WAS HE RESPONSIBLE?

The Question the Board of Lunacy is Trying to Determine.

A MOST SINGULAR LETTER.

Young Austin's Attempt at Forgery and Suicide at Seattle—Recently Disowned from His Wife.

Shortly after 4 o'clock yesterday afternoon the county board of lunacy, consisting of Dr. Joshua Foster, Herbert Hall and Judge Barber, resumed the investigation of the question concerning the sanity of young Austin, the would-be bank robber.

Mr. D. Austin, father of the offender, was first put on the stand.

A number of communications from the physician and managers in charge of the Keely institute at Olympia, written to the father and brothers Austin from the attorney in Seattle, who had detected the young man at the charge of attempting to pass a forged check, were read by the examination showing that his sanity was so seriously questioned that the hope of cure was unreasonable. When he was placed in jail at Seattle his friends allowed him to remain some weeks, thinking it would cure or kill him to be under restraint. While there he threatened to end his life and a knife was found in his possession, which he intended to use for that purpose. This also occurred at Olympia.

The mothers and parents refused the wife to consent to a divorce (before the question of insanity was determined) which she did reluctantly, and only on the officer charge of failure to support.

The question of comparative conditions, when he left his parents six years ago and as he appeared a few weeks ago on his return to his parents, the matter of habits and especially of excessive smoking and business for books, which he claim possessed in the strongest degree were shown to have been completely abandoned and the attempt to essentially interest him in the line proved a failure. While in Seattle year he was cheerful and vivacious, of late he became gloomy and despondent.

Before leaving the parental roof he had become what is commonly known as a foul pipe man and to the habit of cigarette smoking and drinking were added other dissipations.

As to the immediate act which caused his arrest, the only reference made by the defendant was but stating to his father when he asked "Do you think I would have done that if my life was worth a cent?" "He had a batch of writing strange and weird letters," said the father and produced the following as a sample:

SALT LAKE.

Jesus Christ:

Make me a soldier man and bring that dreamy passion of mine to me.

CHARLES AUSTIN.

This singular communication was enclosed in a letter to his wife.

H. S. BEAVER

testified that he was in charge of the Turkish bath house on Third South, and at the request of the father had taken the young man as an assistant. While only there two days his condition was observed to be strange and his father was told of it. He seemed to have no memory and would leave his sitting partly finished and turn to another, which would in turn be treated in the same way. He would never engage in any conversation, but was very pleasant to all. As to the act in question the witness said: "I attribute it to his unbalanced mind and do not think he was responsible."

L. C. COOK

a real estate dealer, was next examined, and testified to many acts showing despondency and a total indifference or lack of capacity to concentrate on even recent topics with which he could not have been acquainted very recently. Although walking and talking with him often, yet he could not be induced to say anything more than a monosyllable. He was tractable in the extreme, and his mind trouble seemed to be a lack of power to greet any thought. "Of what I know of him," said the witness, "I would have thought him totally incapable of such a act as the one charged, and he was evidently laboring under mental aberration."

DR. HARVEY,

medical examiner of the McMurray institute, was then placed on the stand and testified that he had examined the party by assistance of the institute and recommended his injection on account of the condition of his mental faculties. His apathy was apparent, and he attempts to interest him in less. The only symptom of note in the line of change was an inquiry regarding religious matters last Friday, when he grew very much excited for a time, but relapsed into the apathetic state. "My opinion," said the doctor, "was that the patient was totally without will power, and hence we could not treat him. I believe his condition is due to softening of the brain, as the result of a fast life, alcohol, cigarette and other excesses. From what I have known of the party I do not think he comprehended the character of an act, but it was due to a suit of mental injury, and I think he is yet in that condition and subject to such change at any time."

The investigation was continued until 2 o'clock this afternoon.

County Court.

The following business was transacted in the County court late yesterday afternoon:

The committee to whom was referred the petition of T. P. Murray regarding right of way, reported favorably on the same, but owing to the protest of C. A. Rogers and others the matter was deferred.

The bond of O. G. Marsh for liquor license was referred back for correction.

Adam Nielson was granted aid to the extent of $15.

The Saltair railway petitioned for right of way along West Boulevard, and Selectmen Hardy and Butler were appointed to confer with the property owners along the line.

Adjourned until tomorrow.

Court Notes.

The case of A. Burt vs. M. Shoughessy, has been dismissed at the plaintiff's cost, and the restraining order dissolved. The suit was brought to enjoin an accounting for alleged extracts on Montana mining property under a lease, in which the parties to the suit were mutually interested.

The transcript on appeal in the case of The Pacific appellant, vs. D. H. Rogers, respondent, from the First District court at Provo, has been filed with the clerk of the Supreme court.

A petition for rehearing has been filed with Clerk Hallett of the Supreme court, in the case of Mary A. Lewis, appellant, vs. the Citizens' bank, of Ogden, respondent.

The next session of the Territorial Supreme court will be held on the first Monday in July.

In the case of Marion Tanner vs. the Union National Bank, in which the plaintiff moved an order to compel the process server deputized with the defendant by Sheriff Hatch, overruled, Judge Zane yesterday afternoon affirmed an order issued to be made to the answer.

MR. BITCHER'S FIRST SERMON.

He Discusses the Know Friends of the First Presbyterian Church.

Mr. Henry Ward Bitcher gave an interesting account of the first service performed by Mr. Bitcher in Plymouth church, Brooklyn, on the 12th inst., "The Bitcher as I Know Him" in the Ladies' Home Journal. A perfect flood of invitations and criticisms came to him before the first sermon. Doubtless all those warnings determined Mr. Bitcher to pay from angle that the people of his new charge should fully understand before he was installed what course he was likely to pursue. He told me that if Plymouth church doubted he would have to deal with it in a very bold way. It was upon the evening of Saturday, Oct. 10, 1847. He sat quietly on the pulpit while the clerk was reading his text aloud the sermon of Jesus to the Jews, which it was the lack of confidence that I now.

Knowing as I did something of what he intended to say, I could not but think, "Will these people accept the bold course he has decided on? Do his work from one to young looking?" For the ten years of labor of the West had not rubbed the youth from his face. I noticed the almost contemporaneous looks of the elders, and I felt they wished for fear. As for me, I to end the sermon a doubtful silence prevailed the great church. But ten a tremor was visible in the voice that spoke. With that earlier voice which has in speaking public learned to rest in base to the tones of Governing as if he were addressing Lawrenceville yesterday. Text as he chosen the first two verses of his prayer, as his heart was beat against the wheel of the gospel he became visible to his congregation, and he brought to heaven close to the every soul. All was changed. An almost breathless sobriety pervaded the church, and tears were in many faces.

The youthful face vanished and did not return, as to his sermon he plainly and with great admiration showed the powers the course duty called him to pursue. As he said of those early years after "I lifted up the banner and blow the trumpet in the application of Christianity to intemperance, to slavery and all other great national sins. I said to those present, 'If I remain here and you come to this church it must be understood that I mean to fellow, that I will be bound by no precedent, and that I will preach the Gospel as I apprehend it, whether men will hear or whether they will not hear, and I will apply it exactly and strength to the exercises of every evil and to the upbuilding of all that is good.'"

After the close of the sermon many came to convert Mr. Bitcher. They were actuated by kindness to him and energy for the church. Such bold plain speaking they did not understand. They had never been held to it. It would overthrow the young church.

"Don't allow yourself to be pulled down at unregular venues," they told him. "There is no end to it. You will only be pulled down and trodden upon."

After preaching a month in Plymouth church he was installed as pastor on Nov. 11, 1847.

Was He Cute.

"If you were a—a Jury Cute," said the examiner, "would you acquit Clarke?" "I could plead my cause with more self possession. In the results of—of—of—I don't think I shall up to a fact when delivered."

"Perhaps you have not had an extensive practice in such cases, Williams," suggested the counsel softly.

"That's it exactly, Clarke" eagerly replied the young man, moving his chair a little nearer. "Do a green hand at jury work. I felt I would feel like the jury."

"Meaning me?"

"I—I wasn't pointed against the advocate."

"Meaning you?"

"Yes, why, then, I might?—"

"What kind of jury are you considering, Mr. Williams?" she asked, with eyes downcast.

"A—a—petit jury of course. You couldn't be a grand jury, you know, dear?—"

"Why not?"

"Because we don't try cases before grand juries."

"I think, Williams," said the young girl blushing, "I would rather for the occasion be considered a grand jury."

"Why?"

"Because"—and she hid her face somewhere in the vicinity of his rear collar—"I have found a true fluff"—Chicago Tribune.

Selling Presentations.

"I was talking with an Englishman the other day," said a New Yorker, "over the pronunciation of a word, and finally I said, 'Well, leave it to Webster.' 'What if you do?' cried the Englishman, 'what is Webster? Webster's opinion. I've heard that you Americans refer everything to a dictionary.' Surprised, I asked what was the custom in England, and he told me that Queen and Cabinet Bishops and the Archbishop of Canterbury, Science and of Journals take precedence of the other, but over all other authorities, and if, one man, one year, respectively hand chosen pronunciation to be authorized by the two universities, both are right.—New York Times.

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