

FROM THURSDAY'S DAILY, JULY 7.

The Bingham Killing.

Last evening two men, named John Taylor and Phillip Bond, were brought in from Bingham and placed in jail, they having been held to answer to the charge of murder.

Narrow Escape from Injury.

Clark, Eldredge & Co. are constructing an extensive addition to the rear of their double store. It will be 60 by 80 feet, and will consist of a basement and one story.

Yesterday a son of Mr. Geo. W. Davis, about nine years of age, while at the rear of the store, lost his balance and fell into the excavation for the basement of the extension.

Returned.

On the 2nd inst. Bishop Alvin Nichols, of Brigham City, returned from a mission to the east, on which he had been absent a little over a year.

Understanding that he was wanted on a charge of unlawful cohabitation, he voluntarily appeared, on Tuesday last, before Commissioner Carrington, of Brigham City, and gave a bond in the sum of \$1,500 for his appearance.

Arrested.

This morning W. O. Brown, a conductor on the Utah Central Railway between here and Ogden, was laid in wait for by Deputy Marshal Sprague, and on sight was captured and taken to the court of U. S. Commissioner Norrell, on the charge of unlawful cohabitation.

How to Celebrate.

On the Fourth a gentleman who is employed in a leading mercantile house on East Temple Street went up Red Butte Cañon with his family to spend Independence Day in that quiet mountain retreat.

A Peilous Adventure.

Bert Jett, the ferryman at the Shoshone Falls, had a thrilling adventure one day last week, and one, from all accounts, that would have made the average man's hair turn gray with fright.

the ferry is only about three yards above the falls, which are 210 feet in height, and that no living being could possibly pass over them without suffering instant death, the predicament in which Mr. Jett was placed will be fully realized.

THE SEVENTH DAY.

The Constitutional Convention Nearing the Close of Its Labors.

The sessions of the Constitutional Convention yesterday afternoon and evening were occupied in considering the proposed Constitution by sections. At the conclusion of this labor a special committee of seven were appointed to review the whole work, and report to the Convention at 11 a.m. to-day, to which hour an adjournment was taken.

To-day, when the Convention resumed, Mr. Thurman reported that the special revisory committee was not prepared to make a complete report. It had been found that several changes were necessary, particularly in regard to elections.

The Convention took a recess for thirty minutes.

On resuming Mr. Winder moved that a committee of seven be appointed to nominate delegates to present the Constitution to Congress and ask admission into the Union. Carried.

The President appointed as said Committee Messrs. J. R. Winder, W. N. Dusenbury, James Sharp, Alma Eldredge, O. G. Snow, F. B. Clayton, J. P. R. Christensen.

Mr. Booth moved that the chair appoint a committee on memorial, to be composed of five members. Carried.

The chair announced that the committee would be named during the day.

The Convention then took recess till 2 p. m.

This afternoon the convention waited until 2:40 o'clock for the revisory committee's report. At that hour the Convention resolved itself into a caucus to consult with the committee.

At 3 o'clock the Committee or Revision made their report, recommending several amendments.

The committee appointed to nominate delegates, reported a section providing that Hons. F. S. Richards, E. G. Woolley and W. W. Riter be elected as delegates to be associated with Hon. John T. Calne in presenting the application for admission as a State to Congress.

THE MINING ENGINEERS.

The Delegation Arrives and Visits Various Places of Interest.

Last evening a delegation of the American Institute of Mining Engineers arrived in this city. The party consists of the following ladies and gentlemen:

- W. B. Cogswell, Syracuse, N. Y.
R. W. Raymond, New York.
Mrs. R. W. Raymond, New York.
Alfred Raymond, New York.
Miss Elizabeth Raymond, New York.
Theodore B. Rand, Philadelphia, Pa.
Miss Alice M. Rand, Philadelphia, Pa.
Miss Lizzie Pleasants, Philadelphia, Pa.
E. L. Foote, St. Louis.
Mrs. E. L. Foote, St. Louis.
Miss Jennie F. Chase, St. Louis.
A. M. Shook, Tracy City, Tenn.
Mrs. A. M. Shook, Tracy City, Tenn.
P. G. Shook, Tracy City, Tenn.
F. J. Slade, Trenton, N. J.
Mrs. F. J. Slade, Trenton, N. J.
J. Frank Wilkes, Charlotte, N. C.
George Collingworth, New York.
A. C. Rand, New York.
Thomas Eggleston, M. D., New York.
B. E. Fernow, Washington, D. C.
Miss Helen McCartney, Easton, Pa.
E. Gybon Spilsbury, New York.
R. C. Black, New York.
Miss Florence O. Rand, New York.
Miss Jennie S. Rand, New York.
Arthur E. Dwight, Pueblo.
C. W. Goodale, Butte.
A. E. O. Hahn, Eureka, Nev.

A meeting was held in the Chamber of Commerce building, at 9 p. m. Addresses were made by Mr. R. H. Terhune, W. S. McCormick and Governor West, according to the visitors a hearty welcome to the Territory.

Dr. Thomas Eggleston, of New York, President of the Institute, and Dr. Raymond, Secretary, replied, expressing thanks for the greeting they had received, and commenting on the advance of the mining industry in Utah, since the time when the speakers passed through here several years ago.

Another meeting will be held tomorrow, Friday morning, commencing at 10 o'clock.

At 9 a. m. to-day the party went south on a Utah Central special train to visit the Germania and Hanauer smelters and the Mingo works at Sandy. The afternoon will be spent at Garfield, and at 9:30 this evening a banquet will be given the visitors at the Walker House.

TO BE VOTED ON.

The Utah Commission will Receive Ballots on the Constitution.

The following is a copy of the correspondence between the committee appointed by the Constitutional Convention and the Utah Commission,

relative to receiving and counting the votes on the new State Constitution:

CITY HALL, SALT LAKE CITY, July 5, 1887.

To the Honorable the Utah Commission:

Gentlemen—The undersigned members of the constitutional convention in this city respectfully inform you that they have this day been appointed by said convention to request your honorable body to make necessary provision for submitting the constitution now being framed and nearly completed, to the vote of the people at the general election to be held on the first Monday in August, 1887.

The convention especially desires, inasmuch as none but registered voters will be permitted to vote upon the question of adopting the Constitution, that your honorable body, if not absolutely incompatible with your duties, will direct that proper notice be given of the question to be voted upon, and that the regular judges of election, appointed by you, shall receive the ballots, canvass the vote and make returns thereof in the manner provided by law for receiving ballots, canvassing votes and making returns of general and special elections.

Sincerely hoping that your honorable body will render such aid in the premises as you can, consistent with your duty, so that none can honestly dispute the correctness of the vote or the fairness of the system adopted, we subscribe ourselves

Very respectfully, JOHN R. WINDER, S. R. THURMAN, JAMES SHARP, WARREN N. DUSENBERRY, L. W. SHURTLEIFF.

OFFICE OF UTAH COMMISSION, SALT LAKE CITY, UTAH, July 5th, 1887.

John R. Winder, S. R. Thurman, James Sharp, Warren N. Dusenberry, and L. W. Shurtliff, Committee of the Constitutional Convention:

Gentlemen—I am instructed by the Utah Commission, in response to your communication of this date, to say, that the subject matter thereof was submitted to them and that in reference thereto the following resolution was adopted by the Commission, viz.:

The Utah Commission having considered the proposition of the committee from the convention of delegates to frame a constitution, now sitting in Salt Lake City, making a proposition that the Commission shall take charge of an election for the adoption or rejection of the proposed constitution to a vote of the people of the Territory, at the next August election, are of the opinion that the commission has no express authority to take any official action on said proposition, but considering the fact represented to the Commission that said proposed Constitution will contain a prohibition of the institution and practice of polygamy, which prohibition is contemplated by the act of Congress under which the Commission is acting, and a further prohibition of the union of Church and State, the Commission are willing to recommend to the judges of election in the different precincts of the Territory, that they may receive all the ballots which may be cast by the qualified voters of the various precincts in said proposition, and deposit the same in separate boxes, to be provided by the convention, and when the election shall be closed, to canvass the ballots so deposited, and make returns of the vote cast to such authority as the convention may provide.

I am, very respectfully, W. C. HALL, Secretary of the Utah Commission. Commissioner A. L. Thomas objected to the people having the privilege of expressing their will at the ballot box, and presented the following, which was rejected by the Commission:

The Utah Commission having given due consideration to the request of the committee from the Constitutional Convention asking the Commission to take charge of the election, when said Constitution is submitted to the people, it is hereby ordered that there being no authority of law for holding such election, the Secretary is directed to inform said committee that their request is denied.

FROM FRIDAY'S DAILY, JULY 1.

Another Arrest.

On Wednesday last George Morris, of the Seventeenth Ward, was arrested on a charge of unlawful cohabitation. He was taken before Commissioner Norrell, the proceedings in whose court were very brief, resulting in the binding over of the defendant in the sum of \$1,500. An earlier notice of this arrest has been inadvertently omitted.

Arizona.

Brother Christopher I. Kempe writes from Erastus, Apache County, Arizona, June 27th. He speaks cheerfully of the prospects of the settlers there, and says they have plenty of water. He states that the present leading officials of the Territory are men of character and respectability, and take an impartial course in conducting governmental affairs and enforcing the laws. He adds that the officials who three years ago, were active in pushing an unjust crusade against "Mormon" settlers in that section, are to-day either ingitives from justice, in prison, or "dead broke."

A. J. Kershaw Arrested.

Yesterday Andrew J. Kershaw, of Ogden, obtained a pass from Marshal Dyer to visit some friends at the Penitentiary. While out at that institution he was placed under arrest on a charge of unlawful cohabitation, and yesterday afternoon gave bonds in the sum of \$2,000 for his appearance before the First District Court at Ogden. Mr. Kershaw once pleaded guilty to a similar offense, and promised to obey the law.

Railway Accident.

An extra train on the Northern Pacific, while rounding a sharp curve about a mile from Spokane Falls, Washington Territory, on July 5th, ran into a band of horses. Three animals were struck by the engine and carried some distance out on a trestle, mangling them terribly. Half way across the trestle the engine left the rails, and, after bumping along the ties and tearing them up for some distance, finally plunged off to the rocks below, where it became a total wreck. The caboose and other cars of the train were considerably damaged. Engineer Evans remained at his post till he was thrown out, and when the train stopped he was found between the wheels of the tender and caboose, very severely injured. The fireman jumped off, alighting on the rocks, and was severely injured about the body and hips. The conductor and brakeman escaped uninjured. The accident caused the east bound train to be held three hours, while the wreck was being cleared.

Saw Dust in Trout Streams.

We are asked to state if the law provides any means of preventing the destruction of trout in our mountain streams, by the deposit in the latter of saw dust. In reply it is only necessary to cite section 6 of the Fish and Game Law, which reads as follows:

"Every person who puts into the waters of this Territory any poisonous or explosive substance, or anything that is injurious to fish, or that renders the water unfit for household purposes, is guilty of a misdemeanor."

Any act made by law a misdemeanor is punishable by a fine in any sum not exceeding three hundred dollars, or by imprisonment not exceeding six months, or by both. The procedure to be taken in the case of a person who deposits saw dust in a trout stream, is precisely similar to that in a case of petty larceny, disturbing the peace, or any other misdemeanor. A complaint is sworn to before a magistrate by any person who takes an interest in having the law enforced, and is familiar with the facts; a warrant is issued for the arrest of the offender, and the magistrate tries the case and pronounces judgment. Justices of the peace have jurisdiction of misdemeanors.

From England.

Elder Quincy B. Nicholls, who had charge of the last company of immigrants, resides in Brigham City. We had the pleasure of a call from him last evening. He left home May 31st, 1885, and labored in the London Conference nearly a year when he was transferred to the Sheffield Conference, where he remained until released. He met with fair success in his labors.

Just before leaving England, at a place near Sheffield, Elder Nicholls was present at a meeting at which a discussion occurred between one of our missionaries and the notorious Jarman. The latter made an address of a highly sensational character, which greatly excited the audience. For a time a riot seemed imminent. Jarman sought to effect this, and evidently desired that it should result in the killing of the Elders who were present. The missionary who replied to his inflammatory utterances, made such an appeal to the intelligence of his auditors, and showed so plainly from Jarman's own statements what was his real character, that a large portion of the audience, embracing the more respectable and intelligent members of it were won over to the Elders. A second meeting was held, the time being divided between Jarman and the missionary, in which the latter improved another opportunity to nail the falsehoods of the notorious anti-"Mormon" agitator. This discussion has served to awaken a great interest in the work in that section.

A WORSHIPPING MOB.

Gathered to Abuse, it Listens to Missionaries.

In our issue of June 24th appeared the substance of a communication from Elder Reidick R. Allred, now laboring in Mayapple, Alabama, in which was given a copy of a notice calling a meeting at Mayapple for the purpose of raising a mob to drive the "Mormons" out of that section. The notice was signed by a man named J. Cook and others. The meeting was held in pursuance of the call. Elder Allred, his travelling companion Elder H. B. Morris, with a few friends were the first on the ground. A large number of citizens had assembled when J. Cook approached the gathering. When he saw the Elders in the crowd, a sort of fear came over him, and he slunk into a shop near by. Some of the crowd expressed the belief that he would not show his face. Three-quarters of an hour passed, and as no leader or speaker came forward, the

Elders improved the opportunity to address the crowd, which manifested a willingness to listen. The Elders asked some one to suggest a subject, but as there was no response, they treated upon the principles of American liberty, showing what rights every citizen had, and concluded by warning their listeners of events close at hand, and by testifying to the truth of the Gospel.

Cook was among the listeners while the Elders were speaking, and when the crowd dispersed he sneaked off alone. We glean these particulars from a letter written by Elder Allred, in which he attributes the wonderful change of spirit in the crowd, to the power of God. It had assembled as a mob, but stayed to worship.

A BAD-LOOKING CASE.

H. H. Barton Accused of Violating the Edmunds Law.

Last night, Hyrum H. Barton, formerly of this city, was arrested in Ogden on a charge of unlawful cohabitation with Mrs. Barton and Laura Berry. The examination was commenced at 2 p. m. to-day before Commissioner Norrell.

Bishop O. F. Whitney was called as a witness, and testified that it had been rumored that Mr. Barton had divorced his first wife and married Miss Berry. His action in the matter, is reputed, was contrary to the Church discipline, and for this he had been summoned before the Bishop's counsel for an investigation. No conclusion had as yet been reached. The reports were to the effect that the defendant had divorced his wife, and married Miss Berry. He moved away pending the examination of the case, and it had not been disposed of. Witness saw defendant and Mrs. Barton together on July 4th; they were in a buggy watching the procession. The defendant had never applied to the Bishop for a recommend, or talked with him about taking a plural wife. Miss Berry had applied for a recommend to go to the Temple; this was about two years ago, the recommend was not granted.

Mrs. Georgina Barton testified that she had been married to defendant in 1880; was divorced from him in 1885; she made the application for divorce; they had quarrelled several times; the trouble was about Miss Berry; after the divorce defendant boarded in the house where witness lived; they ceased living together as husband and wife some time before the divorce was granted; the defendant had called at witness' house recently, but had not lived there; he contributed to her support; she was not now his wife, nor was she treated as such; the divorce was not intended for a sham, but this was the fact.

Miss Laura Berry was called and testified that she had lived in Ogden. Before the fall of 1886, she lived in Salt Lake City; she left home in the spring of 1886; she was married, or thought she was, to Mr. Barton about two years ago; she did not know the date or the place; did not know whose house it was; it was in the evening; she went to a house with Barton, and a young man whom Barton got, married them; she did not now think it was a marriage, but thought it was then; she never lived with him after three weeks after the marriage; her baby was about ten months old.

Mr. Peters—Where were you when the child was born?

Miss Berry—I refuse to answer the place. It was in Salt Lake, but not anybody's house. I was alone. No body knew anything about me. Barton never did anything toward my support. The examination was in progress when we went to press.

CLOSED ITS LABORS.

The Convention Adopts a Constitution and Adjourns.

Yesterday afternoon, the final reading of the Constitution for the proposed State of Utah was completed by the Convention, and at 4:30 the eyes and noses were called for on the final passage. On the roll being called all the delegates present—66 in number—voted "aye." Two others, LeGrand Young, and L. S. Hills, of Salt Lake, Lewis Anderson, of Sanpete, and Robert W. Heybourne, of Iron, were absent. Messrs. Young and Anderson subsequently affixed their signatures with the remainder of the delegates, but Messrs. Hills and Heybourne are out of the city.

After the adoption of the Constitution the following resolution, offered by F. S. Richards, was carried:

"Resolved, that the President and Secretary of this convention address a communication to each of the registration officers in the Territory appointed by the Utah Commission and whose duty it is to post notices of the general election to be held on the first Monday in August, 1887, asking them to include in their notices the statement that the Constitution of the State of Utah will be voted upon at said election; also that similar communications be addressed to each of the county clerks, asking them to post notices of said voting in each precinct on or before the 16th day of July, if the registrars fail to include the desired statement in their notice, and that the judges of elections of the several precincts in the Territory be re-