

morning the court convened

1230. Jiggs Sutherland opened the case for the prosecution, reading a statement to the jury of the testimony adduced by the prosecution. A party of six men, known as the Alkens, came into the Territory from the west. They first came into Box Elder County where they were arrested, and escorted by soldiers to Lehi. The counsel proposed to argue the testimony on the hypothesis that the crime afterward committed was prompted by a desire for plunder and that the prisoner, Collett, Rockwell, Murkum, and others, were

port which accompanied the party from Lehi, and did so for the purpose of plunder. The defense could not doubt try to prove that at the time of the murder the prisoner was on his way from Salmon River, fixing his departure from there October 28, 1857; but the witnesses for the prosecution had no

He considered it established that Collett accompanied the Aikens from Lehi to Nephi, and if the party were prepared to receive the truth, they must see as he says: The Rockwell party and the Aiken party, as shown in the testimony of Foote and others, left Nephi together. The next day, for their departure from Nephi,

of the A'iken party returned, dressed, naked and bleeding, and were capable of telling what had happened to them. They did not come back with the escort they went with; they did not return on horseback as they had gone, bringing their horses and property. But the next night the escort returned. Why did they not inquire after the wounded men, if they had been friendly to the A'ikens? The escort

turned bringing back the Aiken **Curry's** property, which remained in their possession. Mrs. Casler's testimony shows that the escort met her in the night, and kept themselves concealed. She saw writer Rockwell in the tithing house, and saw Bishop Bigler carrying things there in a bucket and a pail.

lled by the Rockwell party  
mewhere south of Nephi; that  
y returned with the booty and  
aded with guilt.

The murder of the two wounded  
was planned in Nephi; Bishop  
gler, Mr. and Mrs. Woolf, Mr.  
ote, P. et in and others all knew  
at was to be done. John Aiken  
d Tuck were not taken to Salt  
as proposed, but simply to the  
Hollow Springs herd house, where

When counsel heard Timothy not testify, he was inclined to believe he had a sympathy for the wounded men, but he had now decided that old man Foote had said as much to do with the murder of Bigler, Rockwell, Murdock, and Woolf and Collett. The prosecution could agree with

The medical expert Benedict, and not break the chain of evidence which pointed to the bodies taken from the Deep Springs to be the dead bodies of Aiken and Tuck placed there by the Collett-Rockhill party.

Court adjourned until Tuesday morning at 8.30 o'clock.

Tuesday morning, Court convened at 8.30 a. m., and the jury

called. Judge Dusenberg for the defense replied to the arguments of Judge Sutherland. The prosecution had claimed that this would be one of the wonders of the world. Yes, it will be such. The wonder will be that for 21 years the defendant has been in the hands of the officers of the law, and yet until now has he been called on to answer the charge. It is a case without parallel. Counsel re-

to the fact that Judge Cradle-  
ough had failed to charge the  
jury in this case when he sat  
on the bench in this district.  
The prosecution objected, as it  
was outside of the record, and the  
court sustained the objection.  
In this case the defendant had  
been confronted by witnesses  
the stand whose names were en-  
tered on the back of the indict-  
ment as they should have done.

notwithstanding religious prejudices of the jury, you are asked to treat the prisoner just the same as though he were in California or Oregon. Judge Sutherland had secured the conviction of the prisoner at great scandal might not rest the prosecution. Such talk could have done 200 years ago, but will not do for to-day. Many cases were cited illustrating the treatment of the prisoner.

to proof had been adduced on the part of the prosecution to show that Collier was ever in Juab County. Timothy Foote had done so, Judge Sutherland had laid that man on the shelf. As for Guy Foote, counsel would leave him to Judge Tilford.

Judge Tilford, after an eloquent

...then read the title of the bill, and said, as Porter Rockwell had gone to his long account, would say as little of him as possible; called the jury's attention to the fact that only one of the indictments was on trial. The prosecution then established the following propositions:

- 1st, The death.
- 2nd, The result of the criminal act of others.

That the death was caused by gunshot wounds. That it was felonious and malicious. That the participation of Collett. Counsel admitted that such a party as the Aikens came to Utah Territory was then in a troubled condition, and was under martial law; a hostile army was on our northern border, and strangers were treated with suspicion by the

lighted people, and were frequently arrested by the local authorities. After the arrest of the ten party in Box Elder, they were seen in Ogden, and next in Salt Lake, accompanied by an escort selected by themselves. Five of them arrived there, but only four, the fifth, a man named Chapman, remaining and becoming aizen of that town, which showed

that the party were traveling through the country freely and unharmed, and that this Beckwell party were an armed escort or posse to see them through. But on my go southward, and leave evidence with a bad set of witnesses the way along the road to Nephi, at these travelers were to be ordered. The testimony of Gay Note and Mrs. T. Casler, relative to the arrival of the Alken and

small parties in Nephi, which  
I well said they were not quite  
upon, and had made the par-  
remain one day longer than  
I actually did, so that the ever-  
tentful Mrs. Casler's suspicion  
might be realized. Her testimony  
to the conversation overheard by  
between Bishop Bryant and  
I almost at the lifting office  
was doubted, for the reason that  
was thirty feet away, and that

the testimony of Mrs. Robinson was read in detail by counsel. He urged the jury if they believed the statement of this woman as consistent with human nature, to men into the presence of a sick woman and a small girl to plan murder. But these few conspirators,

not telling all their plans in the  
presence of this girl, send her away,  
and if not to a safe place, to a safe person.

Groceries,  
 Crockery,  
 Hardware,  
 Stoves,  
 Grain,  
 Etc., Etc.



...the book is a...  
...the book is a...  
...the book is a...

**Ladies' Underwear,  
Trimmings,  
Flowers.  
Embroideries,  
Silver and Gilt  
Buttons,**

...the arrival of  
SHIPMENT OF  
NEW GOODS

**...s Fall Prints.**  
**Design.**  
**CAMBRIC**  
 latest Novelties of  
**BROWN AND RED, BLACK**  
 ETC.

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s, Figured Alpaca  
Black Alpacas,  
Shirting: Cheviot  
PATTERNS AND SHADES.

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**SUIT ALL PURSE**  
the most cultivated taste, it  
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 ties in buying our Goods, and  
 er to the Public  
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**BER FIRST,**

**RECEIVED**

**RUINERD STOCK**

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of Fancy Notions, which we  
ing Rare Bargains

**THING LINE**

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**2 BUTTON KIDS, 3 BUTTON KIDS, 4 BUTTON KIDS,**  
**5 BUTTON KIDS, 6 BUTTON KIDS, 7 BUTTON KIDS,**

**EMBROIDERIES TIES, ETC.**

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And Designs to please the most cultivated taste. It  
will pay you, to visit our Carpet De-  
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As we have Better Facilities in buying our Goods, and  
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