

THE EXPRESS ROBBERY.

MONDAY'S PROCEEDINGS.

The witnesses whose testimony closed the prosecution yesterday were Samuel Tucker, Joseph Polard, J. E. Dooley, T. J. Mackintosh and H. S. Dalton. The first two were carpenters in the employ of the Utah Central, and helped to put up the partition in the express car.

MR. DOOLEY

Recollected when the partition was put up, in 1875 or early in 1876. Had examined the cupboard, had seen Mr. Hume go in and out without trouble; Mr. Mackintosh had seen him also. Previous to the robbery had not heard that Williams was a dangerous man.

T. J. MACKINTOSH,

Utah Central Station agent, then testified of having seen Mr. Hume go into the cupboard and shut the door after himself, without any apparent difficulty. Had seen him do it last Saturday.

H. S. DALTON,

of Centreville, the morning after the robbery, saw Mrs. Shurtliff drive past his house in a buggy about daylight, on the road from Salt Lake to her home. Did not see any one with her. He nodded to her and she returned the salutation. The horse showed no signs of fatigue. Was going at a good lively gait. W. R. Smith was at witness' house that day and read about the robbery. Witness then told him about Mrs. Shurtliff's riding by so early.

The prosecution here rested their case.

After recess the defence began. Judge McBride summed up the testimony submitted, in connection with the testimony in behalf of the defense, as follows: The indictment is found over two years after the robbery. On the night of the alleged robbery, Williams is arrested and waives an examination. Mr. Shurtliff becomes one of his sureties. Suspicion then fastens upon him. Williams is convicted. A demand is made on Shurtliff for the bonds and money. He protests his innocence. A civil suit is brought against him and indictments found against him and his wife. We claim the case is brought against him by men who know he is not guilty. We propose to show that on the night Mrs. S. is alleged to have met Williams she was not in town. Also that he was first introduced to her July 2. That Mrs. S. went into Williams' car on the occasion of an excursion, going north, because she was not well dressed. That she went to Ogden on the 13th, on legitimate business; that the night of the 14th she slept at home and did not drive out with a gray horse. We will show that Mr. S. was not at his farm on the 15th, and that he did not help build the platform, as said by Mills. We will show by Mrs. S. that she never wrote but one note to Williams. That Mr. S. was in this city on the night of the robbery before the train arrived, went to bed sick and remained there all night. That this prosecution is a base fraud, instituted at the instance of Dooley and his greedy corporation to get money out of the defendant.

MRS. ELLEN SHURTLIFF

Was then examined. In the summer of 1876 lived at the farm between Farmington and Centreville. Had charge of the farm and kept the books. Rode considerably on the cars at the time. Sent mail to the train frequently. Got off the train sometimes at the platform sometimes opposite the house. Met W. G. Williams first, at the farm, July 2, 1876. He was with Mr. Squires, and my husband, who was present, went with them to look at some land. They returned and went away on the evening train. Saw Williams next on the 16th, Squires was with him. My husband not being at home I took them to look at the same land. They missed the train and stayed at my house that night. Next saw him on the platform of the depot in this city. I was going to the farm. Was not well dressed, and Williams invited me to ride in the express car. I went to the farm. I never met Williams at or near the Warm Springs. On the 3d and 4th of August I was at the farm. Never met Williams at night at any time or any place. On the 13th of September, went to Ogden to get a deed recorded. Could not get it done that day. Went to Salt Lake that night. Found Mr.

Shurtliff at my mother's. At his request I returned to Ogden by next morning's train. My sister, Miss Taylor and W. S. Crismon were to come up in the afternoon to go fishing. Got the deed recorded that day. In the afternoon Mrs. Haskell Shurtliff went with me to the depot to meet the fishing party. They did not come. Received a note by Mr. Jacobs saying they could not come till Saturday. Did not go into the ticket office. Went to the farm that night. Mr. Jacobs told me he would stop at the platform for me. At the house found Lewis Shurtliff was sick. Ate supper and went to bed with Miss Glover. Did not leave my room that night. The morning of the 15th went to the platform to look for a bundle of clothing that was to come up by the freight train. Had young Haskell go to Centreville with the team to meet me. Did not find the bundle. Found Haskell at Centreville with the team. Got in and drove back to the farm. Nodded to Mr. Dalton on the way. Ate breakfast, drove to Farmington, got the papers, read of the robbery, returned, drove to the city and got here about noon. Found my mother, sister and Mr. S. here. He returned with me to the farm the following Saturday. Met the fishing party at Farmington the same day; went to Haskell Shurtliff's, returned home Sunday evening. Sent one letter and some pears to Williams at his request; that was the only note I ever sent him. Sent them by Mr. Mills. Sent some pears to Mr. Jacobs and Mr. Brown at the same time. Never sent a letter to Williams by the boy Mills. Did not tell Mr. Mills to bring the note back if he did not see Williams. Received one letter at the farm at night; did not answer it. It was a business letter connected with the recording of a deed.

H. C. SHURTLIFF,

The defendant, was then sworn. In 1876 was in this city, looking after my cattle business. My wife kept the books of my business. Generally rode up to the farm Saturday evenings, sometimes on the cars, sometimes horseback, at other times in a buggy. Was sometimes let off at the lane, sometimes at the platform. The platform was built by Charles Lewis, at my direction, in July or August, 1876; I did not help build it; Mr. Jacobs suggested its being built. The trains stopping there was an accommodation. I used to give some of the boys some beef in the fall.

The ground near there is clayey and muddy. I never saw any sunflowers around there. Don't think they can grow there. I have known W. G. Williams for ten years, but not intimately till 1876. Got acquainted with him by riding on the train. Saw him at my farm, I think in July. He and Mr. Squires had purchased some land; I took them to see it. The day before the robbery, the 13th, I was in Salt Lake at my slaughter house. Mrs. S. went to Ogden that day. She came back to Salt Lake at night. She had not completed the business of recording the deed, that day, so she returned to Ogden the morning of the 14th. On that afternoon I went to the farm. Got there about 4 or 5 o'clock. Got a horse, and about 6 p.m. started to the city on horseback. Tried to borrow a saddle of Joseph Frantz, but could not. Called on the way at Call's estray pound. Met Mr. Geo. Chase on the way, also, about 8 miles from the platform. Was then on the main road to Salt Lake. Just opposite Pascoe's place, met Mr. Crossley. Stopped and talked with him about a team. Then came on to the city and reached my mother-in-law's house close on to 8 o'clock. I was not feeling well, and after taking some ginger and water for a pain in my side, went to bed. Next morning went to the slaughter house. Doc Munro, at the Warm Springs, told me about the robbery the night before. At noon, met my wife who had just come from the farm in a buggy, at her mother's. She was driving a double team, a grey horse and a brown mare. Don't think we drove the grey horse single that season.

Friday night, I was at Trowbridge's Hall, playing billiards with Mr. Pickard, till late. While there Dr. White and Judge Morgan came to get me to go on Williams' bond. Hesitated, but finally consented. I entered into no agreement with Williams to rob Wells, Fargo's express. Had no talk of the kind whatever. Was not on the train

that night. Heard of the robbery next morning, from Pickard's packer. Four or five days afterward he told me, I think, that my name was connected with it.

Court adjourned till this morning.

Proceedings this morning:

MR. H. SHURTLIFF,

The defendant, was still under examination:

First heard my name mentioned in connection with this affair seven or eight days after the robbery. There had been some disagreement between me and the agents of Wells, Fargo & Co., about cattle, which finally culminated in a lawsuit. This dispute was before the robbery took place. The controversy was finally settled by me with Mr. Wadsworth, Mr. Dooley and myself having very disagreeable feelings toward each other—in fact I would not speak to him. Mr. Dooley sent for me a few days after the robbery, and commenced to talk with me first about cattle, and afterwards turned the conversation to the robbery. He sought to get my aid in ferreting out the truth. I then promised to assist him, and did so for a few days, but when I heard my name mentioned, I began tracing up my whereabouts on the evening the robbery was committed. I heard from Mr. Pickard that Wells, Fargo & Co. were using my name in connection with the robbery. I went to the office once and asked why such a man as Sullivan was put upon my track and Dooley made the remark that it took one thief to catch another, whereupon I left the room. I saw Mr. Hume at Bear River bridge, while I was starting a herd of cattle. He said he wanted the money and bonds from me, that Williams had told it all, and I told him I could not assist him in any way. He wanted me to come to Salt Lake and within four days afterwards I did so. I did not see Mr. Hume or Mr. Dooley before I went to Marshall and Royle's office. Royle told me that they had a very clear case against me, and asked if I could not gather means enough to settle the matter without it going into the court. Neither Mr. Dooley nor Mr. Royle told me what Williams testified to. Mr. Royle said it would be a great disgrace to my wife and children, and spoke as though Mr. Geo. Crismon, a brother of my wife, felt very much hurt over the affair. At this time Wells, Fargo & Co., held possession of our ranch by a mortgage which we gave as security for the payment of a note of \$3,000. Half of this was paid when due, the other half was tendered to them and they refused to take it. This was after the civil suit was commenced against me for the recovery of the money and bonds. I had not much conversation with Mr. Dooley. I went once to see him and had quite a long talk with him, when he made the remark, "You can talk well enough with me when you are sober, you have always heretofore come here drunk." He referred again to the disgrace which would occur if a suit were commenced. I had a conversation with Mr. Geo. Crismon, also with Mr. Wm. Pickard. The time that Mr. Dooley accused me of perjury was when I went to tender him the money. I demanded papers and he refused to give them to me; I said he had agreed to, and told him he had lied; then he said I had also perjured myself. This was after the civil suit was brought against me. I had several conversations with Mr. Hume, I knew that he was a detective; he said the company was determined to spare no means to push this case through. I paid Mr. Williams \$150 cash after the robbery for some land which I bought from him; I had also let him have some animals, etc., paying in all about \$400 for the land. I never got the bull referred to in the letter of Williams. Mr. Williams never applied to me for any money connected with the robbery. I had a store in Coalville, and I tried to get him (Williams) a position in the liquor department. We got a stock of liquors and he went out, but came back in a few days having drunk or used up all the liquor. I got information from Mr. Sullivan that efforts would be made to kidnap me.

Cross-examination—Gave several of the men on the passenger train beef, Messrs. Bolt and Jacobs are two that I remember. I rode in the express car probably three times during the six months before the robbery. Mr. Williams was in the car. I think perhaps I

rode in the express car on the day of the robbery, from Centreville to the ranch, which is only a few miles. Do not recollect talking about anything. Was in Salt Lake the morning of the day the robbery was committed I stopped at the house of Mrs. Crismon, my mother-in-law. Did not drive a single horse until late in the season. Did not get the shafts to my buggy until sometime after I got the buggy. I think Mrs. Shurtliff drove it more than I did. When I did hire a buggy I did not always get the same one, sometimes getting one and sometimes another. On the day before the robbery I was in this city, and sent Mrs. Shurtliff to Ogden to attend to some business about a deed. I received a telegram from her that she was coming home, and she did come that evening. I met her at Mrs. Crismon's. She went up on the morning train the next day, the 14th. I recollect these dates because of certain figures on the deed which showed when it was received in this city and when forwarded to Juab County. I went out to the slaughter house on the morning of the 15th quite early in the morning. Went there to get a riding horse. Heard on the way to the slaughter house from Mr. Munro that a robbery had been committed, and that some persons had gone along the road looking for the treasure. I went to my ranch on the 14th, got a horse and started for this city; I went to a neighbor's to borrow a saddle, then coming further met a Mr. Chase on what is called the middle road. I just said a few words to him; after passing Mr. Chase, I met Mr. Crossley between the Hot Springs and the Warm Springs, talked with him about a minute and then came direct to Mrs. Crismon's. I got home to the ranch about half-past four and left about six I think. There were some men at Mrs. Crismon's who were going to a party in the 17th Ward. I went to bed. Saw the account of the robbery the next morning in the papers. The night after the robbery I was in Trowbridge's saloon, when Dr. White told me that Mrs. Williams was in a very critical condition, and upon the ground of her illness, I consented to go upon Williams' bond for 10 days. I then went directly to the City Hall and signed a bond. The next day I was around town and on Sunday went over and counted out some sheep. The first time I thought I was suspicioned was eight or ten days after the robbery. I think I recollect having talk with Mr. Hume on the 19th of September in Wells, Fargo's office. Our talk may have lasted half an hour. I do not recollect telling him of my whereabouts on the day of the robbery. Do not have any recollection of having conversation with Hume concerning my going on Williams' bond. Have no recollection of Mr. Hume taking out a note book and writing down what I said. I do not know who introduced Mr. Hume to me, though I think Mr. Phillips, when he came to my ranch, introduced him to me. I think they passed my house and went to Farmington and came back. I was near the gate, I think, or on the road, when I asked them to call in. I do not recollect that much was said about the robbery. I next saw Hume in this city. He and Phillips came to the ranch about the 18th or 19th of September, I think. When I saw Mr. Hume in this city, I told him I would go and see Williams. Afterwards told him that I had called on Williams, and believed the man was innocent, and related what further conversation had had with Williams. When I saw Mr. Hume at Bear River he told me that Williams had confessed and he demanded from me the bonds and the money. I think I have had a conversation with Mr. Hume about my whereabouts on the day of the robbery, but where the conversation took place I cannot tell. I think I saw Mr. Hume at Corinne. I may have seen him at the Walker house on the night of Williams' conviction, but do not recollect it. When I went to settle my account with Wells, Fargo & Co., they never asked me for any receipts. I intended to commence suit against them for the herding of the cattle.

A recess was taken till 2 o'clock.

Tuesday afternoon, May 30th, 1879.

H. C. SHURTLIFF

Still on the stand, under cross-examination. I know Bolt. Spoke to him about the probability of

their hanging Williams up to make him confess, but do not recollect telling him to tell Williams, for was here and could have told him myself. I took Williams to Centreville to work in the liquor department of my store; he remained only two or three days. On his return he may have called at my farm; I was not at home. Saw him two or three weeks afterwards. I did not buy a bull of Williams.

Re-direct—When I found I was suspected of the robbery I could prove I had nothing to do with it. I understood I was wanted. My purpose was to disprove my plan of defence.

HASKELL V. SHURTLIFF,

Defendant's Ogden cousin. Shurtliff came to Ogden to see about a deed one day in September 1876. Heard of the robbery the after. I saw her go away in a buggy. Did not see her again that day. I have a son, who was 14 years old, and working at Shurtliff's farm.

Cross-examination—Did not see Shurtliff on the 13th; she came again on the 16th, with her sister and Miss Taylor, to go fishing that day. They only came once.

J. M. DEE

Of Ogden took the stand. Kept a livery stable in 1876. Received a note from Mrs. Shurtliff one day to meet her at the depot with a buggy. Went down but she was not there. There is an entry in my books of a team for H. V. Shurtliff on the 17th of September.

CHAS. B. LEWIS,

Was working on the Shurtliff farm in September, 1876. Heard of the robbery on the 15th. Started Corinne on the 14th. Before going caught a horse for Mr. Shurtliff the afternoon, who was going on horseback to town. Left him at the farm. I remember the platform. I built it in July with the assistance of a boy named George Miles did not help build it. Shurtliff was away at the time.

AMASA FRANCE,

Worked for Shurtliff two days in 1876. Mrs. Shurtliff paid me to sleep in the barn that night, when the horses were kept. No horses were taken out that night or should have known it. Think heard of the robbery next day.

JOSEPH FRANCE,

Live at Centreville. The night of the robbery, about 6 o'clock, Shurtliff came to my house to borrow a saddle, saying he had to go to Salt Lake. Heard of the robbery next day, and of Shurtliff's alleged complicity, four or five days later. Did not see Mrs. Shurtliff drive past morning after the robbery. My Amasa worked for Shurtliff on the 3rd and 4th of August. Near the lane at Shurtliff's, sunflowers are very few, they grow about a foot high and very sparsely. Salt grass and barley grass grow there, and there is a bank of dirt near Mr. Chase lives about a mile and a half from Shurtliff's. The ranch is 13 miles from the city. Henry Dalton mentioned to me of seeing Mrs. Shurtliff driving by about a week the morning after the robbery. A man was with her.

GEO. CHASE,

Live at Centreville, about a mile and a half from the Shurtliff ranch. Lived there in 1876. The evening of the robbery met Mr. Shurtliff about seven and a half miles from his farm. He was riding a light horse. I was driving a pair of fast walking mules. We passed a few words. He went south. I continued north. I traveled about four miles when met the train going south, between Bountiful and Centreville. I am certain this was the night of the robbery. Shurtliff spoke to me about 10 days afterward, telling me to bear in mind the day I saw him. From where I met Shurtliff, is a road leading back to Centreville, but not a broken road; it could not go back that way without taking down fences. It was between 6 and 7 o'clock, when I met

MRS. LYDIA SHURTLIFF

Was housekeeper at the Shurtliff ranch in 1876. Mrs. Shurtliff had charge of the business, her husband being away. Mrs. Shurtliff told us about the robbery the day after. She had been to Farmington and got the mail. Mr. Shurtliff came up on the train the evening of the robbery. He went away after supper. Did not see him any more that night. Mr. S. came down on the train the night. She talked with me about 10 o'clock and then went