

[From the Philadelphia Saturday Evening Post.]

**Law in New Granada vs. Law in the United States.**

It was a criminal trial in New Granada. A man had been charged with some crime, and had been denounced. The denunciation was page 1. Page 2 stated that he was not guilty. Page 3 was from the circuit judge, ordering the judge of the first instance to take evidence of A, B, C and D. These made up documents 4, 5, 6 and 7. No. 8 was from the accused, demanding that some one be assigned as his counsel, as he was too poor to employ a doctor of laws. No. 9 was from the judge of the first instance, ordering Rev. Elias Guerrero to defend the accused. In No. 10 my friend had asked that B and C be re-examined on certain points, and E and F examined. Nos. 11, 12, 13, 14, contained the results of these examinations, which he was sewing on previous to passing the concretion over to the personero, or prosecuting attorney, of the province of Buenaventura.

If it shall seem to the personero that the case is made up, he will demand, in No. 15, an interview at a proper time, between the judge, the accused, his defender, six jurors and himself, in which these documents will all be read, and the case argued. We may then hope that No. 16 will contain the vote of a majority of the jury, and No. 17 the sentence of the judge.

Such is the outline of the French, Spanish and Granadian process, as it seems to me. It is much more dangerous to men of bad character than our blessed Yankee system, which yields a more perfect protection to the criminal than any other ever invented. I tried to describe our process to my Granadian friend, but I fear he did not believe all I said.

"In the first place to catch the accused."  
"But if you cannot catch him, what then?"  
"Why, of course, then, we do not try him."  
"Why not?"  
"He might not have a fair trial if he were not present."

"Well, give him fair notice, then, and if he thinks it better to be present, let him come.—Do you never catch men that you find you have no occasion for? And would it not have been better if they had been tried before sending off to a distance to bring them home, if they did not want to come?"

"That may be; but it is contrary to our theory (founded on an old law book, I believe, called *Madre Vidrio*—Mother Grass) the man must be first caught and then tried. Next after catching he is to bail him."

"But suppose he has stolen \$100,000."  
"Then we demand security in the sum of \$40,000 or less. Excessive bail is unconstitutional; and a bail of as great an amount as he has stolen would be more than he could get, therefore it would be excessive."

"But if he gives his bail \$40,000 of the stolen money, and then runs away?"

"Then the bail moves heaven and earth to have the security reduced to \$5,000, which he pays into the treasury, and gains \$35,000 by the operation."

"And the man who was robbed?"  
"Why, he revenges himself by having the thief arrested again, if he can catch him."

"If?"  
"But, generally, he will not run away. The danger of conviction is not so great as to justify it; for twelve men must be unanimous in his conviction, and they must walk together without stumbling, over a path bristling with law points planted by skillful counsel. Acquitting men has been reduced with us to a science. A man can make but fair wages at getting others condemned, but he may even get \$10,000 at a single job for getting a man clear."

"Caramba!"  
"A celebrated advocate, Henry Clay, is said never once in his life to have failed in clearing his man, even when charged with murder.—Consider what a fool a man would be in spending \$40,000 in bail, and risk being caught again, when he could retain Henry Clay for one-quarter of that sum, and after being acquitted, live respectably among his old neighbors, and die happy in the house where he was born."

"Verdadi!"  
"But the Boston people have carried the matter farthest. Once Boston had a bad name for hard usage of criminals. People of other States were horrified by the hanging of a man of good family for a murder, when they could see beautiful chances of getting him clear that were idly suffered to pass. Since then they have made their jurors, judges of law as well as of fact, and the consequence is that their jurors hang on the slightest cause."

"Hang the accused?"  
No, indeed. They are unable to agree, and are discharged. A new trial is ordered. Not a word of the old trial will answer. All the witnesses must be heard again, and if a material one should die, or happen to become an engineer on a Russian railroad, the trial must go on without him, and the accused be acquitted."

"Well, your Union must be a paradise for malefactors. I no longer wonder at the desperadoes that keep our Isthmus in a perpetual terror."

"Yes, but I have not told you all. The denouncer is sometimes called on to give bail as well as the denounced. For instance, a mate of a ship maltreats a sailor. Jack complains, and is locked up as a witness. The mate gives bail. The hot season comes on—hotter than in Tocaima. For fifteen long hours in a day the sun beats on the prison where the witness is shut up, but the mate is not ready for trial. He is drinking ice-water, and at some genteel employment on shore. After the trial, the witness, who has been shut up six months, is set

at large, and the criminal is condemned to be shut up in a better cell six weeks."

"Vayal you are joking."  
"Not at all. I had my overcoat stolen, and in a moment of consummate folly I told the police. Fortunately the thief never was discovered. Had he been caught, the time I should have been compelled to spend hanging about a court-room would have been worth to me more than two overcoats."

I cannot give the rest of our conversation. I own that I utterly failed to make the priest understand the superiority of our system to theirs—such is prejudice. The most degraded of our population at home can see it at once.

**A Good and Honest Judge.**

In the life of the late Gov. Plumer, written by his son, Wm. Plumer, jr., is an interesting account of John Dudley, of Raymond, New Hampshire, who was a judge in that State from 1785 to 1807. Our author says:

This extraordinary man, who was for twelve years, Judge of the Superior Court, had not only no legal education, but little learning of any kind. But he had a discriminating mind, a retentive memory, a patience which no labor could tire, an integrity proof alike against threats and flattery, and a free elocution, rude indeed, and often uncouth, but bold, clear, and expressive, with a warmth of honest feeling which it was not easy to resist.

His ideas of law may be inferred from the conclusion of one his charges to the jury, which I once heard my father repeat. It was somewhat in this style:

"You have heard, gentlemen of the jury, what has been said in this case by the lawyers, the rascals, but no, I will not abuse them. It is their business to make a good case for their clients; they are paid for it; and they have done in this case well enough. But you and I, gentlemen, have something else to consider. They talk of law. Why, gentlemen, it is not law that we want, but justice. They would govern us by the common law of England. Trust me, gentlemen, common sense is a much safer guide for us—the common sense of Raymond, Epping, Exeter, and the other towns, which have sent us here to try this case between two of our neighbors. A clear head and an honest heart are worth more than all the lawyers."

There was one good thing said at the bar. It was from Shakespeare, an English player, I believe. No matter. It is good enough almost to be in the Bible. It is this: 'Be just and fear not.' That, gentlemen, is the law in this case, and law enough in any case. 'Be just and fear not.'

It is our business to do justice between the parties, not by any quirks of the law out of Coke or Blackstone, books that I never read, and never will, but by common sense and common honesty as between man and man. That is our business; and the curse of God is upon us, if we neglect, or evade, or turn aside from it.

And now, Mr. Sheriff, take out the jury; and you, Mr. Foreman, do not keep us waiting with idle talk, of which there has been too much already, about matters which have nothing to do with the merits of the case. Give us an honest verdict, of which, as plain, common sense men, you need not be ashamed."

I have made the judge speak good English, which he did not often do. "This 'ere plaintiff," and "that 'ere defendant," "them lawyers," and "these 'ere witnesses," were expressions that fell often from his lips; yet, it was observed that, when warmed by his subject, his language, always forcible, became suddenly accurate and even elegant, so naturally is correctness, as well as elegance, the result of clear thought and earnest feeling.

It will not excite surprise that such a judge carried the jury with him. Indeed, when fairly under way there was no stopping him. He trampled down and ran over everything that stood before him, and came out always first at the goal.

He had been from 1776 to 1784, during the whole period of the Revolution, one of the Committee of Safety, the most efficient of governments. Quick to feel and prompt to act, he was a resolute, strong minded man, intent on doing substantial justice in every case, though often indifferent to the forms and requirements of law.

"You may laugh," said Theophilus Parsons, who practised for many years in our courts, "at his law, and ridicule his language; but Dudley is, after all, the best judge I ever knew in New Hampshire."

To have received this praise from Judge Parsons, Dudley must have been, on the whole, not ignorant of law, nor inattentive to its substantial requirements.

"Justice," said Arthur Livermore, speaking to me of Dudley, before whom he had himself practiced, "was never better administered in New Hampshire, than when the judges knew very little of what we lawyers call law."

**INSTINCT OF THE CARRIER PIGEONS.**—With respect to Sir John Ross's pigeons, so far as I (Sir John Richardson) can recollect, he dispatched a young pair on the 6th or 7th of October, 1850, from Assistance Bay, a little to the west of Wellington Sound; and on the 13th of October a pigeon made its appearance at the dovecot in Ayrshire, from whence Sir John had the two pair of pigeons which he took out.

The distance direct between the two places is about 2,000 miles. The dovecot was under repair at this time, and the pigeons belonging to it had been removed; but the servants of the house were struck with the appearance and motions of this stranger. After a short stay, it went into the pigeon-house of a neighboring proprietor, where it was caught, and sent back to the lady who originally owned it. She at once recognized it as one of those which she had given to Sir John Ross; but to put the matter to the test, it

was carried into the pigeon-house—when, out of many niches, it directly went to the one in which it had been hatched. No doubt remained in the mind of the identity of the bird.—[Yarrell's British Birds.]

**PROHIBITION OF TOBACCO IN SWITZERLAND.**—The governing Council of the Canton of Berne have just enacted that young men, who are as yet unconfirmed (confirmation is administered in Switzerland between the fifteenth and sixteenth year) are prohibited from using tobacco. The Council state that they have come to this determination in consequence of the deleterious effects of tobacco on the human frame.

**ANSWER TO ENIGMA BY J. H. L.**

Your first must be the letter I,  
Which in the word thing I desecry;  
Your second, if I've guessed it right,  
Is sin, both morning, noon, and night;  
Your third—to please the ladies fair  
We're asked to sing, I do declare.  
Your fourth which needeth so much care  
To carry far, is glass, I'll swear;  
Your fifth, in these our mountain homes,  
A lass quite likely daily come,  
And these words, properly combined,  
Make *isinglass*, your whole I find.  
Yet stay, a small word still remains  
Which you have offered for my pains.  
But think not I would dispossess  
J. H. L. of A double S.

HENRY MAIBEN.

G. S. L. City, Aug. 7, 1857.

**MAILED**

In this City, Sept. 6, by Bishop James G. Willie, Mr. THOMAS QUAYLE and Miss SARAH JANE PARTINGTON.

At Parowan, on the 29th of June, by Bishop T. Lewis, Mr. JENKIN A. EVANS and Miss SARAH ANN NORRIS.

**HEAD QUARTERS NAUVOO LEGION.**

Adjutant General's Office, G. S. L. City,  
Sept. 2nd, 1857.

**GENERAL ORDERS,**

No. 4.

I. In consequence of the accumulation of business in the Quartermaster and Commissary Departments, the following appointments are made in those Departments.

1st. Feramor Little to be Assistant Quartermaster General with the rank of Colonel of Heavy Artillery.

2d. Nathaniel V. Jones to be Assistant Commissary General of Subsistence with the rank of Colonel of Infantry.

They will be obeyed and respected accordingly.

DANIEL H. WELLS, Lieut.-Genl. Com.

**NOTICE.**

The meetings of the 30th Quorum of Seventies will be held on Saturday evening Sept. 12th, in the 14th Ward school house, and will continue every alternate Saturday evening, at 7 o'clock, until further notice.

The members are requested to forward their genealogies complete to the clerk forthwith, in order that they may be recorded.—By order of the council,

JOHN B. KELLY, Clerk.

**SIXTEENTH QUORUM.**

The council and members of the 16th Quorum of Seventies are requested to forward immediately to the clerk of the Quorum, at Mr. E. T. Benson's residence, G. S. L. City, the following particulars, viz.:—Name, date and place of birth, father's name, mother's given and maiden name, date of first baptism, by whom baptized, when and by whom ordained into quorum, and present residence. A full report of the Quorum is required by the first of October next.

JOHN H. LATEY, Clerk.

**THIRTY-SEVENTH QUORUM.**

The members of the 37th Quorum are requested to send in a note stating their present feelings, their present residence, and any other particular which may be important. Those residing in the city are requested to attend the meetings, which are held monthly, at the Seventies' Hall, on the first Saturday in each month, at 7 p.m.—By order of the council,

J. G. CHAMBERS, Clerk.

P.S. A full report of the Quorum is required by the next meeting.

**NOTICE.**

The members of the Priests' Quorum in G. S. L. City will meet in the 14th Ward School house the 1st Sunday in every month at 4 o'clock, by order of the President of said Quorum.

LEWIS WIGHT,

13-6m President.

**NEW ADVERTISEMENTS.****WAGON FOR SALE.**

I HAVE a very light Wagon, which I wish to sell.  
27-1 ROBERT L. CAMPBELL, 14th Ward.

**WANTED,**

FOR Commissary supplies, Twenty Bushels of Beans and Twenty Head of Beef Cattle, for which auditor's warrants will be paid.  
27-3 A. P. ROCKWOOD, Com. Gen. of N. Legion.

**TAXES,**

I WILL receive for Taxes or City Scrip for a short time wheat and other grain, wood and lumber, at my office. If the taxes are not paid forthwith they will be collected with further cost.  
27-3 J. C. LITTLE, Assessor and Collector.

**ROPE AND TWINE.**

W. A. McMASTER, Rope, Twine, Lasso, Girth, Broom and Weavers' Twine Manufacturer, 11th Ward, informs the public that he will break and dress Hemp and Flax, or spin any of the above named to all who wish, on cheap terms, &c. 27-1

**LOST,**

BETWEEN the City and my farm in Davis county last spring a SHOVEL branded J. NEBEK on the handle. The finder or person having it in possession will confer a favor by returning to J. NEBEK, 17th Ward.  
27-1

**WALKERS' LUGGAGE TRAIN**

HAS ARRIVED at last, and he wishes to inform those that cannot pay him in cash, that he will take part of the goods in payment for the balance due him on freight. From those that have but a small quantity of goods and cannot pay him in that way without depriving themselves of needful clothing, he will take what at cash price, and if they cannot bring it when they come for their goods, they must bring an order from their bishop that he will be responsible that the pay is forthcoming. He takes this course in order to relieve himself from further trouble with the goods.

WM. WALKER,

27-1 19th Ward, opposite the School House.

**Clog and Patten Manufactory.**

I WISH to inform the inhabitants of this city and territory that I am now manufacturing CLOGS and PATTENS, and having all the requisite tools and a long experience in the trade, I hope to give satisfaction to all who may patronize me.

Brethren, gather up your old boots and shoes and bring them early to me, and I will make you good clogs out of them, that will keep your feet warm, dry and comfortable all the winter.

Any kind of available pay taken. Terms moderate. Wanted, old boot and shoe tops, for which I will pay in work.

HENRY CLEGG, Clogger,  
South Temple Street, one block south of Jennings & Winder.

27-6

**THE DESERET NEWS.**

WEEKLY:

PRINTED ON WEDNESDAY—DELIVERED ON THURSDAY.

TERMS—\$6 PER ANNUM.

OFFICE—P. O. BUILDING.

TO ADVERTISERS.—Advertisements to insure insertion in the current number must be handed in on Monday.

**LIST OF AGENTS:**

G. S. L. County.

A. O. Smoot	-	Kanyon Creek Ward.
Reuben Miller	-	Mill Creek do
Archibald Gardner	-	do
Milo Andrus	-	Big Cottonwood Ward
Andrew Cahoon	-	South Cottonwood "
Joseph Hammond	-	do
Isaac Ferguson	-	do
Silas Richards	-	Union.
J. Guensey Brown	-	Draper.
Samuel Bennion	-	West Jordan.
Daniel R. Allen	-	Jordan Mills.
McGee Harris	-	Fort Herriman.

Cedar County.

Allen Weeks - Cedar Valley.

Utah County.

D. Evans	-	Lehi City.
Leonard E. Harrington	-	Lake City.
T. J. McCullough	-	Lone City.
W. G. Sterrett	-	Pleasant Grove.
D. Carter	-	Provo.
A. Johnson	-	Springville.
J. L. Butler	-	Spanish Fork.
C. B. Hancock	-	Payson.
James Holman	-	Santa Quin.

Juab County.

T. B. Foote - Salt Creek.

San Pete County.

Geo. Peacock - Mantle.

Millard County.

S. P. Hoyt - Filmore.

Beaver County.

P. T. Farnsworth - Beaver Creek.

Iron County.

T. Lewis - Parowan.

I. C. Haight - Cedar City.

Washington County.

J. D. Lee - Fort Harmony.

Green River County.

I. Bullock - Fort Supply.

Tooele County.

J. W. Cooley - Grantsville.

Hezekiah Mitchell - E. T. City.

Lysander Gee - Tooele City.

Davis County.

John Stoker - Stoker.

Wm. R. Smith - Centerville.

James Leithead - Farmington.

Samuel Henderson - Kaysville.

Weber County.

C. W. West - Ogden.

Thomas Dunn - North Ogden.

Box Elder County.

Salmon Warner - Nor. Willow Creek.

Samuel Smith - Brigham's City.

Cache County.

Peter Maughn - Cache Valley.

Malad County.

James Frodsham - Fort Malad.

For California, Oregon and Washington.

D. M. Thomas - San Bernardino.

Geo. C. Cannon - San Francisco.

For Canada and the States and Territories East of the Rocky Mountains.

H. S. Eldredge - St. Louis.

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For the British Isles, Europe, Asia, Africa and Australia.

Millennial Star Office - Liverpool.

**ADVERTISING.**

(Ten Lines, or less, constitute One Square.)

REGULAR ADVERTISEMENTS:

One Quarter Column, (three squares or less) for each insertion	1.50
Half Column, (seven squares or less) each ins.	3.00
One Column, (fourteen squares or less) "	6.00

SUNDY ADVERTISEMENTS:

One Square, each insertion	1.00
Two Squares	1.50
Three	2.00

Thus upward, with a half dollar to the additional square for each insertion.

**BOOK, JOB AND CARD PRINTING**

Executed to order in this office; and having received some important additions to our stock of

**Job and Ornamental Type,**

We are prepared to do work at reasonable rates, and in the most approved style.

**BOOK-BINDING**

In all its branches carried on in connection with this office. Send in your orders.