

**CHARGE TO THE GRAND JURY.**

DELIVERED BY ASSOCIATE JUSTICE O.  
W. POWERS, AT OGDEN, ON TUESDAY  
NOV. 17, 1885.

The empanelling of a grand jury for the First District Court was completed on Monday afternoon last, the following named persons constituting the panel, the first mentioned being the foreman: J. W. McNutt, D. Thorburn, J. S. Lewis, L. B. Stevens, W. M. Chapman, S. Peterson, S. S. Schramm, F. A. Shields, O. G. Hill, C. B. Payson, J. Crandall, Geo. G. Griffith, I. Rubel, H. C. Wardleigh, John B. Hopkins. Judge Powers then proceeded to deliver the following charge, the text of which we copy from the Ogden Herald:

You have been called by your country to act in a most important capacity. You have been taken from the ordinary affairs of life, to serve as grand jurors of the present term of court. None of you have sought this duty, and I feel certain that all of you would have preferred to remain at home as private citizens, rather than take up the grave responsibilities which you now assume. But jury duty is one of the burdens of citizenship. It must neither be sought nor

I am sure that you fully appreciate the importance of the position which you occupy, and I trust that you are willing to withdraw yourselves from the malice, prejudice and envy that too

often sway men's minds in the affairs of the world, and that you will consecrate yourselves, without fear or favor, to the great public trust that our laws have placed in your charge. Upon the very threshold of your duties, let me urge you to resolve that you will be faithful to your oaths, that you will in-

I desire to impress upon you the absolute necessity for fairness and im-

partiality in all that you may do. You must not be influenced by matters that you have no right to consider. You must, in your deliberations, simply consider the evidence produced. You must not take thought of the consequences to yourselves, if a certain line of action is pursued, but you must simply seek to do your duty. You must not inquire whether your action will be popular, or whether it is politic to do or not to do a particular thing, for you must simply consider whether it

The institution of the grand jury is of very ancient origin in the history of England; it goes back many centuries. In the struggles which at times arose in that country between the powers of

the king and the rights of the subject, it often stood as a barrier against persecution in his name, until at length it came to be regarded as an institution by which the subject was rendered secure against oppression from unfounded prosecutors of the crown. "In this country," says a distinguished judge, (His Honor Justice Field, of the Supreme Court,) "from the popular character of our institutions, there has

ment, thereby creating a barrier between the government and the citizen which required the existence of the grand jury as a protection against oppressive action of the government, yet the institution was adopted in this country, and is continued from considerations similar to those which give to it its chief value in England, and is designed as a means, not only of bringing to trial persons accused of public offenses, but also of ascertaining the facts, and

upon just grounds; but also as a means of protecting the citizen against unfounded accusation, whether it comes from government or prompted by partisan passion or private enmity."

whereby there is just ground to charge the commission of crime, shall be held to answer the charge; and on the other hand a duty to the citizen to see that he is not subject to prosecutions which have no just foundation.

You will direct your inquiry, in your investigations, to such subjects as are called to your attention by the Court in this charge, or are submitted to your consideration by the District Attorney.

Some other matters may come to your knowledge, when it will be your duty to investigate. While you are inquiring as to one offense, another, and a different offense may be found, or witnesses before you may, in testifying, commit the crime of perjury. So, also, some of you may have personal knowledge of the commission of offenses against the laws of the United States, or of this Territory or of facts which tend

to show that such an offense has been committed or possibly attempts may be made to influence corruptly or improperly your action as grand jurors. If you are personally possessed of such knowledge, you should disclose it to your associates; and if any attempts are made to influence your action corruptly or improperly, or to intimidate you in your action, you should inform them of it, also, and they will act upon the

information thus communicated as is presented to them in the first instance by the District Attorney.

I instruct you that your investigations are to be limited;

First—To such matters as may be called to your attention by the court;

or,

Second—May be submitted to your consideration by the District Attorney;

or,

Third—May come to your knowledge in the course of your investigations into the matters brought before you, or from your own observations; or

Fourth—May come to your knowledge from the disclosure of your associates.

It will be your duty to inquire whether any of the laws of the United States have been violated. It is my duty to charge you specifically, to make

due and diligent inquiry, whether the laws of your country relative to polygamy and unlawful cohabitation are being infringed in this district. I therefore charge you to investigate this matter. For years the laws relative to the marriage relation have been set at defiance in this Territory. This is a fact of such common notoriety that the court is bound to take judicial knowledge of it. But this state of

frains cannot be allowed longer to exist. The government is in earnest. The laws of the land must be enforced and guilty parties taught that, if they continue in their evil course, they must pay the penalty. People must learn that the law can no more be violated with impunity in Utah than it can be in the States. They must understand that the great moral sentiment of the nation is opposed to plural marriage.

The sooner they learn the lesson, that they must learn sooner or later, that the law must be obeyed, and that Utah is a portion of the United States, the better it will be for all. It is strange that any will pursue the path that the people of this Territory seem determined to take. Here, amid these mountains, nature's great treasure vaults, enclosing valleys so fertile that they need only to be

rickled with the boys in the springtime to laugh with the harvest in autumn," could be framed an intelligent, enterprising state. Some day this will be done, but it will not be until our people learn to love their country, learn to obey its laws, and learn to reverence that great institution of civilization, the home, with its wife and mother revered and honored by the husband and father. The laws re-

at the expense of Bulgaria, to satisfy Servian ambition and egotism. Bulgaria redeems on the sense of justice of the Powers, as Europe must speak the latward on the question."

**John Bright.**—In a speech at Birmingham last night, instanced the condition of the Episcopal Church in America as proof that the Church of England was maintaining its rights without a state alliance.

**The Grand Old Man in Scotland.**—FOURMOUTH, 17.—Glasgow, in a speech to-day, said: "I have already pointed out in my former address, that it is verisimile that by an overwhelming majority of her members the Irish might fight for some demand. I expressed my opinion, however, that Ireland would never forget her duty to the Union and the Empire, though she might present a demand for a large

[illegible]

head of the authorized doctors he sends to the House of Commons, it would seriously damage any proposal for a referendum. The constitutional question should arise. If the proposal be made it can only be effectively made by the government, although the government is rather silent on the subject and appears disinclined to use language calculated to render the subject more palatable to those whom they owe much, through the transactions of the last Parliament. If the present government continues, they will have to make a decision, require to hear their views before expressing his own. Thus it is impossible to leave to Mr. Parnell's kind imagination.

The remainder of the speech was devoted to a rapid review of the various subjects of the foreign affairs and disestablishment.

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