

tensen then conversed with Mr. Stewart until court convened.

scenes of the crime were prejudicial to his rights and I believe it is the duty of every one of them to came forward and tell what occurred there and if I am wrong in my affidavit to expose me." me.

how avoiding those Yankee bullets, and I thought an officer who could do that, might save his command from them

who were kept away yester lay on account of the weather have been making up for lost time today. The advance guard of the conference visitors



James McManus, an employe of the plant, was instantly killed. James when removed He was badly burned all over his body by the scalding steam and died a few relinutes after his removal to the cottage hospital. Neil Powell, the assis-tant engineer of the cooker room, was then taken out. He was instantly killed. George Shaeffer, a boy 16 years of age, was alive when taker, out, but died on the way to the hospital. He was scald-ed all over his body. An unknown man and has been taken to the hospital. He in an unconscious condition and there seems to be no hope of his recovery. Owing to the complete wreck the search for the bodies is attended with the utmost difficulty. Several employes are still missing and it is feared they will be taken out dead. The following is believed to be a complete list of the dead;

TEN JURORS PRESENT.

District-Attorney Elchnor entered the courtroom a few minutes before 10 o'clock. He was followed by C. B. He was followed by C. E another of defendant's attoneys. Just before court convened, ten of the twelve jurors who convicted Mortensen filed into the courtroom and took seats in the jury box, a number of them occupying the identical which they occupied while the tria was in progress. When they filed in Mortensen eyed them keenly and no doubt recalled the day when the same men returned into court with a verdict which sealed his doorn. The jurors preent this morning were: Henry Tribe, S. R. Le Roy, J. M. Barlow, H. T. Shurt-M. Samuel Binghurst, Joseph Smith, W. A. Bills, J. F. Alexander, C. H. Ingham, Jr., and J. B. Dailey, Juror A. H. Rock, who made the affidavit upon

defendant relies for ial, was not present, earned that he is r trisl. trial, was learned t rned that he is now county and hence could not Was out of the subpoenaed in time to appear today. The twelfth juror, Michael Kopp, is

TALKED ALL MORNING.

Atty, R. J. Stewart consumed the enthis morning in his argument, which was presented in a forci-ble and eloquent manner. Mortensen ble and eloquent manner. Mortensen proceedings about him. At the lusion of the argument he was uffed by his guards and taken out of the room as quickly as possible. The crowded about him and eyed riously while he was being led It is believed that Mr. Stewart ur ously. upy most of the afternoon with nts and it will be very late Mortensen will deliver his and before sentence is passed him. A large number of the talors remained in the courtroom ng the noon recess so as to be sure of a good seat at the afternoon session.

ASCENDS THE BENCH.

At two minutes past 10 o'clock Judge lorse ascended the bench and court onvened. The case of the state ter Mortensen was called immedibut before Atty. B. J. Stewart permitted to begin his argument out before Atty. tri found it necessary to instruct allif to lock the doors and not aliny one to enter or leave the room r to keep the room quiet so that orney could be heard. Before ewart had proceeded very far his argument the confusion in the dor was so great that the court ordered the bailiff to instruct the pe to move away from the doors out-and cease clamoring for admittance to the court room.

MOTION FOR NEW TRIAL.

Mr. Stewart first read the motion for w trial, which has appeared in the vs heretofore, and he then read the affidavit of juror A. H. Rock, which set out the alleged misconduct of the jurors when they visited the scene of the musiker without defendant. Peter Mertensen or his attorneys accompany-ing them. The acts of the jurors in stepping of distances and in the con-versation had with Royal B. Young the sworn officer of the court, who con-ducted them to the premises, were set out in full in affidavit. Mr. Stowart then read own affidavit which was filed yesterday in regard to the failure to se affldavit from Royal B. Young as to conduct of the jurors at the of the murder. of the murder. After reading the af-fidavit in full, Mr. Stewart stated that Young was present in court and asked that he be sworn at this time to testify

MR. YOUNG SWORN.

Mr. Young came forward and was worn in. After he was asked his name by Mr. Stewart, Dist. Atty. Eichnor

ABOUT COMPULSION.

the case, but merely to show them ove

in justice in all things and believes in

NOW FOR POLL TAX.

Under the New Ordinance.

the intention of Street Supervisor Peter

S. Condie to proceed with the collection

of the tax just where he left off when

the old ordinance was declared invalid

by Judge Tanner several months ago. Before proceeding with the collection of the tax, however, Supervisor Condie will obtain an opinion from City Attor-ney Nye as to whether it will be neces-

sary to serve new notices on the tax-payers under the provisions of the new ordinance. Notices have already been

is believed that the work will have to

menced at once and then the collec-tion of the tax will be pushed to com-

LONDON CONFERENCE.

The following program will be ren

dered on Monday evening in the B. Y.

Memorial hall on the occasion of the

gathering of the Saints and Elders of

the London conference when an old-

ments and a general good time will be

Piano selection W. B. Dougall, Jr.

Recitation Miss Vida Jones Comic song W. T. Seare

Saxaphone soloC. L. Berry Sopraho soloMrs. Lily F. Bradford

Ladies' quartet Mabel Poulton, Annie M. Coven, Eva Hudson and Helena Walsh.

Tenor solo Chamberlain

social reunion embracing refresh

done over again in order to comply with the new ordinance. If the city attorney decides that new notices should be served, the work will be com-

and i

Sisters

served under the old ordinance,

pletion.

time

in order:

the evidence in this case and is

the premises

and that's the reason," J. Van Meter, also a veteran and who has resided so long in Sait Lake that his friends say he resembles a "Mormon" Bishop and is frequently Mr. Stewart then read a number of authorities which held that it was within the discretion of the court to taken for one, was present and ompel jurors to make affidavit as to good story about the late Henry Ward conduct when misconduct is Beecher, to whom and to whose influ-ence while in England they all agreed charged or when it is shown that there is even reason to believe that there was largely due the fact that British government did not recognize the confederacy. While addressing a was misconduct on their part. He also cited anthorities wherein certain misthe confederacy. While addressing a large audience in Manchester, which conduct of the jurors was considered as reversible error and grounds for a new very unsympathetic, some was "The court instructed Royal B. called out: Young, when he was sworn to take the jury to the premises," said Mr. Stewart, didn't you lick the rebels in Why

60 days as you said you would?" Mr. Beecher quickly replied: "Well, we would have done so if they had been "not to allow anyone to task to the jur-ors or to talk to them himself about

one

British soldiers.' premises. Yet the records of this show that he did talk to them and estimated that there are possibly 100 ex-confederates living in and around Salt Lake. Prominent among did answer their questions, and this is the kind of evidence which convicted Peter Mrotensen! The court heard all is Gen. George Wilkes, whor them everybody here recognizes as Maj Wilkes, a well known mining and civi bette. able to pass on this motion than the suengineer, and son Commodor Wilkes, who captured Mason & Slidell, He served with Gen. Longstreet and was also with Lee and Joe Johnston, preme court and if this court grants Peter Mortensen a new trial, his decision will be the decision of every law-abiding citizen of this state who believes

Gen. T. P. Steffey is another. He was a student in the Virginia Military Ina student in the Virginia Military In-stitute at Lexington, Va., at the out-break of the war and witnessed the hanging of John Brown. Johnathan C. Royle is another, who was advocate general under Gen. Price. Judge W. C. Hall also served with distinction. Capt. Thomas W. Kerrigan is another and Judge Henry Pluce With B. Clark J. D. Lewis, Sam-

Milo B. Clark, J. D. Lewis, Sam uel H. Lewis, Col. A. C. Ellis and N. B. Rigins, whose father was mayor of Waco, Tex., are among the others who

have been met. There is no doubt that Gen. Alford will succeed in organizing his association, nor that it will prove successful and beneficial to the grizzled old vet-Supervisor Condie to Push Its Collection erans of the "lost cause," all of whon are now just as enthusaistic Americans Now that the new poll tax ordinance as were those who fought under the has been signed by the mayor, it is Stars and Stripes.

SPRINGVILLE MAN DEAD. Wallace Crandall Who Passed Away

Near Milner, Ida., Buried Today.

(Special to the "News,") Springville, Oct. 3 .- Wallace Crandall. son of Oscar and Betsy Crandall, died near Milner, Ida., Sept. 30, while working on the Twin Falls canal, and was buried here today, the funeral being held in the meetinghouse this afternoon. The deceased was born in Springville, 32 years ago and lived here a good many years. He leaves a wife and three children. Mrs. Crandall is the daughter of Gus Hjorth of Indianola, and has the sympathy of many friends in her bereavement.

Deal, the railroad contractor, returned Thursday from Lumberton, N. M., on account of illness. It is thought that with proper attention he will be able to be out again in a few days.

ITALIANS FIGHT A DUEL.

Rock Springs Coal Miners Settle Their Grievances with Knives.

(Special to the "News ")

Rock Springs, Wyo., Oct. 3.-Two Itallan coal miners fought a duel with knives yesterday. One of them, Marcano, was seriously wounded, and was sent to the hospital. His combatant was arrested.

Ouick Silver Mine Shut Down. San Francisco, Oct. 3.-A dispatch from San Jose, Cal., says that the Reminiscences of London Santa Teresa quicksliver mine have been shut down. The mine is owned by Boston capitalists, headed by John George Shorten a brewer, and owner of a Montreal street car system.

came early, with indications that they will stay late. The city folk, too, were not backward in coming forward with the result by 2 p. m. there were over 3.000 neonle on the grounds.

Providing the weather holds good tohight will undoubtedly see the biggest crowd present to date this season.

The judging continues apace and all the garded the colonies as an encumbrance are making good progress so that baito be got rid of as soon as possible. The little Englanders who follow his ring unlooked-for incidents all awards lead are not likely to be moved by any consideration arising out of our new will have been made by Monday night. It goes without saying there are atfound pride and faith in our distant ready a number of protests being talked of but as yet none have been official. ly filed.

While the race track is decidedly heavy there will be an effort made late this afternoon to bring off the advertised program, as the track is rapidly drying out.

Even with the big set back of yeserartificially day the fair promises to be a big money maker this year. The management is there with the goods and there are amusements for all, so that it will not be (necessary for patrons to put in market? their entire time looking at the exhibits, as has been the custom at some fairs held in the past. The public is entering into the spirit of the occasion with the parties concerned result the manner in which the dimes and nickles are being shelled out for value received is raising a smile in the secretary's office and horse laugh in the fact that equine department.

EDUCATIONAL AWARDS.

The following educational awards were made at the state fair this morncontinues for a few years longer they will have left us far behind." ing and afternoon: Salt Lake City Schools-Five dollar Dealing with the colonies' desire for better commercial treatment, Mr. Chamberlain said: premium for best collection of il trated history and geography: \$10 "It is no answer to offer them an imbest handiwork illustrating methods of It is no answer to olfer them an im-perial council which they have already refused. If we reject their proposals for reciprocity we shall be in great danger of losing our present trade with teaching: \$5 for best collection of lan-guage lessons based on nature studies; \$10 for best collection of relief maps, \$10 for best exhibit of freehand draw them, as well as the prospects of its future expansion. It is entirely owing ing; \$10 for best products in wood manual training; \$5 for best collection of articles sewn by children; \$5 for best objects made for home use; \$10 to the growth of our colonial trade that the actual and heavy decline in our imports to foreign protected countries has been concealed in our general re-turns. Do the stern advocates of unfor best collection Illustrating various industries: \$15 for best models Illus-trating history: \$5 for best display of penmanship: special gold medal to Mrs. Tomlinson for best display Illustrating restricted imports consider it satisfac tory that we should have nothing to progressive methods of teaching; spe cial mention for Venetian iron work bargain with and continue to be grate ful for such crumbs as Le'l from the rich man's table in the shape, at the gold medal to Samuel Doxey for mangold medal to Samuel Doxey for man-ual training work. Utah County Schools—Flve dollar premium for best collection of basket work; \$5 for best exhibit of fancy sew-ing by children; gold medal to Pria-cipal Rose A. Jones for best display of school products. Agricultural College, Logan—Gold medal for best general exhibit of school work. best, of the most favored nation clause which only gives us the benefits of ar rangements previously made with sol reference to the interests of other per sons, and in respect whereto we had never been consulted? Is it not child-ish to ignore the fact that by bargaining on equal terms other nations have been able to promote their special in-terests and that if we also had in our

work.

GOLD MEDAL FOR FISH.

ing and Novel Attractions.

State Fish and Game Commissioner John Sharp has been awarded a gold medal for his unique display of fish that flanks both sides of the main entrance outside the manufacturers' building. In all there are 16 tanks the manufactur which contain as many varieties. In which contain as many varieties. In addition some crawfish, newts and frog a are added by way of novelty. Owing to the large mouthed bass being off thier fred, however, the frogs are le-ing drawn upon to furnish delicacies fobig fellows. Some very good spel-ns of eastern brook trout are in-ded. This fish varies in size acof this country, or an insidious attemp to ruin our industries and obtain ou the mens of markets for themselves. They will not be allowed to evade this question by the cheap device of abusing their cording to the size of the stream : which it resides. In a canyon stream opponents."

(Continued on page two.)

modified and an inter-requirements." Configuring, Mr. Chamberlain points out that the property of the working classes has increased in greater proporatters dispensed a bounteous repast is tion in the protected countries than in the United Kingdom and says: "Free trade, if it had ever existed, all

possible

British exports have

While some were at the tables others were tripping the "light fantastic" to the strains of music provided by tae band in the hall above. The united might have secured for us all that its moters promised, but free imports declaration of all present was, "It is the best time we have yet had," and all will look forward to next year's rewithout free trade have brought us face to face with problems which never entered into Cobden's calculations. We know that the idea of a united empire did not appeal to him, and that he return of the event

PROSPECTIVE HONORS.

Prof. McClellan May be Invited to Play At the World's Fair.

kinsmen. But what would Cobden have said if he had foreseen that the "Young man, where did you get your genius?" asked Director G. W. Parker trades unions whose existence he de-precated would be successful in proof the St. Louis World's fair last evenof the st. Louis world's thir last charactering ing, of Organist McClellan. The party addressed, blushed, "fell all over him-self," and replied that if he had any-thing of that kind, nature must have given it to him. A "News" reporter given it to him. A "News" reporter tecting labor in a score of ways, tend-ing to increase the rate of wages and to raise the standard of living? Would Cobden, as the representative of the manufacturing class, still have mainasked Colonel Parker later at the Knutsford if it was a proper question to ask, about Prof. McClellan's appearing as a soloist at the World's Fair organ, and the colonel said it was, and that tained that while the manufacturer was prevented from obtaining labor at the lowest rate he ought to rest content when the products of for-eign labor, untrammeled by any reguwhile he was not on the music com-mittee himself, he would cortainly hand in the Salt Lake organist's name as ations and legislation to which he has submit, undersell him in his own one of the artists to be invited to play.

"Cobden's scheme was at least con-"He's a clean cut gentleman as well as an artist," said Colonel Parker; "and sistent. It was free labor as well as free imports; but free imports, com-bined with protected labor is neither t is a pleasure to listen to him." The visitor further said that the most noted consistent nor profitable to any of the organists in the world would be invited to play at the fair, and that a large sum of money had been appropriated to make the musical department of Mr. Chamberlain holds that the con-

soling theory that other countries are ruining themselves by bounties and imspecial excellence. port duties hardly concides with the BOTH ARE GONE. practically stationary for 12 years while those of other countries have increased so rapidly that "if the relative progress

Last of the Robbins' Twins Died this Morning-Funeral Tomorrow.

A double bereavement came this morning to the family of Mr. and Mrs.

Ernest Robbins of 543 Flizabeth street. off Eleventh East be ween Fifth and Sixth South streets, in the death of Naomi, the last of their twin girls. Ruth died on Wednesday morning of this week and was buried on Thursday afternoon. Immediately after her de mise Naomi apparently commenced pine and sink, until the end arrived t day, death being caused by brain fey day, death being caused by brain fever resulting from colera infantum. The fwins were born on April 7 last, and thrived nicely until attacked as indi-cated. When their illness came it was very severe and little hope was en-tertained for their recovery although everyther needed on the tast everything possible was done for them The funeral will be hold from the family residence at 12 o'clock noon to morrow, and interment will be in the morrow, and interment will be in t city cemetery. Friends are invited.

CITY'S HEALTH REPORT.

Thirty-one Cases of Typhoid Developed During the Week.

The births reported to the board of health for the week ending Oct. 3 were lates than reported during the preceding week and 9 less than for the same week of last year. Twenty births were report-ed. 9 being males and 11 females. The deaths for the week were 7 fewer than the week before, and 14 less than were reported during the corresponding week of 1981. Of the 15 deaths reported, 9 were males and 6 female. At the close of last report there was near case of scarlet fever remaining in quaranthe; no new cases having been re-ported, and none having been discharged, left the number in quarantine the same us the preceding week. The case of thintheria was reported during the week before. There were two cases of smallpox in manutine at the close of last week three new cases developd during the week three new cases of the far week three one cases of typhold fever were reported during the week

Dealing passionately with the accu- I reported during the week

THE DEAD.

James B. McManus, instantly killed n the co er room. Powell Nell, assistant engineer in

cooker room; laken out dead. James O'Keefe, badly burned all over,

died in ambulance. George Schaeffer, aged 16 years.scalded all over body; died on the way to hospital.

THE MISSING.

John Wilson, government storekeeper, Guy Brenan, yeastmaker. THE INJURED.

Daniel Cashin, both legs fractured. burned on arms, it is thought he will

James M. Welsh, burned on body, not badly, will recover. George C. George, 715 Warner avenue

scalded about head, face, hands and gs, not serious, Charles Lane, 3217 South Washington

street, hands burned, not serious. Unknown man, called the scourer, not seriously

Corning's distillery was a comparatively new house having been erocted two years ago and has a capacity of two years ago and has a capacity of 6,000 bushels per day. It was equipped for the manufacture of the finished pro-duct as well as high wines and alcohol.

MARRIAGE OF RUTH BRYAN.

Will Take Place Tonight at Her Father's Country Home,

Lincoln, Neb., Oct. 3 .- Preparations for the marriage of Miss Ruth Bryan and William Homer Leavitt. #: Fairview, the country home of Mr. Bryan, tonight, are completed. There will be one hundred guests and the affair will one hundred guests and the affair will be decidedly informal. Miss Bryan will meet the guests at the door. She refuses to march to the place where she is to stand while the ceremony is being performed, and at the proper time will simply take her place at Mr. Leavitt's side. Dr. Huntington, chancellor of the Neuroska Washenan university the Nebraska Wesleyan university will be the officiating minister. Telegrams and gifts from many leading politicians and over the country arrived yesterday and today. 'The only relative of the groom who will attend the wedding is his mether, Mrs. A. L. Leavilt, of New-port, R. I. Mr. Bryon has cancelled many lecture and political engagements on account of his caughter's marringe and will barely have time to make a short stop in Ohio wide on his way to New York, where he will take a steam-er for his European trip. He will have tomorrow hight for Ohio.

PENSIONS.

Edward 'A. Grandpre of Utah Granted One of Twelve Dollar.

(Special to the "News," Washington, D. C., Oct. 3 .- Providens granted: Utah-Edgar A. Grandpre, \$5. Idaho-Thomas Hanlon, \$10; Burton O.

Compton, \$5. Mae L. Brown has been appointed post-master at Kirtley, Converse county, Wyo., vice Eva E, Church, rosigned.

hands weapons of retaliation, we should probably be able to bring the world nuch nearer a universal free trade syn tem than it has ever been since Cob den's time? Our free food friends wil Aquiariums Again One of the Lead. have to be a little more definite and more accurate, "They have to explain why the trans fer of taxation, say from ten to bread would be disastrous, though it benefer fited our industries and restored then to something like the relative position which they enjoyed 20 years ago. They will have to decide once for all wheth-er foreign bounties are a blessing or a curse; whether 'dumping' is a phil-antropic operation, whereby foreigners are endeavoring to secure the welfare

giving a man, charged with a crime, a fair and impartial trial by an impar tial jury, which has not been guilty misconduct. Such a right, the co tution of this state gives to him. Such a right, the consti in this instance we claim that he has been denied a trial by a fair and impartial jury, which has not been guilty Mr. Stewart had not concluded his ar. gument when the court took a recess until 2 o'clock this afternoon.