

A SHAME TO ALL CONCERNED.

The Thompson grand jury at Beaver has gone through the form of investigating the Thompson case, and has finished its work by indicting Thompson for manslaughter. It is all in the programme, and that will not be completed until the murderer, Wm. Thompson, is cleared from the consequences of shooting to death, without preparation and without necessity, Edward M. Dalton of Payson.

Montagu, under the laws of Utah, is "the unlawful killing of a human being without malice." It is of two kinds—voluntary and involuntary. It is voluntary when committed upon a sudden quarrel or heat of passion. It is involuntary "in the commission of an unlawful act not amounting to a felony; or in the commission of a lawful act which might produce death, in an unlawful manner, or without due caution and circumspection."

The testimony of witnesses to the tragedy is to the effect that Dalton was shot through the body, the ball entering the left kidney and ranging to the right. This shows that he was not coming towards the deputy who fired the fatal bullet. The plea of necessity or self-defense, therefore, could not be set up. Neither can it be claimed that the killing was done upon a sudden quarrel or heat of passion, for Dalton was therefore not "voluntary manslaughter" as defined by the law. It was not "the commission of a lawful act" for it is not lawful to point and fire a rifle at any person under the circumstances which Dalton was shot. The shooting of a person charged only with misdemeanor, whether trying to escape or not, is felonious, and the coroner's jury at the inquest at Dalton found that the shooting was "felonious." Therefore, according to the definition of the law, it was not "involuntary manslaughter." Consequently it was not manslaughter at all.

It is claimed in these columns and by the public generally, that the offense was a degree below the statutory definition of that offense, with the evidence of all who have given their testimony on either side, makes it very clear that the crime was capital. It was the unlawful killing of a human being with malice, although "malice" is implied "when no considerable provocation appears, or when the circumstances attending the killing show an abandoned or malignant heart." Either of these conditions establish malice by implication. No provocation whatsoever was given by Dalton to his assailant. Every murder perpetrated by Dalton was greatly dangerous to the lives of others and evidencing a depraved mind, regardless of human life, is murder in the first degree.

Viewed in the light of this local legal standard, then, the bloody deed was murder in the first degree, for it contained the elements necessary to constitute that crime. But giving it all the latitude possible in the light of the demonstrated facts, the most lenient conclusion that can consistently arrived at is that it was murder in the second degree. To say it was manslaughter is to reject the definition of the statute and manufacture a new one for the occasion. The whole scheme is now apparent. As soon as the murder was known and it was ascertained that the victim was a "Mormon" and the assassin a deputy Marshal, attempts of two wiles and most despicable kind were made to blacken the character of the deceased and written into his slander. Then eleven members of the grand jury, which the murderer had selected as a jury, started out with other friends and partners in crime to help the Sheriff who was on his way to Beaver with the prisoner. The Assistant District Attorney pleaded before Judge Boreman for his release on bail, though he had been committed for willful murder. District Judge Boreman, in accordance with his case brought before the grand jury which, as we have said, was picked by the defendant and had indecently exhibited his bias in his favor, and was about to be discarded when the news of the shooting arrived. It was held over specially to handle Thompson's case, and the indictment found leaves him at large on bail, with the chance of escaping altogether the legal consequences of his crime or being nominally imprisoned for a brief period as a make-believe.

The intent of the scheme of bringing his case before a grand jury composed of his friends, instead of selecting it to the next grand jury in the due course of regular procedure is obvious, for the grand jury for the next term will be drawn under the status and not picked and packed on the open venire method.

The glaring scheme of these proceedings was too much even for Judge Boreman, who protested against the action of the eleven grand jurors in going to rescue the prisoner, and against his case going before that body so composed. But the requisition of the District Attorney settled the matter and so the plan succeeded. This is a public scandal and is a proper subject for public comment. But no comment is necessary to picture the proceedings so as to ensure public condemnation. They only need to be stated to disgust every fair and honorable citizen. The story may be summed up in this sentence: Dalton was a "Mormon," Thompson is a deputy and a "gentile." And this is how the grand jury "in aid of the law" is carried on in Utah!

O. J. HOLLISTER, the head, front, rear, pocket and pedal extremities of the "Loyal League," attempts through fitting columns to explain away his dastardly attempt, by aid of the telegraph, to defame the deceased Dalton and whitewash his murderer, Thompson. But he only succeeds in still further disclosing his own infamy. Here is a dispatch which he admits he sent to Washington, to be given to the Associated Press, which he at first attempted to suppress the agent's dispatch, but now has to crawl on that falsehood for fear his future libels will not be given to the public:

cohabitation, and escaped. Was again arrested in April, 1888, same offense, knocked his guard down and again escaped. He has been a terror to the officers of Southern Utah for years. Last May he sent threatening letters to the Sheriff of Beaver, not only to the Deputies that he expected to be arrested, but also to the Sheriff. Thompson has been connected with the Sheriff's office in Southern Utah twelve years, and always regarded as a good and discreet officer.

Nearly the whole of this is wilfully and wickedly untrue. Judge Dalton, the father of the deceased, is a well known, peaceably disposed and estimable gentleman, who has occupied several important positions of honor and trust to the satisfaction of the people. He had no hand in the tragedy thrust forth by Hollister for the purpose of blackening the name of the dead. Proof is on hand that the calamity is a lie. So is the statement about Dalton and Church cattle. So is the charge that when arrested on an unlawful cohabitation he knocked down his guard and escaped. So is the fabrication that he was a "terror" in Southern Utah. The attempt to palliate the murderer by slandering the murdered and casting obloquy upon his became trumped up charges against his relatives, could only come from such creatures as Hollister and the rest of the Tribune gang.

The eulogy upon the murderer is all of a piece with the diatribe against his victim. This is not the first time that Thompson has fired at a defendant charged with a simple misdemeanor. He tried to shoot a "Mormon" named Jensen not long ago, who, like Dalton, was wanted for unlawful cohabitation; but on that occasion Thompson did not bring down his man. Practice has made his aim more accurate, and he is now on hand to-day to look for their franchise and to know that their names were still on the registration book. Before the names were controlled and franchised were there to see their names put on the roll. Thus you perceive that so far to-day the Tribune party are alive to their political interests.

But the "Loyal League," because they are at their wits' end, because they have failed to get a grand jury to indict one of their chief nefarious enemies of "blind Mormonism," they have set on foot a diabolical, whisky-godden tool of the "loyals" and a misbegotten of the works of this city ostentatiously to find out who were and who were not registered. For this purpose they have enlisted a party which is said to be a deputy registrar's paramour. He visited the residence of the citizens and spread out his records with a business air that was well calculated to deceive the unwary. But to all eyes it was the alert, the thing was so transparent that it was seen through without any telegraphic aid.

THE REAL OBJECT was discovered. It was twofold—first, to find out their own present voting strength, to draw up records, and to urge the "loyals" to exertion in the "loyal" cause; and, second, to throw the people's franchise under the foot and without saying so, all, intended to do so that they need not trouble further, for their names would be printed on the registration sheet as soon as it was completed; at the same time they were to be prepared to denounce the people's franchise, and the result of their efforts would be to keep the "loyal" party in the dark as to the people at once and look after their interests themselves. In this instance the "loyal" party aroused suspicion in the minds of the most superficial observer, and while they directed their energies toward their own ends, they were not neglecting to do so in a way that would bring down upon them the wrath of the people.

AS PLAIN AS A PIKE STAFF. Is taking notice of Tribune falsehoods as such is to be considered a misdemeanor, such as are expected from a certain odorous animal that is always shunned when possible and consistent. We could not, in justice to the Dalton murder case, refrain from exposing the Tribune's falsification of the facts and statistics in order to shield the murderer Thompson. For this we are assailed with its customary violence, and another attempt is made to misstate and justify the question.

Our point was that homicide is not justifiable under the law when committed by an officer in the arrest of a person charged with a misdemeanor. The Tribune attempted to prove that an officer is justified in taking life "when attempting to arrest a man charged with an offense punishable by imprisonment in the penitentiary, etc." We showed from the statutes that an officer is justified in taking life only when "necessarily committed in arresting persons charged with felony and who are fleeing from justice or resisting arrest." The Tribune now uses such pet terms and ponderous reasons as "skulking, liar and fraud," because we did not quote other clauses of the law which were not necessary in the argument. We not only omitted the section it referred to, but we also omitted the laws of Utah, as we have not space to waste on irrelevant matter.

tion that a quarter's contribution in advance will be "highly appreciated," is truly pathetic. The circular is in exact line with the old camp meeting appeal of "the smallest donations thankfully received and larger ones in proportion." In some parts of the Territory, where the employees of the League, the employees are told they must either join the League or leave, which means they must submit to a levy upon their hard earnings or be discharged. How is this for the freedom of the press, who conjure pictures of tyranny from store-houses of their fancies and attack their own creations by lip denunciation?

Those defaulting members who may not be sufficiently fortunate to receive the dunning and solicitation circular will please take notice, by its publication in our columns, that the elementary department of the League needs repeating.

OGDEN OCCURRENCES. The People Registering in Earnest—A Loyal League member, who failed to work Johnson and his Interminable Nuts—General Notice.

This morning, as per announcement heretofore in the News, the office was opened and the work of REGISTRATION commenced in earnest. Editor Stephens of course presided at the head of this bureau. At an early hour the office was besieged with visitors who were there not merely out of idle curiosity, but for "business." There have been so many who are excited of late that the people's suspicions have been excited and they were promptly on hand to-day to look for their franchise and to know that their names were still on the registration book. Before the names were controlled and franchised were there to see their names put on the roll. Thus you perceive that so far to-day the Tribune party are alive to their political interests.

BY TELEGRAPH TO THE NEWS. Seven Murders in Six Weeks. SAN FRANCISCO, Dec. 21.—Early this morning Maurice Nugent, a candy maker, was shot and killed in a saloon on Broadway Street by Thomas Bailey, a well known character. This makes the fourth murder within the last six weeks in this city.

A Big Blaze in Texas. GALVESTON, Dec. 21.—A fire broke out in the residence portion of the city, on Avenue C, between 21st and 22nd streets, this morning. The fire consumed rapidly owing to the water in the cistern in the vicinity becoming exhausted. Before the flames were controlled they had swept over the greater portion of two squares. Twenty-eight horse-drawn wagons and two stores were burned. The total loss is estimated at eighty to one hundred thousand dollars.

Stocks. NEW YORK, Dec. 21.—Money 5/6 @; bar silver, 90 3/4; 2000's, 91 1/2; 500's, 92; 100's, 93 1/2; Central Pacific, 40 1/2; Burlington, 34 1/2; Rio Grande, 29 1/2; Northern Pacific, 24 1/2; Great Northern, 24 1/2; Union Pacific, 68 1/2; Western Union, 69 1/2.

Failure. NEW YORK, Dec. 21.—The suspension of H. McCon has announced today on the stock exchange. This is one of the houses reported in trouble in the panic of last Wednesday, which had been reported in trouble until today. McCon has been a member of the stock exchange since 1872. It is stated that McCon has no outstanding contracts on the exchange.

Bequeathed and Retired. BUFFALO, Dec. 21.—Albert Rivert, druggist merchant of this city, has assigned.

Bank Failure. MINNEAPOLIS, Dec. 21.—The private banking house of V. G. Hush & Co., suspended business this morning. The liabilities are not yet known. The cause of the failure is said to be the loss of the purchase of the stock of Jackson & Collins, owners of the Puritan Iron Mine, on which he was indebted to the extent of \$200,000 or \$300,000. The bank itself will be solvent for the amount of \$100,000 or \$150,000. It is believed he will be able to pay in full.

The McQuade Case. NEW YORK, N. Y., Dec. 21.—Judge Peck of the Brooklyn Supreme Court, applicable to the People's Campaign, says a stay should not be granted to the People's Campaign, ex-Alderman returned to-morrow.

A Fraudulent Failure. NEW YORK, Dec. 21.—In a special term of the supreme court to-day the cause of the failure of the firm of Kosuth, Marx & Co., the Maiden Lane jewelry and notions dealers, made in September, '85, was null and void. He declared it to be the consummation of a scheme to defraud the creditors, who were chiefly foreigners, and ordered it to be set aside on those grounds. The firm consisted of three brothers Kosuth and Adolphus Marx. The last received in full for the month for over a million dollars. The failure created considerable excitement both here and abroad in the trade.

FOREIGN. PROMINENT POWERS OF EUROPE PREPARING FOR WAR.

The Appropriation of Costs in the Campbell Case, Etc.

John Dillon and the "Plan of the Campaign."

France, Germany and Italy Rapidly Allied.

The Grand Jury to-day ignored the charge against Aaron F. Farr of Logan, in which he was accused of assisting in the escape from the custody of the deputy marshal, who had him under arrest on his charge of living with his family. Mr. Farr's numerous friends here are as pleased to see the dismissal of the charge as his many friends in the north are.

The Grand Jury to-day have been interviewing Billy Andrews relative to the amount he contributed, if any, towards the defense of the arrested man. What result has not been ascertained. It will therefore be due time. In consequence of information brought in by Billy Sheriff Belnap yesterday for Green River, where he expects to find a brace of robbers who are implicated in the affair, and return with them to-night to Ogden.

William Johnson, of Point Lookout, has become a COURT CELEBRITY.

He must, also, certainly possess a liberal supply of ducats, for the demand on his exchequer has been heavy and frequent of late. He has passed through a great number of indictments, trials and come out of the judicial furnace with his hide unscathed, but his disposition is for this purpose not so very pliant, or now his pockets are much depleted, for his legal expenses will amount to an considerable sum.

To-day another suit was commenced against him in the District Court by his old creditors, the Corbett and Canal and Stock Company. The complaint in this case sets forth that at certain time Johnson turned loose several hundred head of horses to trespass on lands of the plaintiff situated in Box Elder County, Neb. The damages are assessed by them at \$2,000, which they ask the court to compel Johnson to pay, but to which he has interposed a very emphatic demurrer.

The chief clerk of the land office in Salt Lake City was subpoenaed, and was present with maps, charts, records, etc., to prove that the LAND TRESPASSED on was duly entered by the plaintiff long before the equines tramped upon and damaged it. Now it is thought that the claim for damages is only a pretext to the real object in the present case, and that developments will prove the same to be, finally, to cast Johnson from the place he occupies, and compel him to pull up stakes, leave the lakes, springs and meadows, and seek other "pastures new."

The depositions taken and some view of them may be both interesting and instructive to land squatters and homesteaders. There are tricks in all trades except, perhaps, those of corporate land-grabbers.

The trials of John Carver, N. C. Morrison and Bishop John C. Dreyer are set for Dec. 21.

THE JUVENILE DEPRAVITY of some of the youngsters here is cropping out in acts of petty perjury when they can get an opportunity to testify in court. It is in this line with impunity. But ever and anon they are caught and it is then that the chorus of "get up and get out" are so numerous as they would be were it not that the youngsters are "let up and dust" and

the their way to their parents' roof at the sound of the curfew bell, which has been of much benefit to the peace of the city. The streets when it tolls the hour of 8 p. m. There was but little business done in the police court to-day. The majority of fellows got mixed up with tangled-leg and could not navigate safely without the aid of the city engineers. As a token of their appreciation of such contrivances for the public welfare, they each contributed an X to the city treasury.

LATEST DISPATCHES.

SEVEN MURDERS IN SIX WEEKS IN SAN FRANCISCO.

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Maama County, Sweden; baptized May, 1866, emigrated Dec. 8th, 1868, arriving in New York Feb. 24, 1868. Stayed in Burlington, Iowa, until the spring of 1869, when he came to Council Bluffs; left there in 1870, arriving in Salt Lake City October, 1869, in Captain James S. Brown's Company; wintered in Brigham City, and came to Smithfield in March, 1870, where he resided until his death. He was ordained a High Priest Dec. 18th, 1869. He had a family of six children, only two of whom are living.—Cora.

AMUSEMENTS. SALT LAKE THEATRE.

MONDAY & TUESDAY, DEC. 20th and 21st. FUN! FUN! FUN!!!

First Appearance in this City of the Great Howard Atheneum COMEDY CO.

From the Howard Atheneum, Boston Mass.

20 FUN MAKERS. 20 Best in the World. 20 NO EXTRA CHARGE FOR RESERVED SEATS.

Sale commences Saturday, at 10 a. m. Doors open at 7:30; performance at 8 p. m.

WALKER OPERA HOUSE. ONE GREAT EVENT! Wednesday, Dec. 22, '86.

The Champion of all Champions! John L. Sullivan

COMBINATION OF STARS. Under the personal Management of P. F. SHEEDY.

GRAND ATHLETIC EXHIBITION! Doors open at 7:15 p. m. Exhibition commences at 8:00, sharp. 8:15.

POPULAR PRICES. Gallery, 50c. Dress Circle, \$1.

A SPECIAL INVITATION. LADIES are most respectfully invited to attend this Great Event.

WANTED. A MIDDLE-AGED WOMAN, FOR GENERAL HOUSE WORK.

FOR RENT. A NICELY FURNISHED BED ROOM, suitable for one or two gentlemen.

ESTRAY NOTICE. I HAVE IN MY POSSESSION.

Received Direct from the Manufacturer a New Supply of CLOTHING!

Men's, Boys' and Children's.

Call and see them before purchasing. Lowest Prices guaranteed for CASH.

Large stock of HATS and GENTS' FURNISHINGS.

BARTON & CO., 44 MAIN STREET.

ARE STILL TRIUMPHANT! For sixteen years, they have steadily gained in favor.

The K. G. and H. H. grades are made in Short, Medium and Extra Long Wools, suitable for any climate.

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Highest awards from all the World's great Expositions. The last medal received is for First Degree of Merit, from the late Exposition of 1876.

White coats of patients have been found written in the folds of the Glove-Fitting. Retailers are authorized to refund money, if, on examination, these Coats do not prove as represented. For sale every-where.

Catalogue free on application. THOMSON, LANGDON & CO., New York.

Co-op Furniture Co. Offers at EXCEEDINGLY LOW PRICES a large, complete and well-assorted collection, especially selected to meet the demands of a moderate or limited patron.

No. 41 MAIN STREET, and 102 to 106 W. South Temple St., SALT LAKE CITY.

FALL and WINTER. CLOTHING and TRIMMINGS. THE MAIN SUPPLY. R. C. GIBSON & SON, Tailors and Woollen Drapers. 235 S. MAIN STREET. SALT LAKE CITY.

UTAH FIRE INSURANCE CO. OF UTAH. Subscribed Capital, \$200,000. Paid Up Capital, \$100,000. HENRY REISER, President. JAMES H. BROWN, Vice-President. ILLIAS A. SMITH, Secy. and Treas. HENRY DIMWOOD, JOHN HENRY SMITH, GEORGE ROMNEY, JOHN C. CUTLER, WALTER B. BECKER, H. J. GRANT & CO. Agents. Office: 40 East Temple St., Salt Lake City.

1886. Z. C. M. I. 1887.

Merry Christmas! Happy New Year! NEW CHRISTMAS FRUITS!

Loose Muscatel, De Hesa, London Layer, Valencia and Sultana RAISINS, ZANTE CURRANTS, LEMON, CITRON and ORANGE PEEL, Almonds, Walnuts, Pecans, Filberts, Brazil and Pea Nuts.

IMMENSE STOCK OF IMPORTED & HOME-MADE CANDIES, CHOICE SPICES.

COMPLETE LINE OF STAPLE and FANCY GROCERIES.

HOLIDAY GOODS IN CHINA, GLASSWARE & LAMPS.

LARGE and COMPLETE STOCK OF STAPLE DRY GOODS, DRESS GOODS, SILKS, SATINS and VELVETS.

Elegant COMBINATION SUITS at Greatly Reduced Prices. Ladies', Misses' and Children's Wraps, in Immense Variety, at GREATLY REDUCED RATES!

ALSO, AN ELEGANT LINE OF JEWELRY FOR CHRISTMAS PRESENTS.

CLOTHING! CLOTHING! CLOTHING! EVERYTHING DESIRABLE FOR Men's, Youths', Boys' and Children's Wear.

HATS, CAPS and GENTS' FURNISHING GOODS.

LARGE STOCK OF MEN'S, WOMEN'S, MISSES' AND CHILDREN'S BOOTS AND SHOES.

COMPLETE ASSORTMENT OF ENGLISH & AMERICAN CARPETS, Lineum and Oil Cloth, Rugs, Mats and Art Squares.

CURTAINS in VARIETY. WALL PAPER & DECORATIONS. H. S. ELDRIDGE, Supt.

COHN BROS. BARGAIN SALE

In Ladies', Misses' and Children's Cloaks & Wraps.

They cure all forms of Malarial Diseases and Fevers, and should be used to stimulate the Liver and Kidneys to healthy action.

They are invaluable for Headache, Biliousness and Bowel Complaints.

SOLD BY DRUGGISTS; 25 CENTS PER BOX.

GRAEFENBERG CHILDREN'S PANACEA.

Best Medicine for Children. 50 cents per bottle.

GRAEFENBERG CO. 111 Chambers St., N. Y.

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DEATHS. THOMPSON, Dec. 20, 1888, at 4:30 a. m., at his residence in Salt Lake City, Joseph H. Thompson, 17th Ward, of general debility and old age. Maria Thompson, his wife, was also in the city, and she also died of Northampton, England. She died in full faith of the Gospel.

Funeral attendance of Brother Watson, at 11 a. m. to-morrow (Wednesday).

Wilson, at Smiley, Cache County, Utah, Oct. 2nd, 1888. Miss Nelson, born December 20th, 1811, at Sads, Maurum

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