

If this policy is good it distributes more widely the credit due for its adoption. At this distance the way it looks is about thus: The Justice states that when heavier fines are imposed, appeals are generally taken by the offenders. He admits that, as a rule, the officers are sustained by the higher courts. He asserts, however, that this does not diminish the illicit traffic, and the city is put to considerable expense without benefit. In fact the question of the necessity for economy on the part of the public stands out pre-eminently. This is very well under ordinary circumstances; but when it comes to a maintenance of law and public morals it should, in our opinion, be secondary.

The process of appealing cases of the character in question not only involves expense to the local government, but also to the offenders, in addition to the larger fines the latter have to pay. In American Fork there may be an exception to the rule in this regard, but generally speaking it would seem that the more rigorous legal regime would result in a diminution of the evil, as it would necessitate the running of the traffic at a loss, while a nominal fine might be paid periodically and still leave a net margin. Thus it would appear that the more strict enforcement of the law would involve the question as to whether the offender or the local government could hold out the longer. As a general rule, in such cases, the more rigorous system is the more advisable as being more conducive to the suppression of the illicit traffic and tending to the preservation of peace and good morals. In adhering to this view we cast no reflection upon the official good faith of Justice McNeill and his coadjutors.

BIOGRAPHICAL BOOKS.

SOME time during the approaching fall we are promised what will doubtless prove a most desirable and valuable addition to the literature of the Latter-day Saints—the biography of Heber C. Kimball.

It will be the product of the gifted pen of Orson F. Whitney, grandson of the subject of the work. The living members of the Kimball family, who are remarkably numerous, decided, some time since, to perpetuate, by means of the art preservative, the leading characteristics peculiar to their illustrious head, the useful life mission he performed and the many prominent incidents in the general history of the Church with which he was intimately associated. The pleasant duty of performing the literary labor falls to Bishop Whitney by the unanimous choice of those immediately interested. It could not have fallen into more capable hands. He is now engaged upon it and making excellent progress. It is to him a congenial task, and will be thoroughly and efficiently done.

At the re-union of the Kimball family, held on the 14th of the present month, a brief sketch of the life of Heber C. Kimball, from the pen of Brother Orson, was read. It appears in the current number of the *Contributor*. Although it is necessarily compressive, it gives a fair idea of what the forthcoming biography will be. It is in the characteristically lofty and pure style for which the author is noted, and which will render the complete story highly meritorious as a literary production, as well as deeply interesting on account of the nature of the subject matter.

We have always been of the opinion that a special point should be made by the community in preserving, in the form of truthful story, the leading incidents in, and even many of the minor details of the lives of great and good men, not so much for the mere purpose of perpetuating credit that rightfully attaches to their names in a personal sense, but more prominently because of the stimulus imparted to those who peruse the story of their works, influencing them to imitate their greatness and virtues.

Biographies do more in this direction than any other class of books. Many youths have been started on the path of greatness by the perusal of the narrative of the life work of some eminent benefactor of the race. The lessons of life impressed upon the human mind by biographical narratives of the deeds performed by good and noble men, if joined by the view that what man has done man, under the blessing of the Father of all, can do, work wonders in increasing the volume of righteous and profitable labors in the earth.

This is the keynote, for instance, to the immense amount of good accomplished by the works of that noted English author Samuel Smiles, whose productions are widely perused in every civilized nation.

Coming directly home, we have no hesitation in stating that, although not fully recognized as yet, great things in the same line will yet grow out of the "Faith Promoting Series," many of whose lessons are household words in numbers of homes in Utah. That class of local literature should receive special encouragement.

We bespeak a cordial welcome for "The Life of Heber C. Kimball," when it shall appear.

THE LICK TELESCOPE.

On the summit of a lofty hill near San Francisco stands the Lick Observatory, from which in a few weeks more the greatest telescope in the world will be trained upon the outer universe and the people of our sphere brought into closer contact with their neighbors of the solar system. Beyond this any and all appliances of art are almost as ineffectual as the unaided eye, since the power of the mightiest lenses does but add somewhat to the brilliancy of what with, as without their assistance are only points of light. This great work gives rise to profound reflections and some thoughts of gratitude to the man who created and endowed it; for astronomy and the science of things beyond our physical grasp is not one of the speculative departments of life, and, requiring all one's time to achieve even a moderate degree of advancement in it when there are no financial profits attached to the labor, makes it necessary that governments and wealthy and public-spirited citizens not only encourage but support it. Lick has done his part and done it well; not a cent of any other person's money has gone into the enterprise; and it, with numerous other great public benefits, he has left as bequests to those who succeed him in the field of life—not to be enjoyed exclusively by any man or class, but to be free and accessible to all.

It is estimated that this great explorer of the heavens will be so perfect in its operation and so powerful in its magnifying qualities that with its aid the moon will be brought to within the apparent distance from the observer of a hundred miles or so. Who can comprehend the grandeur of such a view as that? Our nearest neighbor and only ally in all the starry constellation hedging us round about brought so near that not only the mountains and valleys will be distinct and well defined, but hills, hillocks and even the greater rocks brought plainly within the range of vision! And then the question, now settled so far as science calculating under the disadvantages of a distance which the Lick telescope will very nearly obviate can determine anything of the vitality and productiveness of our satellite will be set at rest and conclusively: it is claimed, and upon grounds that have so far remained uncontested, and are only doubted by a few, that the moon is a withered, leafless, branchless world, having no atmosphere without and no heat within, therefore containing no living thing, animate or inanimate. The more philosophically inclined reason that a world is an animate creation, having a birth, a life and a death, as other things have, and that the moon reached the last-named stage ages before the Copernican system was brought into existence or man began to know that there was knowledge to be acquired from a study of transmundane things. The intense blackness of the shadows of the moon, very distinct when observed through even a small telescope, support this conclusion somewhat if it is not completely established thereby; they are absolute and unrelieved darkness, showing the absence of a reflecting vapor or air, and without this life cannot exist.

But the Lick telescope will go further than the minute examination of our nocturnal luminary. In a degree lessened only in proportion to the intervening distance, surveys of the entire solar retinue will be made thoroughly and more satisfactorily than ever before. The proportionate distance will not gauge the proportionate power of vision by any means, as the planet Venus, which is about 125 times further off than the moon, will not be dimmed in the vision more than one-tenth part of that figure, and so with all the others. When the outer line is reached and we arrive at the almost inconceivably extended path of Neptune, taking over 164 of our years to make its periodic circuit of five and a half billions of miles, the appliances of civilization aid us no further in the field of exploration and actual demonstration; even at this point a powerful instrument is required to obtain a glimmer of the faraway wanderer, and beyond him all is vacancy until the nearest of the fixed stars is reached, ten thousand times further off than Neptune.

It is the fact that so much has been accomplished that makes the enterprising, persistent and able among our investigators and reasoners desirous of going further and constantly adding to the store of mortal knowledge. It was with the design of aiding them in their work, and through them diffusing intelligence until at last ignorance of such profound subjects should cease to be the rule even if it did not become the exception, that the Lick bequest was made. It was a praiseworthy gift to mankind and gratefully should they receive and appreciate it.

A SINGULAR STORY.

A LETTER, regarding the authenticity of which we have no question, relating a singular incident, has come into our hands. It is in the Hebrew character, and was received by a Jew, who arrived in this city not long since, from a relative in Texas. It has been translated by a Hebrew resident of Salt Lake, both the original and translation being

in possession of the writer of this. After giving some details regarding personal affairs, the writer informs the individual addressed that she has just received a letter from home (place not stated). This letter contained an extract from another letter written and dated at Jerusalem, detailing the remarkable occurrence. In the communication from Texas, the extract in question is given in full. It is in substance as follows:

The wife of Mr. A. H. was, at a certain date, delivered of a male child. During the week which precedes circumcision, as is customary, certain men whose lives are largely devoted to works of benevolence and charity, assembled at the house in the evenings, read the Talmud and prayed for the sick mother and for the babe. Finally, about the time when the ordinance of circumcision was to be performed, and all who were to officiate had been appointed to their respective duties, a venerable man—a stranger to all present—made his appearance and requested the privilege of taking part in the ceremony. He was politely told that the positions were all filled. He still persisted, however, and said he wished to circumcise the child. His request was acceded to and he accordingly performed the operation and then suddenly disappeared from the gaze of all present. The infant immediately began to speak, saying: "Great and glorious times are coming to Israel. Deliverance is nigh at hand," after which the child resumed its normal condition.

FROM MONDAY'S DAILY, JUNE 27.

Indicted.

Alonzo E. Hyde, of the Seventeenth Ward, was notified to-day to appear in the Third District Court on Wednesday, July 6th, to plead to an indictment charging him with having violated the Edmunds law.

A Change.

There has been a change made recently in the medical department of the Deseret Hospital, owing to the resignation of Dr. Jos. S. Richards, the medical superintendent. Dr. Romania B. Pratt has accepted the position of resident physician and will have general supervision of the Hospital.

H. B. CLAWSON, President.

Death from Hemorrhage.

At about half-past two o'clock yesterday, Sunday, morning, Samuel White, son of A. M. and Mary White Musser, died at his parents' home in the First Ward. The cause of death was hemorrhage of the lungs. The funeral services will be held next Wednesday at 11 a.m. in the First Ward meeting-house. A wide circle of friends will sympathize with the family in their loss.

Free.

To-day Brothers John P. Jones and John E. Jones, of Iron County, were brought before Commissioner A. G. Norrell. They had been sentenced by Judge Boreman to each pay a fine of \$300 and costs and be imprisoned six months for living with their wives. The Commissioner found that they had not sufficient property to pay the fine, and discharged them on it being shown that they had served the term of imprisonment and thirty days additional.

Raid at Manti.

On Wednesday, the 22nd inst., Deputy Marshals Clauson and Dykes raided the homes of Daniel Henrie, S. Christoffersen, John Buchanan, Richard Hall and Bishop Reid, at Manti, Sanpete County. Two of those wanted on charges of unlawful cohabitation were arrested—John Buchanan and Richard Hall—and seventeen witnesses were subpoenaed to appear before the grand jury at Provo, on September 7th. The other gentlemen wanted were not at home when their wives and children were routed out of bed at four o'clock in the morning and their houses searched.

Ogden Items.

This morning Mac Van Dyke had a narrow escape from being shot. He was putting a large pistol into the safe at Dee's livery stable on Fifth Street, when the trigger caught by some means, and the weapon was discharged. The bullet struck the top of the safe on the inside and embedded itself in the wood work. The powder burned Mac's eye lashes and eye brows and the report has rendered him temporarily deaf in his right ear.

During the heavy gale which prevailed in this city to-day, Alexander Hardman, of Willson, was helping to load a reaper and binder into a wagon at Sidney Stevens' place on Fifth St. He was holding up a portion of the machine which had been placed in the wagon, when a gust of wind came and blew it down on him. Hardman was knocked down, and the piece struck him in the left temple, inflicting an ugly tri-cornered gash, from which the blood flowed profusely. Several other slight bruises were inflicted on various parts of the body.

Shortly after noon to-day a stable belonging to W. White, car owner for the C. P., caught fire. Mr. White's place is west of the depot, between the buildings and the river. Mr. White's

horse was in the stable at the time the fire broke out, and the owner endeavored to rescue the animal. His attempts to save the animal, however, were futile. The animal fell on Mr. White, whose ankle was broken by the fall. The stable was destroyed and the cause of the fire is somewhat of a mystery. It is thought probable, however, that the conflagration was caused by hot ashes or by a spark from an engine.—Ogden Herald, June 24.

MURDER OF A. M. BARTON.

Particulars of the Tragedy as Given by Eye-Witnesses.

On Thursday last the following special dispatch was received by the DESERET NEWS from Durango, Colorado:

"A. M. Barton, of Bluff City, San Juan County, was shot by a Navajo Indian on June 9th, and died June 16th."

On Saturday the Associated Press dispatches gave what purported to be an account of the killing, which was, however, incomplete, and in several points inaccurate. We have from eye-witnesses of the awful tragedy a statement of what occurred.

Amasa M. Barton has kept a trading post at what is known as Rincon, on the San Juan River, ten miles from Bluff City. The latter place is the nearest point to the post where white people reside, the only occupants of Rincon being Mr. Barton, his wife and two small children, the youngest a couple of months old, and Mrs. Barton's mother, Mrs. Hyde, wife of Wm. Hyde, Esq., formerly Street Supervisor of Salt Lake City. The only other inhabitants of that section of San Juan County are Navajo and Ute Indians, who, with few exceptions, have appeared very friendly.

It has been the custom of the Indians to go to Mr. Barton's store at Rincon and trade for such articles as they might want. Sometimes one of the dusky warriors would not have anything to barter for goods, and would leave his necklace of coral beads as security for what he got until he could obtain means to redeem it.

A few days prior to the 9th of the present month, a Navajo Indian had obtained about \$3 worth of goods from Mr. Barton, and had pawned his beads for the amount. On the 9th, several Indians came to the post, among them the owner of the beads. With a companion he went into the store, and a dispute arose over the beads, though just what the circumstances were is unknown, as the conversation was not overheard by anyone.

The first thing that drew the attention of others to the difficulty was one of the two Indians drawing a lasso and throwing the noose over Mr. Barton's head and tightening it about his neck. His companion then sprang on to Mr. Barton, and the two dragged him to the floor, notwithstanding the fact that he was a powerful man and struggled desperately. He was unarmed at the time, there being no pistol in the store. The other Indians stood around and took no part in the affair. Mrs. Barton was near the store and heard the noise inside. She ran in and tried to assist her husband, but he called to her to keep away and take care of herself, as she could do him no good. She then ran to the dwelling house, about fifty yards distant, for her mother, Mrs. Hyde.

While she was gone the two savages dragged Mr. Barton to the door by the neck, almost strangling him. They pulled his head out over the doorstep, where he lay face downward, with one of the Indians astride of him and holding his hands behind him. The other savage then drew a British bulldog revolver from his blanket, and putting it to Mr. Barton's head, fired. The ball entered the right side of his head just above the ear, and ranged downward and backward, coming out at the neck. Subsequent examination showed that this wound was not fatal. The Indian who did the shooting then brought his pistol down to fire another shot, but in doing so it went off too soon, the ball striking his savage companion in the left breast, passing through his heart and killing him instantly.

Just at this juncture Mrs. Barton and Mrs. Hyde returned from the house. The ladies saw the position in which the unfortunate Mr. Barton was, and that he was strangling, and made frantic efforts to loosen the rope. The savage with the pistol hurled them back; however, and pushed his weapon into the ladies' faces. He then suddenly turned and stooped down, placing his weapon against Mr. Barton's head, and fired again. This time the wound inflicted was a fatal one, the ball entering the head above the left ear, and lodging inside of the skull, while the brains oozed out through the aperture made.

The murderer then took up the body of his dead companion, took it to the river near by, and placing it in Mr. Barton's boat, rowed across the stream. There he placed the dead savage on the bank, turned the boat adrift, and disappeared, and was not again seen.

The friendly Indians had watched all these proceedings without making a movement on behalf of either side. After the murderer had disappeared they offered their services to the bereaved and terror-stricken wife, and some of them carried her husband's body to the house. Two others started for Bluff City for help.

They returned with several friends of the Barton family from Bluff, making the trip of twenty miles in a very short space of time—two hours and twenty minutes.

About an hour after the murder was committed, six Navajo Indians crossed the river and entered the store. There being no one to oppose them, they rifled the place, taking several hundred dollars' worth of goods, and departed.

An examination of Mr. Barton's wounds showed that there was no hope of his recovery. He lived until the 16th, as stated in the first dispatch. He never spoke after the shooting, though on a few occasions he opened his eyes and seemed to recognize his friends who were gathered around. He was about thirty years of age and bore a good reputation. He formerly lived at Red Creek, Iron County. His wife, Mrs. Feenie Hyde Barton, formerly resided in this city, where she has many friends. She was five or six years younger than her husband. One of her sisters now resides at Juab, Juab County, and is the wife of Mr. Chas. S. Tingey, and daughter-in-law to Bishop Tingey of this city.

Mrs. Barton, with her two little ones, is in a most distracted condition. She has the sympathy of a large circle of friends. The Indian who was killed was a quarrelsome fellow. The one who did the shooting was unknown by any of the family.

There is no danger of an outbreak, as reported. None but the two savages took part in the affray, and the six who robbed the store were still another party, who doubtless heard of the killing from the murderer himself, who will probably never be arrested.

DELEGATES CHOSEN.

Representatives to be Sent to the Constitutional Convention.

The several counties of the Territory have been enthusiastic in their action respecting the current move for statehood. The conventions have been attended by large audiences and the popular feeling to the effect that now is the time to move for the redemption of our fair Territory, has been displayed with marked earnestness.

The names of the delegates to the Territorial constitutional convention, that have been chosen by the several counties, so far as they have been received, are as follows:

Tooele—Daniel D. Houtz, of Tooele City, and William Collett, of Grantsville, with George Atkin and C. L. Anderson, of the two towns respectively, as alternates.

Iron—R. W. Heyborne, of Cedar City.

Washington—E. G. Woolley and R. C. Lund.

Juab—W. A. C. Bryan and F. W. Chappell.

Sanpete—Luther L. Tattle, Manti; J. P. Christianson, Ephraim; C. N. Lund, Mount Pleasant; Louis Anderson, Fountain Green; John Bartholomew, Fayette.

Box Elder—O. G. Snow and R. H. Baty, of Brigham City, and Wm. Lowe, of Willard.

Utah—From Provo: S. R. Thurman, J. E. Booth, W. N. Dusenberry. Alternates: A. O. Smoot, Jr., John B. Milner, A. D. Holdaway. From Spanish Fork: Wm. Creer. Alternate: E. A. Wilson. Springville: Abram Noe. Alternate: John S. Boyer. Payson: J. S. Page. Alternate: Henry Fairbanks. Lehi: George Webb. Alternate: Thomas Fowler. Pleasant Grove: James O. Bullock. Alternate: Jos. E. Thorn.

Beaver—P. T. Farnsworth and F. R. Clayton.

Morgan—Samuel Francis.

Millard—George Crane and Joshua Greenwood.

Weber—L. W. Shurtliff, D. H. Peery and C. C. Richards, of Ogden; N. Montgomery of North Ogden; H. D. Petersen of West Weber, and George W. Bramwell of Plain City. Alternates: N. Tanner, Ammon Green, Wm. Driver and H. H. Rolapp.

Summit—Alma Eldredge, Ward E. Pack and John Boyden.

Cache—J. T. Hammond, Aaron D. Thatcher, J. E. Carlisle and John T. Caine, Jr., of Logan; Joseph Howell of Wellsville; I. C. Thoresen, of Hyrum; and W. J. Kerr.

Sevier—Wm. H. Seegmiller, Wm. I. Warnock and J. S. Jensen.

Kane—James L. Bunting, of Kanab, who started for this city this morning.

A dispatch dated Cottonwood, Cal., June 18th, says: At a mass meeting held a few days ago a celebration on the Fourth of July was decided upon. Hon. Francis Carr will deliver the oration. A tribe of full-blooded Indians from the Pit River forest and the Modoc lava-beds have been engaged to dance the war dance in the daytime and at night around their campfire. They will be dressed in feathers and war-paint, the same as in the Indian wars. There will be fireworks and a platform 100 feet square for the white dancers at night. Excursion trains will run from the north and south.

The express train time between San Francisco and Portland, Or., has been reduced to thirty-nine hours, a gain of three hours.