THE FVENING NEWS.

GEORGE Q. OANNON EDITOR AND PUBLISHER.

Vednesday, . S-pt+mb+r 25, 1872.

In consequence of the lengthy report of the NEWS to-day.

THE COOK SHITH CATTLE . STEAL ING CASE.

Empire Market, at the corner of Com-mercial St. on First South St.; and that at the close of Cook's examination "Yes, we got some from Mr. Alexan-der, some from Mr. Winter, over Jor-Smith was bound over to appear for dan, and from Mr. Hanks."

examination. On Saturday last, by the request of Mr. Whitney, Mr. Smith's counsel, Tuesday (yesterday) morning was set by Justice Clinton for the examination of Smith, but owing to the absence of witnesses—Cook and some others—the Cook. I want to know how many Mr. investigation did not commence till Wit, One: investigation did not commence till about $\frac{1}{2}$ past 2 o'clock yesterday after-noou, at which time Mr. Smith, his council and witnesses, Z. Snow, Esq., prostcuting attorney, Cook and several other witnesses for the prosecution were in court. The following witne ses for the prosecution-Messrs. George

was first called to the stand, and was put through a long examination by the prosecution.

the other one red. They had no brands that he could see, although the hides were spread on the floor and water poured on them to make brands plain if there had been any. Mr. Alexander and his son, parties who had testified in the examination of Cook, came there and c simed those anim is. There was another one, alive, in the corrall which Mr. Alexander claimed; he took that away. When Mr. Alexander came in, the first question he asked was,"Where did you get those cattle ?" Witness re-plied, "From Mr. Cook." Alexander went ou, but witness called him back, aying, "Hold on; I want to see you. saying, in." He came back and again asserted that the cattle were his. Witsooper, for it would have saved him some hard work — in killing the ani mais; but as they were killed he, wit: ness, and, "I had better haul them to market, and in the morning we will pay you for them at market price." Mr. Alexander also agreed to this, Witness also killed one animal two days before this—on the 11th; they paid the firsh side, and if it were Cook's the firsh side, and if it were Cook's the sound stand all damages to Jacob the animals he out off their heads, but the animals he out off their heads, but ome hard work ---- in killing the ani not the ears and horns; he never receiv-ed any instructions to that effect, and he was satisfied that no such instructions had been given to any other buichers there. Mr. Smith had beeks in which entries of buying and selling beef were made; witness kept them. There is a size, witness had written slaughter house, witness had written some in it, and others had written some in it. It was not the practice to bring the books from the slaughter house to the market to transfer entries from them. He did not see anybody take the animals to that slaughter house on the 11th and 13th, but Mr. Cook came and received pay for them. Somewhere about the time these cattle were driven <text><text><text><text><text><text><text><text><text>

court showing the various transactions of the firm with Cook in the purchase

These books-the blotter, day-book and ledger-were examined by the Court and counsel, and the entries-showing a total of some \$500 credited to Cook for cattle bought of nim-traced in regular order, with dates, into the various books.

Witness said Cook was never paid for beef but what an entry was made in these books. He was never employed which we give of the cattle stealing by Smith or had any business conneccase, much other matter is crowded out tion with him only what those books of the News to-day. het to do business, it was transacted

just as it was with any other party. Reexamined by Mr. Snow. Witness stated that he con mended working for Mr. Smith about the middle of last IT will be remembered by our readers that Cook, the man committed for trial last week, for stealing cattle, made a statement strongly tending to crimin-ate Mr. Jacob Smith, butcher of the Mr. Smith about the initiate of last Cook's tracs clions with Smith com-menced about the 25th of January last; and in answer to the question of the counsel, whether, from that time until this affair came up, he had also bered

In answer to Mr. Whitney witness

wituess uestion

for the prosecution-Messre. George Anderson, his son. George Edward An-derson, Cook, George Seamon and Abraham Coons-were sworn; also Mr. Buson for the defence. The last-named witness, who is slaughterman, shopman, bookkeeper and general factorum for Mr. Smith, was first called to the stand, and mat by Cook; he had always understood from Cook that he could not write. He prosecution. He deposed that he was the hired map of Jscob Smith & Company; that he cut up the meat, sold it, kept books. He deposed that he was the hired he cut up the meat, sold it, kept books. man of Jacob Smith & Company; that he cut up the meat, sold it, kept books, etc. He som-times at ended to the butchering. On the 18th of September he slaughter house on the west side of Jordan, one of which was light brown,

had only driven seven or eight there in all, two of which belonged to himself, but one of them was afterwards claimed No, sir. He could not tell the amount money be had had from Smith since No, sir. He could not tell the amount a of money be had had from Smith since inst January, he kept no account, he only got a dollar or two at a time, bare-ily enough to pay his board—five dol-lars a week; he guessed he was in debt now. He had a few head of horned stock on the range last January, but he never sold any to Smith but those that bad been mentioued. Mr. Smith had given him the braud P. K., and he had shown that to George Seaman. He

all, two of which belonged to himself, but one of them was afterwards claimed by another person. It therefore follow-ed that the whole of these other cattle had been atolen, taken to that slaugh-ter house and killed there, and the meat sold to the inhabitants here. That was the logical deduction, beyond all contradiction, if the atatements in the books of de-defendant were true. He did not say that Mr. Smith stole them, but that they were stolen was beyond contradic-tion. If Cook's statement was true there was the strongest evidence to be lieve that Mr. Smith had been engaged in that busines; if Cook's statement was not true then Smith had been brought into court by a combination of a shown that to George Seaman. He knew Mr. Barratt, but did not know that he ever showed him the brand P.K. He had shown him others, for

P.K. He had shown him others, for as he was unable to read, he used to show them to parties, but he naver showed any that he did not receive from Smith. Smith always gave him these brands personally, and he never gave them in the presence of others, but always when they were alone. COURT. Mr. Cook, do you know' how many cattle, first and last, you have driven up for Mr. Smith? I want to ask for the sake of clearing up some-thing said the other day. Cook. I do not know exactly, I do not think I have driven more than siz or seven head.

Count. There was another thing

stated the other day-. Wr. WHITNEY. Ought what was said the other day to be stated to the COURT. I desired to ask him anothe Mr. Snow to the COURT. It is your

right to ask the question. COURT. If he made a wrong state ment in answer to that qu stion, it could be proved that he was a perjured

or seven head.

The Court then interrogated the wit uces, as follows: COURT. When did you drive the first cattle for Mr. Smith?

WIT. I do not remember exactly, I COURT Well, as near as you can recolled

WIT. It was some two or three weeks after I got burt. COURT. Was it in the Winter? WIT Yes, sir. COURT. How long was it, then, be-

fore you drove sgalu? WIT. I did not drive again for a good

while, for I was taken sick. COURT. What do you call a good WIT. I can not remember, I have

been sick so much. Messre. Barratt and Coons were th

¹⁰ of these small sums, but would give one for several of them bulked to gether. He gave dredit to Cook on the books for the full value of what the received it. Sometimes they would credit him with more than the beef would have cost elsewhere, for it reas sometimes very poor, not enough tallow in a whole animal to gresses teel. He knew a man named Abra-tan doous; he had bean the saugh-tan cooks; the bad been at the slaugh-ter house to claim one head of cattle. After Mr. Goous distined the animal be, witness, toil Gook about it; and on a Sunday morning witness and Cook tory and toy cut the hair of the animal to getter. They had a pair of selessors along and they cut the hair of the animal to getter. They had a pair of selessors along and they cut the hair of the animal to getter. They had a pair of selessors along and they cut the hair of the animal to getter. They had a pair of selessors along and they cut the hair of the thit was an imperfect circle. There was sood deal said, and finally witness got do uuffy, and toid them he wanted to go.

rester is to divulge who the real Fiouring mill of Jacob Tealis, Cineta-nati, destroyed by fire. Loss \$16,000, insured \$4,000. 87. Louis -In case of Herry and

Pearse, against U. S Insur noe Com-pany for goods burned in the steamer Progress during the war; verdict for plaintiffs \$178 000. BERLIN.—The authorities have stop-

d the transmission of a telegraph cipher dispatch of five hundred words signed, Napoleon. COPENHAGEN.-King Christian is seriously in.

WESTERN. BAN FRANCISCO, 25 .- Dr. Shirtlift

MINING STOCKS.

MOBNING BOARD.

itself, was enough to throw the burden on Mr. Smith to account for possession, and it was accounted for by showing that Mr. Cook drove them to his alaugh-ter house. Mr. Cook swears that he was at work for Smith by the day; others testi-fy that the cattle were bought of Cook. Cook, himself, swears that every single thing in defendant's books about him is wrong, that he never gave any receipts at all. Others say he did. This is con-tradictory, and we must reconcile it as well as we can. He had had twenty years in this Territory on the banch, at the bar, and as public prosecutor, and he had no spologies or excuses to make for saying what he had said in this case. San Francisco, morning, 25. 300 Ophir, 65: 64¹/₂: 62: 65 h 5 79 G & C, 175: 176; 1-0 b 30; 174; 172¹/₂ 20 Savage, 104 h 8; 104 222 Chellar, 62¹/₂: 6 : 63 h 30; 63 75 H & N, 66: 79: 76 h 8 79 20 C Point. 115: 115 h 5 112 Jacket, 98; 100, b 30; 96; 98, b 30; 971

97⁴ 240 Imperial. 8; 7; 7; 7¹/₂; 8¹/₄, b 30 70 Empire, 7¹/₂ 560 Belcher. +2¹/₂; 91¹/₂: 90; 91; 90¹/₂; 92; 92, b 80; 92¹/₂ + 30, 91, b 5 50 Confidence. 8¹/₂ 2 5 Con Va. 48 48¹/₂; 49; 50 b 30 210 S Nev., 15¹/₂: 15¹/₂; 15¹/₂; 16¹/₂, b 30; 15¹/₂ 70 Justice 10; 9¹/₂ 170 India 51

170 Julia, 51 280 Caledonia, 35; 351; 36, b 10; 36, b

60 Kaicker, 54: 54 50 Globe, 75 cm s 200 Battimore, 2‡; 21, b 5; 21, b 30 15 Central, 9

70 A. HIII, 71: 71 100 Pioton, 50 cents 200 Penstor, 11 200 Wondville, 31; b 10 100 Issurance, 3

EMPIRE LIME KILNI

ONE MILE NORTH OF CITY. Near Hot



And we lavite an early inspection of the ser

don't here had been no attempt to burden had not set of any time set of any the set of t





Groceries,

We are just in receipt of our

LATE AND CHOICE STYLES WOODS & KEATON, SPRING & SUMMER SHAWLS

Numerous Patrons. Looking through our Magnificent Stock and seeing our

increased facilities for doing business.

the deriver and - Man for relation H. B. CLAWSON, Bup't. FIBOCER Y

DEPARTMENT, Z. C. M. I.

WHOLESALE AND BETAIL

Percales,