

made this remark a second time; then all began to talk, and the boy said he would go; Mrs. Paddock said she then sprang out of bed, and took hold of the cane her husband had in his hand; then Barlow struck him, and he fell, and the officer struck him twice more; Paddock groaned, and the blood began to flow; the witness then interfered and Barlow pushed her aside and searched her husband for firearms, but found none; Barlow remarked, "I take no chances at being shot;" the other officer said; "I take no chances at being struck with a loaded cane;" Paddock then got up and he and the boy went with the officers.

To Mr. Richards—Mr. Paddock was facing me when he was struck; he had his hand on his cane a moment before; I was in bed when the officers first came; I sprang up when my husband said the officers could not take the boy; his hands were in front of him when the blow came; the officers were civil, and all was quiet until my husband said the boy could not go; then we all began talking; my husband went down to the floor immediately upon being struck; he received two blows when he was down; when the officers came in I asked if the warrant justified it, and they said yes, or even arresting those who secreted fugitives from the law; I then said that if that was so half the people of Utah could be prosecuted for that; I did not deny the boy's presence in the house; did not hear my husband say "It is a lie;" I heard nothing uncivil till the striking took place.

To Mr. Stevens—The boy has been unwell for about a month; he was in the insane asylum; I took the cane because I thought the officer looked furious; I have lived here eighteen years to know that it is a word and a blow, but the blow first, and I feared the trouble and thought I would take the cane.

To Mr. Richards—I did not think my husband said anything to provoke the blow; nor did the officer say anything to indicate that he was going to strike.

A. G. Paddock testified—On Sunday evening, about 12 o'clock, officers Barlow and Paddock came to my house; my wife woke me, and I asked who was there; the reply was, "Officers;" they had been there the night before; I went to the door, after dressing myself; I took my cane along and put my hat on; the two officers came up, and said they wanted my boy; I invited them in; the boys were sleeping at the foot of our bed; I went in first, the officers following; the boy they wanted was sick; they found him and he dressed; no other room was entered by the officers; they came in along with me; Officer Barlow was between the boy and me, and read the warrant; I had the cane in my hand; reached out for the warrant and he said he must keep it; I told them that they had what they wanted, and told them to go out; I told them they could not take the boy, and my wife sprang up; I saw Barlow put his hand in his pocket; an instant afterwards I was struck on the neck, and I knew

no more till he was searching me for a gun; I know nothing of any other blow, or what caused the bruises on my head, except as I have been told; I offered no resistance, except to say they could not take the boy.

To Mr. Richards—I was saying the boy was sick when I was struck; I don't think I had told them; I said twice that they could not take him; I motioned them to go out of the room; I don't know that I touched either of them; don't believe I tried to push either of the officers; did not attempt to shut my boy in the room and the officers out; did not push Mr. Barlow partly out of the door.

Miss Grace Paddock—After the officers came into the room, they found Willie, whom they were looking for; heard my father say, "You can't take the boy, but take me;" the officer said they did not want him; he then said again that they could not take Willie; then I heard my father fall, and heard the officer say, "I don't take any chances on a man drawing a sixshooter."

To Mr. Richards—I did not see what went on; only heard it: I heard two blows after father fell; don't know where father's hands were when he was struck; he did not say that Willie was sick.

Larned Cottrell testified—I know Mr. Paddock; on Tuesday after this trouble I saw blood on the wall where Mr. Paddock is said to have fallen.

Gates Paddock testified—I saw the police after they came in the room; heard my father say, "Find the boy;" the officers got Willie out from under the bed; they first called me to stand up to see if I was the boy; father had his cane in his hand; after the warrant was read, father said "You can't take this boy tonight; I will go;" the officer said "We don't want you; we must take the boy;" then father said, "You can't take him;" we all began to talk, telling father not to say anything; saw Mr. Barlow take something from his pocket and knock father down; then he searched his pockets; the officer struck twice after father fell, and mother interfered.

To Mr. Richards—We have all talked about this matter since it happened; my father's hands were in front of him when he was struck; mother told me that; Mr. Barlow said he would have no man pull a gun on him.

Mrs. Paddock was recalled, and in reply to Mr. Richards, testified—I believed my husband would be struck, from the general reputation of the police for brutality, and because my family are special objects of dislike; I wanted to make peace when I tried to take the cane from my husband; if he had defended himself he would have been killed.

To Mr. Stevens—I have been publicly abused by the press of city, except the *Tribune*, because of my writings.

To Mr. Richards—I never heard of the defendant partaking of that spirit.

Officer J. B. Cummock was the first witness for the defense. He

testified—We went on Sunday night to arrest Wm. Paddock; we understood the boy would get in at 12 o'clock; it was agreed that Mr. Barlow should go to the front door, and I was to guard the back door; we knocked some time before we got an answer; then we told Paddock we wanted his boy; Barlow said, "He is in there;" Paddock replied, "You're a liar;" Barlow called me and said, "The old man is asking for a gun, and he is going to stand us off;" I heard Mrs. Paddock tell Paddock not to have any trouble with the officers; I saw Paddock get something from under his pillow; saw the boy get under the bed; Paddock came to the door with something in his hand; I saw this all through the front window; Barlow told him he wanted the boy and showed his star and the warrant; he said to Paddock that he did not want any trouble, but must have the boy; we persuaded him, and he finally let us in; he said the officers had searched his place the day before; he pointed out two boys, one of them the witness here, and another Mudge; then he invited us to the other room; I reached down and caught hold of Willie Paddock's foot, as he was hiding under the bed; Mrs. Paddock said the boy's name was not William; Barlow read the warrant; Paddock told us to go out, and pushed Barlow; the latter said we would not go without the boy; Willie said, "Don't have any trouble, father," and came forward; Paddock moved his cane to his left hand and threw his right hand to his hip pocket, saying, "You can't take the boy;" I called, "Look out for a pistol!" and Barlow struck two blows quickly; at the second blow Paddock fell, and Mrs. Paddock sprang out of bed, I stopped her by putting my hand in front of her; she was in bed when her husband was struck; Barlow never hit him after he was down; he searched him, but found no weapon; Paddock's hand was on his hip pocket when Barlow struck him.

To Mr. Stevens, Mr. Cummock related the same circumstances, nothing additional being elicited on cross-examination.

Officer J. E. Malin testified—I was at the Paddock residence the evening before this occurrence, with a warrant for the boy; he was not there; Paddock told me he would not allow him to be arrested; Mr. Elliott was with me; Mrs. Paddock and her husband were very angry; after we talked with them considerably, they let us look through the house, even then Mr. Paddock said he would not let the boy come; I told Mr. Barlow of that statement.

To Mr. Stevens—I had no warrant then; the city marshal sent us to get the boy, but we could not find him; knew Willie Paddock had been in the asylum; don't know who had the warrant; there were three other officers.

Officer B. W. Elliott corroborated Mr. Malin's testimony as to Mr. Paddock's refusal to let the boy come, even if he had been there; Mr. Salmon had gone up with the