EVENING NEWS

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CHARLES W. PENROSE, EDITOR.

THE ACQUITTAL OF THE

MURDERER. THE shameful proceedings in the sham trial of Wm. Thompson, wh

goes unpunished. slayer of E. M. Dalton to justice. Every and no lying verdict will step in the protended prosecution it out. It will show gave evidence to the contrary. When red and gory shrough all jury whom the defendant had selected, The indictment for simple manslaughter when the testimony proved delibera'e and malicious intent to kill, indicated that the proceedings were to be a mere pre-

outcome were expressed without dubiety. The alleged prosecution was con

chief assistant-C. S. Varian, the U. S. official who, in open court, rehad been caught by the police in acts of the most flagrant and criminal in decency in vile resorts in this city. Notwithstanding the direct and un-mistakable evidence against the ac-cused, which was similar to the testimony before the coroner's jury and contained in the affidavits published in this paper, Mr. Varian took the side. of the defendant, and, practically, the pleas of the prosecution and the de-pleas of the prosecution and the de-fense were in the same directo be great uneasiness over the affidacharged with infraction of the third section of the Edmunds law. The lmpression sought to be conveyed is that a deputy has the right to shoot and kill a "Mormon," whom he supposes

with law and precedent. The only ground on which the attorney who should have prosecuted proceeded to defend the accused deputy, was that he fired the fatal shot when attempting to arrest a person charged with felony. Let us examine this a little and see how untenable it is: The law provides that homicide is justifia-ble when necessarily committed by an officer in retaking felons who have escaped, or when necessarily committed in arresting persons charged with felony and who are fleeing from justice or resisting such arrest. We will not stop to discuss the question whether Mr. Dalton was fleeling from justice or resisting arrest, though the evidence was clearly to the contrary, nor whether the shooting of the person to be arrested was . "necessarily committed," though the entire testimony showed it was not. We will take up the word "felony" on which the argument mainly tarns.

That Mr. Dalton was not a felou need not be debated; he had not been convicted of any crime and was not thereeither a felon or a misdemeanant. But is the offence with which a felony. Mr. Varian says it is, we say it is not. Let the law decide. The alleged violation of which Mr. Dalton eliciting the facts. was to be arrested, provides:

"That if any male person is a Territory or other place over which the United States have exclusive jurisdiction, hereafter consists with more than one woman, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of more than three hundred delayers. lars, or by imprisonment for not more than six months, or by both said punishments, in the discretion of the

Mr. Varian is an officer of the United given in the statute of the United States which he is chiefly sugged in enforcing. A misdemeanor is not a felony. The Edending has ways unlaw for the proof of its matters not what Mr. Varian may say, whether in pleading for a defendant whom he was sworn to prosecute or for any other purpose. The United States statuted is above either Mr. Varian or Mr. Dickson his principal. It also supersedes any definition that may be woven from the fabric of a territorial statute. The law that creates the cerning his presently circum his horse. After turning to the south notice Dalton until after he fell from notice Dalton until after he fell from his horse. After turning to the south substance in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning paper in American in favor of his horse. After turning to the south as other than his horse. After turning to the south as all the south and paper was waited to the south his house and saw Wm. Lyman there; I was waiting head to him, there is a disad man from page's house and saw Wm. Lyman there; I was to him and from Page's port to the face, should not as a way was a tired to him. The law that creates the wishing President Cleveland and political wreather than a paper was a tired. The law that creates the wishing President Cleveland and politic States. Yet he denies the definition crime defines it as a misdemeaner and that virtually settles the controversy. If Mr. Varian is right the Edmuuds law is wrong and electrics.

But the penal code of Utab provides

But the penal code of Utah provides that

"A felony is a crime which is or may be punishable with death or by imprisonment in the penitentiary. Every other crime is a misdemeanor."

Now note the petitiogging to shield a criminal? Persons convicted of unlawful cohabitation are confined in the penitentiary, therefore, argues the public prosecutor, pleading for the defense, that which the law says is a misdemeanor may, for the purpose of this case, be deemed a felony! A misdemeanor may, for the laws of the Territory, is an offense punishable by imprisonment for six months and a fite of three hundred deliars. In exceptional cases, where special penalties are affixed, the imprisonment for misdemeanor may reach one year's imprisonment. But under the territorial laws, persons guilty of the offenses that come under the head of misdemeanor are to be imprisoned in the county fall, and only to be put in the penited the for a Democrate to do, and has disappointed the positive the pointed half of his own party by making the planters to do, and has disappointed half of his own party by making his Admisistration less Democrate to do, and has disappointed half of his own party by making his Admisistration less Democrate to do, and has disappointed half of his own party by making his Admisistration less Democrate to do, and has disappointed half of his own party by making his Admisistration less Democrate to do, and has disappointed half of his own party by making his Admisistration less Democrate to do, and has disappointed half of his admisistration to be such and expected it to be.

Our kew Year which to be. President is that he may devote the skoon dall of his admisistration to be president is that he may devote the skoon dall of his admisistration to pleasing the Democrate which the best Year wish to be. President half of his admisistration to be except these that he may deeped and expected it to be.

Our kew Year wash to the President to the president is the heave the file of the beach and the Mugwings less. Let him "tu

ritorial laws, is the place of imprison-

any country on earth, is the office for which E. M. Dalton was to be arrested anything more or less than a misde-

The specious subterfuge, then, on which Thompson's felonious act was claimed to be justifiable, disappears in the light of the law, and nothing remains but a transparent endeavor to save a bloodstained criminal from the legal consequences of his cowardly deed. That such an effort was made by the prosecuting officer proclaims the farcical character of the proceedings, and would remove any cause for wonder if a shadow of it remained at the verdict of acquittal by

a jury "in sympathy with the prosecu-Thompson has been acquitted by one tribunal, but there is another which pronounces a different judgment. Bekilled Edward M. Delton at Parowan without provocation and without excuse, came to the expected conclusion on Saturday at Beaver. Thompson was acquitted and red-handed murder of the crime of wilful, deliberate and cowardly murder. The blood of inno-It was not believed by the public that cence stains his soul. No sophistry or there was any intention to bring the pettifogging will take it away

his case was handed over to the grand official and judicial whitewash that may be applied. The sound of that and the majority of whom went out to murderous bullet will ring in his ears, take him from the officers who had are rested him, it was understood that the purpose was to let the assassin go free. The brand of Cain is upon his brow, and it is recorded on high, "He has shed innocent blood."

There is still another tribunal before which William Thompson will yet stand arraigned. The Eternal Judge tence. And when the char-will be there to do unflinching justice. acter of the jury was learned, and it The victim will be present to confront was told that one of the very grand the slayer. No specious plea of legal jury that found the shameful indict. spologizer will avail. The bare and ment and went out to rescue the swful truth will strike conviction and prisoner from the regular officials, was the murderer's doom will await actually put on the jury that was to the guilty. And when the assassin set try him, public predictions as to the free on earth is viewed with horror by the just, spatterings of the blood with which he is dyed will be found upon the skirts of those whose duty it was ducted by District Attorney Dickson's to bring him to his right deserts but who partook of his crime by pallisting the deed.

Thompson should not be molested. fused to proceed against the Thompson should not be molested. the Hand that will surely repay. But henceforth in the eyes of all fairminded men wherever his course is known, he will bear upon his brow the blistering mark of the crouching and cold-blooded murderer!

ANOTHER ATROCIOUS

tion and with the same ob- vits obtained from the witnesses to the ject—the acquittal of the prisoner. murder of Dalton and published in the The murdered man was a "Mormon," DESERRY NEWS. The testimony, how-his assassin a "Gentile" Need any ever, was in accord with those affidamore be said? Yes, there is another vits. But a most despicable attempt feature in this tragedy that needs was made to cast discredit upon that pointing out. The murderer was a damning evidence against Thompson, deputy Marshal and his victim was by questioning Brigham Brown as to cross-examination, nothing was elican alleged statement to Mr. George C. Lambert of the DESERRY NEWS. Young Brown was led by artfully put questions to deny that he had made any statement to Mr. Lambert concerning or pretends to suppose is attempting the shooting. The Sait Lake Tribune to avoid or escape from arrest. The quotes these questions and replies, claim is false, and is in direct conflict and both locally and editorially intimates that the statement published in these columns as having been made by Brigham Brown was manufactured by Mr. Lambert, and in its usual vile and infamous manner makes comments on this alleged falsehood.

No one who is with the double-dyed villainy of the Tribune will be surprised to learn that neither Mr. Lambert nor the DES-BRET Naws has claimed or asserted that Brigham Brown made any statement to either. No such assertion can he found in our columns. It has been manufactured by the Tribune and the creature who put the questions to Brigham Brown at the trial in such a manner as to cast a reflection upon the DESERRY NEWS.

The testimony of Brigham Brown, published in these columns, was that given on oath before the coroner's jury, and it was so stated when published, the date of the statement before the coroner being also given, viz., December 16th, '1886-the day of the murder, while the atatements to Mr. Lambert were not made until Decemtore, in fact or in the eyes of the law, ber 27th. Of course, Brigham Brown answered that he made no such statement to Mr. Lambert. but it is alleged he was charged he was not asked whether he had made the statement to the coroner, because the object was to third section of the Edmunds law, for damage the Dusnerr News instead of

> We need not copy the epithets of the mendacious Tribune and tuen them upon its own head, the public voice will do that when the full light of this new and shameful falsehood falls upon the public mind.

THE "WORLD" AND THE AD-MINISTRATION.

"WE guarantee," says the New York World, of January 1st, "that our avers"

"His term is now nearly half over.

During the time past he has disappointed half of the Republican party by making his Administration much better and safer than they in their prejudice thought it possible for a Democrat to do, and has disappointed half of his own party he make

But the offense of shiswful cohabitation is one created and punished by a law of the United States, and is therein, as we have shown, designated by name as a misdemeanor, and therefore not a felony, although offenders under it are placed in the penitentiary because the U. S. Marshal has no other place of confinement under his, con-

"FAUST and Marquerite" drew anment for all whose offense is purished other large audience to the Theatre on big by the penalty prescribed Saturday. The company went to Provo tor unlawful cohabitation. Therefore, restorday, appearing there to night, neither under the laws of the Terri-alter which they go west.

Na Conflict Between the Prosecution and Defense.

ALL ACT IN CONCERT AND THE

BEAVER, Jan. 7th, 1887. The District Court of the Second Judicial District met at 10 a. m. on the vs. William Thompson, Jun., for the cilling of Edward M. Dalton. Thirty petit jurors were subpænsed from Marysville, Silver Reef, Star and Frisco and 8 from Beaver, all non-Mormons, who put in their appearance. The witnesses were called and all answered to their names.

MODEL JURY TIMBER Joseph Heag, a jaror, a citizen of the Reef and an ex-deputy marshal of Nevada, [who is considered a tough customer, stated he had made up his mind from what he had read and mind from what he had read and heard of the case, and no evidence that might be adduced in the trial could change it. He was excused.

Mr. Martin, from Shauntie, in S'ar district, Beaver County (and, by the by, one of the grand jurors who found the indictment against Thompson, also one of the party who met him beyond Paragoonah), was subpensed as juror on the trial of the defendant.

When his name was called he walked When his name was called he walked up to the box like a prince. The Court, taking in the situation, asked him if he was on the grand jury; he replied in the affirmative and was excused.

Mr. Cuss [suggestive name!] an ex-soldier, and resident of Beaver, who had recently served as a petit juror, passed for cause, but was challenged

peremptorily.
Alexander Keyes, brother to Robert Keyes, who went to meet the prisoner, passed for cause, but was challenged peremptorily; also, J. M. Boiter passed for cause and was challenged as above. Thus disposing of the three One juror was excused on account of being sick. Two others were blased and were excused. Twelve out of the nineteen names called answered satisfactorily all the questions put by the prosecution and defense and were worn in as jarors to try the case. THE "TRIAL."

Doctor King, of Parowan, was the first witness. He testified that about afteen minutes after the shooting, he found Dalton lying on a lounge in Fage's front room. Before he died he vomited blood and froth. The prosecution asked the cause of the vomiting, if it was not an evidence of his bowels being shot. The dector thought not: stated it might have been caused by the fall from his horse. The wounded man was carried from Page's to his mother's residence, but expired bemother's residence, but expired between Page's house and the bars leading to the street. He lived forty-five
minutes. In the evening he probed the
wound. Mr. Varian stripped off his
coat and vest, and had the doctor
show the jury where the bullet entered the body, which was between the
second and third ribs on the left side,
ranging a little up and to the back. ranging a little up and to the back. Held no autopsy, but was satisfied the ited conflicting with the foregoing.

was the next witness. He testified that he started from E. L. Clark's corral with about 75 head of cattle to take onto the range. Dalton put a cow and calf into the herd, then rode to his mother's for a cow belonging to her. Dalton caught up with the herd on the street near Page's barn. After turning the corner going southward, Dalton remarked that his calf was weak, and not to earmark it till it got to camp lest it might give out. I showed him a calf toat I thought would give out; this was on or near the centre of the street, headed in a southwesterly direction. I was a little north and west of Dalton and opposite the north line of Page's house. I heard one shot coming from the southwest corner of Page's house; sightly turning my body round to where the shet came, saw Thompson and Orton inside of yard on the south line of Page's house; line of Page's house; saw gun in hands of Thompson, taking aim 'at Dalton and

IMMEDIATRLY FIRED. Dalton fell on to the horse's neck, went five yards, when Dalton fell to the ground. Brigham and J. H. Brown were along, driving the stock also.

In s rigid cross-examination he dist not deviate from the above points.

After the sheeting rode up town and told four individuals that deputy marshals had shot Dalton. Gave his all-

shals had shot Dalton. Gave his afficient the County Clerk of Iron County; George C. Lambert, of the Deserr News office, obtained it to publish, and testified now as he did then.

BRIGHAM BROWN

BRIGHAM BROWN

BRIGHAM BROWN

BRIGHAM BROWN

Was driving estile from Clark's corral; the parties driving were Ed. Dalton, Collin Clark, J. H. Brown and M. Haltetman. When in front of Page's was watching Dalton, aware that he was in danger; heard the marshaltetman. When in front of Page's was watching Dalton, aware that he was in danger; heard the marshaltetman. When in front of Page's was watching Dalton, aware that he was in danger; heard the marshaltetman. When in front of Page's was watching Dalton fell from his horse; the report of a rifle; Dalton fell from his horse; the report of the rifle came from Page's; Dalton seemed to turn his face toward where the voice came from; he was in the act of raisling his hand when he fell; the horse slightly turned to the west; he was sitting straight on the horse when westerly direction. Dalton raised on of a gun; saw Thompson and Orton in the yard of Page; Thompson had the gun up to his shoulder. On cross-examination he stated that when Dalton fell, his horse was loping in a westerly direction. Dalton raises on his hands and knees. Did not give any affidavit to George C.Lambert. Dalton had no coat or vest on; had no-body on the norse with him.

JOHN H. BROWN stated that he met Dalton at his mother's corrat; helped him to drive his mother's cow to the herd, which we overtook east of Page's barn. I took the south side of the herd and did not shoulder and speaking to him, but did not know what he said. Thompson called for help to carry the wounded man into the house. Myself, Thomp-son and Orton carried him through the bars into Page's back door. Dalton's horse was loping in a westerly direc-tion when Dalton fell; was on his knees and elbows.

in sight on South Street; saw deputies come out from Page's house, Thompson and Orton carried him through the bars into Page's back door. Dalton's horse was loping in a westerly direction when Dalton fell; was on his knees and elbows.

Court at this point adjourned till Friday at 10 2. m., when the so called "TRIAL" was resumed.

J. M. Brown, who testified yesterday, was recalied and cross-examined. Was introduced to Geo. C. Lambert by Edgar Clark or L. D. Watson. Went to Page's where the homicide occurred, to show the positions of the parties.

Made affidaylt of the facts, was sworn J. H. Brown, who testified yester-day, was recalled and cross-examined.

Was introduced to Geo. C. Lambert by Edgar Clark or L. D. Watson. Went to Page's where the homicide occurred, to show the positions of the parties.

Made amdayit of the facts; was sworn to before William Davenport, county clerk. Lambert wrote as I stated; never asked if Datton ran. Datton would have submitted to arrest. He was not evading the officers. Was off carrying maif. I know the horse he was riding when shot; it was an average saddle horse.

On his factors and the shoulders; Samuel G. Orton asked if he was going to be left to die like a dog; Dalton was lying a little surth of Wilcox' house and four rocks' from Page's bars; saw other parties on horseback.

Cross-examined. Dalton was in his shirt sleeves, no coat, no vest, no suspenders. Saw Dalton the day before the homicide at a tannery on the south west corner of Page's lot; I went on the lith December with Hugh L. Adms, where I made affidavit before County Clerk for George C. Lamber's have not seen the published statement. The horse did not move over three feet after the gun report. Know Thompson

Collins Clark recalled and cross-ex-amined: Knew Dalton had been arrested for cohabitation. Saw him when under arrest. Did not take any interest in Dalton's escape, from the officer. Did Dalton's escape from the officer. Did not render Dalton any assistance to have him get away. Did not know that Dalton meant to get away. Did not assist him to a horse. My sister is Dalton's wife, I

REFUSE TO ANSWER Here the attorneys argued the point of witness' answering the question.

The court ruled that he need not answer; it was not material.

I was excited on the day of the homisoide; did not threaten Thompson's

The prosecution objected to such questions; they might tend to criminate the witness. The objection was sustained.

Being excited, my brother caught held of me teiring me to be quiet. Other questions were piled by the defence of a smillar nature, which were overruled by the court as not proper. BARBABA LYMAN" sestified. She was first shown a dis-gram of the streets and houses in the it was.

locality, also the distance from her house to Wilcia. Rnew Dalton; was acquainted with his family! knew Thompson by sight. Was in Parowaa on the 16th of Detember. Saw Dalton about 11 o'clock hear Page's corner turning south; he was on horseback, driving stock. Collins Clark was with him and others. Saw them make the turn at the corner of the street coming sworn. Did not see Dalton alive on the day of the 18th; saw Dalton dead at his mother's house. Isid out; found a wound on the left side, back of the centre, five inches from the back bone; saw the doctor probe the wound, which ranged toward the backbone, a little pwards. turn at the corner of the street, coming Cross-examination. Dalton was 34 south toward Page's—saw this from my door; saw two men standing at the south end of Page's house; recognized rears old last August; was a powerful

Dr. King was recalled, and the prosecution asked if a ball struck the spine and it caused paralysis, could he in this position be able to walk or could he raise on his hands and knees? Answer—He may, by spasmodic action; however, it would not last long. Am not mistaken in the track of the ball, which lodged in the most vital part of the body.

Here the "prosecution" rested.

The Besense.

The Raise of the spine could not see the officers, but saw Dalton look in their direction; Dalton did not stop, but continued reining his horse away from where the officers at stood, and quickened his speed. He was sitting upright until the summons was made, when he leaned forward and to the right. When he was shot, he fell off. Thompson assisted to carry the deceased into the house. Witness, at the request of Orton, borrowed a rifle for the defendant to make the arrest. He then identified the gun as the same. He understood that them to be Thompson and Orton; saw Thompson with a gun in position as if ready to shoot; parties on the street could not see defendant for the corner of Page's house; I called out to Dalton of Page's house; I called out to Dalton and waved my hands for him to go back, but he did not observe me; the horse was on a walk, moving southwest; when Dalton came opposite Page's house, I heard the word "halt." Dalton did not appear to observe it; Clark was not far from Dalton, on his right on the west side of the street, a little behind. Don't recollect seeing Bricham Brown. When the shot was Wm. Thompson, the slayer of Dal-Brigham Brown. When the shot was fired the horse wheeled and made a ton, was first called to the stand in his short distance on a walk. Dalton fell

house. There was no child with Dal-

sworn. Had three shirts of deceased that

day of the killing. Heard from sever-al parties that if Orton could not ar-rest him would reach him with his gun.

Cross-examination-Was not inter-

ested in posting Dalton of the where-abouts of the deputies.

G. S. HALTERMAN.

Thompson a few times; know Orton, Daniel Page and Wm. Page; met the cattle herd on the street and helped the parties drive them; when we came to Page's corner

the drivers were more or less together; Dalton was ahead of me; I

was hugging the fence, not in the mid-dle of the road, making around the corner going south to Page's when I heard the call to halt; heard the call— "Ed., halt! halt! "It sounded as

if two voices called; could just dis-tinguish the "balts" in succession

when I heard the report of a gun about four or five seconds from the first call of halt; Dalton was near the middle of

the street, a little to the west, when he fell; the horse was on

a fast walk; we all checked up when the shot was fired; the horse

was moving south angling to west; the horse was in the act of wheeling when

he shot was fired; the horse went

north three or four steps and west to-ward Wilcox' fence; when the gun was fired the horse jumped, landing Dalton's feet north and head south; he then turned on his hands and knees; Thompson was first to reach Dalton

after he fell; he spoke to him, but I do not know what he said. Cross-examined.—Did not help to

carry Dalton in; several gathered about; Orton asked me to go to the

sworn. Knew Dalton; he was about 30

itting straight on the horse when

shot; the horse was walking, was excited and wheeled about, and Dalton

ell three or four feet from where

shot.

Cross-examined. — Witness was shown the diagram; he showed his residence and where he stood when the affair occurred. Did not know Dalton was coming till I saw him; thought he was in danger as he was a fugitive; suspected the officers were at Pages; Don't think I would telp

in sight on South Street; saw deputies

WILLIAM C. MITCHELL

elegraph office with him.

Knew Dalton; have seen

wn defense. A synopsis of his testion the left. The horse travelled on the walk. I ran to Dalton, found him on his hands and knees. I asked where he was hurt, he replied to follow in the dreary drama that was being enacted, the outcome of which all had begun to understand by this time as well as though they had seen the same farce played before. "Farce" is not exactly supposed to represent the prosecution. "I AM KILLED." Thompsom came through the bars and tapped Dalton on the shoulder, saying, "why did you not halt?" Dalton made no reply. Thompson, Orton and Brown carried Dalton into Page's an adequate term, but it has a ghastly fitness here, following as it does so

ton. Don't recollect seeing Brown at the bars. When I came to Dalton I rubbed his face with my hands. Did not look around when halled by Thompson, did not seem to notice him.

Cross-examination—Saw Thompson and Orton in Page's lot. Knew Orton BLOODY TRAGEDY. Thompson retired from the witness' rostrum with that imperturbable countenance which he has worn from the first, and then others took his place was a deputy U. S. Marshal. Pointed on diagram where she first saw Dalton. and were sworn. Willie Page, a son of Daniel Page, the chief witness for Thompson (whose Showed where Dalton was when shot evidence appears further on) testified which did not vary from her former testimony. Dalton was nearer the west side of the street than the east. The horse was heading to the northwest when he fell off. Was anxious about Dalton; heard that Orton threatened to kill Dalton. I heard it similarly to his father.

Presley Denvey, David Pollock and
E. W. Thompson swore that Thompson was a good man.

Ex-Deputy Gleason testified that he had been many times warned as to the risk he would incur in attempting to arrest the deceased for whom he once five or six weeks ago in Parowan. My five or six weeks ago in Parowan. My husband itoid, me; did not know where my husband heard it. Knew there was an indictment for Dalton. Saw him four days before he was killed. Did not know that Dalton had been gone. Knew he was arrested once. Knew he was indicted and that Orton was at Page's to kill Dalton. Did not watch Page's house. Heard "halt" once. Did not wish to see him killed. Would had a warrant. He showed a letter purporting to have been written by the deceased to the witness, warning him to come "heeled" when he came to make the arrest.

Deputy Marshal Armstrong testified to having had a letter from the deceased which was altogether of an opposite tenor to the one purporting thave been received by Gleason. Did not wish to see him killed. Would not help Dalton to escape arrest. I watched merely to save his life; I feared he was to be killed. Thompson and Orton were the first to come to

feared he was to be killed. I have to come to and Orton were the first to come to Dalton. Thompson placed his hand on his shoulder, saying, "I called you to hait; why did you not?" I have talked to my husband about this affair, and to my husband about this affair, and talked to George C. Lambert about it. I made affidavit before Dsvenport; Mr. I was before and arrest Dalton. He asked my advice and if I had seen him in town. I the chief witness for Thompson, then took the stand. He said, in substance, that on the 16th of last December the defendant came Lambert was present. This was before New Years. He saked me for affidavit and I gave it to him. Lambert wrote the affidavit and I signed it. Have not seen my affidavit in the DESERRY NEWS.

closely upon the enactment of a

said "Yes," and that I thought Balton was at his mother's house. I enquired of several persons, but agot nothing definite. My boy Willie Came in and said Balton was doming down the street or horseback driving stock. I said to the officers that that was about as good a time as any. They went out and looked through the window. I heard the officers cry "Halt" three times: times;

THEN A BHOT;

as the same. He understood that when Dalton was in town he always had a horse with him ready to get away. The shot was fired three sec-

supposed to represent the prosecution, took the floor and made an argument for the defense. He said Dalton's offor the delense. He said Dalton's Offense was a felony [the law of the
United States to the contrary netwithstanding], and that being the case
Thompson was justified. This left P.
L. Williams, attorney for Thompson,
but little to do and he did it.
Judge Boreman theu, and quite unnecessarily, contributed his quota to
the defense fund in the way of a
charge, the jury as a matter of formwent to their room and returned in
a few minutes with a verdict of

Thompson was discharged and west forth from the court room doubtless a proud and happy man.

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mony has already appeared. It was brief, and went mainly to the point of preparing a foundation for what was and said to defendant, "You d— s— of

a few minutes with a verdict of NOT GUILTY.

H. REISER'S.

-- FOR --

F.AUERBACH&BRO COHN BROS were on Dalton when killed. (Here a hole made by the bullet was shown to the fury). Received the garments from Dalton's wife; recognized the same shirt on Dalton the day before the homicide. Was at Minersville on the

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Is the Largest and Choicest we have ever made, and me in former seasons our Prices will be so Low as to insure the sale of almos'; every article we exhibit. MAIL ORDERS FULLED AT REDUCED PRICES.

WE ARE NEVER UNDERSOLD. ESTABLISHED 1864.

F. AUERBACH & BRO.



IMPORTERS AND JOBBERS

MANUFACTURERS OF

BOOTS & SHOES

UNDERWEAR, OVERALLS, Etc.

Carry a Complete Stock in Every Line

S. ELDREDGE,

Superintendent,

DRY GOODS HOUSE.

WE SHALL OFFER

GREAT BARGAINS

In all OUR DEPARTMENTS during the Month of JANUARY.

CLOARS AND WRAPS For Ludies' Misses' and Children, will be offered at ENORMOUS SACEIFICE until the whole stock is closed out.

Season's Importation of Shawle is also offered at ACTUAL COST! SILKS AND VELVETS.

Everything in this Department during this Month Only, AT BARE OUST, and some lines to be Cleared Out at Less Than Cost.

IN DRESS GOODS We Clear Out Handsome Robes at \$12.00 and 15.00, Reduced from \$20.00 and 25.00, and the balance of our stock of Combination Dress Patterns at HALF PRICE.

Ladies' Cloths, Tricots, Pin-head Checks and Stripes, Cloth Dress Stuffs at BARK COST. FLANNELS AT COST.

We offer to Clear Out, Scarlet Twilled Flannels, White Shakers, Striped Jersey Flannels, Blankets and Comforts, at Actual Cost. WHITE GOODS.

We are offering Special Bargains in Crochet and Marsailes Quilts, Towels, Crashes, Napkins, Table Lineus, Nottingham Nets and Curtains. MUSLIN UNDERWEAR. We offer to Clear Out about 1000 pieces in this line

at New York Cost, to make room for a New Importation, now being manufactured for us. LADIES' AND CHILDREN'S JERSEYS, of recent importation, at Reduced CORSETS at 50 and 75c.. Reduced from 75 and \$1.00.

HOSIERY, three pairs Ladies' Wool Hose for \$1.00; Misses' Wool Hose at 25c., Reduced from 40 and 50c. a pair. Large Stock of Hamburg Embroideries, to be Cleared Out at Low Prices, before the Arrival of a New Importation, now on the way. DRESS TRAMMINGS, consisting of Jet Passementries, Mosa, Feather and Galoon Trimmings, and Dress Buttons to be Cleared Out, Regardless of Cost.



WONDERFUL MEDICINE!

The GREATEST WONDER of the AGE!

Has made more Wonderful Cures of Kidney and Liver Complaints than all Physicians and Proprietary Medicines Combined, except the Physicians, who use them in their practice, for all diseases hereis mentioned. They act with Extraordinary Efficacy on the Liver, Hidneys and Bowels, and in all Colds, Coughs, Sore Throats, Croup, Whooping Cough, etc. They never fail to Cure Quick. They Qui the Disease Short. They also prevent Urie Acid from circulating through the system. They are wonderful in their detective labors, arresting and driving through the proper channel all waste and effete matter, thereby preventing disease of germs, sapring away every vital part of the body; they will remove all billious humors; will dissolve into powder all Gravel and Stone in the Emader, making the removal painless. This is the Only Medicine that will prevent Bright's disease afficting you—or cure it if you are afficted. Will permanently cure Cistitis of Sindder, when other medicines have failed. Thoopsands in Utab can testify what Wonderful Cures this Medicine has made for them. They will cure you and your children. They build up. They restore the equilibrium. Every druggist should keep them in stock. People come from all parts and Every druggist should keep them in stock. People come from all parts and asknowledge their superiority over all other medicines. Dealers that can't seeli, bring back—your money refunded. I take my own medicine myself. They are for children, middle age and old age. They keep the powder dry. Don't suffer yourselves; don't let your children suffer or your aged garent. I tell suffer your druggist does not keep them, sak him to order for you. Internal Blue Label, Satts, each.

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