

looked pale when he went out; I then heard the shooting, but heard no remarks; I was the last one walking out and saw Dodds fire one shot; I could not see Crane, but Dodds held his pistol down towards the ground; I then saw Luxton take hold of Dodds, and after seeing who was killed I went back into the saloon; Luxton brought Dodds into the saloon; he bought a cigar and said something about the weather; he then sat down; don't remember what he said; he laid the pistol on the bar; five loads were shot out of it; Dodds remained in the house ten or fifteen minutes, when he was arrested; Dodds was not excited when he came back, but looked rather pale;

He walked up to the body, but am not sure whether he kicked it or not. I say he (Dodds) was cool. It was 5:30 when the killing occurred.

To Mr. Dickson—Dodds was leaning against the pool table when Crane went out; heard Crane abuse Dodds just before the going out; and heard him say, "I'll kill the s—of a— before dark;" he told me he had a rattling gun; he used vile language toward Dodds' wife, mother and sisters; Kone, the previous witness, had been drinking heavily; he asked me to give him something to sober him up; I would call him pretty full; Kone was the fullest of the two; Luxton had to wrench the cue from Crane's hand when he tried to strike Dodds.

Re-direct—I am friendly with Mr. Dodds; Crane made the last threat about ten or fifteen minutes before he left the saloon.

James Coup—I live at Vernal; while I was passing I heard a pistol shot and saw deceased fall; Dodds was close to him, between he and I; after he fell Dodds began shooting down; the shooting continued rapidly; I drove right on and kept going; didn't hear anything that was said.

The following cases were disposed of in the afternoon:

Jens L. Brown; adultery; guilty; seven months and costs.

Thomas Johnson; adultery; guilty; six months and costs.

E. A. Bickstram; adultery; guilty; eighty-five days and costs.

Jesse B. Martin; adultery; guilty; to be sentenced October 10th.

John Quamberg; adultery; guilty; six months and costs.

Jens Jorgensen, unlawful cohabitation; guilty; fifty-five days and costs.

Jens Jensen; unlawful cohabitation; guilty; sentence suspended during good behavior.

Neils Anderson; unlawful cohabitation; guilty; seventy-five days and costs.

Jos. A. Wright pleaded not guilty to the indictment of murder.

Peter Allstrom; unlawful cohabitation; guilty; seventy-five days and costs.

Charles Jensen; unlawful cohabitation; guilty; six months and costs.

Lars Jens Jensen; adultery; plea of not guilty.

L. H. Newman; unlawful cohabitation; plea of not guilty.

Jens Neilson; unlawful cohabitation; guilty; six months and costs.

Samuel Briggs, unlawful cohabitation; guilty; sent home on good behavior.

The case against Rose Grant, convicted last term of fornication, was dismissed. She was present in court, but as her husband had been sent to the penitentiary, the Court felt as though she might be let off.

Judge Judd said: I want to tell these people who have been sentenced today, that for these old men I have much sympathy, but if you come back here you will get all there's in it. For the young men I have no sympathy at all."

In the continuation of the trial of Pardon Dodds, for killing Wm. Crane, the defendant himself went on the stand yesterday afternoon and testified substantially as follows: I am 44 years old; defendant in this case; up to '61 had lived in various States; enlisted in the Rebellion in '62, on the Northern side; during his life before his army experience was on a farm; came to Salt Lake City in '66; went to Uintah in '67; was a pioneer; received a commission from President Johnson as Indian agent; subsequently engaged in the stock business; have been engaged in farming and stock raising; held positions of selectman, county prosecuting attorney, probate judge, and United States commissioner; am not a lawyer; have studied law some; still holds his commission as United States commissioner; live about four miles from Vernal; went up to Vernal about noon; went over to the saloon with Dr. Hollinger; saw Crane there playing pool; took a hand with him in playing a game; during the game discovered Crane taking balls; nothing was said; never met Crane before that day; didn't know his name. During the game something was said of there being something wrong with the count; witness took two balls from his place in the rack and put them in that of Crane. About three-quarters of an hour afterwards Crane returned to the saloon; Crane took a seat in front of defendant; said, "I would like to get away with you, you dirty s—b—." Witness was not armed; asked Stinaker if he had a pistol; went to the bar and took the pistol from behind the bar; put it into his left hand coat pocket; went into the back room; then he changed his pocket knife from his left hand to the right hand pants pocket; placed the pistol in the left hand pants pocket; came out of the back room and sat down by the stove; when Crane came back he passed defendant and made more abusive remarks; defendant left the saloon with the intention of going to the drug store; met Wilkins on the porch of the saloon; saw Crane leaning on the post; as he came up Crane looked up and said, "Here comes the s—b— again," and putting his hands behind him said, "I'll fix you, you s—b—;" defendant then shot four shots; think I fired four shots before Crane fell; shot at his body; Lutzen said to me, "Stop,

the man is dead;" didn't go near the body; didn't kick it; went to the saloon with Lutzen; was of course excited; have not any recollection of making any remarks to the effect of cooking and eating Crane; if I did, I was crazy.

Cross-examination by Attorney Varian.—I held the office of United States commissioner for five years; Crane continued his abuse about defendant, his wife and relatives; stayed in the saloon on account of owing Mr. Ashley \$55; waited for him; thought necessary to see Mr. Ashley personally; he held the due bill, am not a drinking man; it was a cold day and there was a fire in the saloon; that is why I went and stayed there; the difficulty commenced during the second game of ball pool; Crane was drinking; saw Crane charging about wanting to fight; witness was afraid to arrest Crane; there was no one standing about but was afraid to arrest Crane; made no attempt to have him arrested; thought it was of no use; didn't ask the constable; understand the statute relating to such cases; waited all the afternoon; didn't know why he didn't leave the place to get out of the way of Crane; followed Crane out, because witness thought Crane had gone; spent his time in talking to friends; there were not enough to arrest Crane; didn't hear Crane say he had weapons up at Bob Reynolds; didn't notice that Crane was very drunk at the time he went out of the saloon; didn't see him strike at any one; Crane was facing the south just before the shooting, leaning on the railing, on one hand; was within five or six feet when he shot.

Witness stepped off the stand and, placing Mr. Varian in the position of Crane, illustrated the positions of himself and deceased at the time of the shooting. He showed how he drew his pistol from his pants pocket with his left hand, and how he delivered the first shot at Crane's head; Crane was fronting witness when the shooting took place. Dodds returned to the chair and continued: The constable arrived in a few minutes; am not an excitable man; accustomed to mountain life; was mad when I left the saloon; was not thinking about it all the time, (the abuse of Crane); it made me very angry to listen to the provoking remarks about my relatives; didn't stay there to see what Crane would do.

Proceedings before Judge Henderson Sept. 26:

M. R. Evans vs. Joseph Cottle, verdict for defendant.

Salvator La Bua, John B. Farlow, Roger Power and Peter Poulson were admitted to citizenship.

The People vs. Joseph Coult, sen.; battery; verdict of not guilty.

United States vs. Thomas S. Higham; unlawful cohabitation; defendant given two days to plead.

United States vs. George D. Roach; adultery; plea of not guilty; bail reduced to \$500.

Emma G. P. Wells vs. D. H. Wells; court finds for plaintiff.