THE EVENING NEWS. Burton and his posse with two ory of the prosecution was based, FURTHER DAILY, SUNDAYS EXCEPTED, AT guns, one a six-pounder, the other and recognize the fallacy of the he never was in San Francisco in an teight-pounder, arrived on the contradictory reminiscences of his life. The scene made quite a bluff overlooking the fort where the those deluded persons who, some of sensation. Morrisites were encamped. A them being in their childhood GEORGE Q. CANNON, BOITOBS AND PUBLISHING

Å

BRIGHAM YOUNG,

FOUR O'OLOGE

## THE BURTON CASE.

THE trial of General Robert T. Burton, which has attracted so much attention for some time, was fitly closed this morning by a verdict of "not guilty," which we be-lieve will be cordially endorsed by all classes of the people of this Territory, the only exceptions being a very few individuals, whose opinions have no real weight and who are swayed by unreasoning and groundless prejudice.

This case presents some features of a novel character. The Third District court has been engaged in trying one of its own ex-officials for carrying out its own mandates, and the chief witnesses against ent District Attorney with the incute it to the last extreme), for was found under the direction of presented at the June term of 1876. General Burton was arrested in August of that year, but was bailed in \$20,000 bonds.

There had been, however, a former indictment which was found at the September term of 1870, but the grand jury which framed it was declared illegal by the decision of the United States Supreme Court in the Englebrecht case, and therefore that indictment was void.

Of the animus that prompted this prosecution we have little to say. That the object in view was the persecution of a prominent "Mormon" there is little doubt in any mind acquainted at all with the facts in the case, for there was no law to be vindicated or claim of justice to be satisfied in bringing the defendant into court.

The facts, briefly stated, are these. In 1861 a religious enthusiast, generally believed to be insane excommunicated for adultery, became a writing spiritual medium, dinary "revelations" attracted the between General Burton and John that will gield fees or fame. attention of a number of kindred Banks, the former stating that all spirits, who gathered with him to a who had borne arms in the fight as place on the Weber river, north of well as the parties named in the Kaysville, known as Kington writ, would be arrested. Morris Fort. Here a community was on request was allowed to formed having all property in com- speak to his people. He mon, doing no manual labor, but raised his arms in an excited matexpecting, according to the teach- ner and cried, "All who are for me ings of Morris, whom they crowned and my God in life or in death, folprophet, seer and revelator, and low me!" A rush was immediately at 2 this morning in Atwater's whom they believed to be a re- made, the Morrisites crying "I!" incarnation of Moses, the Hebrew ""I'" and some "To arms! To arms!"A entire force of the department is incarnation of Moses, the Hebrew portion of them made for the stack-lawgiver, that in a very short time portion of them made for the stack-the whole country would come into de weapons, and Morris advancing appearances there is every indica-tion of a serious fire. The heavy their possession. They boasted of was called upon several times by a speedy occupancy of the houses Gen. Burton to "Halt!" As he paid keep the fire in check, but these are and farms of the "Mormons," and no attention, Gan. Burton, seeing new melting off. There is much became so confident and arrogant that it was a critical moment and as ito defy the officers of the law that those who were with him and threaten with death any one were in imminent danger, cried who attempted to serve legal out"Stop them, boys!" and fired his process. Every person who pistol twice at Morris; Stoddard also joined the society had to "conse- fired two or three shots, when orate" all his possessions to the some of the posse on the east of the general fund and was not allowed fort commenced shooting. But Gen. but Gen. Burton raising himself in his stirrups cried out "Cease firing!" at 407 Broome Street. The firms stirrups oried out "Cease firing!" to withdraw. The means thus received was The danger was past. Morris lay soon used up, and rumors began to on the ground dead and Banks circulate of cattle being taken from mortally wounded, and the range by the Morrisites to keep women, Mrs. Swance and Mrs. Bowthem in food. Charges were made man, who had moved forward at before Justices of the Peace, and the call of their leader, were also when the officers went to the killed. camp to serve the papers, they were The Morrisites were now entirely threatened and abused and no res- subdued. Some tried to escape by pect paid to their authority. "Reve- fording the river, but most of them lations" were now frequently given were captured. 140 men were The Tribune's Washington spe-to; the effect that the Morrisites were taken to the Burton camp, and the cial has reason to believe that the lations" were now frequently given were captured. 140 men were to prepare themselves for the women and children were supplied enemy, that is, the "Mormons," with food. During the night Banks barks bark amount of his deficit is who were expected to march upon died. Next morning the prisoners change their speeches in the Record known. them and break them up. Arms 91 in number were taken to Salt that they will not be recognizwere obtained by the Morrisites, Lake City and brought before Judge ammunition gathered up and a reg. Kinney, who admitted all but two ular drill instituted under one to bail. Subsequently over ninety Klemguard, who was made captain of them were indicted by the Grand of their forces. Rifle practice was Jury for realsting the officer and daily carried on at long range at a ten of them for the murder of Jared Smith, A long trial followed, at target with the figure of a man. At length they carried affairs to which sixty-six appeared, the rest such extremes that when three having decamped from the Territomen wished to leave the society, ry. The jury assessed a fine of one hundred dollars against each of they were brought back by force, those tried for resistance-the lowheavily ironed and confined without any process of law in a jail im-provised by the Morrisites for the purpose. Friends of the imprisoned in the second degree, five of whom purpose. Friends of the imprisoned in the second degree, noe of whom extra session will be non second degree, noe of whom extra session will be non predicting that there will be no predicting that there will be no adjournment until July, and Chan-davits before Hon, John F. Kin- for ten years each, one for twelve dier and Secretary Sherman expect ney, U. S. Judge of the Third Ju- and one for fifteen years; two were dicial District; whereupon a writ of acquitted and the other was habcas corpus was issued by the But Stephen S. Harding, of in-Court and placed in the hands of Judson L. Stoddard, deputy marfamous memory, by that time Govshal, who attempted to serve the ernor of Utah, pardoned them all writ May 24, 1862, after being warnthree days after their sentence, and ed that he would do so at the peril turned them loose upon the com. of his life. The writ was burned munity. Finally General P. E. by the Morrisites, who sent a mes- Connor conducted a number of mage of defiance and insult to the them, under a military escort, to Judge.

written message was sent into the when the affair occurred, associat-camp commanding the par- ed the name of Burton with all died last night at his residence, ties named in the writ to their troubles because he was the

surrender within 'thirty min- leader of the posse. In their minds utes, and requiring them in Burton did all the killing, Burton

case of resistance to remove their was on foot and on horseback at women and children to a place of the same time, Burton separated safety. After fully two hours the men and women, Burton did 900.

waiting without response, a ball everything. They have talked the was fired over the camp to show matter over for years, and all that that the matter was serious. Af- was said in the excitement of the and considered the failure of th ter an interval another was fired, shooting has been attributed by army and the legislative, executive but this, striking in a plowed field, them to Burton. We cannot the condition of the departments rebounded, hit the corner of a log blame them much for these in consequence of the party fea-house, and thence passed into the mistakes. Let the odium of this tures of the questions entered into. bowery, where the people were as- needless and foolish prosecution sembled, listening to a "revelation" rest upon those who have worked assuring them that "the mob" it up and caused those poor bewould come no further and would nighted beings to state, on oath, be destroyed by the power of God; things that existed only in their

two women were killed and one fevered imaginations.

wounded. The Morrisites then commenced who knows anything of Gen. Bur- republicans and greenbackers will to fire upon the posse with their ton believes for a moment that he organization of the House. long range rifles, and, having torn wilfully and intentionally shot up the floors of their log cabins and Bella Bowman. It would be an him were persons whom the court wick-e-ups, dug up the earth and act contrary to the spirit of the Washington special says: Confihad previously condemned for threw it against the walls. They lay man and in opposition to the tenor dezce was evinced, to-day, in Sucrime connected with this very in these cellars firing through port- of his whole life. People of every preme Court Justice, Bradley, by a case. We do not accuse the pres- holes at the posse. There were very shade of opinion are glad of the call from the Louisiana delegation, close upon 200 men in these fortifi- verdict and openly offer him, to- who waited upon him for the pur consistency exhibited in this mat-ter (although he is charged by some children. During the first day of liverance from the threatening Tensas and Natchitoches parish with excessive anxiety to prose- the engagement Jared Smith, one clouds which have hung over him cases. The reason alleged was that cute it to the last extreme), for the indictment against Gen. Burton was found under the direction of ball from the fort. On the good feeling, for the vindicated which is; more than they could second day it rained, and but man is an honorable gentleman say of the circuit and district the former District Attorney, being little progress was made, the firing whom we are proud to own as a judges there.

however, being kept up from the friend and brother. fort, and another gun being brought Robert T. Birton has had a free up from Salt Lake. On the third and fair trial, and has been most doubtful about organizing the day, Jones, one of the three prison-ers confined in the fort was releas-Attorney and his assistant, did ed and came out to the posse, as their level best to convict him, ern candidate for speaker must be did several of the Morrisites who but have failed. Judge Michael taken into account. Southern were sick of the affair, all of whom Shaffer presided with calm and men insist on having the received food and protection from impartial wisdom, and his charge neither the presidency not the besiegers. A log house was was entirely free from bias. The vice presidency. Two democrate charged and taken, one more of the jury t ok plenty of time to deliber- will certainly vote against Randall posse being shot and killed in the ate, and, according to the best infor- and for an independent until Ranattempt. A mass of willows woven mation, were agreed at an early democrats express some alarm at hour with three exceptions which the possibility now looming up of a wagon was rolled into the fort by were gradually reduced to one, and the republicans capturing the a squad of men, and the Morrisites, after forty-six hours patient consid- House. a squad of men, and the Morrisites, after forty-six hours patient consid-whose food and ammunition began eration of the case, they united prate to Garfield, asking whether, to give out, frightened at this new cordially in their verdict exonerat- under certain conditions, he would implement of warfare, sent out a ing and acquitting the defendant. become a candidate, and assuran white flag. A complete surrender was required and all the arms were ordered to be stacked. Thus another accusation which has been unfairly made sgainst the "Mormon" people has been ex-ditions referred to the organization

After the stacking of the arms, which by the by was only partially time the capital stock of our cal- jected these overtures, and said it ast, generally believed to be insane -Joseph'Morris by name, who had been a "Mormon," but had been Judson L. Stoddard and the bug-been a "Mormon," but had been Judson L. Stoddard and the bugfind no old "Mormon outrages ler, on horseback, and from a dozen to fifteen others on foot, went into left from which to manufacture and in consequence of his extraor- the fort, when a colloquy ensued political capital or work up cases

On the 13th of June, 1862, Gen. what a shallow foundation the the- cisco. Harriet complied. The stranger made no effort to cause Harriot's arrest, but declared that Dead

New Britain.

Subscription to the Four per cent Long WASBINGTON, 7 .- The subscrip-

tions to the four per cent. loan since yesterday's report is \$2,497,

## Cabinet Meeting.

The expression of the views of all the members regretted that an ex-tra session of Congress was made English Walking Jackets, necessary.

#### Democratic Cancus

The democratic senators, in cauus, will arrange the reconstruction We do not believe that any one of the committees. The democrate

Confidence in Bradley.

#### The Democrats Duubiful,

The democrats are hourly more Overtures have already DRESS amined and refuted. In a short of committees. Garfield wisely re-



Meanwhile the incarcerated men

# BY TELEGRAPH

# FER WESTERN UNION TELEGRAPS LINE. EASTERN.

Conflagration. NEW YORK, 7.- A fire breke ou gunnybag factory, in Bridge Street Four alarms sounded. Nearly the valuable property in the neighbor

#### hood. Heavy Fallare.

The report from San Francisco of Portsmouth on the 25th instant, the failure of Godchaux Bros, & for Cherbourg. The Queen will Co., importers of dry goods, in San probably be absent about one Francisco, New York and Paris, month. purchasing here have been virtualy closed for the past five years. Very little is due in New York for merchandise, and it is not believed that the amount of paper held here will be large. A large part of their indebtedness is due in London and ment.

Paris, as most of their purchases were made in Europe, where they had excellent credit.

More Bosh-A Long Extra Seaston Predicted

two

prominent democrats who spoke in such warm eulogy of Jefferson

able. On the whole the democrats look forward with great misgiving to the extra session, which will solidi fy the republicans. Even Conk-ling is ranging in line with the President, and will greatly demor-alize the democracy, especially if they insist on passing the objec-tionable legislation and are com-pelled to yield. The Times' Washington special

The Times' Washington special says: It is stated that the demo-crats will introduce and put through the constitutional amendment, at it to be continuous till March, 1880. An ugly dead-lock is expected on account of the locked for veto by the President of the legislative bill, with the amendment repealing the election and test oath laws, and all important bills including the Chi-

nese bill, which have just failed, will come up again.

The Speakership Contest, The Herald's Washington spethem, under a military escort, to Soda Springs, where some of them remained and others scattered abroad.

- + FOREIGN. TURKEY.

# The Occupation of the Balanna,

CONSTANTINOPLE, 7.- An official communication received by the Porte, states that the Western Powers, are disposed to invist upon the complete execution of the treaty of Berlin as regards the occupation of the Balkans and on other points, and in event of resistance, to allow CHOICEST OF the Turkish troops to enter eastern Roumelia. The Powers consider

and other

Of latest importations and de-

signs at prices to satisfy all.

COODS

that the Russian officials who encouraged the agitation will be principally responsible for any bloodshed that may ensue.

## GREAT BRITAIN. Pingue Commissioners.

LONDON, 7 .- The plague commissioners leave for Astrachan on RUCHING Monday.

## The Queen's Visit.

Queen Victoria will embark a

## To be Pardoned.

The Home Secretary will recom mend the pardon of Habron, the youth sentenced to death for the murder of a policeman at Wholly Range in 1876, but whose sentence was commuted to life imprison

# FRANCE.

Australian Exhibition.

PARIS, 7.-The chamber of depu-ties voted 225,000 francs for participation in the Australian Interna- New Goods for all

A Fraudulent Banker.

Henri Lacay, banker, and president of the tribunal of commerce at Tarbes, has become a fraudulent bankrupt and absconded. The not

## GERMANY.

A Compromise Desired. BERLIN, 7. - The new tobacco bill will probably be presented in the Releasing before Easter recess, and other tariff bills afterwards. The liberals and free traders desire a compromise.

NEW COODS JOST ARRIVED per EXPRESS A fine associment and New Styles Ladies' Ties and Bows In Chemille, Lace and Silk. THE LATEST NOVELTIES IN RIBBONS Ail New Styles. Dress Goods, Shawls, Trimming Silks, all other goods at Half their real Value. This is Hamburg Edging, No Boasting but a Fact Collars and Cuffs. Porsonally Selected by

S. P. TEASDEL.



