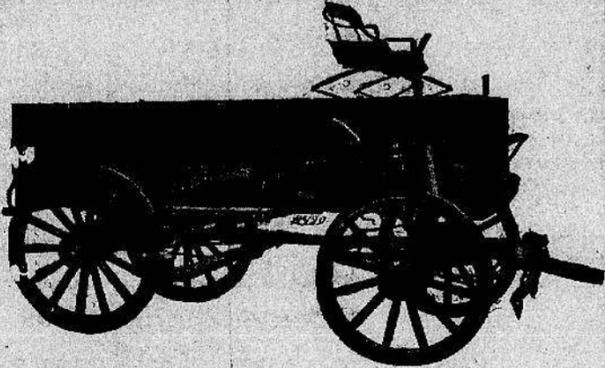


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BERT YANTZ KILLS JESSE LOCKHART

(Continued From Page 4)

soon they elined and went down to the ground and they looked to me to be between the other two fellows or they seemed to be standing on each side of them, and one fellow that was next to the buggy. I could not tell who it was positively from that distance went up



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and began like he was mixing into the fight too, and then the other one came up from the other side and I thought they were going to fight. Then the one went to the buggy, and when he was very close to the buggy, he was standing about half turned around, and the other fellow shot. I heard the report and saw the smoke, and he dropped down by the buggy and the other two were still fighting. They got up off the ground after they were down and they got up and were still fighting until the fourth man went over and stopped them from fighting and called their attention to the man that laid by buggy and the two of them or three went over to the buggy and they picked this man up and put him in the buggy before we got there.

Q. How far apart did you say the man was who was shot and the man who appeared to have shot him? A. Well, I don't think he could have been further than from here to the door. They were very close together, there is very little room in that lane and the team stood right in the middle of the road and one man stood to the left of the buggy and the other man was only out there a few feet.

Q. You said that one man appeared to be striking one of the other men who were struggling on the ground? A. Yes, it looked so.

Q. Could you tell whether he had any gun or other implement in his hand? A. No, I couldn't see what he had, whether he was striking with his fist or with a weapon. He had his back to me and I could only see the motion.

Q. Was it the man who was killed who was doing the striking? A. It was the man who went towards the buggy.

Q. Was it necessary when they loaded the body into the buggy for the buggy to be moved so as to be opposite to the body? A. They did not move the buggy before they put the man in it.

Q. Then the body must have fallen right beside the buggy? A. Right beside the buggy, very close to it.

Q. Well then he must have been shot on the left hand side according to that? A. Well, I should say so. I don't know which side he was shot on but I know how he stood when I heard the report.

Q. From the position that these men had, that is, the man who fired the shot, being on the left hand side of the man who was shot and the man who was shot was facing towards Cass' house, would it have been possible for him to shoot him in the right side? A. I do not see how it would, without he turned around.

Q. If I was to tell you he was shot in the right hand side how could you explain it? A. I wouldn't try to explain it because I couldn't see how, unless it would have been possible for him to turn around without me seeing him and it seemed to be all over with so quick. I don't see how he could have been turned clear around. The way it looked to me he only started towards the buggy and then turned half around or part way around.

Q. At the time you seen a man beating him over the head, which one of the men was down was getting beat? A. I wouldn't say I saw him beating him over the head. I saw motions which would be like that. It was at the party on the ground.

Q. When he was shot was he facing Cass' house, he must have had to turn around to start back for the buggy, didn't he? A. Now when he started for the buggy, he was to the left of the buggy and come this way to the buggy, and kind of turned that way, and the other man was out there and I saw the smoke but did not see the gun.

Q. You couldn't see that he was the man that had done the motion of beating? A. Yes, I saw that he was the man that made the motion at the fellow on the ground and the man came to him and he started towards the buggy.

Q. Judging from the motions that this man that fired the shot

made, would you say that he hit the man that was shot? A. He might have hit him, I don't know as to that, there was a motion of some kind and the man started off.

Q. Was he in reach when he made these motions? A. I think he was close enough, I thought thought they were going to fight.

Q. The man that was standing up stopped beating the one that was on the ground when the man struck him? A. Yes, when the fourth came up close enough the others got up off the ground.

Q. How many blows would you judge the first fellow knocked made at the fellow on the ground? A. I don't know. He stood, well it was awfully fast, but whatever they done was quick over with. I would not say how many motions he made.

Q. Then if the man that was

shot, if he was facing, his right side would be. man with the gun? A. H. was to the buggy and he was er along the street.

Q. Did you see one man, apparently the fellow who did the shooting, lift the body or take hold of it before the others came up? A. No, I did not see him take hold of it.

Q. Did he go any closer to the body after he shot? A. Well, I think he did, and then turned to the other two who were still fighting, and called their attention in some way,-- went up kind of facing them and called their attention and says, "come back". They were fighting off that way to the left, and when he went over to them they all came to the body and took it to the buggy.

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Suffolk	" " Line	" 24 " "
Highwood	Great Falls Line	June 7 Great Falls, Mont.
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