

BENBROOK'S TRIAL ON MONDAY.

Next Monday the case of John Benbrook, so often deferred, will come up for trial at last, in Judge Hiles' court. It will be followed with more interest than any case of the kind ever heard in a Utah court is, perhaps, not a sweeping statement. This not only because the parties concerned in the tragedy are all well known, but also because a great legal battle is expected, and the stake is a human life.

For months now both sides have been preparing for the contest. The prosecution has worked diligently to forge all the links of evidence into a chain that cannot be broken, while the defense has left nothing undone to secure a verdict of acquittal. The state will be represented by Senator Arthur Brown, County Attorney G. F. Putnam and his associate, Ray Van Cott. Judge Powell, fresh from his victory in the Mills case, will be the central figure in the defense. Associated with him are Judge C. S. Kane, Lindsay Rogers, D. N. Stroup and Joseph Lippman. Such an array of legal talent has rarely been seen in a criminal case here.

STORY OF THE TRAGEDY.

The story of the tragedy itself can be told in a few words—indeed, scarcely needs telling, for the public is familiar with it. Leaving out the points in controversy, which will be presented and debated at the trial itself, the three principal figures in the tragedy are Burton C. Morris, the deceased, John Benbrook, defendant, and the inevitable woman in the case, Leda Stromberg. Mr. Morris, a young business man, belonging to one of the oldest and most respected families in the community, served in Torrey's regiment of rough riders during the war. Long before enlistment, he made the acquaintance of Miss Stromberg, and returning home renewed friendship with her. This is sufficiently evidenced by the fact that they were very frequently seen together. Although Miss Stromberg is a strikingly handsome young woman, and possessed of many accomplishments, her career in Salt Lake has not been such as to give her standing in society. Such was her reputation that the family of young Morris resented his association with her, but the tragedy left the final outcome of the affair undetermined.

THE FATAL NOTE.

One while so engaged that Miss Stromberg recalled her engagement to Morris for that evening, and her aim with reference to it throws a strong light on her character. She was the young man a note, and that the paper brought about his death. After writing it, she called in a messenger and from the restaurant sent it to Morris at his place of business in the McCormick block, only a block away. When he received

it, Morris learned from the messenger where it had come from, and then, putting the note into his pocket, went forth to his death.

The note was addressed to "Mr. Burton C. Morris, McCormick block," and read as follows:

Burt—Don't call for me tonight. I don't care to go to the show. You need not call for me. I won't be home. Of course you'll be surprised, but you can think anything you like. I don't care.

LEDA.

Monday, 6:45 p. m.

When Morris reached the restaurant, he went up stairs and into the room where Benbrook and Miss Stromberg were sitting. A quarrel between the men followed, hot words passed and, perhaps, blows were exchanged. At all events, Benbrook left that room and went into one adjoining. About this time Steve Keene, the proprietor of the restaurant, came up stairs, and at

THE WOMAN IN THE CASE.

Benbrook's request, as nearly as can be ascertained, provided him with a revolver. Morris, who remained in the other apartment with Miss Stromberg for a short space of time, passed on into the room to which Benbrook had retired and the quarrel was renewed. In the melee, furniture was upset and others on that floor heard the noise of the contest, but no one entered until after the fatal shot had been fired.

A STRANGE COINCIDENCE.

Albert C. Morris, a cousin of the deceased, was by some strange chance dining in a private room on the same floor with two young women. He was

so far as has been disclosed, the first to enter the room where the men were after the shots were fired. Benbrook held the revolver and Eurt Morris was endeavoring to take it away from him, but was even then dying and immediately afterwards fell to the floor. He was unarmed.

That is an outline of the killing. It is not a secret that the defense will claim Benbrook shot in self-defense.

PASSING OF THE CAFE.

Since the tragedy, events closely or remotely connected with it have followed in quick succession. One striking

feature of the case is now only a memory.

Then it became known that Leda Stromberg was going away, and that Steve Keene contemplated leaving. The State interposed and both were placed under bonds to secure their appearance.

JOHN WITBECK'S ACTION.

Two important witnesses for the prosecution have departed, however, and it does not seem likely that their presence can be secured. They are Nana Witbeck and Emma Mathison, who were the guests of Albert C. Morris at

tority that would follow should they be compelled to testify. What effect the arrest of Mr. Witbeck yesterday will have remains to be seen.

HOW BENBROOK SPENDS THE TIME.

Benbrook will, no doubt, welcome the trial, as a break in the monotony of prison life at least. He has been in confinement now for seven months, spending most of the time in the county jail. He is about 42 years of age, and has been twice married, his first wife securing a divorce. He was born at Fayetteville, Washington county, Arkansas, and comes of an old and respected family. Both his father and mother are now dead. After passing his childhood and youth on the farm and securing a fair education, he came west, and finally located at Phoenix, Ariz., where he went into politics and became sheriff, establishing a reputation for courage. He then drifted into a sporting career, and for some time

time reading. He has improvised a sort of pulling machine near his cell and every day exercises diligently. When last seen by the "News" representative, he discussed such matters as the war between England and the Boers most intelligently and with interest, but politely declined to say anything at all upon any phase of his own case.

LEDA STORMBERG.

Leda Stromberg, who has already achieved so much notoriety, will cut a prominent figure at the trial. She is now about 25 years of age, and for some years past has managed to keep before the public. She is said to be a talented musician, and her facinations have won her admirers by the score. After the killing of Morris, she was again brought into prominence last summer, it will be remembered, through the diamond necklace contest at Saltair.

WILL BE A LONG TRIAL.

There is much speculation as to how

BURTON C. MORRIS.



Prominent Young Business Man Who Met His Death in a Shocking and Brutal Manner at the Hands of John H. Benbrook.

MISS LEDA STORMBERG.



The Dashing Young Woman Who, Aside From the Two Principals, Figured Most Conspicuously in the Sensational Tragedy, of July 15th Last.

JOHN H. BENBROOK.



Gambling House Proprietor and All Round Sport Who Will Be Put on Trial for His Life in the Criminal Court Next Week.

feature was the immediate loss of patronage at the restaurant where the shooting occurred, owing to the sentiment excited by Mr. Keene's action in sending the revolver up to Benbrook. The place was fitted up in sumptuous style and had "done the business of the town," soon closed its doors and the

the Merchants' at the time of the tragedy. Recently it developed that they had departed and the publicity given the fact brought out the statement from John Witbeck, father of one of the girls, that he had furnished them with the money for their expenses, in order that they might avoid the no-

conducted a gambling establishment known as the Sheep Ranch on Main street. This he afterwards removed to Commercial street, and it is understood that he still controls the place, his interests being looked after by his brother and others. During his confinement in the county jail he has spent most of the

long the trial will last. It is certain that several days will be consumed in obtaining a jury, but so far as is known the testimony will not occupy an unusual amount of time for a case of this character. The opinion among those best informed is that the trial will not occupy more than two to three weeks.

CHAPTER FROM AN OLD MAN'S LIFE

Writes Pathetically of an Indiscretion and What Came of It—Composed for the "News" in His Cell in the Big Rotary of the County Jail.

The following story portrays only too well the fact that a single step taken in the wrong direction often leads from respectability and honor to disgrace, humiliation and punishment. A few weeks ago the writer, now an unfortunate inmate of the county jail, walked a free man before the law. He declares that he had never transgressed it before; that he had ever tried to lead a life above reproach. That may or may not be true. However, there is no one who has challenged the correctness of

his claim. Certainly he has intelligence and refinement in no small degree, and he has acted the part of an honorable man since his incarceration—a man who desires to atone for his indiscretion and go away in a few days never to return to the city in which he fell. Recently he contracted a desire for drink and one day he was short in his accounts with his employers. The sum was not great, only \$2.50. But it was a shortage nevertheless and he had to pay the penalty. Being unable

to make good the deficit arrest, conviction and a sentence followed in quick succession. The prisoner is a man well along in years—a newspaperman by profession, and once connected with the Topeka Capital, the journal that the Rev. Mr. Sheldon proposes to run for one week in the near future "as Jesus would." The prisoner, whose identity shall not be disclosed in this article, is free to express himself that he has not been treated as Jesus would have treated him under similar circumstances and thinks there is much in the old saw that, "There is mercy in each creeping thing, but man has none for man." For the "News" he wrote the following story this week, on the leaves of an old calendar found in his cell:

THE STORY.

Twenty-seven years ago I was standing on the forward deck of an ocean steamer in Cork harbor, which was lying at anchor, receiving the Irish contingent of passengers and the "mail." Among the passengers who had embarked the day previous at Liverpool, I became interested in a tall, heavy built Englishman, whose nervous actions were quite noticeable. At the time referred to he was standing near the rail watching intently those coming aboard. As is usually the case on these occasions a number of peddlers, carrying fruits, candies and other articles, came on deck to sell their wares, and among them was a little man who was trying to dispose of some memorandum books, pencils, etc. Going towards the tall Englishman, at the rail, he tapped him gently on the back. The Englishman gave a leap as if a bomb had exploded under him, and turning round, his face an ashen white, he stuttered:

"Well, what is it?"

"Buy a memo book, sir, only three-pence."

"Yes, yes, give me one, here's a shilling."

The look of relief on that man's face when the peddler had passed on I shall never forget. When the steamer weighed anchor, and we were fairly at sea, I questioned the nervous passenger and by degrees elicited the information that he was an absconder.

A PARALLEL EXPERIENCE.

I have recently experienced something of the same feeling as the Englishman did, and of all the sensations that I have during my life passed through, the grim presence and touch of the representative of the law is the most horribly realistic that a sensitive being can pass through.

Some thirty days since I was arrested, what for it is not necessary to state, further than that the "demon drink" was at the bottom of it. My experience over night in that filthy "hole" at the city hall among companionship as foul as the place itself, was something horrible. For a time I was the subject for considerable speculation as to my crimes, etc., among the inmates, and I discovered that when discussed I was

referred to as "White Front," presumably as I wore a white shirt. The night dragged wearily along and I was left alone to my remorse, for which I was thankful, as the rest of them "retired," some to bunks and others on the floor, to all appearances oblivious of things mundane, or otherwise.

IN THE LAW'S CLUTCHES.

I will pass over the trial, sentence and my transference to the county jail as being too painful to dwell upon, with the exception that I was held over for one day. Never did a jury deliberate and pass a verdict upon a case with such cold-bloodedness, and within my hearing, as the prisoners at the county jail did on my case. As for going to the "pen" they were all unanimous on that point, and the "time" ranged all the way from two years to seven. They cited cases similar to mine as they claimed when fellows got five and seven years. All this was very disheartening, but when I got only thirty days they all lost interest in me and my case, and kept on in the even tenor of their way until another victim appeared.

THE SENTENCE OVER.

The sentence over, and I realized what I had to contend with, I resolved to resign myself to the situation and make the best of it, but in spite of this, the first few days were bitterly heavy. My cell mate, a young fellow of twenty, who is at present on the "hill" serving a sentence for grand larceny, was, I must confess, very kind and sympathetic, and was naturally good-natured and well-mannered. This much was encouraging. Three times a day, all the prisoners in the "rotary" (of which, the rotary, I shall mention further on, are allowed exercise, when they all meet on the outside of the "cage.")

What surprised me and caused me to think it was a burning shame (?) was the number of innocent people that were incarcerated in the county jail. Why, it is a perfect outrage how these poor devils have been imprisoned for nothing in the world. Why, one-half of them were miles away from the scenes of the crimes charged up to them, and they never heard or saw their victims till confronted by them in court. Perfectly monstrous! That is, from the prisoner's point of view.

Then, again, the flood of oratory, that is being pent up for the coming trials.

"Engage a lawyer, no sir, might as well plead guilty on the spot. I'll tell the court what I think of justice in Utah, and I'll show up the rascals (police) who run innocent people in on the slightest or no pretense whatever."

This is a mild sample of the Blackstonian diatribe that is as yet in embryo to be exploded at the day of trial.

PRISONER'S FUTURE PLANS.

It was interesting to listen to the plans for the future that each of them had mapped out. How different they would act in the future, and to their credit be it said, that there was an unanimous determination to avoid strong drink. Verily, I thought, if these men are samples of what imprisonment does for mankind, there will be scores of practical missionaries working in the field within a short time. Let us hope so.

With what longing we all looked out through the barred windows at the beautiful sunshine and watched the ever passing pedestrians and vehicles and bitterly regretted the error that bereft us of liberty. My cell mate, one morning, noticing a colored man lounging against a fence on the outside remarked:

"I wish I was where that nigger is."

"But would you like to be the nigger, though?" I asked him.

"No, no," he answered quickly, "bad as I'm off I would rather be what I am."

JAIL NOMENCLATURE.

Hobos are credited with having a slang language and I soon discovered that inmates of the county jail have also a nomenclature of their own which they class as cellology, of which the main sources are a few samples: "The following are a few samples: 'The flop your map, show your face; flop your block, put out your head; study your block, stop to think; slouched, when caught; scoffins, food; Java, coffee.'"

One of the prisoners had his violin, upon which he played quite proficiently, much to the enjoyment of all, and occasionally some songster would burst forth in a melodious strain; but with one exception, a fellow whose burden was "I Must Telephone Ma Baby," all the songs were of a sober vein, such as "Where is my wandering boy tonight?" "Home, Sweet Home," and similar refrains.

SOME QUEER CHARACTERS.

Among the prisoners in the rotary was a Chinaman. But for the fact that he ate his meals regularly, he was as impassive and silent as a sphinx. His face was a blank—a sealed book. He had the most vacant gaze I ever saw. He moved like an automaton and took his medicine like a stoic.

As every community has invariably a "character" in its midst, the county jail was not to be exempt from the inflection. He entered the prison with a smile on his furrowed countenance and viewed the surroundings with the self-satisfied air of a person returning "home." He had been an inmate on many a former occasion. If he had drank himself into prison he was certainly intoxicated with his own loquacity and verbosity. When he didn't talk he sang, and when he ceased both he snored sonorously—exasperatingly I should say. At times he was quite droll and caused much amusement, but generally he was simply intolerable and we had to ignore the fellow to give him his quietus, which gave us some surcease.

The jail boasts of a very select library, which is a great boon to the inmates and materially helps to pass many a weary hour pleasantly and profitably.

Among fifteen or twenty prisoners it would be surprising if there were not some refractory ones, who become over-bolsterous and "sassy." There was one of those during my first week's stay, but a twenty-four hours' sojourn in the sweat-box made him as docile as a lamb ever after.

It is not surprising that the seclusion of the cell should prompt its inmates into poetic effusions. The following lines which I quote from a number of verses under the caption of "In Jail Again," which have been placed in the prison scrap book, are from the pen of John Smith, the dynamiter:

"For what is life when liberty is wanting?"

Night without a morn,

Gazing mid drear blank walls;

Nature so dead, no dawn.

"I was once an honest orphan.

I labored hard for honor and for riches,

Until I was tread upon

By those who put me in the ditches."

THE JAIL ENVIRONMENTS.

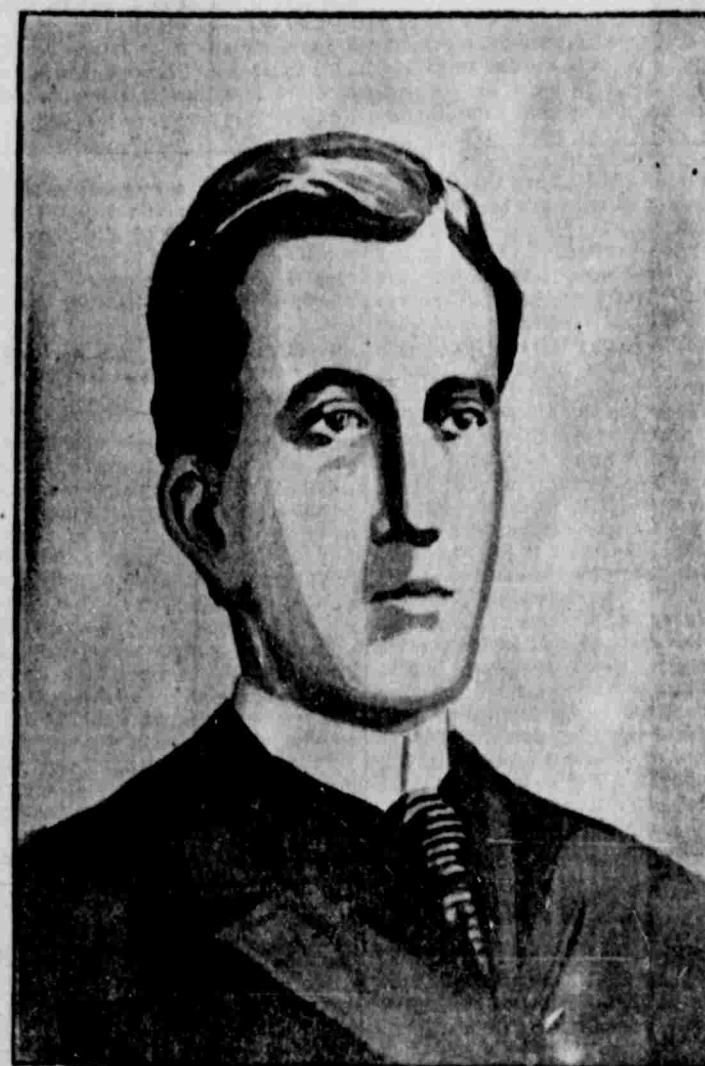
Though unquestionably the majority of the readers of the "News" have read a description of the county jail, yet the

following brief outline may not be uninteresting: The front part of the building is occupied by the sheriff and his family, which is spacious and replete with all modern conveniences, and the facade is of the most modern style of architecture. The prison which adjoins is a two story structure, and like the residence portion is built of brick, all the windows being heavily barred and covered with stout steel screens. The office has an entrance on the west side and is also accessible from the residence. Here the prisoner is handed over to the tender mercies of the jailer and is made to unload every article he may have in his possession, which is made into a package, labeled and put away until his release. A heavy iron door and barred gateway leads into another room, from which the prisoner either enters the rotary room, ascends to the next floor or occupies one of the two cells that adjoin it; but as the majority of the prisoners are placed in the rotary, we will inspect it for a moment. The mechanical apparatus for opening the barred gateway are certainly ingenious and as securely protective as they are intricate.

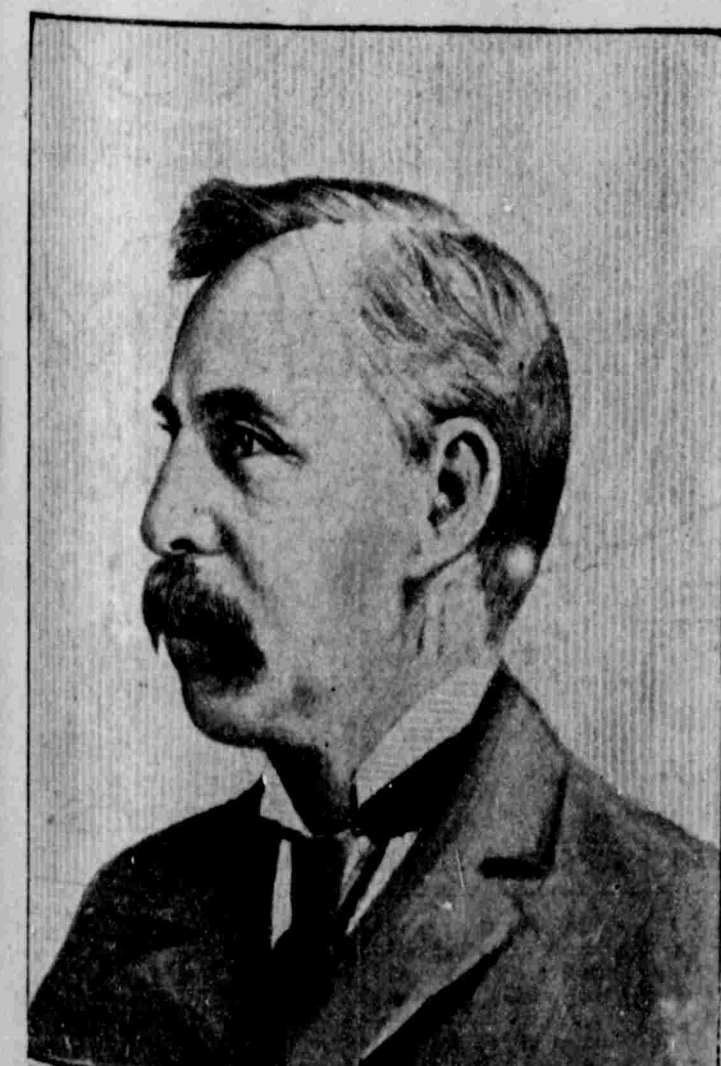
THE BIG ROTARY.

The room in which the rotary stands

GOVERNOR J. C. W. BECKHAM.



Upon him has devolved the task of carrying on the campaign, inaugurated by Senator Geobel, to win the office of governor for the Democrats.



A Kentucky Republican who figur as very prominently in the news of the day.