

# Arguments For The Defense.

Attorney Hoffman and Judge King Review the Testimony in The Kaighn Case—Senator Brown's Scathing Arraignment of the District Attorney—Case Will Soon Go to The Jury.

Most of the morning session in the Kaighn case was taken up by the argument of Attorney Frank Hoffman for the defense. He was followed by Judge King, who had sufficiently recovered his voice to enable him to address the jury, although he was unable to speak yesterday. His argument was brief and forcible and he laid great stress on the plea of insanity, picturing the boy's life and habits from his childhood, how he first acquired the cigarette habit at the age of 10 or 12 years, and how he commenced to use whiskey and alcohol at the age of 15, and how he reached the age of 19, when, by reason of the deadly effect it had upon his mind, he was in a moment of irresponsibility and killed a man. He asked the jury that if, in a view of all those facts, they could say that the boy was sane when he committed the crime and was responsible for his actions.

## SENATOR BROWN'S REVIEW.

In closing his arguments yesterday afternoon Senator Brown reviewed the case of the defendant, beginning with childhood, when the boy, deprived of the guidance of a mother, became addicted to the use of cigarettes and liquor and, through the use of which he became a victim of various descriptions. He told of the assault upon the young woman whom the defendant loved as a sister, and of the discovery of the same by the boy and how he had brooded over it, and how it worked upon his already disordered brain until, in a moment of irresponsibility, he took the life of the man who had attempted the insult to his sister. He asked the jury to consider the sanity of their own homes and deal with this boy accordingly.

## ARRAIGNS DISTRICT ATTORNEY.

In the course of his argument Senator Brown severely arraigned the district attorney for assailing the character of Col. Kaighn and Miss Coates, and for intimating that their stories were concocted and manufactured for the purpose of defense. He also severely arraigned the police force for attempting to wring a confession from the boy. In closing he asked the jury to place themselves in the same position in which defendant was placed on the night of the attempted assault and then decide what they would do under such circumstances. He asked them to be true to the law and true to their hearts in rendering their verdict.

## HOFFMAN FOR THE DEFENSE.

Attorney Frank Hoffman next addressed the jury on behalf of the defense. He had commenced a detailed argument on the testimony introduced at the trial, but before he concluded was adjourned until this morning. Upon the opening of court this morning, Mr. Hoffman resumed his argument. In speaking of the actions of defendant on the day of the shooting, he said that all the witnesses had testified that he was under the influence of liquor or a drug and that when he went into the hardware store, Mr. Fowler, the clerk who sold him the gun, must have known that he was intoxicated, because others saw the boy that day and noticed his wild look. He said that he had seen the boy himself and him selling the boy the gun. The attorney declared that the boy's testimony was false and made it the occasion for convicting the boy.

## BARRETT'S TESTIMONY.

Mr. Hoffman then read from the testimony of Mr. Barrett's testimony on the preliminary hearing in which witness testified that he considered the boy was drunk when he saw him at the hotel that day, and that he must have been responsible for his actions. "The boy," Mr. Hoffman said, "in referring to the testimony of Miss Coates says that her story was concocted. If that story is concocted, tell me, Dennis Eleonor, how can you connect that wound upon the man's arm? There is evidence strong to that effect."

## JUDGE KING'S ARGUMENT.

At the conclusion of Mr. Hoffman's argument, Judge King spoke in behalf of the defense. He said in part: "I am sorry that the prosecution in this case has not been conducted in a fair and impartial manner as it should have been. I think that the duty of the prosecuting attorney is to produce all the evidence which will bring out the facts in the case, whether favorable or unfavorable to the defendant. Why did not Mr. Fowler read the testimony of Mr. Barrett, the state's own witness? Why

# SECY. SHAW WILL BUY BONDS.

Washington, Sept. 25.—The secretary of the treasury has issued the following circular: "By virtue of the authority contained in section 3594, of the revised statutes, notice is hereby given that this department will purchase any of the United States 3 per cent bonds of the issue of 1904, if presented for that purpose on or

did he not call Mr. Gardner, Mr. Henshaw and Mr. Geoghegan, the friends of Mr. Kaighn who took his effects from his person? Is it justice when the honorable district attorney chops out two or three hours in the life of this boy and then asks his expert witnesses to tell what he or not he was sane when he committed the act?"

## CRITICISES POLICE.

"The police department deserves a little criticism from me for attempting to do any means whatever to extort a statement of some sort from this boy. It is not right. It is like the barbarous practice of ancient times when a person was placed in torture to wring a confession from him. There are different kinds of torture, and I say that this boy was tortured by the continual nagging which he received at the hands of the police department."

"There is no dispute in this case as to the shooting. The question is what was the cause of the shooting? Let us take the proof in this case. We contend that the boy was irresponsible. It is a physiological and psychological fact that those who are charged with crime often become so affected that they are irresponsible for their acts. You can't say that the boy, because he acquired habits in his youth which ruined his mind, was responsible for his acts and should be taken out and shot or hanged for this offense. The question is not, did the boy do right in using those deadly drugs? But did the use of the drugs affect his mind?"

"If the boy had, in his youth, received a blow upon the head which affected his mind and made him act queerly and have vivid hallucinations and then later commit such an act as the one charged in this case, you gentlemen would not go through the formality of a ballot, you would acquit him at once."

"We have shown by witnesses who have known and been associated with the boy all his life that his excessive use of cigarettes, liquor and drugs has ruined his mind. The evidence of his school teacher, his boyhood friends and the women with whom he has lived since the death of his mother, and who thought nearly as much of him as they did of their own son, is that his mind has become so affected by his habits that he is irresponsible for his acts."

## AN UNFAIR STATEMENT.

"I want at this time to refer to the statement of the district attorney that Col. Kaighn was the Mephistopheles of this case—the devil incarnate. That statement was unfair. It was an injustice even to the good heart of the man that made the remark, he did an injustice to himself when he said that. If Col. Kaighn had manufactured evidence in this case he could have twisted the statement of Mr. Haynes so that it would have been a dying declaration and thus avoided the lengthy arguments which were indulged in by the attorneys on that point and made doubly safe the statement which meant so much to him."

At this point the court took a recess until this afternoon.

## JUDGE KING RESUMES.

At the opening of court this afternoon, Judge King resumed his argument. He said: "The evidence stands here undisputed that the boy's father and counsel tried for a month to get a clear statement from the boy, but he refused to give any such statement. In view of all that evidence, which is undisputed, you cannot say, gentlemen, that the boy was responsible for his acts on that day. The counsel has said that Mills was temporarily insane and was justifiable for killing O'Melveny. That is a case where a grown man, a man of intelligence, who had been a member of the legislature of Idaho, three days after learning of his wife's infidelity, became temporarily insane and killed his wife's assassin. If that man, under those circumstances, was insane, then these circumstances are insane, under those circumstances, why was this man responsible for his acts? Most certainly you can not!"

## ANOTHER ASPECT.

"Let us look at another aspect of this case. The district attorney would have you believe that there was no assault. He would discredit the testimony of Miss Coates. Why, the testimony of Mr. Traugott, one of their own witnesses, goes to show that there was something wrong between Mr. Haynes and Miss Coates! He says that they were in a room together to find out what the trouble was. He asked her in advance if Mr. Haynes had assaulted her and she gave him no answer, and that is what is printed in the Tribune the next morning. That was enough evidence that something was wrong."

## HAYNES' STATEMENT.

"Then take the statement of Mr. Haynes himself after he was shot. To three or four persons he said that the boy was not to blame and that the man who was sinking into his grave would cover his own name with shame to execute his assailant. This much must be said to the credit of the dead man, that his manhood asserted itself and he spoke out the truth, so that an innocent boy should not be punished. Judge King concluded his argument at 3 o'clock and the court then took a recess of 10 minutes after which District Attorney Eleonor took the floor for his concluding argument."

# IRON COUNTY'S IRON DEPOSITS.

Salt Lake Man Calls Attention to Their Immensity.

## WHAT THE BLOWOUT SHOWS

Estimated That There Are Millions Of Black Magnetic Iron Ore In Sight—Coal There Also.

John C. Cutler, Jr., has returned from a trip to Iron county, more impressed than ever with the importance and promise of the great iron deposits there. He spoke this morning of one in particular, known as the Blowout, 28 miles from the Short Line over a level gradient. This deposit is in the nature of an eruption or upheaval 500 by 1,000 feet and 200 feet high. It is estimated that this vast chunk contains from 7,000,000 to 12,000,000 tons of black magnetic iron ore that has for ages been awaiting the coming of the blast furnace. It was formerly owned by the Taylor estate, but is now the property of the Kimberly syndicate of Sharon, Pa., who have been doing some work there in the way of development, but for the present have ceased operations, as it is now known just exactly what there is there.

There are other valuable local iron claims, including the Chesapeake, the Escudor, the Duncan Nos. 1 and 6, the Pot Metal, Deershot Mound, Black Magnetic, and others. And it is estimated that enough ore is in sight on the surface to last a lifetime, without going down in the ground for more. There is plenty of limestone within easy reach, and fair water can be brought from Pinto, ten miles away, while fine spring water can be tapped at Iron City. There is also a fine article of coal at the distance of 20 miles distant in Cedar Canyon, in fact of a quality resembling Rock Springs coal. Mr. Cutler thinks that \$1,500,000 would set up a large and complete iron plant at the Blowout, having rail connections with the sources of limestone and coal. The iron ore analyzing for first class ores from 70 to 75 per cent, and for second class ores 45 to 50 per cent. Mr. Cutler believes that Iron county will yet become the center of the iron smelting industry of this country.

## BAD CASE IN OGDEN.

Man and a Young Girl Found in a Lodging House Together.

(Special to the "News.")

Ogden, Sept. 25.—About 12 o'clock last night Capt. Browning and Officer Farr arrested a man and a young girl in a twenty-fifth street lodging house. The officers had been shadowing the couple, and located them in the room where they were arrested, having retired together. When summoned to do so they refused to open the door, and it was broken in by the officers. The man, who was dressed in a suit, took them to the police station. The man gave his name as D. T. King, but his true name is T. J. Hardesty, about 35 years old, and proprietor of a Twenty-fifth street restaurant. The girl, who gave her name as Grace Thorn, but her true name is Parker. When seen this morning she frankly stated that she realized what she was doing, and the disgraceful position she was in. That it was the first time she had been in a room with the man, and that they had been in the boardinghouse about half an hour when taken into custody by the police. She also said that she met the man about six months ago, since which time they had kept company together, but were not engaged to be married; that her parents were dead and she had been working in the European restaurant in this city. The girl is rather good looking and appears to have a fair education. The matter has been referred to the county attorney, who will prepare a complaint against the guilty couple.

## WILL CLOSE TUESDAY.

Merchants Generally Fall Into Line With Governor and Mayor's Request.

Messrs. John C. Cutler, J. G. McDonald and J. H. White, the committee of the D. A. M. society having in charge the matter of closing the stores next Friday, went out with the following petition this morning and in two hours had secured the signatures subjoined. They will continue their labor tomorrow:

"Governor Heber M. Wells and Mayor Ezra Thompson having requested the merchants of Salt Lake City to close their stores on Friday afternoon, Sept. 26, to enable their employees to visit the State Fair, we the undersigned, agree to close our store at 1 o'clock on said day."

Z. C. M. L. T. G. Weber, Superintendent; J. H. McDermott, Furniture Co.; James G. McDonald, Candy company; Cutler Bros. Company; R. K. Thomas Dry Goods Company; Walker Bros. Dry Goods Company; S. V. Shelp, Manager; The Lace House, N. A. Rasmussen; J. H. Auerbach & Bro.; Paris Millinery Co.; Lewis Simon, Manager; L. A. Cohn; Big Boston Store; George S. Hoagland, Manager; R. Poulson; George Mullett & Co.; J. P. Gardner; Siegel Clothing Co.; Barton & Co.; Cunningham & Co.; Samuel H. Hill, Manager; Young Bros. Co.; Solomon Bros.; Thirteenth Ward Store; Robinson Shoe Co.; Daynes Music Co.; Gray Bros. & Co.; Hamilton's; W. J. Newman; Vincent-Nott Shoe Co.; P. W. Madden Furniture Co.; Utah Store & Hardware Co.; Consolidated Wagon & Machine Co.

## CHARGED WITH ASSAULT.

This afternoon a complaint was filed in Judge Tanner's court against Vasilios Pappas, a Greek, charging him with making a criminal assault upon Sarah A. Olsen. The case will probably not be called before Judge Tanner until next week. A warrant was issued for the man's arrest, placed in the hands of a deputy sheriff.

# CHILI AND ARGENTINA.

Question of an Alliance Between Them Raised.

## BROUGHT UP BY KORNER.

Is Head of the Chilean Army—He Was Wildly Cheered—Idea Will Be Popular.

New York, Sept. 25.—Beginning with the first speeches made by the Argentine delegates and several Chilean statesmen in the course of banquets and entertainments given to the former, the idea of an alliance between the two nations was suggested indirectly, cables the Valparaiso, Chile, correspondent of the Herald. But at a banquet Wednesday night in Santiago Gen. Emilio Korner, commander of the Chilean army, openly raised the question and advocated the alliance.

After reviewing the struggle for independence, when the armies of both countries fought several battles together, Gen. Korner declared that the fathers of the two nations sought the creation of a United States of South America, which until today had been only a dream, but now has every probability of realization.

"We have seen," he brought about by disunion," continued the general. "We may calculate what good the union of the countries would bring forth. The chief of the navies and the armies of the two countries, sitting around this table, have a brilliant chance to work for the uniformity of the military institutions of both republics."

"We Chilean soldiers raise our glasses, wishing that when territory of either country is threatened, the other might do what she did during the war for independence."

Gen. Korner's toast was wildly cheered. Newspapers and the general public believe, it is believed, warmly welcome an alliance.

## Manchurian Railway Co.

New York, Sept. 25.—The Manchurian Railway company has arranged to secure, says a St. Petersburg dispatch to the Times by way of London, the co-operation of the Russian, railroad, and steamship companies in the establishment of direct communication between Manchuria and the principal Russian points.

Representatives of the various companies appointed to consider the question have decided to co-operate with the Manchurian under the same conditions as those regulating the direct Anglo-Russian passenger traffic. Through communication will be established between the principal stations in Manchuria with the chief places on the Siberian railway and a number of cities of Russia. Through tickets will be issued by St. Petersburg, Moscow and Warsaw and Shanghai and Nagasaki.

## A Mother Commits Suicide.

Chicago, Sept. 25.—Mrs. William H. Bensing has shot and killed herself at her home in Irving Park, leaving motherless her seven children, the oldest of whom is 15 years of age. Her husband went to Los Angeles, Cal., several months ago in quest of health. Since his departure, it is said, the family has been in financial straits. Mrs. Bensing was, according to the Chronicle, with her mother, who is still living, the last of an old American family of the name of Chadwick. Her brother, Capt. Chadwick, served in the Spanish-American war and died near Chattanooga while on his way home at the close of the war.

## Child Killed by Automobile.

Chicago, Sept. 25.—Minnie Brackman, the four-year-old daughter of Mrs. Brackman, janitor of an apartment building, stepped directly in the path of an automobile driven by Vernon Cassard, a board of trade broker, at Garfield boulevard and Michigan avenue, last night and was so severely injured that she died three hours later. Mr. Cassard did not see the little girl until the automobile was already upon her, but he brought the vehicle to a stop in time to save her from being crushed under the wheels.

Cassard, after the accident, went to the fifteenth street police station and surrendered himself. He was released on a nominal bond, but when news was received of his victim's death, detectives were sent out to arrest him, but he might furnish security for his appearance before the coroner's jury, but up to an early hour this morning he had not been apprehended.

## Battles in Acre Territory.

New York, Sept. 25.—The Journal of Commerce publishes a dispatch from Manassas saying that several battles have been fought in the territory of Acre, between the revolutionists under Galavez and the Bolivian forces. The fighting took place on the banks of the Rio Acre, near Antimar, cables the Rio Janeiro correspondent of the Herald. An attack on Puerto Alonso probably has been made already by the revolutionists.

It is reported that Col. Romero, commander of the Bolivian forces was executed several weeks ago. Various Brazilians are accused of being concerned in the revolution. The intention here is to appear to be to start a new republic in Acre.

## Albert Pyrot Released.

New York, Sept. 25.—Albert Pyrot, alias Alfred Pier, arrested here at the request of the San Francisco police, charged with obtaining money under false pretenses, has been released by the police magistrate before whom the case was called. A formal complaint had been made against the prisoner, appended to which was a copy of an indictment warrant, telegraphed from San Francisco, but this was the magistrate's decision.

"We like to be courteous and favor the officials of other states, but it is proper that the complaint be brought here to make out a case. We cannot afford to hold defendants on telegrams as we are likely to be held personally responsible."

## New Allan Line Steamers.

New York, Sept. 25.—According to an announcement by officials of the Canadian Pacific railway, the first fast steamer of the New Allan line to St. John's, N. B., in connection with that railroad, will sail from Montreal on Nov. 6, says a Times dispatch from Montreal. Sailings will be weekly.

# PREPAYMENT OF BOND INTEREST.

Secretary Shaw Puts Out a Circular Concerning It.

## SMALL REBATE REQUIRED.

Two-Tenths of One Per Cent Bonds Must Be Presented to Treasurer Or Assistant Treasurer.

Washington, Sept. 25.—Secy. Shaw today issued the following circular carrying out his announcement of yesterday regarding the prepayment of the interest on bonds of the United States:

In pursuance of authority contained in section 3,699 of the revised statutes of the United States, public notice is hereby given that the interest maturing on the several interest dates between and including Nov. 1, 1902, and July 1, 1903, on the registered and coupon bonds of the United States, will be prepaid with a rebate of two-tenths of 1 per cent per month on the amount prepaid under the following conditions:

Owners of registered bonds desiring prepayment must present their bonds to the treasurer or some assistant treasurer of the United States, who will stamp on the face of the bonds the fact of such prepayment, and return them to the owners with the interest for the periods above mentioned, less the rebate. National banks owning bonds deposited with the treasurer of the United States to secure circulation or deposits may obtain prepayment upon application to the treasurer of the United States. The bonds so held, upon which interest is prepaid, will be stamped as above indicated. Coupons maturing upon the dates included in this circular may be presented for prepayment at the office of the treasurer of the United States or any assistant treasurer.

In calculating the amount of rebate to be allowed, any fraction of a month will be reckoned as a full month and the rebate for such fractional part of a month calculated as a full month will be retained by the United States. Prepayment under this circular will begin Wednesday Oct. 1, 1902, and continue until Nov. 30, 1902, but prepayment of interest on registered bonds of the issues of 1904, 1908 and 1925 will not be made while the books of those issues are closed.

## BRYAN SPEAKS

AT GARNET, KANSAS.

Garnet, Kan., Sept. 25.—W. J. Bryan spoke to 1,500 people here this morning from the rear end of a Santa Fe train on his way to Kansas City. His theme was the congressional election. He said the Republicans desired to secure a majority in the next Congress so they could pass the Fowler bill which he declared is designed to repeal "the Declaration of Independence and give the trusts an opportunity to loot the Philippine islands."

He said the Republicans desired to secure a majority in the next Congress so they could pass the Fowler bill which he declared is designed to repeal "the Declaration of Independence and give the trusts an opportunity to loot the Philippine islands."

The officers elected were: President—John Marshall, Jr., Chicago.

Vice President—H. R. Lowden, Minneapolis.

Secretary—D. S. Wagner, Chicago.

Treasurer—W. R. Townley, St. Louis.

Negro Kills a Janitor.

Chicago, Sept. 25.—John Daly, janitor of an apartment building in Cottage Grove avenue, was fatally stabbed last night by a colored man, name unknown, who was formerly janitor of the same building. The colored man had demanded of the janitor some money, which he asserted had been left there by him. Daly refused to admit the negro to the basement and he then went to the flat occupied by the owner, P. Giesbach, and demanded his demand. The men quarreled, and Daly, who was interfering on behalf of his employer, was invited to go to the rear of the building and fight it out. He accepted the invitation and an hour later his employer found his dead body lying in the back yard. He had been stabbed in the neck and had bled to death. His assailant has not yet been captured.

To Investigate American Methods.

New York, Sept. 25.—Alfred Mosely's recently selected industrial commission will, it is expected, leave here for New York about the end of next month, to inquire into the conditions and methods of labor in America, funds the London correspondent of the Tribune.

## IMPORTANT DIPLOMATIC APPOINTMENTS.

Washington, Sept. 25.—The following important diplomatic appointments have been announced from the state department:

Charlesmagne Tower of Pennsylvania, now ambassador extraordinary and minister plenipotentiary to Russia, to be ambassador extraordinary and minister plenipotentiary to Germany.

Robert S. McCormack of Illinois, now ambassador extraordinary and minister plenipotentiary to Austria-Hungary, to be ambassador extraordinary and minister plenipotentiary to Russia.

Bellamy Storer of New York, now envoy extraordinary and minister plenipotentiary to Spain, to be ambassador extraordinary and minister plenipotentiary to Austria-Hungary.

Arthur S. Hardy of New Hampshire now envoy extraordinary and minister plenipotentiary to Switzerland, to be envoy extraordinary and minister plenipotentiary to Brazil.

These appointments are to take effect when ambassador White leaves Berlin in November.

# Gov. Salazar Makes a Protest.

It is Against Landing American Marines at Panama—He Takes a One Sided View of Matter—Under Convention Of 1846 With New Granada the United States Guaranteed Free Transit Across the Isthmus.

Washington, Sept. 25.—In regard to the protest against the landing of American marines on the isthmus made to Commander McLean of the Cincinnati, by Gov. Salazar of Panama, on the ground that the Colombian government has ample force to protect the lives and property of foreigners, it is pointed out here that the governor's argument takes in only one-half of the main treaty obligations with regard to the isthmus, assumed in the convention of New Granada, signed in 1846 by the United States and Colombia.

The dominant factor which influenced the landing of the marines was the obligation which the United States took upon itself by the treaty of 1846 in these words:

"The United States guarantees positively and efficaciously to New Granada, by the present stipulation, the perfect neutrality of the before mentioned isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists."

Furthermore, in respect to the governor's reported declaration that he considered the landing of the United States naval forces an attempt to assume the sovereignty of Colombia, attention is directed to this declaration in the same paragraph of the treaty: "The United States also guarantees the rights of sovereignty and property which New Granada has and possess over the said territory."

A PROTEST FROM ARGENTINA.

Buenos Ayres, Sept. 25.—The *Prinza* (Press) a daily paper of this city, publishes today a very violent article calling attention to the alleged violation of the United States towards imperialism, which it says is illustrated by the landing of American marines in Colombia and protests energetically against it. The paper says the United States "does not exercise any political protection over South America, which will never accept European or North American intervention in its affairs."

The *Prinza* concludes with saying the Argentine government should make an inquiry into the matter and find out the real character of the aims of the United States so as to inaugurate a diplomatic movement and prepare for defense and destroy the idea of the possibility of an intervention.

# CALL MONEY DECIDEDLY EASY.

Opened at 14 and Declined to 12—Stock Market Displayed Unmistakable Strength and the Situation Financially Very Materially Improved.

(Special to the "News.")

New York, Sept. 25.—Unmistakable strength was manifested in the stock market this morning and the situation seemed to be materially better. The opening showed advances generally and the feeling was more hopeful than the worst had passed; none looked for any

very pronounced ease in money but there was a relaxation of the stringency that helped very much. Call money was decidedly easier today opening at 14 per cent and declining to 12 per cent there was no particular abundance of money but there was a tendency during the first hour to put up the rates.

# LEGISLATURE MAY BE SOME SHY.

Unless Senatorial Districts Move Quickly, it is Feared Their Certificates Will Not Be Filed by October 4—Some Concern Over It.

The announcement was made today that unless some districts moved with alacrity there would be a scarcity of men in the next state legislature. The law requires that in districts where more than one county is involved all senatorial certificates must be filed with the secretary of state not later than Oct. 4. As there are yet a number of districts to hear from, some of which

have not yet made their nominations, the situation appears more or less alarming. Where only one county is involved the law requires that such certificates be filed with the county clerk not later than 15 days before election so that in such cases there is yet ample time in which to place their certificates on the ticket. This is a matter of great importance and one that should receive attention ere it is too late.

# REFUSED TO TAKE THE OATH.

Manila, Sept. 25.—The transport Sheridan from San Francisco arrived here today. She called at the island of Guam and brought 55 political prisoners who took the oath of allegiance to the United States. Mabini the former president of the Filipino supreme court, and a Filipino minister of foreign affairs, refused to take the oath, and was kept prisoner at Guam.

No decision has been arrived at regarding Mabini, but he will probably be left at Guam indefinitely.

## PRESIDENT'S PROGRESS VERY SATISFACTORY.

Washington, Sept. 25.—The condition of President Roosevelt's injured limb is considered satisfactory by his physicians. There has been no appreciable variation in his temperature since yesterday and after the examination of the wound this morning by Drs. Rixey and Lang, it was announced that the president was progressing favorably.

The inflammation around the wound is slowly subsiding. This morning the president sat up on a lounge in his room, read the papers and attended to some executive business.

None of the members of the cabinet called before noon and no visitors were admitted to his room. The president is observing strictly the injunctions of the physicians for absolute rest and quiet, although the inactivity is exceedingly irksome to him.

Much of the time of Secy. Cortelyou and the White House force is employed in explaining to committees in the places which the president was to have visited on his western trip, the keen regret which the president expressed on being obliged to abandon his journey. To some of these letters the president is giving his personal attention.

Dr. Lang, who was here yesterday, and today has in no wise affected the president's spirits, and he is as cheerful as possible in his enforced confinement.

Terre Haute, Ind., Sept. 25.—The grand circuit trotting races have been postponed until tomorrow on account of the condition of the track. The first race will be called Saturday morning.

The directors have made a contract with M. E. McHenry to start Dan Patch against the world's pacing record (1:59) Oct. 8.

## JUSTICE BREWER BURNED.

Caused by Using Gasoline to Start a Brush Fire.

Boston, Sept. 25.—A special to the Herald from Burlington, Vt., says: Justice David J. Brewer of the United States supreme court was badly burned about the face and hands at his sum-

mer home at Thompson's Point, Lake Champlain, last evening. Judge Brewer has remained longer at the point than have the other cottagers, and was cleaning up some brush about his cottage, Liberty Hall. He used a small amount of gasoline to make the brush burn and was in the act of lighting the pile when the accident occurred. His burns were promptly attended to and with good nursing he hopes to be out in a few days without scars.

## Soldiers Guard the Works.

Lebanon, Pa., Sept. 25.—There is no sign of a settlement of the strike at the American Iron and Steel company's plant. The modified offer of the striking employees includes the discharge of the southern negroes required that such take the strikers' places, to this President Steinberg has so far refused to accede. It is rumored that Pinkerton detectives had arrived to investigate the promiseous showing. It is said they may cause the arrest of inmates of houses near the works and cause them to explain why pistol shots issued from their homes Sunday and Monday nights. There are now about 1,250 men and boys at work at the plant.

The men who remain out number about 800. Soldiers are guarding the works and all is quiet.

## Passenger Shoots Conductor.

Canton, O., Sept. 25.—James Shettler, aged 42, was shot and probably fatally wounded today by Melvin R. Smith. Shettler was a street car conductor and Smith was a passenger. They had a controversy about closing a window.

## Flood Sweeps Sicilian Town.

London, Sept. 25.—A dispatch from Rome today announces that a severe cyclone has swept over Catania, a city on the east coast of Sicily. Catania is flooded and many houses, including the Villa Bellini, have been damaged. The railroads have suffered seriously. The cyclone also wrought havoc at Modica, a town of Sicily, where several persons were killed. Mount Aetna shows further signs of activity and the volcano of Stromboli is still active.

## Mrs. A. C. Pillsbury Dead.

Minneapolis, Sept. 25.—Mrs. A. C. Pillsbury, widow of the great flour miller, who died several years ago, died early today of pneumonia, aged 67.