

DALTON'S DEATH.

Details of the Horrible Tragedy at Parowan, Showing that it was Deliberate, Cold-blooded Murder.

Sworn Statements of Eye-Witnesses.

Believing that the truth had not been fully told in regard to the killing of Edward M. Dalton, and convinced that many of the statements concerning the affair published by the organ of slander in this city were malicious libels, inspired by the same murderous spirit that prompted the cowardly perpetrator of the black deed when he slew his victim, we have been at some trouble to ascertain the real facts in the case and lay them before our readers.

The people of Parowan almost universally are of the opinion that the killing of Dalton was the result of a conspiracy concocted in the house of Daniel Page, an apostate of that place, whose home has been a rendezvous for deputy marshals and spotters for some time past. They further believe that Dalton was waylaid and murdered in cold blood before he had time to surrender or attempt to escape, and not, as has been slanderously asserted, shot while trying to flee from the officers of the law or while resisting them in the discharge of their duty. Whether the citizens are correct in their opinion or not, the public will be able to judge after reading the following statements of eye-witnesses to the tragedy, which have been made under oath and subscribed to before William Davenport, the County Clerk of Iron County.

JOHN H. BROWN'S STATEMENT.

On the morning of the 16th of December, inst., I rode with Edward M. Dalton, assisting him to drive a herd of cattle, a distance of three blocks before reaching Page's house. Dalton had no coat or vest on, and appeared to be unarmed and without suspicion of danger. When the herd turned the corner I was riding near Page's fence, and when opposite the southwest corner of his house saw Wm. O. Orton running from the corner of the building to the fence, about 22 feet distant, with a pistol in his hand. I heard him call "Halt! halt!" in quick succession, and immediately afterwards heard the report of a gun. On looking westward in the direction of Dalton a moment afterwards, saw him, about five rods distant, in the act of falling from his horse. After seeing Dalton fall, I looked towards the house and saw Thompson lean his gun against the fence, let down the bars and walk coolly into the street, remarking as he did so, as if soliloquizing, "I thought I would get you after awhile!" He approached Dalton, who at that time was resting upon his knees and elbows, as if in the act of trying to get up, his body quivering as if in great agony. Thompson tapped Dalton on the shoulder when he reached him and said something which I failed to hear. I never heard Dalton make any threats of resisting arrest, but have heard him upon several occasions say he would keep out of the way of the officers if possible, but if ever arrested by them he would quietly submit.

COLLINS W. CLARK'S STATEMENT.

On the morning of the tragedy I assisted E. M. Dalton to drive a herd of cattle from E. L. Clark's house. He rode bare-backed, was in his shirt-sleeves and unarmed. After returning Page's corner to go southward I called Dalton's attention to a calf in the herd which was likely to give out before it reached the range, and he was in the act of looking at it and riding in a south-westerly direction, and about the middle of the street, when I heard the sound of a voice from the direction of Page's house, but without distinguishing what was said. I turned instantly to look that way, and saw Thompson in the act of firing. He stood about half way between the southwest corner of the house and the fence, and appeared to be taking deliberate aim. When the shot struck Dalton he reeled and almost fell from the horse, but caught the mane and held on until within a rod of the west fence when he fell. There was no boy on the horse with Dalton during the morning. I was familiar with Dalton, but never heard him make any threat in regard to resisting arrest and have no reason to suppose that he would have done so. On the contrary, I have reason to believe that he would have quietly submitted to the officers if they had served a warrant upon him.

MRS. BARBARA A. LYMAN'S STATEMENT.

About two minutes before I saw Dalton turn Page's corner, and while the herd was passing along the street southward, I noticed Thompson and Orton standing at the south end of Page's house, Thompson being nearest the street and having a gun in position as if waiting for Dalton to come within range of the weapon. When Dalton turned the corner, I called to him and motioned with my hand for him to turn back, but he evidently did not see me, nor did I see him look towards the house. I heard a cry of "halt!" once, and immediately afterwards, before a person on a horse would have time to turn his animal, the shot was fired. Dalton at the time was riding in a south-westerly direction on the walk, his eyes fixed upon the animals he was driving. After being shot I noticed him reel aside as if about to fall,

then seize the horse's mane and hold on while his horse went a couple of rods, when he fell on his side and afterwards turned over on his elbows and knees. I rushed to him immediately, and asked where he was hurt, and he replied that he was killed. Thompson then came up, and, tapping Dalton upon the shoulder, remarked, "I told you to halt; why didn't you stop?" Dalton made no reply. Thompson, Orton and Brown then carried him into the house. I was well acquainted with Dalton, knew him to be a peaceable man and never knew of him making any threats.

NEHEMIAH HOLYOAK'S STATEMENT.

I was about seventeen rods south of Page's house on the morning of the 16th inst., when my attention was attracted to a herd of cattle turning the corner and coming southward. When the drivers of the herd riding westward had reached a point about due north of the northeast corner of Page's house, I saw Thompson and Orton emerge from the back door of the building, which opens towards the south, and walk to the southwest corner of the house. I noticed distinctly that Thompson had a gun in his hands, heard the click of the hammer as he cocked it just after coming out of the door and saw him bring the weapon partially into position as he advanced in a wary manner as if looking for game. I walked out into the street, and in doing so lost sight of the deputies, they being hidden from my view by intervening trees. Dalton was riding southward when I heard two calls of "Halt!" and a shot without any perceptible time between them, and saw Dalton reel and fall from his horse. Did not see Dalton look towards the deputies although I was looking at him when the shot was fired. I have been acquainted with Dalton nearly all his life; knew him to be a peaceable man, and never heard him make any threat of resisting an officer; nor had I any reason to suppose that he would do so.

SAMUEL T. ORTON'S STATEMENT.

I live across the street north of Page's, and at the time of the herd passing noticed Dalton, and kept my eyes upon him, realizing the danger he was in, as I strongly suspected the deputy marshals were at Page's house. At the time of the shooting Dalton was riding on the walk a little west of south, when there was a single call of "halt!" and Dalton turned his head to the left, so that he could see Thompson, and raised his left hand, as if to ward off the shot. The gun was fired immediately, and the horse reared slightly and whirled to the right. Dalton clutched the mane until his feet reached the ground, and then his shoulders dropped. I sprang over the fence and ran to Dalton, being the second person to reach him. Thompson came up immediately after, and remarked, in answer to something I said about the shot being fatal, that the gun went off sooner than he intended. Did not see the deputy marshals previous to the shot being fired, and heard but one call of "halt!" without recognizing the voice. After Dalton was carried into Page's house and revived, I recognized Thompson, who had hold of his hand, and ordered him to take his hands off him, as he did not want to be touched by him. I was well acquainted with Dalton and knew him to be a peaceable man.

GEORGE S. HALTERMAN'S STATEMENT.

I rode down the street behind the herd which Dalton and others were driving on the morning of the 16th inst. When I was about to turn Page's corner I saw Thompson and Orton between the house and the fence and heard the name of "Ed" or "Edward" and two or three calls of "halt!" apparently from two persons, and then the report of a gun, all in very rapid succession, there not being more than five or six seconds between the first call and the shot. By this time Dalton had gone about twelve paces south of the northwest corner of Page's lot and about midway of the street west of Page's lot. The horse wheeled from the southwest when the shot was fired and went north about six steps, when Dalton fell off on the west side of the street, within ten or twelve feet from the fence on west side of the street, the horse still going north.

DANIEL PAGE'S STATEMENT.

Thompson and Wm. O. Orton came to my house about 5 o'clock on the morning of the 16th inst. and gave me to understand that their purpose was to arrest Edward M. Dalton. About 8 a. m., at Thompson's request, I went across the street to the house of John J. Wilcock and borrowed a gun, telling Wilcock that Bill Orton sent me. When Dalton and those who were with him were passing my house, on the north side, I saw Dalton, and at that moment Thompson and Orton stepped out at the back door, on the south side of the house. I went to the north window, on the west side of the house, where I could obtain a good view of Dalton as he turned the corner. He had arrived at a point west of the house and about the middle of the street, and was riding slowly, with his horse headed in a south-westerly direction, when I heard a call which sounded like "Halt, halt, Mr. Dalton! Halt, Mr. Dalton!" spoken as fast as a man could speak it distinctly, and about three seconds afterwards the report of a gun, and saw Dalton reel and fall from his horse. I could not distinguish more than one voice in the calling, and did not know which spoke. I did not see the officers from the time they left the kitchen until they went into the street after Dalton was shot. On hearing the call and immediately before the gun was fired,

I saw Dalton look towards the south end of the house. He did not appear before that to have suspected any danger. I had seen Dalton three times previously within a few days and he did not seem to be hiding. Never heard Dalton threaten to resist an arrest, and have no reason to suppose that he would have resisted an officer in the lawful discharge of his duty. I knew Dalton to be a peaceable man.

STATEMENT OF WILLIAM W. PAGE.

I am between sixteen and seventeen years of age. On the morning of the 16th of December, 1886, I was about to start up town, when my father, Daniel Page, asked me to notice if I saw Edward Dalton. On my return I reported that I had seen him near Edgar Clark's corral. During the forenoon I happened to be standing at the gate on the north side of my father's house when I saw Dalton and others about forty or fifty rods distant, driving a herd of cattle down the street toward me. I entered the house immediately and informed the officers, Thompson and Orton, that Dalton was coming. They waited until Dalton was about opposite the east end of the house, travelling westward, when they went out at the back door and I walked to a window on the west side of the house where I could see Dalton after he turned the corner to go southward. I heard a call which sounded like "Halt, halt, Mr. Dalton" and within two or three seconds afterwards a shot, but without seeing who fired it. Just before the shot was fired I noticed Dalton look towards the house. I never heard Dalton make any threats that he would resist an officer who might attempt to arrest him.

Four of the persons whose statements are here given, namely, Samuel T. Orton, Nehemiah Holyoak, John H. Brown and Barbara A. Lyman, testified substantially the same before the coroner at the time of the inquest held over the remains of the murdered man. Upon the same occasion (Dec. 16, 1886) the following testimony was also obtained under oath from another eye-witness:

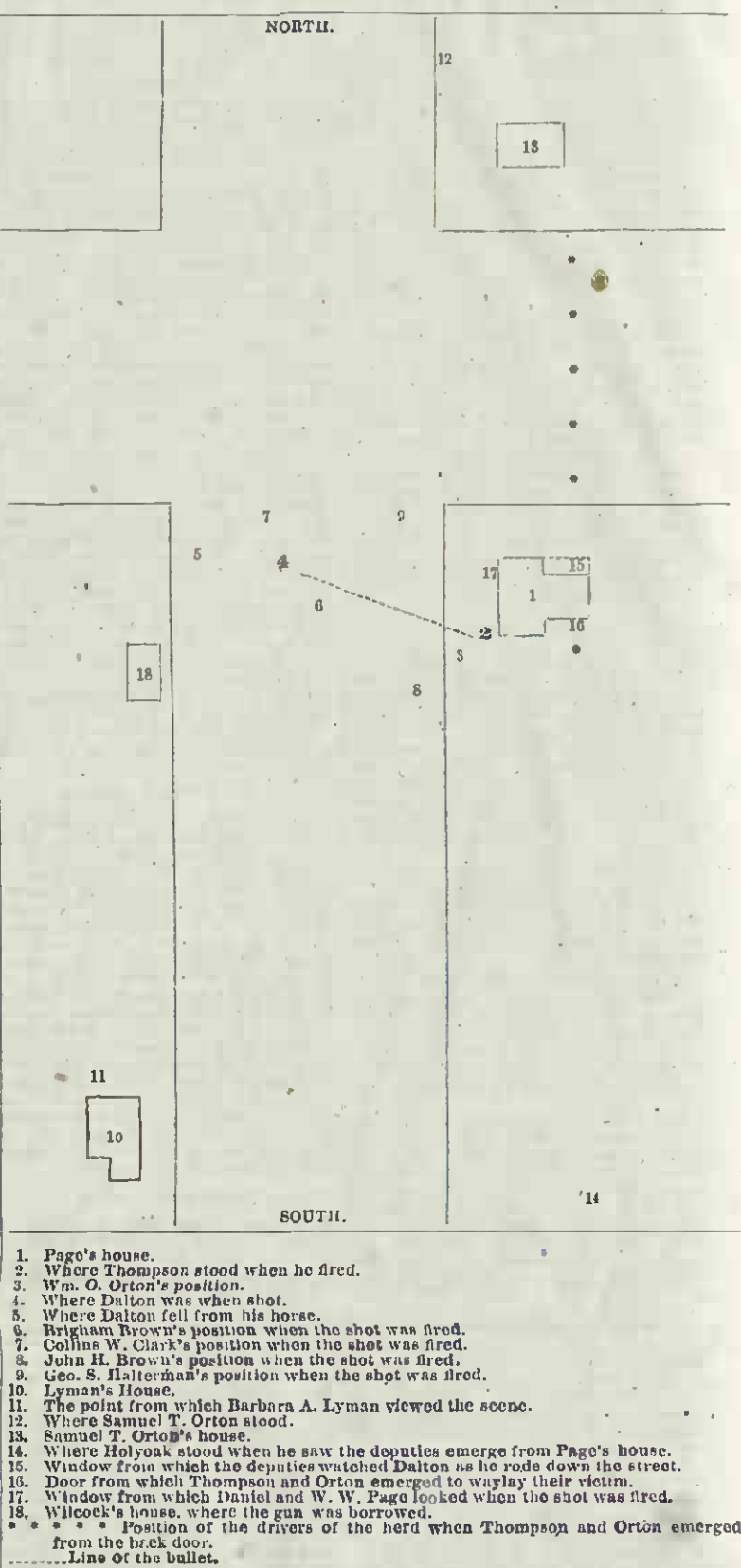
BRIGHAM BROWN'S STATEMENT.

I was in the street below Page's this morning between 11 and 12; was going south; was northwest of Page's house; was helping to drive a herd of stock; saw two men come from behind Page's house; they were Mr. Thompson and William Orton; heard them shout "Halt!" and as soon as they said halt heard the report of a gun. "Halt!" and the report of the gun were almost together. Was looking at the two men. Mr. Thompson had a gun pointed towards Mr. Dalton and Mr. Orton had a pistol. Mr. Thompson was close to the porch. Saw the two men and heard the word "Halt!" at about the same time. I was on horseback riding south. Mr. Dalton was at my left hand. Looked at Mr. Dalton; his horse started west, went five or six steps when he fell off. His horse did not turn before I heard the report of the gun. Did not hear the word "Halt!" but once; did not hear any name mentioned at that time. I was about two rods south and west of Mr. Dalton when he fell. We were going slowly. I started toward the fence to hitch my horse. Saw Mr. Thompson put down his gun, get over the fence and go to where Mr. Dalton was. Dalton was on his hands and knees with his face in his hands. He was packed into Mr. Page's house. Am not sure which fired. Saw Mr. Orton point a pistol at Mr. Dalton. Did not see any smoke from either of the weapons. I think the report came from the gun.

The following diagram of the locality will enable the reader the better to understand the relative positions of the various witnesses to the tragic scene.

Brigham Brown evidently made a mistake when he said Mr. Dalton was at his left hand, as the other witnesses assert that he was at the left of Dalton, and this would account for his being two rods south and west of Dalton when he fell. Had he been on the right of Dalton his progress southward would have been intercepted by Dalton's horse whirling to the right after the shot was fired.

The testimonies of the witnesses agree as to the main facts in the case—that Dalton was riding down the street on a bare-backed horse, without coat or vest on, so that it could be seen plainly that he was not armed, that he apparently had no suspicion of danger and that he was hailed and shot without time being allowed him to either surrender, resist or make an effort to escape. The disparity in the statements as to the number of calls made is not so very material in view of the extreme brevity of the time elapsing between the first call and the shot, even according to Daniel Page's statement, which is more favorable to the murderer than that of any other witness. The extreme limit of time, according to his statement would not exceed six seconds, and according to most of the witnesses it did not amount to more than half that time. Persons are apt to differ in their ideas as to the duration of a second when considering it in the abstract, while by illustration or comparison they might be found to agree. Knowing this, the coroner's jury required two of the witnesses—Holyoak and John H. Brown, to illustrate by clapping their hands the calls and shot as they heard them and the length of time intervening between. In one case the time from first to last amounted to three seconds and in the other to two and a half seconds.



At least four of the witnesses whose testimony is here given—George S. Halterman, J. H. Brown, Daniel and Wm. W. Page—

ARE NON-"MORMONS"

and possibly one other is of that class also, so that they could not consistently be accused of being in sympathy with the deceased because of their religious belief being similar to his; in fact, if they have any leaning or bias either way one would naturally expect it to be against rather than in favor of Dalton.

All of the testimony here presented was available to the grand jury who investigated the charge against the murderer, whether they drew it out or not, and after reading it and weighing the evidence carefully the public will be in a position to form a fair estimate as to the justice of the grand jury's action in finding an indictment.

ONLY FOR MANSLAUGHTER.

When it is known that Thompson and Orton traveled from Beaver to Parowan during the night, having doubtless been notified by some of the spotters in Parowan that Dalton was there; that they secreted themselves in Page's house before daylight and remained there until their victim unsuspectingly rode into their ambush; that they sent Daniel Page during the morning to borrow a Browning rifle of 32 calibre, carrying a conical ball, with which to do their deadly work more effectively than they could with their pistols; that young Page was required to spy out Dalton in the town and that he reported on his return having seen him on the street, where he was making arrangements to drive a herd of stock out to the range; that the same youth watched the doomed man drive the herd of cattle down the street and when he was forty to fifty rods away reported to his assassins that he was coming; that Thompson and Orton watched through the north window of the house the approach of Dalton and could plainly see that he was in his shirt sleeves and unarmed; that they waited until he had just got far enough

along the street for them to slip out at the back door unperceived by him or his companions; that they then stole not and hid behind the house until Dalton had turned southward, when, darting suddenly from their covert, one armed with a gun and the other with a pistol, and yelling "Halt!" Thompson

SHOT HIS VICTIM IN THE BACK

before he had time to obey the command; that the murderer manifested the utmost *sans-froid* and deliberation as he calmly set his gun down, lowered the bars and walked into the street; that he remarked in a chuckling manner, "I thought I would get you after awhile!" and again, after reaching the body of his victim quivering in the death throes on the ground, exclaimed, "He belongs to me now!" and afterwards walked about with a swaggering air as if he thought himself quite a hero on account of what he had done—when all these things are known the public can scarcely have but one opinion—that it was

A HEARTLESS, COLD-BLOODED MURDER,

deliberately planned and fiendishly executed.

And when it is also known that on the news of the tragedy reaching Beaver, a writ of *habeas corpus* was immediately issued, and that four drunken individuals started out with it to rescue the murderer; that most of the grand jurors followed on a pell-mell race towards Parowan to meet and greet their idol who had immortalized himself by killing a "Mormon," and whom, when they afterwards failed to unite upon clearing him, they only indicted for manslaughter in the face of the overwhelming evidence of his guilt here presented; that the red-handed assassin was immediately turned loose on \$10,000 bail and that his trial is set for the 6th of next month, with a special open venire jury—when these things are known, the public will probably conclude that William Thompson, the reckless deputy marshal who held human life so cheaply as to slaughter a fellow being without the slightest provocation or justifica-