

closely akin to disappointment—this not because of a morbid desire to read of startling and terrible events, but rather on account of a hope that the ordeal was over, the suspense ended, the “experiment” tried.

The cause of the suspension of the awful proceeding was a hurriedly obtained writ of *habeas corpus* before Justice Dwight, of Buffalo, commanding that Kemmler be brought before Judge Day, of the Supreme Court at Albany on Tuesday last, for the purpose of hearing such matters as he might present touching his right to a discharge. Some unknown friend of the condemned had secured the services of Bourke Cochran, one of the ablest criminal lawyers in the world, the man who completely held the law at bay in the case of the “hoodler” Jacob Sharp until at last the old man died in the bosom of his family with a long sentence of imprisonment pronounced and entered up against him. Cochran was on hand at the appointed time, and waiving for his client the right of an appearance, at once plunged into his argument. He claimed that the punishment was unusual and cruel, that it might not result in death but would most certainly result in torture. His argument against “electrocution,” as it is now called, was long and very able, the points in some instances being unanswerable. He claimed the law to be unconstitutional because it provided for torture as well as death. Referring to the statute, he said it provided that a current of electricity should pass through the body until the condemned was dead; no time was specified and no power given. There was not a single germ upon which any knowledge of the fluid’s work could be based outside of experiments upon dogs, cats and sheep. The attorney then went into a searching disquisition on the science of electricity, showing that the largest spark of that generated in a dynamo does not exceed thirteen or fourteen inches, while the natural manifestations in the elements overhead show sparks half a mile in length, thus making the latter many times as great as the other, yet even these have been at times insufficient to destroy human life, and they might destroy buildings or tear a tree into splinters, while the artificial spark would not break one of its smallest branches.

Mr. Cochran then, after he had treated on the nature and effects of electricity in the ab-

stract at great length, went on to show that it was barbarous to employ it for executions, citing among other reasons that it was analogous to the rack, but the pain is more exquisite, working in fifty directions, while the rack only worked in two; and under the law this might last for weeks or months and the warden is given no power to stop it.

This style of presentation was continued at considerable length, showing that the learned counsel has read many other than mere law books, and then he proceeded to the point that the Constitution prohibits cruel and unusual punishment, which clearly makes the law under which Kemmler is sentenced to death unconstitutional.

The attorney general of the State made a brief reply, arguing that the law was constitutional and that the Legislature had the power to provide for the death penalty being inflicted by electricity. The court then decided to appoint a referee to take testimony on the subject of electrocution, which will be done during the present month, and on his report a decision will be reached. If the court finds from the evidence that the punishment is cruel—it being already understood that it is unusual—the law will be nullified and Kemmler, instead of suffering a terrible and novel death, will be restored to liberty. Law-makers are not always wise.

#### A SAD STORY.

A FEW days ago the local papers announced the fact that a young man named George F. Bowater had been arrested at Evanston, and brought back to this city. The reason for his being taken into custody was that he had stolen some articles of jewelry from the proprietors of the house at which he had been boarding in this city.

There is a rather pathetic circumstance connected with the career of this young fellow, who is a member of a family of respectability in Birmingham, England. He had been somewhat wild in conduct, and his mother, who was a widow, furnished him with an elaborate outfit and funds to go to California, where it was hoped he would settle down and reform his habits. On the way, last December, he stopped over at this city, he having an aunt (Mrs. Neal) and two uncles here, all respectable and good citizens.

In a short time Bowater made the acquaintance here of a number of persons of loose conduct—frequenters of saloons. He became dissolute and reckless, disposing of his clothing as well as spending money forwarded to him by his brother from Birmingham. His relatives were greatly grieved at his conduct, as he refused to listen to their advice. Mrs. Neal wrote to her sister informing her of the course her son was pursuing. The effect of the information upon Mrs. Bowater was terrible. She was thrown into such distress of mind that congestion of the brain ensued, causing unconsciousness, in which condition she remained until death came to her relief.

We take occasion to give these particulars regarding the sad death of Mrs. Bowater—who was an estimable lady—as she had a large number of friends and acquaintances in this Territory besides the relatives already mentioned. Four years ago, accompanied by her daughter—Miss Comfort Bowater—she paid a visit to this city and was the guest of Mrs. Neal for several months. She had a delightful time, participated in several public occasions, notably the Tabernacle choir excursion to Nephi. She also took a trip to Tooele, Kayville, and other places. The large number of persons who became acquainted with the lady at that time will be pained to learn of her demise under such distressing conditions. Her sister, Mrs. Sarah Neal, is overwhelmed with grief at the sad event and the circumstances which caused it.

This is the time of year when the sun never sets on the possessions of the United States. When sunset has fallen upon the most westerly of the Aleutian Islands, the luminary has been shining about an hour on the eastern coast of Maine. Those who still labor under the impression that they are at the extreme western point covered by our government when they reach the Golden Gate will thus understand how greatly mistaken they are, not being nearly half way. It is a greater country than many of us can realize with a mere mental effort.

The total of contributions from the city of Berlin, Germany, to the Johnstown relief fund was \$15,000. The amount contributed by Bismarck and the Emperor is expressed by leaving off the first two numerals.

The richest man, whatever his lot, is he who's content with what he has got.