

lieved that relationship lawful, and there being no response the jurors were passed and took the oath. Judge Zane then directed J. T. Lynch to stand up and be sworn as foreman.

Mr. Lynch—Excuse me, your honor, but I think I am not well informed enough to assume that position, and there are others on the jury who can do it better. This is the first time in my life that I have been called on a jury.

Judge Zane—Well, you may inform yourself now.

Mr. Lynch and the other jurors were sworn.

JUDGE ZANE'S CHARGE.

Judge Zane then instructed the jury, in substance, as follows:

Gentlemen of the Grand Jury—You have been selected as the Grand Jury for the present term of this court. As such it is your duty to diligently inquire into all offenses against the public, committed within this district. Your duty is therefore important, because no prosecution, except before Justices of the Peace and police magistrates, can be instituted except by an indictment of the grand jury.

The various offenses are defined in the laws of the United States and the Territorial enactments. I don't deem it necessary now to call attention to the various offenses defined by law except a few as to which there is a difference of opinion among the people, and where they may not be fully understood.

You are aware that there is a large portion of the people who believe polygamy to be sanctioned by divine law, and many believe that they have a right to obey that higher law. The practice of polygamy is a crime, notwithstanding this belief. This belief also includes unlawful cohabitation, fornication and adultery when the latter are committed in the polygamous relation. You have nothing to do with this religious belief. If there is a large proportion of the people who believe polygamy is right, it makes the necessity greater that the law should be enforced rigidly, to protect society, and preserve the institution of marriage as adopted by the civilized world, that it may not be overthrown by the substitution of polygamous marriage.

It is your duty to fairly investigate all charges, and wherever there is a belief in your minds that there can be a conviction, it is your duty to indict.

There is another offense that may not be understood by all. That is the crime for prize fighting. The law says: "Every person who engages in, instigates, encourages, or promotes any ring or prize fight, or any other premeditated fight or contention, without deadly weapons, either as principals, aid, second, umpire, surgeon, or otherwise, is punishable by imprisonment in the penitentiary not exceeding two years. Every person wilfully present as a spectator at any such fight or contention, is guilty of a misdemeanor."

I call attention to this because

there seems to be a misapprehension on the part of some as to what constitutes the offense. Some think that if a man has gloves on he does not commit this offense. It may be possible to invent gloves whereby a man cannot be injured, and then the contention might be good humored. But if it is a fight, if a man gets a black eye, or has the breath knocked out of him, it makes no difference whether he has gloves or not. The gathering together of people for prize fights also has bad effect on the public. This law was passed to prevent these effects as well as to prevent men from inflicting injury on each other. It is your duty to investigate this crime fairly and impartially.

I wish also to call your attention further to the duties imposed on you by law. The law of Congress, passed June 22, 1864, provides for inquiring by the grand jury into cases of persons confined in prison, and into the conduct of public officers; and also that you shall investigate cases of malfeasance in office, whether by City, County, Territorial or Federal officials. Under your oath you cannot shirk this duty. If any man feels he has not the courage to do this he ought to say so, and be excused from the grand jury.

You are to be actuated only by a desire to reach the truth, and must not be actuated by malice, prejudice or ill will. You have no right to bring into the grand jury room your likes or dislikes. Your whole duty is to investigate the truth of the charges brought to your attention. You must not be influenced by fear or favor. If you want to exhibit your affection for anyone, you must do it outside the grand jury room; there is no place for it there.

You should keep secret your proceedings, and if any man approaches you, inform him he is committing a breach of law. If he persists bring the matter to the grand jury, and also report to this court. You may receive information regarding any offense, but no man must inquire further or advise you as to what you should do with any individual or case. It is your duty to indict him if he does so, and also to inform the court. I draw your attention to these matters because there are men who are willing to approach grand jurors as I have suggested.

You have no right to any but lawful evidence. You must make your findings on legitimate evidence produced in the grand jury room. If you desire any further information you may appear before the court and request a further charge as to your duties.

Bailiff Theodore Parsons was sworn to take charge of the jury, and court took recess till afternoon.

STATISTICS REGARDING STRIKES.

It would be hard to pick out any citizens of Massachusetts to whom the nineteenth annual report of the bureau of statistics and labor, if intelligently read, would not be interesting. This volume, which makes its appearance today, is compiled

from data forming a part of the third annual report of the United States bureau of labor, and deals with (1) "strikes and lockouts" and (2) "citizens and aliens." Like all volumes which have been issued by O. D. Wright or his successor, H. G. Wadlin, the statistics are impartial and of real interest. They certainly bear lessons well worth considering. If this volume were honestly read by both employers and employes, strikes would be less in number in the future. Before considering the question of strikes and lockouts for the period of 1881-1886, the report makes a short review of the labor troubles known in the period 1825-1880. These amounted to 184, 20 per cent of which were in Boston. The causes of most of the strikes and lockouts were either to secure better wages (115) or shorter days (24). Of the other 17, three were instituted against the use of machinery, five in resistance to employers' rules, and nine to enforce union rules. Only 11 proved wholly successful, 109 failed, 16 were compromised, and only six were partly successful.

The methods for compiling the record of strikes and lockouts for the period of 1881-1886 inclusive, were as follows: Early in 1886, the bureau proceeded to examine its files or leading daily papers, trade and commercial periodicals published during that period, for any record of strikes or lockouts, not only in Massachusetts but in the United States. These were thoroughly investigated, so far as possible, and the data compiled may be considered very reliable. By these means the following statistics were secured. In the years 1881-1886 there were strikes in 995 establishments. In 815, the strikers were ordered by labor organizations and 787 were closed for a period of days aggregating 2756 weeks—an average of 24½ days to each establishment. The aggregate duration of the strikes was 30,506 days, an average of nearly thirty-one days to each strike. Of the strikes 851 succeeded, 457 only partly, while 187 were total failures. The employes lost \$4,200,489 by the strike, but at least \$266,708 was contributed by other labor organizations in their aid. The loss to employers by these strikes amounted to \$1,970,981. The number of employes before strikes amounted to 114,489, of whom about 66 per cent were males. After the strike the number decreased to 109,292, 67 per cent of whom were males. Only 36,695 employes were actively engaged in these strikes, but the number of employes engaged and involved in the strikes amounted to 81,054, or about 71 per cent of all employed in the establishments where the strikes occurred. After the strikes were over or during their continuance 6,186 new employes were engaged and 3,154 employes brought from other places.

In 1881-1886, "lockouts" were ordered in 135 establishments, by organizations, while in 12 they were not. In the 147 establishments affected, 88 were closed for an aggregate of 3076 days, or an average of