

the Deputies that if they expected to re-arrest him, they had better come armed. Thompson has been connected with the Marshal's office in Southern Utah twelve years, and always was regarded as a good and discreet officer."

Nearly the whole of this is wilfully and wickedly untrue. Judge Dalton, the father of the deceased, is a well known, peaceably disposed and estimable gentleman, who has occupied several important positions of honor and trust to the satisfaction of the people. He had no hand in the tragedy thrust forth by Hollister for the purpose of blackening the name of the dead. Proof is on hand that the calumny is a lie. So is the statement about Dalton and Church cattle. So is the charge that when arrested for unlawful cohabitation he knocked down his guard and escaped. So is the fabrication that he was a "terror" in Southern Utah. The attempt to palliate the murder by slandering the murdered, and casting obloquy upon him because of trumped up charges against his relatives, could only come from such creatures as Hollister and the rest of the Tribune gang.

The eulogy upon the murderer is all of a piece with the diatribe against his victim. This is not the first time that Thompson has fired at a defendant charged with a simple misdemeanor. He tried to shoot a "Mormon" named Jensen not long ago, who, like Dalton, was wanted for unlawful cohabitation; but on that occasion Thompson did not bring down his man. Practice has made his aim more accurate.

Hollister's vain effort to induce Marshal Dyer to say something to palliate the offense of his deputy, and the Marshal's reply that there was "no justification," with Hollister's foul, profane and abusive language have already been given to the public, and he does not deny the truthfulness of our reporter's account. The fact is, Hollister is a rampant maniac on the "Mormon" question. When anything connected with "Mormonism" is in question he becomes a wild-eyed, pale-faced and venomous lunatic, only well muted by the foul-mouthed libeler of the Tribune, who has also coined some atrocious falsehoods about the murdered man by way of excuse for his assassination. The marks of their local manufacture are palpable. Pretending they have come from the scene of his residence and making out that Dalton was reputed "a hard citizen," it says that "some years ago he was County Judge of Iron County," a blunder that no one acquainted with the man and the county he lived in could be guilty of.

The dastardly course pursued by those two jackals of the press in regard to this inexcusable homicide, is sufficient to demonstrate their character and cast discredit upon all their effusions for the future. Where anything "Mormon" is concerned, no misrepresentation is too vile nor subterfuge too low and contemptible for their perverted brains and pens. They belong to a sphere far outside the boundaries of respectable journalism and decent society.

#### AS PLAIN AS A PIKESTAFF.

In taking notice of Tribune falsehoods one has to be prepared for emanations such as are expected from a certain odoriferous animal that is always shunned when possible and consistent. We could not, in justice to the Dalton murder case, refrain from exposing the Tribune's falsification of the Utah statutes in order to shield the murderer Thompson. For this we are assailed with its customary virulence, and another attempt is made to misstate and muddle up the question.

Our point was that homicide is not justifiable under the law when committed by an officer in the arrest of a person charged with a misdemeanor. The Tribune attempted to prove that an officer is justified in taking life "when attempting to arrest a man charged with an offense punishable by imprisonment in the penitentiary, etc." We showed from the statutes that such a proceeding is justified only when "necessarily committed in arresting persons charged with felony and who are fleeing from justice or resisting arrest." The Tribune now uses such pet terms and ponderous reasons as "skulking liar and fraud," because we did not quote other clauses of the law which were not necessary in the argument. We not only omitted the section it refers to, but all the rest of the Compiled Laws of Utah, as we have not space to waste on irrelevant matter.

If there is any one on the staff of that paper to touch this subject other than the blackguard who has endeavored to cover up his sophisms with a mass of abuse, he can see this point very readily, by aid of the Compiled Laws and the Edmunds Act. Unlawful cohabitation is a misdemeanor. It is not a felony. An officer is excusable for homicide committed necessarily, when retaking persons who have escaped or in arresting persons who are fleeing from justice or resisting arrest when the charge against them is felony. Bringing the argument to the question at issue, Dalton was not charged with felony. His alleged offense was a misdemeanor. Then killing him was not justifiable under the law, even if he was escaping from or resisting arrest.

The matter is plain. There is no need to quibble over it. An attempt to

make a local definition of an offense not punishable by imprisonment in the penitentiary apply to a United States offense which Congress has made so punishable, is the meanest kind of pettifoggery. But it is characteristic of the cad who when pushed into a corner by a fair argument, commences to misstate the question and then imitates the ever avoidable creature, his four-footed counterpart, whose exhalations betray its character and make it a thing to be avoided except on a work of necessity.

Even the grand jury who, in face of the Judge's protest, took hold of the killing was not justifiable, and at the very least they could do, on aught in an indictment for manslaughter. But what is the use of a further dispute? The thing is plain enough for any one to admit at once, if possessed of common sense coupled with common honesty. Of course, we do not except such an admission from the What-is-It of the Tribune.

#### ANOTHER "LEAGUE" CIRCULAR.

To-day we present for the perusal of our readers, another Loyal League circular. The secretary, O. J. Hollister, is furnishing them to the backsliding members of the secret anti-"Mormon" political organization as holiday gifts, which they are likely to appreciate as they deserve. Those who have had any doubts floating through their heads to the effect that their contributions to the corruption fund would not be credited will doubtless utter a sigh of relief as they read the assurance of the Secretary that an entry will be duly made on the credit side of the League ledger. The intimation that a quarter's contribution in advance will be "highly appreciated," is truly pathetic. The circular is in exact line with the old camp meeting appeal of "the smallest donations thankfully received and larger ones in proportion." In some parts of the Territory, where employers of men are members of the League, the employees are told they must either join the League or leave, which means they must submit to a levy upon their hard earnings or be discharged. How is this for the freedom-shriekers, who conjure pictures of tyranny from the store-houses of their fiery imaginations and attack their own creations by lip denunciation?

Those defaulting members who may not be sufficiently fortunate to receive the defining and solicitation circular will please take notice, by its publication in our columns, that the eleemosynary department of the League needs replenishing.

#### OFFICIAL RAIDS IN THE NIGHT.

The search of two houses in the Nineteenth Ward by deputy-marshals between 3 o'clock and 4 o'clock on Tuesday morning is very suggestive. Everybody acquainted with the design and purpose of the law must know that such raids upon the homes of quiet citizens was never intended by the framers of our statutes. It would not be endured in any other part of the civilized world. There is a proper time and a proper way to serve legal process, and that time is not in the night, unless on some extraordinary occasion for the apprehension of one accused of a flagrant crime or who is disturbing the peace of the community.

For this reason, our local laws provide that, ordinarily, except in a case of felony, an arrest must not be made at night. In an extraordinary case the warrant must have a special order of the Magistrate or Judge endorsed upon it, otherwise it cannot be served at night. The spirit of the law should guide those who have to enforce the law, and that will not urge night raids on citizens who are not breaking the peace or committing acts that render such proceedings necessary to the public welfare.

And if the arrest of persons charged with an offense against the law is ordinarily unlawful at night, how much worse it is to rouse people out of their beds at an unseemly hour to serve a subpoena? Witnesses are not to be subjected to such invasions of their homes and inroads upon their peace. There is no necessity and there is no law for it. The people have some rights as well as the courts and their officers.

In the night raid upon two houses in the Nineteenth Ward, the deputies behaved with the utmost courtesy, we are informed. That is greatly to their credit. We are not trying to raise any prejudice against officers who have to discharge a disagreeable duty. We do not want to obstruct the execution of the law. We have no disposition to find fault with those who are authorized to enforce it. But we want citizens to have their rights, and one of them is protection against "unreasonable searches and seizures." That is a Constitutional guaranty. It is for the public welfare that peaceable people shall be secure in their domiciles. The Englishman's boast that "every man's house is his castle," should be something more than a sham in free America.

We know what we are talking about when we assert that such invasions of

home rights would not be submitted to elsewhere. Leading men of all parties, east and west, have declared emphatically that their houses should not be intruded upon in the manner in which they are entered in Utah, especially when witnesses only are wanted.

We suppose somebody will be offended at these strictures. For that we do not care a rap. The rights of citizens are more to us than any man's opinion or any official's good will. They must be preserved from encroachment. And the purposes of the law cannot be effected by violations of its spirit in attempts to nudely enforce it. These night raids are wrong, and for the procurement of witnesses are clearly needless and illegal.

#### CORRESPONDENCE.

HEBER HEARD FROM.

HEBER CITY, Wasatch County, December 14, 1886.

Editor Deseret News:

The health of the people here is pretty good at present, no serious sickness prevailing that I know of. Winter commenced some six weeks earlier than usual, causing feed to rise to double the usual value.

The cold weather of last month put a stop to rocklaying on the Stake House. Three weeks more of fine weather would have enabled the masons to complete the rock work on the tower. A financial report was read to the building committee covering somewhere about \$12,000 up to the present.

The all-absorbing topic on the street is the coming railroad, the Colorado and Utah Midland. The surveying party, composed of about 20 persons, were camping in our town last week. On Saturday last they struck camp and folded their tents and moved over the rim of the basin into Strawberry Valley, and are now surveying east towards the Utah line.

There is quite a lot of our people out hauling wood and doing other kind of work, for the boys in blue at Fort Duchesne, and a number of others are longing for spring to come so they can get out to work for Uncle Sam, and relieve his coffers of a few of the surplus dollars therein.

On the 9th inst. our home dramatic club presented to a crowded house the sensational Scotch drama, "Wenlock of Wenlock." They have also under rehearsal the "Octoroon" for the Christmas holidays.

We have some six day schools in full blast all crowded. Our Sunday School, under the able management of Bishop Clegg and staff of officers, is in a prosperous condition, and the scholars are contemplating having a grand time at Christmas with Santa Clause and his presents.

Our stores are doing a booming business in supplying the people with their winter and Christmas goods.

Our mails are very irregular and have been for the last three months. The News and Herald are most of the time one day behind time. Where the fault lies, we cannot find out.

We are having some beautiful weather at the present, cold nights but pleasant in the day.

TIMPANOGAS.

#### A WORD FROM DETROIT.

DETROIT HOUSE OF CORRECTION, Michigan, Dec. 12th, 1886.

Editor Deseret News:

Please allow me through your columns to address a few lines to my beloved brethren and fellow prisoners, for conscience sake, brethren, sisters and friends in Zion, the priesthood generally, and good and kind friends everywhere.

Thousands of miles away makes us feel keenly our position and appreciate an opportunity to communicate our feelings to our fellow sufferers. Feeling keenly the sufferings of our wives and children, thus deprived of husbands, fathers and protectors, we join in solemn prayer constantly for their welfare and ask the blessing of God upon our brethren and sisters in Zion who in any manner aid in encouraging and materially helping the (for a time) widows and fatherless, that we can say like our Savior did, I lay in prison, "And ye visited me; I was naked, and ye clothed me; hungry and ye gave me to eat; what ye did to my family ye did to me."

Your brethren have not been deserted by the spirit of God, even in this far off location. Friendly feelings are exhibited towards the servants of God, by which our stay here is made comparatively easy, and through our humble and faithful prayers much prejudice is being removed from the minds of honorable men and women which we always pray may bear fruit in the Lord's own time.

Our Arizona brethren broke the ice and laid a foundation on which we are doing our best to build a structure that some day may become a pleasant abode for the Holy Spirit to occupy. I am satisfied that our imprisonment preaches louder than any sermon we might deliver, as through our daily actions we as a people will be more understood and our sincerity of conviction will be more and more established among the honorable on the earth; and this fact gives us happiness to perform our duties and invoke the blessings of God upon our humble efforts and count it a blessing to be a co-worker in the establishment of God's kingdom in the last days.

It is only a matter of time until we shall be allowed to serve God according to the dictates of our own conscience and according to the spirit of the glorious Constitution of our country; as near as I can learn this is the sentiment with all the Elders here and thanks to the officers' kindness we enjoy more liberty and privileges than we expected when first entering this institution. Sweet as liberty is we do not feel like murmuring over our position, but say, "Father, thy will be done," looking with pleasure to the day when we can meet our families and friends. The Elders are enjoying good health so far as I can see. With friendship and love to all, I am

Yours respectfully,  
NELS GHAMAM.

#### THE DALTON MURDER.

BEAVER, Utah,  
December 17, 1886.

Editor Deseret News:

As I presume you have been posted as to the circumstances of the murder of our beloved brother Edward Dalton, Jr., of Parowan, by Deputy Marshal William Tompson, I need not repeat them. In the first place everybody who knows anything of law, knows that an officer has no right to kill a man charged with a misdemeanor, although he may be escaping from said officer, much less a man who had not been examined or tried, and whom the law holds to be innocent until proven guilty. The extent of the offense of which Brother Dalton was charged was six months' imprisonment and \$300 fine. Still he must be shot down by a man clothed with a little brief authority, simply because he did not bow down to his dictum. There is not a shadow of law to sustain the murderous deed. As well might a policeman of your city shoot a man who had been boisterous, thereby disturbing the peace of the community and trying to evade arrest. In fact, the case would be more aggravated, for everyone knows that to disturb the peace is wrong, whilst the man killed was merely indicted on a charge of having obeyed the dictates of his conscience in living with his wives, whom it is understood he married before the passage of the *ex post facto* Edmunds law.

That the case is clearly one of wilful murder, to my mind, does not admit of a reasonable doubt. Now as to this "Mormon" apostate and deputy U. S. marshal, nothing need be said about him where his character is known. His and Gleason's raids upon the premises of citizens of Greenville, in this county, are still fresh in the minds of the citizens of that place and the public. It will also be remembered that this same man, then a guard, but now a deputy marshal, deserted his post a few years ago and thereby permitted the convicted murderer, the notorious Ben Tasker, to make his escape. George Tracy was placed at the north and front of the Court House and Thompson at the south and rear, the only possible places of escape. The night was a little cold and Tracy built a fire, while Thompson, better known as "Bill Thompson," left his post to warm at Tracy's fire. During his absence the murderer made his escape through the rear of the building, where "Bill" should have been on the lookout. A little of that vigilance he has recently been using towards his once "Mormon" brethren would have held the notorious Tasker for the atonement of his crimes and saved the suspicion that there was money in the job.

Cannot our government, the best on earth, find better material to execute its mandates? If not, its cause must be exceedingly degrading, or we are drifting to Anarchy and ruin as fast and as surely as the sun rises and sets. Will the law for once be enforced against the assassins of a Latter-day Saint? We shall see.

DANIEL TYLER.

#### SUMMONS.

In the Probate Court, in and for Salt Lake County, Utah Territory.

Sarah Jane Stephens, Plaintiff;  
vs.  
John Edward Stephens, Defendant.

The People of the Territory of Utah send Greeting:

To John Edward Stephens, Defendant.  
YOU ARE HEREBY REQUIRED TO appear in an action brought against you, by the above named Plaintiff, in the Probate Court of the County of Salt Lake, Territory of Utah, and to answer the complaint filed therein, within ten days (exclusive of the day of service) after the service on you of summons—if served within this county; or, if served out of this county, but in this district, within twenty days; otherwise within forty days.

The said action is brought to obtain a decree from this Court dissolving the marriage contract existing between said plaintiff and you, on the ground of wilful desertion and failure to provide plaintiff with the common necessities of life for more than two years last past, and plaintiff asks for the care and custody of the minor child, the issue of said marriage.

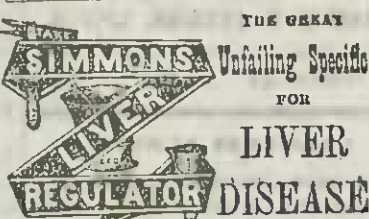
And you are hereby notified that if you fail to appear and answer the said complaint as above required, the said plaintiff will apply to this Court for the relief prayed for and cost of suit.

Witness the Hon. Elias A. Smith, Judge, and the seal of the Probate Court of Salt Lake County, Territory of Utah, this 3rd day of December, in the year of our Lord one thousand eight hundred and eighty-six.

JOHN C. CUTLER, Clerk.  
By H. S. CUTLER, Deputy.  
M. L. CUMMINGS,  
Attorney for Plaintiff.

#### Simmons' Arnica Salve.

THE BEST SALVE in the world for Cuts, Bruises, Sores, Ulcers, Salt Rheum, Fever Sores, Tetter, Chapped Hands, Chilblains, Corns, and all Skin Eruptions, and positively cures Piles, or no pay required. It is guaranteed to give perfect satisfaction, or money refunded. Price 25 cents per box. FOR SALE at Z. C. M. & Drug Store.



**SYMPTOMS.** Bitter or bad taste in mouth; coated white or covered with a brown fur; pain in the back, sides, or joints—often mistaken for rheumatism; sour stomach; loss of appetite; sometimes nausea and waterbrash; indigestion; flatulency and acid eructations; bowels alternately constive and lax; headache; loss of memory; with a painful sensation of having failed to do something which ought to have been done; debility; low spirits; a thick, yellow appearance of the skin and eyes; a dry cough; fever; restlessness; the urine is scanty and high colored, and, if allowed to stand, deposits a sediment.

#### SIMMONS' LIVER REGULATOR

(Purely Vegetable)

Is generally used in the South to arouse the Torpid Liver to a healthy action.

It acts with extraordinary efficacy on the

**LIVER, KIDNEYS, AND BOWELS.**  
AN EFFECTUAL SPECIFIC FOR

Malaria, Biliousness, Jaundice, Colic, Bowel Complaints, Dyspepsia, Bloating, Nausea, Mental Depression, Etc., Etc., Etc.

Endorsed by the use of 7 Millions of Bottles.

#### The Best Family Medicine

For Children, for Adults, and for the Aged.

SAFE TO TAKE IN ANY CONDITION OF THE SYSTEM!

J. H. ZEILIN & CO.,  
SOLE PROPRIETORS, PHILADELPHIA, PA.  
PRICE, 25 CTS.

The BUYER'S GUIDE is issued Sept. and March, each year. 32 pages, 8 1/2 x 11 1/2 inches, with over 3,500 illustrations—a whole Picture Gallery. GIVES Wholesale Prices

direct to consumers on all goods for personal or family use. Tells how to order, and gives exact cost of everything you use, eat, drink, wear, or have fun with. These INVALUABLE BOOKS contain information gleaned from the markets of the world. We will mail a copy FREE to any address upon receipt of 10 cts. to defray expense of mailing. Let us hear from you. Respectfully,

MONTGOMERY WARD & CO.  
227 & 229 Wabash Avenue, Chicago, Ill.

**ELY'S CATARRH CREAM BALM**  
Gives Relief at once and Cures GOLD IN HEAD, CATARRH, HAY FEVER.  
Not a Liquid, Snuff, or Powder. Free from Injurious Drugs and Offensive odors.  
A particle is applied into each nostril and adgreable. Price 50 cents at Druggists; by mail, registered, 60 cts. Circulars free. ELY BROS., Druggists, Owego, N. Y.

After Forty years' experience in the preparation of more than One Hundred thousand applications for patents in the United States and Foreign countries, the publishers of the Scientific American continue to act as solicitors for patents, caveats, trade-marks, copyrights, etc., for the United States, and to obtain patents in Canada, England, France, Germany, and all other countries. Their experience is unequalled and their facilities are unsurpassed.

Drawings and specifications prepared and filed in the Patent Office on short notice. Terms very reasonable. No charge for examination of models or drawings. Advice by mail free.

Patents obtained through Munn & Co. are noticed in the SCIENTIFIC AMERICAN, which has the largest circulation and is the most influential newspaper of its kind published in the world. The advantages of such a notice every patentee understands.

This large and splendidly illustrated newspaper is published WEEKLY at \$3.00 a year, and is admitted to be the best paper devoted to science, mechanics, inventions, engineering works, and other departments of industrial progress, published in any country. It contains the names of all patents and title of every invention patented each week. Try it four months for one dollar. Sold by all newsdealers.

If you have an invention to patent write to Munn & Co., publishers of Scientific American, 361 Broadway, New York. Handbook about patents mailed free.