the rates of wages and taboo obnoxious individuals outside the society pale. Notwithstanding the fact that the average general intelligence of our artizans, mechanics and laborers is much higher than that of the same classes in Great Britain, we seem to have lacked the practical direction of that intelligence in channels where it could be made of real and permanent benefit to its possessors. The aggressive policy of our trades' unions has aimed at the alienation of labor from capital, and has been sadly successful, thanks mainly to the evil efforts of the knaves and demagogues who have so often used our workingmen's organizations as political tools. Beyond the formation of societies, which are little or nothing more than preliminary preparations for "strikes," what have our workingmen to show of an associated character, in which there is any attempt whatever to elevate their social and moral conditions, or better their chances in the struggle for existence? Nothing—absolutely nothing. But there are four different classes of unions in Great Britain, which offer such advantages as our working classes have scarcely even dreamed of, much less attempted. Thomas Hughes, who has been the heart and brain of all the great movements for the advancement of the laborers of Great Britain, thus epitomizes these four separate organizations—

"1. Unions of consumers or workers to carry on distribution and production on their own account, and thus to apply for their own benefit, the profits hitherto appropriated by those who have supplied the funds employed for those purposes and superintended their application. 2. Unions of workers to obtain the capital required for carrying on their work, by their collective responsibility, on terms as advantageous as those hitherto monopolized by the wealthy capalists or societies formed by them. 3. Unions of the artisan class to obtain, by the formation of Clubs, the social enjoyments and advantages which the wealthier classes have obtained through similar Unions. 4. Unions of the same classes to obtain for themselves healthy dwellings in convenient sites, without paying the heavy tax with which they are now burdened in the profits absorbed by speculating builders or the greed of landlords or middlemen."

Here and there we have something of the first of these, in a small way, but no more. The co-operative societies of Great Britain numbered, as long ago as 1871, no less than 262,188 members, and have been steadily increasing ever since. In that year which is the latest of which we have the figures at hand, they did a business of £9,439,471, on which they reported a net profit during the year, after payment of interest on capital of £670,721; due to members on purchases, £583,290; appropriated to educational purposes, £5,097; invested in other societies and companies, £407,944. Does not such an exhibit shame our working men, who have shown so little thrift which can be compared with this?

Even in Germany the workingman has achieved something to which we must look up with admiration as far beyond what his class have done in this country. They started, in 1853, a system of co-operative "People's Banks," for the active employment of workingmen's savings in supplying the credit wants of the members of such co-operative organizations. Under these banks, associated with and sustained by them, were trade associations, distributive stores and co-operative manufactories, the total number of which, in 1872, had attained to 3,500, with a total membership of 1,200,000. The business of the banks in that year was 400,000,000 thalers; cash credits, 380,000,000 thalers; capital belonging to members, 32,000,000 thalers; loan capital, 85,000,000 thalers.

In view of such facts as these, is it not time for American workingmen to seriously consider the practicability of taking some steps for an advancement of their condition by the adoption of some of the European systems which are found to work so well, even under circumstances much less favorable than those prevailing in this country?—*S. F. Chronicle.*

DANCING.—Henry Ward Beecher says of dancing: "It is wicked when it is wicked, and not wicked when it is not wicked. In itself it has no more moral character than walking, wrestling or rowing. Bad company, untimely hours, evil dances, may make the exercise evil; good company, wholesome hours and home influences may make it a very great benefit." Our frisky old General Tecumseh Sherman says of the above, "Poohpooh, sir, it's good anywhere. It opens the pores, clears the brain, stimulates the digestion and strengthens the muscles, to say nothing of increasing the circulation by the sight of the pretty girls floating about like Venuses, sir, in a sea of white satin. Look at me, sir; look at me." And the venerable military rooster went off in a pigeon wing that would have astonished and frightened Elsler. Senators Hamlin and Chandler are of the same opinion. Both of these elderly statesmen begin each morning with a bath and a dance, in which their ancient bones can be heard snapping like Chinese characters.—*Washington Capital.*