

United States do not apply to it at all; and as men who look for justice, as intelligent lawyers, knowing what is right and wrong, must know, that a verdict, such as the defendant desires, will alone bear justly on the case.

I feel very thankful to the honorable court, and to the jury, as also to the spectators, for the audience given me; and, as I said, in the commencement, my health not being good, I

was unable to take hold of this business so as to treat it in a manner to satisfy myself, and do justice to the case of my client; and I would say further, what I have said has been in my own mountain English; what the learned prosecutor may be able to show I cannot tell; enough has been said to show you that this defendant has a right, upon just and pure principles, to be acquitted.

**CHARGE OF HON. Z. SNOW, JUDGE OF THE FIRST
JUDICIAL DISTRICT COURT OF THE UNITED STATES FOR
THE TERRITORY OF UTAH, TO THE JURY, ON THE TRIAL
OF HOWARD EGAN FOR THE MURDER OF JAMES
MONROE.**

GREAT SALT LAKE CITY, OCTOBER TERM, 1851.

REPORTED BY G. D. WATT.

Gentlemen of the Jury—The grand jury, called and sworn on behalf of the United States, having presented an indictment against Howard Egan, for the murder of James Monroe—it becomes our duty to proceed with the case, and if he should be convicted or found guilty of violating the laws of the United States in this behalf, to pass sentence against him. For the purpose of determining the facts, you have been empanelled and sworn to give a true verdict according to the evidence which should be given you in court. You will readily see that your duty is important. It is the right of the United States, the right of the citizens of this territory, and the right of the defendant, to insist that you shall now discharge that duty without fear, affection, or partiality. It is the right of us all to insist that, when a

crime has been committed, the offender shall be punished by due course of law, but not otherwise. We have no right to punish a person for a real or imaginary wrong, except with the authority of law. The safety of ourselves individually, and of society, depends on the correct and faithful administration of good and wholesome laws. No one ought to be punished unless he be guilty of an act worthy of punishment, nor even then, unless that act has been declared to be penal by the law of the land, and the punishment directed, nor until he has had an opportunity of having a fair and impartial trial, for, peradventure, he may not be guilty as alleged against him. If the law suffered a person to be punished upon mere rumor, or upon strong circumstance, accompanied with the communication of our best—our