

the shooting I saw O'Brien at the north west corner of the house; he was shot through the leg, and was in too much pain to allow anyone to move him; have not seen him since.

Leburn Butts, Harry Jewett, Harry McMartin and Wm. O'Toole also testified. Their evidence was substantially the same as that of Gilnaugh, so far as they saw the row in the saloon, and of Cunningham, who followed, as to that which occurred outside. The accounts of Gilnaugh and Cunningham, however, cover the whole ground.

Mike Cunningham deposed: Was in Gilnaugh's saloon on the day of the murder; it was on a Sunday; was in the building an hour before the shooting; saw Emmett and O'Brien there, also the defendant and two other Italians; I was there before anybody came; the Irishmen had a drink and were talking Irish politics before the Italians came in; the Italians, when they entered, went to the bar and had a drink; when the trouble occurred we were all at the bar drinking together; after the Italians filled their glasses they passed the bottle to some Irishmen, and this started the row; while it was in progress I saw the defendant put his hand on his pistol, and another Italian on his knife; Gilnaugh then stopped the row; but it occurred again; and Gilnaugh took Emmett out; O'Brien went next, the "yellow fellow" followed him, and then this fellow (Grimaldi) jumped out right after him; he took his position in a clump of oak brush about four feet from the door; I saw him pull his gun out and empty five shots at Emmett and O'Brien; I took my position in the door of the saloon and saw the whole transaction; before the shooting occurred the fuss was between the "yellow fellow" and Emmett, and O'Brien was trying to make peace; I saw defendant fire all the shots; he stooped in the brush in a leaning position; he fired as fast as the shots would come out; he said nothing while he was shooting; I saw O'Brien fall down; Emmett, when he was shot, staggered towards the door; I caught him and took him into the saloon and laid him down; I asked him what else I could do; he said something about "water," and I went to the bar and got him some; he lived about twenty minutes; I helped O'Brien in also; he said his leg was broken; but I told him "Oh, no," I did not want to discourage him; I saw the bullet hole in Emmett's clothes; no other person had any weapon save the two Italians; saw no rocks or beer bottles thrown.

Cross-examined—I saw everything that took place from the time they went out till Emmett and O'Brien were brought in wounded; there were no rocks or bottles thrown; had there been I would have seen them; the Irishmen did not use bad language; as soon as words were indulged in at the bar, the defendant put his hand into his hip pocket and pulled out his gun, and the "yellow 'un" pulled his big knife out, but they both concealed their weapons as soon as I saw them; the

knife was a dagger; right after this Gilnaugh settled the fuss and called us all up to the bar to drink, which we did; saw defendant shoot Emmett and O'Brien, but I never saw any rock thrown at him; am certain he was not injured.

Re examined—Gilnaugh went out of the door with Emmett; the "yellow 'un" followed, and the defendant jumped out right after; I followed O'Brien; as they went out the "yellow 'un" made a pass at Emmett with his knife, and Gilnaugh thwarted the blow and threw him down.

Deputy Marshal Redfield and Sheriff Sowler testified to the arrest of Grimaldi, at Desert Station, Emery County, and how he had engaged them in a hot fight before he was taken.

Peter Finnigan testified that he went out of the saloon in time to witness the last three shots; the Italian aimed at him, but he fell and thus avoided getting a bullet.

Mr. Evans here stated that O'Brien, one of the men who was shot in the fracas, had been subpoenaed, but he was in the hospital at the time.

Yesterday when the officers went for him, he could not be found. The officers in Salt Lake City were now searching for him, and the prosecution fully expected him to be down on the morning train. He therefore asked a continuance till that time. This was granted and the court adjourned until half-past 10 o'clock Thursday morning.

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BABYLONIAN LITERATURE.

At the annual meeting of the Hebrew Literary Association of London, held September 15th, an address by Rabbi Dr. Adler was read which gave an historical description of what has become known in regard to the conquests of Amenophis III, as shown in the archives of his palace, which have only lately been discovered, and which the rabbi went last winter to investigate on the spot before writing the address for the association above named.

Of the tablets and inscriptions, he said: "From them we learn that in the fifteenth century before our era—a century before the exodus—active literary intercourse was going on throughout the civilized world of Western Asia, between Babylon and Egypt and the smaller States of Palestine, of Syria, of Mesopotamia, and even of Eastern Kappadocia, and this intercourse was carried on by means of the Babylonian language and the complicated Babylonian script. This implies that, all over the civilized east, there were libraries and schools where the Babylonian language and literature were taught and learned. Babylonian appeared to have been as much the language of diplomacy and cultivated society as French has become in modern times. with the difference that, whereas it does not take long to learn to read French, the cuneiform syllabary required years of hard labor and attention before it could

be acquired. We can now understand the meaning of the name of the Canaanitish city which stood near Hebron, and which seems to have been one of the most important of the towns of Southern Palestine. Kirjath-Sepher, or Book-Town, must have been the seat of a famous library, consisting mainly, if not altogether, as the Tel-el-Amarna tablets inform us, of clay tablets inscribed with cuneiform characters. As the city also bore the name of Debir, or "Sanctuary," we may conclude that the tablets were stored in its chief temple, like the libraries of Assyria and Babylonia. It may be that they are still lying under the soil, awaiting the day when the spade of the excavator shall restore them to the light. The literary influence of Babylonia in the age before the Israelitish conquest of Palestine explains the occurrence of the names of Babylonian deities among the inhabitants of the west. Moses died on the summit of Mount Nebo, which received its name from the Babylonian god of literature; to whom the great temple of Borsippa was dedicated; and Sinai itself, the mountain "of sin," testifies to a worship of the Babylonian moon-god, Sin, amid the solitudes of the desert. Moloch, or Molik, was a Babylonian divinity like Rimmon, the Hir-god, after whom more than one locality in Palestine was named, and Anat, the wife of Anu, the sky-god, gave her name to the Palestinian, Anah, as well as to Anathoth, the city of "the Anat goddesses."

In a careful reading of the tablets Rabbi Adler came upon many ancient names and incidents known up to the present only from their appearance in the Bible. All these he carefully described, as well as several references in the tablets to the Hittites.

In regard to another point he said: Ever since the progress of Egyptology made it clear that Rameses II. was the Pharaoh of the oppression, it was difficult to understand how so long an interval of time as the whole period of the eighteenth dynasty could lie between him and the new king, whose rise seems to have been followed almost immediately by the servitude and oppression of the Hebrews. The tablets of Tel-el-Amarna now show that the difficulty does not exist. Up to the death of Khuen-Aten, the Semite had greater influence than the native in the land of Mizraim.

Referring to those who have formed opinions as to the non-historical character of the Pentateuch, Rabbi Adler said: "The Tel-el-Amarna tablets have already overthrown the primary foundation on which much of this criticism has been built."

Rabbi Adler closed his paper with a peroration of eloquence as to the duty of searching for the rich libraries that must lie buried beneath the sands of Syria and Palestine, a matter the importance of which has been urged in the *Hebrew Literary Journal* more than once.

M. Navide, the Egyptian discoverer, said there was nothing more interesting in the literary history of