

## Correspondence.

ENSIGN PEAK,  
Dec. 8th, 1870.

*Editor Deseret News:*—When the *Petition of Right* became the law of England, the people of that realm very naturally considered it as a very formidable bulwark for the protection of their liberties. The king on the other hand, having obtained a pledge from the judges to misconstrue it, only intended it to be added to the statute book as a dead letter.

Two days after the dissolution of the Parliament in 1629, Sir John Elliot, Selden, Stroud, and other eminent members of the Commons, who had been most active in carrying the *Petition of Right*, were thrown into prison. They sued out writs of *habeas corpus*, and it appeared that they were detained under warrants signed by the king. Their counsel argued against the sufficiency of this return and based their arguments, not only on the statutes and precedents which had been cited by the counsel in the case of Sir Thos. Darnel and his colleagues, but in the proposition, that it was in direct violation of the *Petition of Right*, so recently become law. But Attorney General Heath set up anew that alarming pretence to unimpaired power of arbitrary imprisonment, which the late Parliament had meant to silence forever. He said it was not a binding statute, that it was the duty of the people not to stretch it beyond the words and intention of the king, and that the case remained in the same quality and degree as before the petition was passed. The prisoners were remanded to custody.

Mr. Editor, in mentioning the case above, and that in my letter which appeared in the *News* of the 7th instant, I intend to draw a few comparisons. Charles I obtained a pledge from his judges to misconstrue the law, and he employed subtle, as well as servile lawyers to carry out his design. True, in a trial by jury, such a design might be defeated to some extent, at least history shows, however, that the object of trial by jury has often been defeated in different ways, viz: by the packing of juries by unwarrantable charges and opinions of judges, and even by per-emptorily denying men the right of serving as jurors, without showing cause of disability. I will now ask: Have packed juries ever served in the courts of judicature in this Territory, and if so, has the object been to preserve the laws of the land, and the liberties of the people inviolate—or has it rather been to usurp that most odious, that most detestable object: POWER WITHOUT RIGHT?

I think the removal of Chief Justice Crewe, alluded to in my former letter, bears some resemblance to the removal of some of our judges lately, especially to the removal of Chief Justice Wilson, except that the former was sounded by the command and for the benefit of the government; whereas the dismissal of the latter may have been procured by a clique or party out of sheer animosity, or because Mr. Wilson would not deny persons the right of citizenship on account of their religious opinions, or because he would not issue unwarrantable *quo warrantos*, or for all these and similar causes put together.

It has been lately declared, by Associate Justice C. M. Hawley, that "A Territory is not a part of the Union, nor a part of the Government of the United States." This is, if not an entirely new, at least not an altogether accepted doctrine; and, if it be accepted, it may not only prove fatal to the liberties of the inhabitants of the Territories, but detrimental to the development of the public domain.

As I desire to review, at some future time, a few of the opinions and decisions, delivered during the late term in the Third Judicial District Court of this Territory, and also some of the measures of our Federal officers; and as there has been a great deal written already about the laws of our Legislature being set aside; about the summoning of grand and petit jurors; about extraordinary proclamations; about the suing out of writs of *quo warranto*, whereby some of our Territorial officers have been ousted; about rebellion, high treason, etc., I will not lengthen this letter with any further remarks upon them.

The press has been a powerful engine in the cause of liberty, and tyrants have always dreaded it. History records numerous instances of attempts on their part to silence it either by purchase or prosecution. Be it said to the honor of the legal profession, that the most eminent members of the bar have

not only defended, but have made the most noble efforts towards establishing, a free press and a free representation; and while tyrants and tyrannical priests have taken every opportunity to pronounce everything that was written in a spirit of inquiry, in regard to their public or private acts, a libel, the lawyers have very seldom prosecuted anybody for examining their acts, either in speech or print: it remained for Utah, if not to produce, at least to be favored (?) with a Federal Judge who felt like a Romish Monk on the subject of free enquiry. He did not pursue a course that a man of honor might have pursued, to wit: to defend himself through the medium of a free press. No. The same means which so many tyrants have employed in order to muzzle a free press, was also used here; summonses were issued, and editors are being prosecuted, simply, for having asked a few questions.

Mr. Editor, notwithstanding the declaration that "a Territory is not a part of the Union," I hope we may still claim the protection of the flag and the Constitution of our native or adopted country: the United States; and the next time an American citizen is lashed let him not content himself with the stripes alone, but let him claim protection under the STARS AND STRIPES combined.

As the sun sinks behind the Western horizon, and as the crimson hue of his last rays fade away from the summit of my lonely peak, I see the sun of freedom, which has arisen, and whose rays reflect on the soul of every son and daughter of freedom. May he continue in his onward course towards the zenith, and his rays continue to shed genial warmth into the heart of every man and woman who do not betake themselves to the mountain caves and crevices in order to hide themselves and their actions. KRATZ.

## REPORT ON FOWLS AND SWINE.

To the President of the Deseret Parent Society for the introduction, improvement and propagation of blooded stock, etc.

DEAR SIR: Your committee on fowls and swine beg leave to report that where the noble, full blooded horse has the privilege granted to him to neigh, the thoroughbred cow to low, and the fine blooded sheep to bleat, they think the pure-bred rooster, on the top of the dunghill, should not be denied the privilege of a hearty, loud, melodious and prolonged crow.

When we are talking of improving our stock in this Territory, the people at large will be certainly as much benefited by having fowls, that will lay at least double the number of eggs that our common dunghill fowls lay during the year, as to have fine horses, good cows, the best of sheep, Italian bees, etc., because there are a good many persons in this Territory who are not able to invest in such valuable stock, but who can afford to spend a few dollars for a dozen or half a dozen of eggs from pure-bred fowls, which will not only supply a very fair number of eggs during the whole year, except while they are moulting, but some of which will sacrifice their bodies at four months old as an almost full-grown bird, for a family's Sunday dinner-table, and will satisfy the taste of the greatest epicure.

From experience we would recommend for our climate the introduction of French Houdans, White Leghorn and White Spanish, as non-sitters, and and the Black Javas and light and dark Brahmas as best winter layers, and good summer layers, though they have a desire in warm weather to perform the part of mothers. They sometimes get "broody" in the winter season, but are easily broken up.

Besides the above named varieties are the White Faced Black Spanish, the Creve Coeurs, the Cochins, Polands, Hamburgs, Dominiques, and the different breeds of "game," all of which have their good qualities; but as all of these varieties have not kept here, we cannot speak of them by experience.

The cheapest way for the people to procure these improved breeds, is to buy the eggs of those who have imported pure stock into the Territory, and if those parties who desire to get fowls of any variety will send their orders with the amount of first cost to this Committee, before February 1st, 1871, it will try to do justice to everybody, and have them brought here in March, with other stock, which Bro. W. D. Roberts intends to import, whereby the cost of transportation will be considerably reduced.

In regard to swine we must confess, that our experience is very limited; but we last spring imported twenty-three Ohio improved Chesters into this Territory, which have given general satisfaction, as they gain flesh faster than any other breed known to us, according to the amount of food consumed. One sow pig, which we kept ourselves, has gained a trifle over one pound and a half per day.

Your Committee will take pleasure in giving any required information that it possesses, and it hopes, that the proposed general improvement of fowls and swine, together with all other stock, will prove a blessing to all the inhabitants of this Territory.

Very respectfully,  
PAUL A. SCHETTLER,  
Chairman of the Committee on  
Fowls and Swine.  
Salt Lake City, Dec. 10, 1870.

MENDON, Cache Co.,  
Dec. 5th, 1870.

Mr. Editor:—Among the many interesting subjects inaugurated for the benefit of the people, within the last few years none appears to serve, when carried out in the spirit as well as the letter, so much to unite the saints as the system of co-operation. We are aware it has not been applied as it yet will be, to all the avocations of life; but what has been introduced for us to practice is calculated to unite us as a people, in temporal affairs, and lay the foundation of a union which will increase with our expansion. There has been but little diversity existing amongst us, on "Spiritualities," which affectus but little in our every day callings in life; but no sooner were the Saints advised to consolidate their mutual interests and be one in all things pertaining to temporalities, than quite a commotion was visible in the "temporal element," and men exhibited themselves to the light in accordance to their natural predispositions, whether actuated by sordid and corrupt inclinations, or the more noble desire of assisting to accomplish the unity of the Saints.

Among the many divisions, in its application, into which co-operation can be divided, we are not aware of any that has been so fully tested as the Mercantile Department. It has been extensively introduced into nearly every settlement in this Territory. Thus, instead of fostering a "moneyed aristocracy" in our midst by our toll and labor, the profits are diffused amongst the masses, and assisting, if but in a small degree, to consolidate our temporal interests, and diffuse its blessings, as the dews of heaven, upon all.

Mendon, desirous of not being behind her sister settlements in the great work, introduced for the benefit of all Saints, organized a store, April 1st, 1869, with a Board consisting of a President, three Directors, Treasurer and Secretary, and an average capital of \$900.00. The result and experience gained is our apology for troubling you with this communication. We were advised by our late respected President, Ezra T. Benson, also by President Peter Maughan, to sell out at as low a percentage as a fair profit to the shareholders would admit of.

We agreed to commence the Institution by selling at twenty per cent. advance on cost and freight, which continued for nine months, when we took stock and ascertained we had cleared 143 per cent after deducting all expenses; having turned our capital nine times, purchasing and paying for nearly \$10,000 worth of goods. Finding it a paying business, we concluded to reduce our per centage to 16 2/3 and have continued at that ratio to the present, with a constant increase of business, caused by the Saints from other settlements, visiting and trading with us. When our new store is built, next spring, it is the intention to reduce the per centage to 12 1/2 on all staple goods. This fall we purchased and paid for a first class "Threshing Machine," at a cost of nearly \$900 cash, out of profits made, and it is called the "Mendon Co-operative Threshing Machine," enabling us to retain the toll grain amongst ourselves, that had previously been given to others, not particularly interested in our local prosperity as a settlement, and we intend to continue, and by the blessings of Israel's God, never to rest in the good work commenced, until factory after factory be reared, strengthened and consolidated in the great co-operative work, begun here with a capital of \$900. Small profits its and quick returns is our trading motto and, with the facilities within our reach of replenishing stock at the

Parent Co-operative Institution in Salt Lake City, and at Ogden, results similar to our experience can be attained by any store in Utah. We have received excellent counsel and advice from President Maughan and we have endeavored to practice upon them.

Who can say that co-operation is not a blessing to the people? We have narrated facts, truthful statements, the results of our experience, and to conclude, we will say, we have entered in at the "small end of the horn," and desire, with all the faithful, by and by, to obtain the prize which is at the end of the race.

Yours respectfully,  
BISHOP HENRY HUGHES,  
President.  
JAMES G. WILLIE, Secretary.

*Editor News:* Sir,—By the rules of the Supreme Court the members of the bar are required to furnish each member of the Court with an abstract of the case and points of argument. To enable me to comply with this rule in the accompanying case, I respectfully request you to publish the argument and furnish me with six copies of the *News* containing the publication. I am induced to request the publication for the additional reason that the subject is one of general interest.

Yours Truly,  
Z. SNOW.

DIED, in this city, Dec. 5, 1870, of heart disease, Helen M., wife of Benj. F. Dalton. Funeral will take place on Friday, (tomorrow) at 11 a. m., from her late residence in the 9th Ward. Friends of the family are invited to attend.

DIED.—In this city, Dec. 14, 1870, aged twenty-one years, Mary G., wife of John T. Barker.

Funeral will take place to-morrow (Friday) at 11 a. m., from the residence of Mr. Barker, near the Theatre. Friends are invited to attend.

LEGAL.—We call the attention of our readers, and the public generally, to the very learned document, in to-day's issue, from Hon. Z. Snow, Territorial Attorney General. We think it will be found interesting to all, and is an exhaustive argument in support of the right of the Territorial Probate Courts, under the Organic Act and laws of the Territory, to exercise all the functions of which such a strenuous effort is now being made to deprive them. It is on this account only, and not because of any interest in the case to which it refers, that we publish it.

A FINE PIECE OF MACHINERY.—We have been shown a die press, made at the City Creek Foundry and Machine Shop, which is under the superintendence of Bro. Isachsson. The press was made for Messrs. Eliason and Hauerbach, and will be used by them in the manufacture of watch machinery. An amount of mechanical skill that could scarcely be surpassed, is displayed in the construction of this little press. The design was supplied by Messrs. Eliason & Hauerbach, and has been faithfully followed by the manufacturer, and those gentlemen inform us that it works as well as they could desire. By means of this machine the entire works of a watch can be turned out in an almost incredibly short space of time. At present only portions of the works are made by it; but as soon as the necessary dies are cut, Utah will be able to boast, not only of watches, every part of which will be home manufacture, but the machinery necessary for the construction of the most delicate portions of their intricate machinery will also be of home manufacture. The introduction and establishment of this branch of industry into Utah is a great stride, and is to be attributed to the genius and exertions of Messrs. Eliason & Hauerbach, from whose establishment watches, entirely home-made, equal to any in the world, will soon be in the market. Brother Eliason's inventions and improvements in watch manufacture prove him to be a man of great genius in his profession, and his operations also evince a perseverance worthy of, and which is sure to meet with, success. The manufacture of this die-press at the City Creek foundry is indicative of the highest proficiency on the part of the artisans there employed; and Utah may congratulate herself on the rapid strides toward self-sustenance and independence which these achievements foreshadow.

CALLED.—Elder George Bywater called this afternoon, having returned a few days ago, from a mission to England, from which he was released on account of ill health. He left this city on the 6th of June last. On his arrival in Liverpool he was appointed to labor in the Sheffield Conference, but, as his health failed while there he only remained a few weeks and went back to Liverpool. After remaining at the latter place a short time, he was appointed to preside over the Glamorgan Conference, where he labored until his release. He arrived with the company of emigrants who got in last Sunday evening. Brother Bywater's health is still delicate, but he feels hopeful that he will, with the aid of the pure mountain air of home, speedily recover.