

DESERET EVENING NEWS.

TRUTH AND LIBERTY.

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MONDAY DECEMBER 23 1907 SALT LAKE CITY UTAH

Are You Progressing or Just "Keeping Shop?" In Other Words: Are You Advertising or Not?

SONG IS CHARGED WITH MURDER

Preliminary Hearing of Chinese Who Struck Chung Chun Po On Before Judge Whitaker.

GAMBLING IN PLUM ALLEY.

Song Bong Ser, An Eye Witness of the Affray, Tells How Blow Was Delivered.

Defendant's White Wife Sits at Peril Ease Among Countrymen of Husband and Koreans.

The preliminary hearing of Charley Song, charged with the murder of Chung Chun Po, a Korean in a gambling house in Plum Alley on the night of Dec. 5, was taken up before Judge Whitaker this morning. The complainant in the case, which is sworn to by Son Pong See, charges Song with maliciously and feloniously striking the said Chung Chun Po with a heavy Chinese pipe, from the effects of which blow Chung died on Dec. 11, in St. Mark's hospital. When the Korean died Song was arraigned before Judge Diehl on the charge of murder, but the case was transferred to Judge Whitaker's division of the city court, and the preliminary evidence is being heard this morning.

MANY CHINESE PRESENT.

The court room at the county building was filled with Chinese and Koreans when the case was called at 10 o'clock. Most of the witnesses and the interpreters were Chinese and the lodgings entirely occupied by representatives of the Flowering Kingdom and Plum Alley, who are interested in the case. Charley Song, with his attorney, Walter W. Little, occupied one end of the table, while Asst. County Atty. P. T. Farnsworth, who represents the state in the case, and Scipio X. Arriola, in behalf of the defense, occupied the other end. C. Y. Lee, official interpreter for the state, occupied a place midway between the witness stand and the court stenographer, all in close proximity to and facing Judge Whitaker, the committing magistrate.

SONG HEAP HANDSOME.

Song is a fine looking specimen of the more intelligent Chinaman. His eyes are large, and of piercing black, his face is well formed and altoe; he appears to be away above the average among his Mongolian fellows. His white wife, dressed in a becoming purple costume, sat near her husband during the hearing, and the interest of the spectators was entirely development of the case. She is of prepossessing appearance, having a great deal of auburn hair, pink and white complexion and clear blue eyes. While in a seemingly incongruous position, among the room full of Celestials, Mrs. Song seems to be perfectly at home in their company, and displays great solicitude for her oriental husband.

KOREAN TESTIMONY.

Son Bong Ser, a cousin of the dead man, was the first witness called. It was with considerable difficulty that his testimony was secured, although the interpreter was diligent and apparently anxious to get the facts. Son was in the room where the gamblers were taking place in Plum Alley on the night of the bet, and Charley Song struck Chung with the pipe. In answer to questions propounded by Atty. Christensen, Son Bong Ser, briefly told the story of the quarrel which resulted in the blow which caused Chung's death. He detailed how the men were seated at the table playing cards, how Chung put down a dollar silver piece on the table indicating that he wished only to play half a dollar on the bet, how Charley Song, who was paying, or dealing, after the deal was over, took in the entire dollar and refused to pay any portion of it back, although Chung had indicated with markers that only half a dollar was to be played, and how, when another man at the table also said he knew Chung only paid him a dollar on the bet, and Chung reached out to get his money. Charley Song took the pipe, which was smoking out of his mouth and struck Chung over the head with it, the heavy bowl striking him across the face just below the left eye.

KNEW HE WOULD DIE.

The witness claimed Chung knew he would die as a result of the blow, and that he was so strongly affected by the thought that he did not speak again between the time the blow was struck until he died six days afterward.

"When did Chung say that he would die?" asked Atty. Little.

"When Song struck him," replied the Korean.

" Didn't he say a single word after that until the time of his death?"

"Not a single word," said Son.

DR. S. G. PAUL CALLED.

After an adjournment for five minutes, Dr. S. G. Paul, assistant city physician, was called. He testified to having been called to attend Chung Chun Po at the Korea lodging house on the night of Friday. At that time he made an examination and found a slight abrasion of skin over the bridge of the nose, and a very slight swelling of the left eye.

Dr. Paul visited the patient daily until Tuesday, at which time he had become entirely unconscious and paralysis had developed since Sunday. He did not see Chung afterward.

DR. CALDERWOOD.

Dr. W. H. Calderwood was next called and testified to having performed an autopsy on the body of deceased while it was lying at O'Donnell's undertaking parlor. Dr. Calderwood testified that all the organs of the body except the brain were normal, but upon examining the head a fracture was found over the left ear, one point extending downward toward the eye and another extending backward. On opening the skull a large clot of blood was found resting upon the brain, resulting from a rupture of the sinuses.

"From your opinion of the brain of Chung Chun Po, what would you say was the cause of his death?" asked Atty. Farnsworth.

"He died not a direct result of the injuries received in his head."

Dr. Calderwood was cross-examined, and Dr. J. H. Baker was called. Dr. Baker testified he had been performing the autopsy on Chung Chun Po, and his testimony was corroborated.

CHRISTIAN SCIENTISTS TO SPEND A MILLION

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At the conclusion of Dr. Baker's testimony an adjournment was taken until 2 o'clock this afternoon.

MEMORIAL SERVICES FOR J. G. "BOY" SHIELDS.

Special memorial services were held yesterday in Park City in memory of the late "Boy" Shields, 13-year-old son of Mr. and Mrs. Charley Shields. He died Wednesday, Dec. 11, and was buried in this city Saturday, Dec. 14. As the youngster had been a member of St. Luke's Episcopal church in Park City, and a special favorite of the minister in charge, the Rev. Mr. George, Dr. George arranged for services in loving memory of his dead child. Dr. George delivered the eulogy and in relating little stories of how he and "Boy" met and the friendship between them ripened, tears rolled down his cheeks and he could continue with great difficulty, only. Mrs. Deneweth sang a solo and an enlarged choir rendered appropriate music. Memorial services were given those attending and the little church was filled with young people and old who knew and loved the missing boy.

LIBERTY WARD.

Second Ward Branch Now Organized With Hyrum J. Smith Bishop.

THE DEMOCRATIC NATIONAL CONVENTION HAS APPOINTED DENVER, COLO., AS THE PLACE FOR THE NATIONAL CONVENTION.

French Lick, Ind., Dec. 23.—Chairman Taggart of the Democratic national committee, today issued a formal call for the national convention. The announcement says:

"Each state is entitled to representation therein equal to double the number of its senators and representatives in the Congress of the United States and each territory, Alaska, District of Columbia, Hawaii and Puerto Rico shall have six delegates. All Democratic citizens of the United States, irrespective of past political associations and differences, who can unite with us in the effort for pure economical, constitutional government are cordially invited to join us in sending delegates to the convention."

IN JUDGE DIEHL'S COURT.

Saloon Robber Bound Over—Burglar Gets Hearing.

JUDGE MARSHALL THIS MORNING OVERRULES SECOND DEMURRER OF UTAH FUEL CO.

In Judge Diehl's court this morning George R. Elliott, the man arrested several nights ago by Officer J. M. Lyon on the charge of burglarizing the Court saloon, and who was shot at twice by the officer, was held to the district court on the charge of burglary in the third degree. The defendant was bound over to the trial court.

Thomas Papas, charged with attempting to obtain goods by false pretenses, to commit robbery by common law, and other minor offenses, will be decided by Judge Elliott tomorrow morning.

William Fisher, charged with burglary in the third degree, was given a hearing this morning and held to the district court. Fisher was arrested with one Henry Spitzmeyer for breaking into the Union Storage house in Salt Lake, and the thief was identified as Fisher. Spitzmeyer headed guilty, and this morning took the stand against Fisher. He testified that Fisher entered the warehouse and took \$100,000 in removing the ale. Fisher was held to the district court in default of \$50 bail.

COAL LAND CASES MUST GO TO TRIAL

Judge Marshall This Morning Overrules Second Demurrrer Of Utah Fuel Co.

JUDGE MARSHALL THIS MORNING OVERRULES SECOND DEMURRER OF UTAH FUEL CO.

Judge Marshall this morning made the following order in the case of the United States against the Utah Fuel company:

This cause having been heretofore submitted on demurrer of defendants to the indictment herein, and by the court taken under advisement, now, after due consideration it is ordered by the court that the said demurrer be and it is hereby overruled.

This was the second demurrrer interposed by the Utah Fuel company, and demands such action as taken in the previous order was not taken in the previous order, it is eventually sent to the hearing in the federal court. The matter will not be heard until the April term of court, having been continued until that session. Evidence in the case is now being taken before Master in Chancery S. H. Lewis.

NEW MILITIA CO.

Major Kammerman Musters One In at Richfield.

THE NEW MILITIA COMPANY IS MUSTERED IN SATURDAY NIGHT.

The new militia company of Richfield was mustered in Saturday night by Maj. Kammerman, commanding the second battalion of the First regiment. The company includes 40 men, with these officers: Captain, Lafayette Morrison; first Lieutenant, Leonard Christensen; second Lieutenant, Al F. Cain. As is understood now, the letter "F" will be given to the company leaving "F" for the new Provo company. The new militia company will be mustered in at Goldfield, in the fall of the year.

HOW WASHINGTON VIEWS CONDITIONS IN NEVADA

Washington, Dec. 23.—The appeals to President Roosevelt to have a federal troops sent to Goldfield, in the opinion of White House officials, indicate a desire on the part of those sending them to rely solely on the national government for protection. The position the president has taken in the matter is that the state of Nevada should exhaust every means within its power to settle the situation and that federal interference should be supplemental to the efforts being made by the state. Nothing in the appeals so far received indicate that any steps whatever are being taken by the state. Until this is shown to the president, it is stated that he will not be called to the trial of the miners.

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SENATOR NIXON DROPS SIGNIFICANT HINT.

Washington, Dec. 23.—After a consultation with President Roosevelt today, Senator Nixon of Nevada, expressed it as his opinion that the president could not very well modify his order directing the withdrawal of the troops. The question of having the state take some active part in protecting the interests at Goldfield, the senator said, is under active consideration.

Just what would be the result or what measures are being considered, he said, it would be impossible to discuss.

"One thing is certain," he asserted, "and that is that the Western Federation of Miners will not be known in Goldfield when this trouble has concluded."

NEXT YEAR'S BASEBALL.

New York, Dec. 23.—It is stated that the National league has decided to respect the wishes of the American league and the baseball season will open next spring several days later than it opened last season. Last spring, the first early schedule game was played on April 15, but next year it will be announced that the first regular game will be played April 16. The New York team will train at Martin Springs, Tex., and will play exhibition games with the Dallas and Fort Worth teams.

SHORT SESSION OF PETTIBONE HEARING.

Special to the "News."

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