

PROPOSED INFRACTION OF  
THE LAW.

A VERY foolish decision was given a few months ago in the Third District Court, in a case of violation of the liquor license law of this city. The municipal authorities fined a brewer for infraction of the ordinance, and, on appeal, the District Court ruled in favor of the defendant; not because his place of business was outside the corporate limits, for this was not claimed, but on account of its remoteness from the centre of the city, where the benefits of civic government are principally received.

On this principle the ratio of taxes should be higher in the chief streets than in the outskirts, and the percentage on all real estate should be graduated or run on a sliding scale, from the principal business locality to the boundaries. Also, a person guilty of breaking the law in the main part of the town should be punished more severely than an offender in a distant street, while a criminal whose offense was committed close to the corporate line ought to be allowed to go scot free.

The ridiculous ruling of the Court is producing the natural results of such a burlesque of the law. An advertisement has been published to the effect that a beer garden, after the German style would be opened every Sunday at a place within the jurisdiction of the Salt Lake City authorities. The advertisers not only proposed to break the law and defy public sentiment, but to commit these offences openly, boldly, avowedly.

Now the question is, Shall anything of this kind be permitted? The ordinance of the city in relation to this matter says:

"Any person who shall be convicted of skating, hunting, fishing, or any kind of sporting, or who shall keep open any bar, shop, store or any other place to carry on any kind of business or amusement, or who shall participate in any kind of public amusement, or unnecessary business or labor, or who shall barter, sell, or give away any spirituous, vinous or fermented liquors, except for medicinal or sacramental purposes, within the limits of said city, on the first day of the week, commonly called Sunday, shall be liable to a fine in any sum not exceeding one hundred dollars, or to imprisonment not exceeding three months, or to both fine and imprisonment." (Ordinance on Crimes and Punishments, sec. 28.)

If it should be claimed that the place referred to is outside of the corporate limits, or any other excuse, based on the stupid ruling to which we have made allusion, or otherwise, be offered for the proposed public Sabbath-breaking, a sufficient remedy may be found in the Territorial statute, in such case made and provided:

"Every person who keeps open on Sunday any store, workshop, bar, saloon, banking house, or other place of business, for the purpose of transacting business therein, is punishable by fine not less than five nor more than one hundred dollars." Compiled Laws of Utah, sec. 1880.)

The persons who advertise their intention to break the law offer a musical entertainment as an inducement to patronage. By the provisions of section 1879 of the same book, any person who opens any place, for a musical performance, where any intoxicating drinks are sold or given away, is guilty of a misdemeanor, for which a severe penalty can be imposed than the maximum fine under the previous section.

It may be that this project for public Sabbath-breaking will not be put into actual operation. Good advice may have the effect of killing it in the birth. In that case our remarks will still be pertinent, and our quotations will have abundant application. We hear of places where the laws in relation to the Sabbath, municipal

and territorial, are openly outraged on the first day of every week. If the Federal courts, which should strengthen the local magistracy, render the efforts of the city authorities to protect the public morals abortive, then the officers whose duty it is to enforce the statutes should take this matter in hand, suppress unlawful Sunday resorts and make the law supreme.

It is a matter of deep regret that there are any in our community who support and patronize places where sacred and secular law are alike systematically violated. Most of the people of Utah are under peculiar obligations to respect the former, all are in duty bound to respect the latter. The Sabbath should not be bound in fetters nor surrounded with irksome restrictions; but those who observe it in the spirit of its institution will be better for so doing, physically, morally, spiritually, temporally and eternally.

A FOUL DEED FULLY DISCLOSED.

WE learn from eastern exchanges that Benjamin F. Hunter was convicted at Camden, N. J., on the 3d inst., of the murder of John M. Armstrong. The trial lasted for twenty days and occasioned intense interest, the case being, in some of its details, remarkable and peculiar.

Last January, Armstrong, who was in partnership with Hunter, in Philadelphia, was found nearly dead in Camden, a town in New Jersey, just across the Delaware, opposite Philadelphia. His head was frightfully battered and he was unconscious. He was conveyed to his home and was visited by Hunter, and, shortly after, the bandaged wounds bled afresh and Armstrong died without being able to cast any light upon his murder. When he was found wounded, a hatchet and a hammer branded F. W. D., and stained with blood were picked up near by. It was well known that Ford W. Davis, who lived in Camden and who was in debt to Armstrong, had ill feelings towards him, and the initials on the weapons which were evidently used in the murder being his, suspicion naturally pointed towards him. But Davis was, fortunately, able to prove an alibi, although public feeling, which was greatly excited, ran very high against him.

After two months of mystery and diligent investigation on the part of Sheriff Dautman and Detective Yoder, a man named Thomas Graham, who had been an apprentice of Hunter and Armstrong's, was arrested on suspicion. Hunter had insured the life of Armstrong to the amount of \$20,000, as the latter was deeply in debt to him. This offering a motive for the crime, and Graham being intimate with Hunter since the murder, led to the apprehension of Graham, who was a married man, 27 years of age, but dissolute and vicious in his habits.

Graham confessed the whole affair. He related how Hunter approached him with temptations to kill Armstrong, promising \$50 for the commission of the deed. Told the times and places where he met Hunter to talk the matter over, and the plan to brand a hammer Hunter furnished, with Davis' initials, to turn suspicion upon an innocent man. The murder was arranged to be committed while Hunter went to Virginia. But this not being carried out, Hunter, on his return, agreed to accompany Armstrong to Camden on a certain night, when Graham was to follow them, and, on reaching a certain alley marked on a plan drawn up by Hunter, he was to perform the deed at a given signal.

The devilish programme was carried out, Hunter bringing a hatchet also branded F. W. D., only Graham, after striking one heavy blow in the forehead with the hammer, dropped both weapons and ran away. Hunter met him at the ferryboat and said he had "finished him." Subsequently Hunter gave Graham \$10.

The most horrible part of the story is that Hunter, on going to see his partner while he lay wounded and unconscious, loosened the bandages and pressed the wounds that they might bleed afresh and the awful deed be fully accomplished.

Hunter, being possessed of some means, obtained valuable legal assistance, ex-Secretary Robeson being one of his counsel, who made one of the most eloquent and ingenious pleas ever offered to a New Jersey jury, lasting two whole days. An alibi was attempted, but it failed, and the prosecuting attorney, Mr. Jenkins, produced such a vast amount of evidence corroborating small details related by Graham, and made the defendant, who was allowed to testify in his own behalf, contradict himself so plainly, that in spite of the numerous witnesses to his good character and the efforts of his legal advisers to break down the testimony against him, the case was plainly made out, and the jury, after two hours' deliberation, brought in a verdict of murder in the first degree against Benjamin F. Hunter.

The verdict is generally considered just and in accordance with the evidence, and it is to be hoped that the sentence of the law will be fully carried out. The assassin laid his plans with fiendish cunning, but, as in many other cases, a fatality attended his wickedness, and the very schemes concocted to shield himself and condemn an innocent man, contained the evidence which led to his own conviction. Such a deliberate plot by a respectable member of society to commit a double murder for the sake of gain, without any motives of revenge or personal malice against his victim is, we are thankful to say, exceedingly rare in history. And we trust that the prompt execution of the extreme penalty will act as a deterrent upon other minds which have not the fear of God before them and are governed only by abnormal selfishness. Graham will, no doubt, be brought to trial, and on a plea of guilty be convicted, with a recommendation to mercy, and be condemned to imprisonment for a series of years. He harbored murder in his heart, and is worthy of death, but is a small criminal in comparison with the monstrous Hunter.

A SAMPLE OF "LIBERAL" FRUIT.

THE "Liberals" of Tooele County who captured the political fort through fraudulent voting and the sicken to nausea over one of their own creations. They advanced to the front a person of small calibre but extensive impudence, and made him a Justice of the Peace, and also County Superintendent of District Schools, for neither of which positions he was fitted by nature or education.

Quite recently he was convicted in the Third District Court, of obtaining money under false pretenses. He victimized a number of Salt Lake tradesmen, and although the jury on the trial of the first case presented against him found a verdict of "not guilty," to the astonishment of the court, the spectators, the prosecution and his own counsel, he was convicted on the second case but sentence was suspended.

His former supporters are now anxious to repudiate him in the most positive and public manner, which shows their good sense and right feeling. They declare him to be "a standing disgrace, unfit to be tolerated as a citizen, to say nothing of being entrusted with public interests."

In another column will be found a petition, which has been signed by over a hundred persons, demanding that he vacate the offices into which they elevated him contrary to the wishes of the masses of the people. They not only find fault with his "personal conduct and deportment," but declare "his official acts" such as to "deserve contempt and bring ridicule and distrust upon the community that tolerates him." The object in thus endeavoring to obtain a vacancy in those offices is, that they may "endeavor to have the same more acceptably filled at the coming election."

We hope that the people of Tooele County, and of Stockton precinct, will see to it that the positions which the "Liberal" convict has disgraced will be occupied by worthy persons, in whom confidence may be reposed. We should think the "Liberal" regime has sufficiently exhibited its effects, to induce that union and active interest in

local politics which are necessary to ensure victory to the "People's" cause. They will surely not be caught napping again "Liberal" management of affairs has done enough mischief. Commencing with fraud at the polls, what wonder that the career of one of its main supporters and candidates should wind up in the penitentiary?

Vigilance, determination, united effort and strict compliance with and enforcement of the law, will put the power where it belongs, and deliver that section of country from the control of the minority, and the rule which has worked so much injury to the people while it has covered itself with disgrace and ignominy. We hope to be able next August to record Tooele again among its sister counties, all in their proper place under the banner of the People's Party of Utah.

THE BENCH AND THE BAR.

THE leading lawyers of Salt Lake City without regard to creed, politics or previous condition of servility, have united in a movement looking to the removal of Chief Justice Schaeffer. A petition has been forwarded to President Hayes, setting forth that His Honor is "very deficient in the qualifications of a good judge." They accuse him of instability, ignorance of or indifference to the law, indulgence of caprice, favoritism in his decisions, disregard of established rules and precedents even of his own making, ignoring authorities, indifference to the magnitude of important cases, vacillation, inconsistency, nepotism and countenance of extortion.

These are very grave charges and the exorbitant fees demanded by the clerk of the court form a strong point in the accusation, as it is claimed they are usually double the amount allowed by law, and that complaint is barred because the clerk is the Judge's brother-in-law. The large fees charged for naturalization papers, and the careless manner in which they are granted also form a prominent feature of the complaint, and altogether the petitioners make out a very powerful plea for the removal of the obnoxious official.

The condition of affairs depicted in the petition are exceedingly unfortunate for the Territory, as well as disagreeable to the bar and disgraceful to the country. We do not see how any man having the least regard for his own dignity and self-respect, can remain in a position in which he commands nothing but the contempt of those with whom he is necessarily associated continually.

It is to be hoped that the President will act promptly on the petition, and that the next incumbent of the Chief Justiceship will be at least a lawyer and a gentleman. It is not to be expected that with the meagre salary with which a cheese-paring system of false economy has insulted the office, a first-class jurist and thoroughly able scholar can be induced to accept the position. But in consideration of the great interests that are and will be at stake, in this region of valuable mines and increasingly important property of various kinds, a gentleman of probity, experience and legal talent will be appointed, in whom the bar and the public can repose some degree of confidence and esteem.

A HINT TO SCHOOL TRUSTEES.

DEFECTIVE sight is said to be one of the evils rapidly increasing in the United States. A great many young people are afflicted with it. Excessive study, and the system of cramming which is the bane of many of our educational establishments, have much to do with causing derangement of the visual organs. Too many lessons are given to pupils, and in order to commit them to memory, reading by artificial light is requisite, as the time is too short while sunlight lasts. Thus the general health of scholars is badly affected, and the eyes in particular suffer from the undue strain as well as from bodily debility. But there are other causes for

the growing optical defects, and they are in the glare of white light in some schoolrooms and the dim and cheerless gloom of others. Every schoolroom should be well lighted, so that the pupils may be able to behold easily everything presented for their inspection, and that there may be no great effort for the eyes to discern the smallest character. On the other hand the painful gleam from whitened walls in many windowed rooms should be avoided.

Dr. Willard, of the Chicago High School, recommends that schoolroom walls be tinted with a pinkish, greenish or blueish tinge, and the blackboard with green, brown or drab. This would give great relief to the eye, and help to preserve that important organ from shortsightedness.

The attention of school trustees and others interested in the building and furnishing of schoolhouses is directed to this matter, which we consider of great importance. We have seen schoolhouses in which the ceiling was tinted with blue and the walls with green in imitation of the sky and the grass, while the "blackboard" was slate-colored, and the effect was much more pleasing and easy to the eye, than the traditional whitewash, or snowy plaster finish.

The contrast between the white walls and the blackboard is too great for weak and sensitive eyes, and it is an error to suppose that chalk marks will appear distinct on nothing but a black surface. This may seem a small affair to those who have not reflected upon the subject, but we think it of much moment, in view of the great drawbacks which result from defective vision, and the ease with which a great deal of the evil may possibly be avoided. Those to whom the care and culture of our children are specially committed, will do well to investigate this matter and act upon the information that may be the result.

EDITORIAL NOTES.

The *Amateur*, published by the Mutual Improvement Association of Ogden, continues to improve. The number for July 15 is exceedingly interesting and attractive.

The *Ballot Box* says "Woman has purified literature whenever she has touched it from the time of Christine of Pisa to the present day" Just so; Victoria C. Woodhull for instance.

"Faith and works" is aptly illustrated by the following: The Arab says, "I will loose my camel and trust in God." The "Mormon" says: "I will tie my horse first, and then trust in God."

Steal \$170,000 from the savages and then give liberally for stained windows in Episcopal churches; that's the pious Indian agent's way of climbing over the wall into the kingdom of heaven. Read particulars in to-day's telegrams.

The editors who had so much to say about England's weak position in the congress and the superior diplomacy of Russia are now taking it all back, and admiring the shrewdness of Beaconsfield's masterly stroke of policy in the private treaty with Turkey and the occupation of Cyprus.

The thermometer marked 96 deg. in the shade under the porch of the Deseret News Office at 2 p. m. to-day. When taken into the sun it darted up to 120 deg., and yet the *Herald* tells its readers to "keep cool." At 96 degrees four persons in St. Louis were killed by sunstroke to-day. Six others were seriously injured by the heat.

The World's Conference of the Young Men's Christian Association will be held in Switzerland about a month from date. Wonder whether Schuyler Colfax will attend. That would be a good time for another effort to "get even" with the "Mormons," for not bowing down in admiration of the Credit Mobilier virtues and badly articulated platitudes of the ex-"Christian statesman."

The following advice of a western politician to his son-in-law, who was about to run for office, may be deemed wise by "men of the world," but if adopted would make a man of as little account as it is possible to be and live. However, there are many officials who follow it to the letter: "Lean a little toward everything, and commit