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CARTER BROS.,  
PUBLISHERS.

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SILVER STAR LODGE No. 4, A. F. & A. M. Regular Communication Wednesday on or before the 1st moon.

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10, meets every Thursday evening over Gilbert's Store. Traveling brothers in good standing are cordially invited to attend.

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W. M. CUPPETT, Clerk of District Court.  
THOMAS J. THONSTAD, Register of Deeds and Ex-Officio County Clerk.

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CANTON, D. T.

J. W. CARTER,  
Attorney and Counselor at Law,  
CANTON, D. T.

F. J. MURRAY,  
ATTORNEY AND COUNSELOR AT LAW AND  
COLLECTING AGENT.

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PHYSICIAN AND SURGEON,  
—And—  
U. S. Examining Surgeon for Pensions,  
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And Dealer in  
Clocks, Jewelry, &c.,  
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PHENIX  
FIRE INSURANCE COMPANY  
CASH CAPITAL \$600,000.00  
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BAKERY AND RESTAURANT  
W. H. ROBINSON  
Keeps on hand and for sale for cash a large stock of bread, pies, cakes, crackers, oyster roasts, canned peaches, etc.

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One issue in the largest, cheapest and best illustrated juvenile journal published in America.

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# The Canton Advocate.

"How to the Line, Let the Chips Fall Where They May."

VOL. II.

CANTON, D. T., WEDNESDAY, MAY 30, 1877.

NO. 2.

## The Trial of Alonzo B. Corson, Indicted for the Murder of Jacob Van Kirk, at Sioux Falls.

On Thursday, the first day of the term of the District Court held in Minnehaha county, at Sioux Falls, Chief Justice Shannon impaneled the Grand Jury, especially to inquire into the matter of Alonzo B. Corson, who had been held to answer to the charge of murder. The Territory was represented by A. Thorne, District Attorney, assisted by M. Grigsby, of Sioux Falls; and the defendant by Col. Moody, of Yankton, and R. F. Pettigrew, of Sioux Falls. A thorough examination of the gentlemen composing the Grand Jury as made by the counsel for the Territory, resulted in the dismissing from the regular panel, one who was not a citizen, and one who had been subpoenaed as a witness on the part of the prosecution; two bystanders were then summoned by the Sheriff under a special venire, to complete the panel. The counsel for the defense interposed no challenge to the Grand Jury. They retired after being charged specially to inquire into the above mentioned case. Previous to the impanelling of the Jury the Court ordered the Sheriff to bring Corson into the Court. He was brought from the "Dakota House" where he is kept during his stay at the Falls, and accompanied by the Sheriff and Bailiffs, and four of his brothers entered the Court Room, and was seated by his counsel.

Alonzo B. Corson is not a bad looking man; solid and square built, he appears to be well developed, and possessed of a vigorous constitution. We see many a man against whom no word of reflection is made who are far from being as prepossessing in appearance as the prisoner. He is neatly and tastefully dressed, and maintains a composed demeanor. After the departure of the Jury, he was remanded by the Court to the custody of the Sheriff.

On the 23rd inst., the Jury came into the Court and presented a written request for further instructions from the Court. A Jury case being then on trial, they were informed that the Court would instruct them at half past seven in the evening, at which time they returned and the Court explained to them the application of the law to Jurors, as found in the Penal Code, but more particularly to Section 17, which alludes to the considering of intoxication, and reads as follows:

"No act committed by a person in a state of voluntary intoxication, shall be deemed less criminal by reason of his having been in such condition. But whenever the actual existence of any particular purpose, motive or intent, is a necessary element to constitute any particular species or degree of crime, the Jury may take into consideration the fact that the accused was intoxicated at the time, in determining the purpose, motive or intent, with which he committed the act."

Which Section the Court declared to be only for the consideration of a Petit Jury, and not applicable to Grand Jurors. The Grand Jury then retired and at 9 o'clock p. m., returned into Court. The prisoner was again sent for. It was a solemn and impressive scene; however familiar Law-ymen may become to the arraignment of persons charged with crime, a sadness touches the heart of all, when a man in the full vigor of manhood, and almost a stranger in the community is charged with the commission of a crime, the punishment of which is Death. The crowded room, the serious and almost sad countenances of the 16 Jurors facing the man whose life was to be imperiled by the result of their findings; the little band of brothers grouped together near the accused, standing by in answer to the promptings of the heartfelt and filial affections that brothers only can know; the slow measured words of the Judge, dictating the entries to be made by the Clerk, and the bowed head of the unfortunate man, as the fearful word murder was pronounced as being the crime for which he was indicted; all constituted a picture beyond a faithful delineation by our feeble pen, but never to be forgotten by the writer.

The counsel for the Territory then moved the arraignment of the defendant, which, under the new law, is to be made when the indictment is returned into Court. The indictment was returned into the prisoner who stood with folded arms, during its reading. His counsel then desired further time to plead, when the Court designated Monday, the 28th inst., at 2 p. m., as the time when his plea might be entered.

On Saturday, a motion was filed by defendant's counsel, for a continuance of the trial, upon the grounds of the absence of certain witnesses who were not within the jurisdiction of the Court. The argument upon the motion was not made until Monday; previous to which, defendant was asked if he was ready to plead, to which he replied he was, and plead "Not guilty." The effort of Col. Moody in support of the motion, was an eloquent appeal for the right of his client, whose life was at stake. Mr. Grigsby for the prosecution, responded in an earnest manner, in resistance of the motion. The Court took the matter under advisement, until Tuesday, at 9 a. m. At this time Mr. Grigsby asked leave to file affidavits in support of matters which were for the enlightenment of the Court; stating that what he desired to establish by the affidavits, was the fact that, since the adjournment of the Court, it had come to the knowledge of the prosecution that one of the parties from whom the affidavits in his application for continuance, had alleged that he had received information of the whereabouts of one Desert, had attempted

to send word to Desert not to come within the jurisdiction of the Court; and that one Peasley who defendant had alleged was without the jurisdiction of the Court, was now within the jurisdiction, and in the presence of the Court. The Court refused to allow the affidavits to be filed until copies had been served upon the defendant or his counsel.

At the opening of the Court on Wednesday morning, the prisoner was sent for and brought into Court, and the Territory renewed the motion to have the Court consider the affidavits proffered in opposition to the application for postponement, upon which an argument for continuance was made by Mr. Grigsby in behalf of the Territory, and by Col. Moody for the defendant. The prosecution recognized the rights of the defendant, based upon the constitutional provision, to be entitled to a speedy and public trial, and to be confronted with the witnesses, and that the serious charge upon which the defendant is arraigned, entitles his application to more than ordinary consideration, for his life was at stake, nor was it within the province of the Court in exercising its discretion, to consider the matter of expense that would be incurred upon the county by a postponement, and under the present depressed condition of the county, would prove an onerous burden. These should have no weight against the allowance of the application. But the rights of the Territory are also to be protected, and the law affords ample provision for the protection of both; and if the accused, being the moving party, expects to obtain the relief asked for, he must of course first bring himself within the rule, and the law; and the Court refused to receive or hear the affidavits proffered unless they connected the defendant himself, with having endeavored to keep the witnesses without the jurisdiction of the Court. And the Court stated that if defendant desired a speedy trial, time would be given him until Tuesday week, to procure his witnesses, and as the Court was now advised, when adjourned it would be adjourned until Tuesday two weeks, for the purpose of giving the accused an opportunity for having his trial; and if any motions preliminary were to be made as to venue for any cause, they must be entered before the adjournment of the Court.

## Local Items.

—Mrs. Geo. Keller left for the Hills via Yankton, on Monday.  
—A surprise party occurred at Capt. Harlan's, Friday night, which wound up with a moonlight dance up the green.  
—Robt. Laning and Mat. Norris were well and sinking a shaft for color, when J. L. Johnson left the Hills.

—O. A. Rudolph, our Hardware merchant, started to-day for Cherokee, Ia. He will be gone about a week.  
—T. J. Thonstad, county clerk, returned last evening from a business trip to Yankton, Lodi, and elsewhere.  
—A religious service, (Episcopal) at Keller's Hall, on the next Sunday, June 3d, at 11 a. m.

—A. L. Arneson informs us that the 'hoppers are dying off, and this wind is blowing them into piles, all over his place.  
—The Reformed Lutherans of this vicinity are making preparations for the erection of a theological seminary at Beloit, this fall.  
—Darwin Keller and family have gone to Kasson, Minnesota, upon a visit, after which they intend to remove to Washington Territory.

—Mr. Skinner, father of E. W. Skinner the wellknown Agricultural Implement dealer, of Sioux City, was a guest at the Johnson House last Sunday.  
—The best style of collars, and finest perfumery can be bought cheaper for cash, at our Barber Shop, at the Green Front, Lower Canton, than anywhere else in town.  
—One thing certain, grain is growing rapidly, and we have seen several fields of rye headed out, and the 'hoppers have injured but very few fields. They seem to have disappeared or have become very inactive.

—The Rt. Rev. the Bishop of this Missionary Jurisdiction, will make his annual visitation at Canton, on the afternoon and evening of June 6th. A public religious service, or services, will be held, on that occasion—probably at Keller's Hall; if not in the afternoon, in the evening.  
—The peace and dignity of the people of the Territory, was slightly ruffled by a fist demonstration last Tuesday, which occasioned the issuing of a mandate for the belligerent parties by Justice Cuppett, and 12 good and lawful men, after listening to the eloquence of Judge Fitzgerald, saw it as he did, and one unfortunate was pronounced guilty.

—The farmers generally, have devoted the past week to the destruction of 'hoppers, by bagging them and burning the grass around their fields, which labor has proved very effective. It now seems as if we need have no fears of further depredations by the present invader, and hope has again taken possession of the almost despondent husbandmen.  
—Several gentlemen from Wisconsin, are visiting Lincoln County, looking for locations for stock farms. They came across the country through Minnesota. The farmers in that portion of Minnesota, where the 'hoppers have destroyed crops for several years, informed these gentlemen that prospects were never so favorable for an abundant crop as now; there has been but little destruction this spring, and the 'hoppers are inactive.

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## ADVERTISING RATES.

One column	2 months	6 months	One year
One column	\$25.00	\$45.00	\$75.00
One-half column	15.00	25.00	45.00
One-third column	10.00	15.00	30.00
One-fourth column	7.50	10.00	22.50

Business Cards of six lines or less, \$2.00 per year or each additional line, \$1.00.  
Legal advertisements (subject to legal rates).  
All advertising accounts settled monthly.

Correspondence solicited from all parts of the county, on any matters pertaining to local news. All communications must be accompanied by the writer's name, not necessarily for publication, but as a guarantee of good faith.

## JOB PRINTING.

Orders for all kinds of Job Printing promptly attended to, quickly filled, and satisfaction guaranteed.

—President Hayes was waited upon at the White House by a deputation of the United Methodist, and Methodist Protestant churches, now in session at Baltimore. The chairman, the Rev. Alexander Clark, D. D. of Virginia, feelingly alluded to the late action at Baltimore, wherein 100,000 people were interested and rejoiced at the Union of the two branches. To which remarks the President replied eloquently, and expressing his hearty approbation.

—Under the laws of New York, one of the species of gambling heretofore allowed, has now been checked—that of Poolselling; and in consequence the gamblers who were and have been for years quartered in the vicinity of 28th street, New York City, have abandoned their old quarters, and removed to Hoboken and Jersey City.  
—The Inter Ocean of the 24th inst., contains the following advertisement of a lost boy who was abducted from Chicago several days ago:  
"Willie Dean is 5½ years of age. He has light hair, hazel eyes, and a fair complexion. At the time of his disappearance he wore a black and white calico waist, black knee pants and brown straw hat. A Reward of \$500 is offered for his discovery."  
—Two young ladies of respectable parents in Chicago, were induced to go out upon the lake in separate skiffs, by two young men, on Tuesday evening last; the boat containing Anna Bide and Charles Brust was upset when separated from the other boat, and Anna was drowned but Brust got ashore, went home and went to bed. It is generally supposed that poor Anna in struggling to free herself or resist improper actions on the part of Brust, was the occasion of the capsizing of the boat; popular indignation is aroused against him, but the parents of Anna in their bereavement over the loss of their child, decline to institute proceedings against Brust.

—As the result of 13 days session of the Governor's jury, impaneled at Rockford, for the purpose of enquiring into the cause of the death of the men killed at the falling of the Rockford Court House, on May 11th. The jury returned a verdict that "the cause of the falling of the building was the neglect of Henry L. Gay, the architect of the building, to provide for the great amount of weight called for to complete the construction of said building according to the plans as designed by him;" and further found that "the Board of Supervisors failed to use that caution in examining the plans and specifications for the construction of a building of that magnitude would seem to require, and that they acted unwisely in not employing a competent architect to superintend the same."  
—The Louisiana bulldozer again at work. As John Laws, a colored Republican member of the Legislature from East Feliciana Parish, was sitting smoking upon his own piazza last Tuesday, he was shot by some of those Louisiana Rifle Club men and instantly killed. His crime was, that he testified before the sub- U. S. Senate committee last winter; whereby he exposed the heinous deeds of those assassin clubs. Two Postmasters were forced to leave the Parish under threat of being murdered, last week. At the door of one, was placed a coffin with a bunch of cartridges in it, and bearing the inscription, "You d— nigger Republican get in this or get out."

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