of Latter-day Salata THE DESERET EVENING NEWS.

TRUTH AND LIBERTY

WEDNESDAY, JANUARY 22. 1902. SALT LAKE CITY, UTAH.

VIL-SECOND YEAR

HAPPENINGS ON FATEFUL MURDER DAY.

Manager George Ernest Romney Makes Detailed Statement of Occurences Between Mortensen, Hay and Himself on Evening of Tragedy-Instructions to Secretary Not to Receive the Money Were Most Positive in Their Character -Accused Was Very Nervous After Hay's Disappearance.

visoner Had a More Care-1 worn Look Today Than at Any Time Since his Arrest-Testimony of Mr. Romney Seems to have Made a Great Impression Upon Him--Chinese Colony Anxious For a Place in the Court Room-Evidently Fearful that Some Sort of Blame Will be Attached to the Lone Chinaman Whose Hut Stands Near the Spot Where Hay's Body Was Found-Hearing Drags Slowly Along.

Public interest grows apace in the rtensen-Hay murder case. The same owds that pushed their way into the City and County building yesterday mana present again today in augmented numbers. That is, there were more isitors on and about the grounds and n the corridors and hallways. It would not be a correct statement of he facts to say there were more in acal attendance, for it would be a ifficult matter for more people to be crowded into the court room today than t contained yesterday. Early today Judge Nielsen found it

cessary to call attention to the damage done to the seats in the court room esterday by men with greater weight and curiosity than dignity. He re-

This was objected to by counsel for defense but Justice Nielson held that the question and answer were both proper as they related to a direct conversation with the defendant. The witness continued:

"Can you recall anything of importance that occurred at the time, or state anything that occurs to you in connection with this matter?"

This was objected to by counsel for defense, who urged that something definite should be shown with refer-ence to time and place. The objection was overruled and the witness said. "That night I turned to Mortensen and said. "Patar under no discusse

and said: 'Peter, under no circumstances are you to pay this money to-night. To James Hay I said: Under no conditions are you to receive this money tonight. If Mr. Mortensen is fooligh enough to have such foolish enough to have such a targe sum of money on hand and run the risk of losing it he can do so another night but the Facific Lumber company can bot run the risk sum or more than the not run the risk even for one night, and don't you get it until morning." "During the writing of the receipt where was the defendant?"

"He was sitting at my desk, and then we both went over to Mr. Hay's desk and we all examined the receipt. We found it was all right and I went to the safe and got the note and gave it to Mr. Hay, who placed it with the receipt and then put both in his pocket. We all walked out of the office and up the street together until we came to the Valley House and Mr. Hay said his car was coming. It was chilly that evening and I did not wait for their car but said I would go on home. 1 left Hay and Mortensen walting for the

"Going back to the signing of the note, did you notice anything peculiar about Mortensen-about his actions?" Attorney Stewart jumped to his feet and vigorously objected to the question and County Attorney Christensen stated he would withdraw it. He then asked

"What, if any, action did you ob-"He examined the receipt and note

critically. "Where was Mortensen when Hay put the note into his pocket and what was he doing?' "He was standing at my desk look-

ing at Hay." "When next did you see the defeniant? "On the morning of the 17th." "I will ask you first whether you heard from him before you saw bim."

"Yes." "How?" "About 10 o'clock Mortensen rang up

and asked me if I had heard anything from Jimmy." as he could. "Mortensen asked me if I had seen Jimmy and I said, 'No, I have not; this is not a matter to fool about, Peter, and for God sake come down and keeping all that money in his house, and he said he wanted to surprise us see me at once.' He came down and told me that Jimmy called at his house by paying it all at once." "Where did defendant say he last the night before and told him that he called for the money because he was nervous about it and thought Ernest would be worried about it, too. I asked saw Mr. Hay?" of his kitchen and let Mr. Hay out, but didn't remember how far he saw him him why he had paid the money when had expressly commanded him not after that.' to pay it under any circumstances, and Mr. Romney was then cross-examined he said, 'Oh, I don't know; I don't know.' He then said he offered to go Attorney Barnard Stewart for the defense. with Hay up to my house but the lat "How long have you been connected ter would not let him. He said he paid Hay the money in \$20 gold pleces, and with the Pacific Lumber Co.?" "About nine years." that they were sitting on a settee. "What position have you held with asked him more particulars about it and he said that they had the money your company "Vice president, manager, and treasbetween them and as he counted it out urer. Hay began putting it in his "Do you handle all the money?" "No, sir, Mr. Hay handled the mone put it in different pockets, he said. What was his appearance that mornwhile he was there. "How long have you known Mr. Mor-This was objected to but the objection tensen?" "About five years." was overruled, and Mr. Romney an-"Where did you get acquainted with swered that Mortensen was "quite agitated. Counsel for the defense asked that 'In the company's office in Sugar the answer be stricken out and he ob-House ward. jected to it. This objection was over-Was he subsequently employed by ruled also. Mr. Stewart said the wit vou? "Yes, sir, he did some contracting and drew some plans for us." ress was not able to state or testify that a man was agitated. Mr. Christensen then wanted to know if a man could "How long did he work for you as a wage earner?" "Not very long, for we lost money on not tell whether a horse was going slow or fast if he saw it. The court interposed a word here and the case one of his contracts, which made us was proceeded with. feel rather bad towards him, so we didn't keep him very long.

der of Hay. The first question asked | ble other than that you have already this morning was: | stated?" Mortensen told my wife about Hay and the money. On the way to town Mortensen said to me, 'Oh, Ernest I

have such a pain in my head,' and I said to him, 'Peter that pain will never leave you until this matter is cleared up.' He turned to me and des manded to know what I meant." Witness said when they got back down town they met James Sharp and it was decided to go out to Forest Dale. "Heber Sharp, John C. Sharp, James Sharp, Peter Mortensen, Detective Sharp, Peter Mortensen, Detective Sheets, Mrs. Mortensen and Mrs. Henry Mortensen and myself were all in Pe ter Mortensen's house together. There Mr. James Sharp became very much agitated and usked Mrs. Peter Mortensen what she knew of the case. said that some money had been paid to Hay. Mr. Sharp asked her for the receipts and she went into another room, I don't know where, and got the receipt. Mr, Sharp turned to Heber and asked him if the signature on the receipt was Jimmy's, and he said it was. Mrs. Mortensen said she did not see any money about Hay when he was.

passed out. During this long recital the accused

man sat eyeing the witness apparently in great suspense. During the men-tion of the dinner at Mr. Romney's residence the defendant shifted uneasily in his seat and began twitching his hands. Whenever any reference Hay to the promissor, you would con-sider that act as strong evidence that was made to the conversations had in it was paid as if it were marked so, wouldn't you?" the office of the lumber company at different times, and inciden's that oc-

curred there, Mortensen listened intently and on several occasions took copious notes. noon recess. "Then we passed into the middle The Elder Mortensen Permitted to

"Then we passed into the middle room and Mr. Mortensen sat down on the settee where they counted out the money and handed it to Mr. Hay, who checked it and put it in his pockets. When asked where he kept the money, he said that he kept it in the cellar and part of it was in an old sack and that he went down and got it." "State whether or not he stated whereabouts in the cellar he kept whereabouts in the cellar he kept

the money' "I don't remember that he did." "How large was this settee?" "It was small so that when two of us sat on it our knees rubbed togeth-

Did Mortensen state to you where he

had gotten the money?" "No, he said that he had been getting it together for some time "Did defendant say anything about wanting to surprise you in regard to

PRISONER MEETS HIS FATHER IN THE COUNTY JAIL.

Mortensen met his father in the county jail at noon today. It was the first time they had seen each other since the tragedy. The meeting was remarkable for its formality and lack. of demonstration. For weeks the prisoner has been anxiously walting the arrival of his parent. The father came in on the morning train from San Francisco and went at once to the City and County building where the hearing was in progress. The old gentleman made himself known to the officers and asked to be admitted to the court room but was denied the privilego as it was thought his sudden appearance would create a scene that would interfere with the proceedings, for a time at least.

Henry Mortensen, however, learned of their father's presence and left the building with him. During the hour for luncheon Mortensen was locked in his cell as usual. Shortly after entering it his father was shown up the stairs and taken to the iron compartment occupied by his son. The latter arose and extended his hand through the grating and spoke in a low tone. Just what passed between them beyond the fact that he admonished his father not to believe what he had heard concerning him, but to reserve his judgment, is not known. The prisoner was then given his meal which he ate alone. It is a noticeable fact that his appetite is less keen than it was a few days ago. He also exhibited more nervousness today than at any time since his arrest. It is claimed that he was greatly disturbed by the testimony of manager Romney, of the Pacific Lumber company. Mortensen has listened to it with colsest attention during the whole of the day and evidently realizes that the colls are being drawn around him much more tightly than he thought possible. This afternoon his father was admitted to the court room and occupied a seat at his side.

and Mr. Hay, until about 8 o'clock?" acted contrary to your instructions, did

Stewart

tained

"Yes sir." "And you went over the accounts to-"Yes, sir, contrary to our explicit instructions and against my particular instructions in this case." rether and agreed that he owed you about \$3,900?" "A promissory note isn't delivered to the promissor until it is paid, according

"Mr. Mortensen gave you an order for about \$199, did he not?" Yes siz

"And had Mr. Hay make out a re ceipt for the balance?" "Then if Mr. Hay delivered to Mor-

tensor the receipt, together with the note, and Mortenson paid him the \$3,800, then you would consider that the note had not been paid because it was not The Salt Lake Amusement association is suing M. E. Mulvey in the dis-trict court for \$500 for moneys had and received for the benefit of the plaincancelled on its face, would you?" County Attorney Christensen object-ed to the question on the ground that iff, no part of which has been paid o it. And a second cause of action is alleged claiming \$420, for rent of part of the Grand theater which Mr. Mulit stated a supposition not true. "What is that?" asked Attorney vey used as a private residence for about eleven months.

"That Peter Mortensen paid James R. Hay \$3,800," said Mr. Christensen. Objection to the question was sus-

tained. "Now then you examined"this receipt carefully, did you?" "Well, yes." "Now, Mr. Romney, did you give a receipt for this \$107?" "No, sir: I simply took the order." "Who pinned the receipts to the note?"

note "Mr. Hay." "Did you tell him to?" "No. sir.

his usual place beside his attorneys. He was followed shortly by his brother Henry and his father. Father and son "He put the note in his pocket?" "Yes, sir."

'What time did you go to the police **TO OPEN LANDS** 'About 11 n'clock," Shortly before 4 o'clec's at the time of closing this report, a recess was an-nounced for the purpose of taking a photograph of the court room, includ-ing judge, lawyers, prisoner and spec-**IN RESERVATION** ADDITIONAL PARTICULARS. Further testimony in Mortensen case and snapshot likeness Bill for Such Action Introduced in House of prisoner on page 8.

His Wife Left Him.

A divorce suit was filed in the Dis trict court this morning wherein John M. Hamilton is plaintiff and Sarah S Hamilton is defendant

tators.

The complaint alleges that the partles were married in Belfast, Ireland, in October, 1887, and have five children as issue of such marriage. Mr. Ham-ilton claims that on the 20th day of March, 1900, his wife wilfully and with out cause deserted and abandoned hin and took her children and went to Og den to live, and has, ever since ne, continued to live anart from him And that she has allenated the affec-tions of the children from him, for all of which reasons he asks a decree of divorce.

Wants His Money Back.

Thomas Busby is suing the Century Gold Mining company in the district court for \$603.75 for money loaned to de-fendant for the purpose of developing its mining claims. Plaintiff, claims that the company promised to pay him out of the proceeds of the mine, and that it has produced considerable ore, but has refused and failed to pay him, for which he asks judgment in the sum above

Complaint in Intervention.

The George M, Scott-Strevell Hard-ware Co. filed a complaint in interven-tion today in the case of Wood Grocer & Produce company vs Butterfield Min-ing company et al. Plaintiff claims to have supplied the defendant company with goods, wares and merchandise to the value of \$1.871.98 and prays judgment for that amount.

Suing M. E. Mulvey.

AFTERNOON MINING CALL. Mining Stocks Still Continue to Shrink

In Market Value.

This afternoon, with few exceptions. mining shares were quoted at figures lower than those which ruled at the morning call. Daly-West was stronger as was also California and Century. Ajax remained about stationary this afternoon while Carisa fell off about 4 cents a share. May Day ruled around Boss Tweed at 50 and Uncle Sam RIOT AT A CONFIRMATION. | BRICHT COLORS RESUMED consolidated between 55 and 51½. Star consolidated was traded in between 30 and 29 and 500 Ben Butler brought 13. Century commenced at 20 and sold 25 on transactions totaling 6,300 Anti-Ritualist Crusader Kicks Up a Row at a British Royal Court Has Doffed Its Cloth of shares. The following sales were re Aiax-1.500. 33@34. Carisa-7,300, 42%@43. Consolidated Mercur-250, \$1.46%@

And Senate Today by Messrs. Sutherland and Kearns.

HISTORIAN'S OFFICE. Church of Jesus Christ .

(Special to the "News.") laws of the United States, select said Washington, D. C., Jan. 22 .- Representative Sutherland introduced the following bill in the House today:

"That the secretary of the interior is directed to require to be selected by the members of the tribes of Indians occupying the Uintah Indian reservation in the state of Utah, from lands within said reservation, as follows:

"By each Indian being the head of a family, 160 acres; by each Indian not being a member of a family receiving on allotment through the head thereof. forty acres.

"Each of said selections shall be in a single tract and in legal subdivisions of not less than forty acres; and the same, upon selection, shall be set apart and allotted to said Indian for his perretual use and benefit.

"Said selection shall be made within

tix months after the passage of this act, and if there shall be a failur upon the part of any of said Indians t make such selection within the said time, the secretary of the interior shall cause a selection to be made for each Indian so failing and thereupon the same shall be set apart and allotted as herein before provided. When said selection shall have been

made the whole of the remaining lands in said reservation shall be open to entry and settlement under the home-stead laws of the United States, except the mineral lands, which shall be ope to occupation and entry under munici-pal laws: provided, however, that al lands entered under the homestead laws shall be paid for at the rate of \$1,25 per acre. All moneys realized therefrom, together with all moneys therefrom, together with all moneys realized from the sale of mineral lands, shall be held in trust by the treasury of the United States for the use of said Indians; and the same shall draw in-terest at the rate of 4 per cent per an-num, and the whole of the principal and interest shall be expended for the benefit of said Indians under direction of the secretary of the interlor; and provided, further, that the state of provided, further, that the state of Utah may, within six months after the completion of allotments provided for by this act, and before said lands be-

Religious Ceremony.

eral to Clear Hall.

London, Jan. 22 .- The ceremony of the

confirmation of the Right Rev. Charles

Gore as bishop of Worcester at the

lands or proportion thereof to satisfy grants to said state upon payment therefor by said state at the rate of \$1.25 per acre; and provided, further, that when surveyed, sections 16 and 36 in every township of the said reserva ton is hereby granted to the state of Utah for the support of common schools in said state under the same terms and conditions as other school lands have been heretofore granted and are now held. And wherever said sections 16 and 36 and portions thereof ave been selected by any Indian for cliotment or are mineral in character, the state of Utah may select other lands in such equivalent quantities as to indemnify therefor in legal subdivisions of not less than forty acres un-der such provisions as the legislature of the state has provided or may here-after provide, which said indemnity lands are thereupon granted to the said state. A similar bill was also introduced in the Senate by Senator Kearns today.

NUMBER 53

HEYWOOD NOMINATED.

The name of B. B. Heywood has been sent to the Senate for confirmation in his appointment as United States marshal for Utah, PENSIONS.

Increase of pension, Mexican war granted James V. Williams, Monroe, \$12.

POSTMASTERS.

Utah postmasters appointed-Loa, Wayne county, Michael Hansen, vice N. L. Sheffield, removed; Westwater, Grand county, W. J. Darrow, vice Ed-ward Price, removed.

SALT LAKE VISITOR.

J. C. Schwartz of Salt Lake is here on his way to New York.

WANT RETENTION.

Senator Rawlins has received a peti-tion from the mayor of Provo and other citizens, asking him to use his influence in having D.A. Dunning and ., A. Bosh-ard retained in position in the census office.

MAIL CARRIERS.

Raymond Bachman, W. T. Brickey and W. D. Miller have today been ap-pointed regular letter carriers, and Geo. completion of allotments provided for by this act, and before said lands be-come subject to settlement or posses-sion under the homestead and mineral

Mourning.

Services Commemorative of the Death

Of Queen Victoria Held in Lon-

don and Berlin.

London, Jan. 22 .- The first anniver-

sary of the death of Queen Victoria

today was marked by commemorative

services throughout the United King-

dom and the colonies and at the British

At Windsor, King Edward and Queen

Alexandra, most of the other members

of the royal family, Lord Salisbury,

embassies and legations abroad.

inded those present that the furniture in question was the very best, and that it had been badly scratched and broken by the spectators climbing and standing upon it without regard to consequences. A repetition of that offense, the court said, would result in arrest and prosecution.

When the court room doors opened at \$10 this morning there was a scramble the like of which was probably never seen in a local hall of justice . In five minutes every seat was occupied and every available foot of floor space found some person standing upon it. By far the greatest number of those who crowded their way through the doors first, were the ladles. Many of then had taken up positions in the corridors long before the men commenced arriving, so that when the doors swung backward they had the right of way and maintained it.

Mortensen showed a condition bordering on palor and nervousness that intreased in intensity throughout the day. The presence of his father did not appear to encourage him in the least. Practically his whole attention was devoted to listening to and taking notes of the testimony of Mr. Romney.

A coincidence that was regarded as mmewhat strange by close observers was the fact that Richard Watkins, Mortensen's brother-in-law, occupied a seat alongside of County Attorney Christensen. This was construed by uninformed persons as meaning that the latter had joined forces with the prosecution. This conclusion, however, It is officially claimed is unjustifiable, the statement being made that it was a coincidence wholly without signifi-

To illustrate the fact that all classes the community are interested in the receedings if is only necessary to cite an incident that occurred in the hall-may. A number of Chinamen were jabbering away in their native tongue and occasionally breaking out in a jargon af pigeon English that was well night incomprehensible. They were regret-ting the fact that they were unable to acute admission to the court room. Finally the most loquacious one of the lot, the one who in this particular in-tance, was the pilot of his countrymen. Approached Officer J. D. Brown and offered him a \$5 bill if he would get seats of them. Whether they were un-der the impression that the Mongolian whose hut is so close to the grave where Hay's body was found, and whose aprehensible. Hay's body was found. tame was so frequently mentioned in the earlier stages of the mystery, will in any way be involved, is a question It is thought they are fearful on this to a thought they are rearrant on rea-ton why they should be. It is more than passing strange, however, that the nese colony should exhibit such unusual interest in the developments of

Shortly before 4 o'clock this afternoon A recess Paper photographer to focus his afternoon paper photographer to focus his cam-was very meter of the cowd. This proceeding was very quietly and emphatically (b)-fected to by Mortensen. But his pro-nounced dislike was without avail, and the photograph man did his work des-plte the prisoner's protest.

TODAY'S PROCEEDINGS.

Manager Romney Put on Stand This Morning and Remained All Day.

At 10:16 George E. Romney, manager 10 of the Pacific Lumber company, was re-called to the stand by the state. When the "News" report closed yesterday af-ternoon Mr. Ronney was giving testi-mony in relation to Mortensen's visit to the office on the evening of the murout of the record.

"As people came into the office," con-tinued Mr. Romney, "I told them of Hay's disappearance and of the fact that on the night before I had com-"Did you employ him again subseiently' "Yes, about three years ago we employed him on the Emerson school house contract." manded Mortensen not to pay the money that night, and Mortensen cor-"When you employed him that time roborated what I said. I then tried to you were satisfied with his work, were communicate with my father and Mr. you not?"

James Sharp and in about twenty minutes we went towards the Deseret Na-tional bank. As we were walking along tract on account of his figures." "Well, how long was this second term of employment?" Mortensen turned to me and said: anything has happened to Jimmy shall always feel I am to blame for paying that money and, Ernest, I will do all I can to help you." from you?" "About one and a half years ago."

"We went to the bank and soon Mr "Did you ever have any hesitancy in Sharp arrived and I repeated to him the conversation I had had with Morletting him have material? "No, sir, we never refused to let him tensen and Mortensen said what I said have material." "Have you ever recommended him to parties intending to build?" was right. Mortensen told Mr. Sharp that Hay had called at his plac night before and got \$3,800. Mr. Sharp said he thought the best thing to do Yes, sir, to several persons." "Have you received inquiries as to his was to inform the police and Morten-sen and 1 went to the police station honesty and integrity?" 'Yes, sir, we have recommended him and saw Chief Hilton. There Morten-sen told the chief about paying the as to those qualities. "You recommended him to John C. money to Hay, and said that Hay had Shar did you not? not been seen since. He told the "I don't think I did; Mr. Hay may chief that Hay said to him. the

"Didn't you recommend him to Mr fendant, that he would take the money up to my place that night. Then we Sharp as to his integrity?" went to see Hay's brother-in-law, Mr. Rogers, and I told him of the affair "I think not; I recommended him as to his ability only. and Mortensen again corroborated my story. After that we went to the "Did Mr. Hay handle all the compa

ny's money, collect it, give receipts, make deposits, etc.?" Oregon Short Line railroad depot to see if Hay had left on the 10:50 train of 'Yes, sir.' the night before. Then we went out to Forest Date. Those on the car with "Did you always examine a not when it was paid?" "Yes sir, when I was in the office I did, but Mr. Hay would attend to such were Mortensen, Rogers and He her Sharp. On the way out we met Mr. James Sharp and his daughter.

"You know that if Mr. Hay delivered the note which was identified by you Mrs. Hay, coming in on the car and we returned with them. At Third we returned with them. At Third South and Main street Peter Mortensen lifted one of Mrs. Hav's little children from one of Mrs. vesterday, to Peter Mortensen on night of December 16, that it was paid from one car to another. Then I ask and he received the \$3,800, don't ed Mortensen to go up to my house with me and have dinner. He con-sented to go and while at the dinner table he did not remove his over coat "Yes, sir, I know that If he delivered that note marked pald on the face, that

it was paid. "How do you know that?" "Because I have perfect confidence in James R. Hay and know that he would but sat sideways at the table and did not eat much. He appeared to be very

nervous." On motion of counsel for defense, the last sentence was stricken never deliver it marked that way unless it was done." "If he delivered that note to Peter

"No, we lost about \$3,000 on that con-

"When did he start to buy materials

"About six months."

"Was anything said at the dinner ta- Mortensen without marking it paid, he i

did not shake hands, but they pu their chairs up close to each other and paying the money?" "For six weeks before that time for several minutes engaged in earnest conversation. Two of three times the kept asking him for money every time I saw him and told him not to wait elder Mortensen leaned over in his chair and gave his son a searching look until he got it all, but to pay as much as though trying to penetrate the se crets of his soul, and then "On that Monday night, did he say anything about surprising you?" "I told him that he shouldn't have

resume his former position and his face assumed an expression of sadness that touched the hearts of those who nowaited so long and was foolish for ticed it. The alleged murderer manifested pro

to the rules of your company, is it?"

"No. sir, I would not."

"No, sir, it is not." "Then if a note was delivered by Mr.

Further cross-examination of Mr.

lomney was continued until after the

FATHER IN COURT.

Sit by His Son This Afternoon.

The crowd this afternoon was larger,

f possible, than it has been at any pre-

vious session of the hearing. By 1:30

the aisles were so jammed that hardly

another person could get inside the

coom. Justice Nielson again had to ad-

nonish the spectators to refrain from

Just on the dot of 2 o'clock the ac-

used entered with the officers and took

standing on the furniture, on pain of

evere punishment.

found interest in the testimony of Mr Romney and took many notes and prompted his counsel many times dur "He said he went to the south door ing the cross examination. The first question Mr. Bernard Stew-

art asked was: 'If you did not mark in your book

that notes were concelled you did not know whether notes were cancelled, or marked cancelled on the face or not?" "Now, Mr. Romney, you expressed yourself this morning that Mr. Hay

would under no circumstances disobey your orders?" 'No; not so broad as that. I

said that when we had decided upon a basis of operations he would not de part from it under any circumstances. You had absolute confidence in him? "Yes, sir."

"Why did you tell him in such a par ticular manner to cancel this note

the Luke collection agency would jump on him for the money." "There ' was nothing so particular bout it. We had talked the matter about it. over several times and talked of all its features. The note was secured by mortgage and I told Mr. Hay to cancel it when he got the money.

You instructed James R. Hay specifically to cancel the note to secure or protect Mortensen?" 'Yes.

"Any other reason?"

"Yes. We never did otherwise." "Then if you never did otherwise and were you?" that was the rule of the company and Mr. Hay being an employe, knew it, t, did you?" why did you so particularly instruct him to cancel the note?" "Well we all talked it over and de-cided to do it that way."

"Was there any dispute there?" "No, sir."

"If there was no particular reason why did you give particular instruc-

"Recause Mortensen was about to settle the account and we talked the matter over several times." "Then you didn't impress Hay very specifically then, did you?"

'No: not dramatically.' "How many men have you employed in your company? "Eight or nine." 'On the night of December 16, I inderstood you to say that Mr. Morten-

en came into your office about 6 o'clock the evening?" 'Yes, sir.' "Who came in with him?" "I don't remember that anyone came

"You won't swear that there was no one with him?"

"No, there might have been some one come in and step right out again." "Who was in your office between 6 and 8 o'clock on December 13, beside yourself, Mr. Hay and Mr. Morten-

"Ralph Wilcox, an employe, came in about five minutes after 6, and some of the teamsters might have stepped in and out.' Were there any others?" "I don't remember that there was."

You were very busy, weren't you?" "Yes, sir. "You were not engaged when Mr. Mortensen came in, were you?"

'Yes, sir, I'was temporarily engaged.' Then you stopped and commenced talking to him, did you?"

'Yes sir. 'Didn't you testify yesterday that

you were engaged between the hours of 6 and 7?" 'Yes sir. "Then if you stated that you were

mistaken were you?" "Yes sir "You talked to Mr. Mortensen, you

Did he put it in his pocket book?" "No: I think not. I didn't notice just where he put it except he put it in his pocket."

"That is my recollection."

ninutely the interior of the office.

"You had no disputes or trouble?"

that Mortensen had this amount of money and you talked to him about it

'Did Mr. Mortensen scoff at you?"

"Did Mr. Mortensen say why he col

"Now, you say you commanded Mor-nsen not to pay the money and com-

Mortensen's for the money that night?

That is what I am told.'

a the presence of Mr. Hay?"

You say you were horrified to think

"About that time."

'No, sir.'

sir.

Yes, sir."

Yes, sir."

"Yes, sir.

"He may have put it in his pocket book and you not have seen it? "Yes; he may have done." "Then the facts are you think he put

it in his coat pocket on the inside? Counsel then referred to the map of

the lumber company's office and asked Mr. Romney where he sat and numer-Ingot-500, 214. Mammoth-100, \$1.22@\$1.24. ous questions relative to his position, May Day-7,000, 5012@51. Sacramento-500, 1614@16% that of Mortensen and Hay on the or asions of the accused's visits. Mr. Romney answered the questions as he did on direct examination. He described Star Consolidated-3,000, 29@29%

"You talked with Mr. Mortensen about two hours, did you?"

William Edmonds, an old resident of this city, died at St. Mark's hospital last evening of typhold fever after an illness of over one week. Mrs. Ed rsonds is also at the hospital suffering from a lacerated arm, but is now r covering. The funeral will be held from Joseph E. Taylor's undertaking parlors, 253 East First South street. lected the money the way he did?" "He said there was a judgment against him and that he was afraid Thursday afternoon at 2 o'clock.

Monthly meeting of the High Priests of Salt Lake Stake in the asembly hall, Salt Lake City, Saturday, January 25, 1902, at 11 a.m.

manded Hay not to receive it-is that The Grand Lodge of Masons chose the following grand officers this afternoon Grand master, Wm. J. Lynch; deputy "Now, in spite of all this, in spite of grand master, Herman S. Martin our positive instructions, Hay went to or grand warden, Walter Scott; grand junior warden, R. L. Conely; grand treasurer, John S. Scott; grand secre grand You were not afraid that Mr. Morary, Christopher Delhl. A board of ensen would beat you out of the money custodians was chosen and twelve oth-

er officers appointed later.

IRRITATE FRANCE

Herald. This denial of his right to go

After Botha.

21, says Gen. Methuen overtook a Boer

Commando near Boschpoort, January

20, and after a running fight of eigh

cattle and twenty-four Boers.

however, captured 27 prisoners.

miles he captured all their wagons and

Gen. Bruce-Hamilton made a night

march against Gen. Botha, near Wil-

bank, January 18, but the Boer com

mander had left the camp when the British reached the spot. The latter,

London, Jan. 22 .- Lord Kitchener, in

"No, sir." "You did not press him very hard for VENEZUELA WILL

not very." "No: "It didn't occur to you that you ought o have gone and got that money, did 1 'No. sir."

"When you neither have liens on the property and no account whatever and allow a man to run up an account of \$3,800, you have uniumited confidence in him, don't you?" "We would if we did so." "Now, then, didn't you stand on the Valley house corner and chat with Hay and Mortensen?" "No. sir. "Is there not a saloon on that cor-

to Caracas to protect property has caused much indignation, as it is re-Were there any stragglers around that corner?" garded as a new proof of Castro's hos-'I don't know." tility to foreign capital. Frenchmen at Willemstad have complained of the int-est move in the Secrestat difficulty to "Now, then, you say that when Mortensen came to the office he the Paris government. Castro's governwhen he last saw James R. Hay that came over the night before to get ment now fears a new invasion o the money and got it. Is that right! Glioura by the revolutionists. Castro has been unable to learn the where "James R. Hay had an interest in abouts of the expedition commanded by lumber company, did he not?" Generals Mendoza and Hernandez, and has made much trouble in the Barquisi-

"He owned stock in it, did he not?" mete district. The Mochists are active. Castro is still seeking to have the Brit-ish navy seize the Libertador, formerly "Yes, sir." "And you own stock also, do you the Ban Righ. In Paraguang and neighborhood the insurgents have been 'Yes, sir." Counsel then took a seat in the wit-ness box with witness and asked him defeated by government troops, but it is now confirmed that the government

o explain how Mortensen and Hay troops have been defeated in the neighvere sitting on the settee when the noney was paid. This the witness did. borhood of Carupano and Barquisimete ccording to what Mr. Mortensen told im on the 17th. a dispatch from Johannesburg, Trans-vaal colony, dated Tuesday, January

"Did Mortensen seem to feel bad over he situation?" Yes. 'And you were feeling pretty bad? 'Yes, sir.

"Now, why did you go to the police station?" Because Mr. Sharp suggested it.

"And you all agreed to notify the po-lice that they might apprehend Hay before he got too far away if he had gone

"Well, yes, sir."

Disturbance Was Quelled Only Upon A Threat from the Vicar Gen-

Uncle Sam Consolidated-4,200, 511/200 Ben Butler-1,500, 131/ @131/2. Boss Tweed-100, 45@50.

LATE LOCALS.

church house, Westminster, today, was attended by an extraordinary scene of tumult. Numerous objectors to the confirmation, among whom was John Kensit, the notorious anti-ritualist crusader, protested so vehemently that what was intended to be a semi-religlargely among the arguments of the protestors.

Lord Rosebery and the German ambassador to Great Britain, Prince Von Wolff-Metternich, attended a service at ious ceremony assumed the character of a disorderly political gathering noon in the Frogmore mausoleum. The Bishop Gore's editorship of Lux Mundi German ambassador laid a wreath and the fact that he is the founder of from Emperor William on the tomb. a monastic celibate society figured The vicar general ruled out most of the protests, whereupon Kensit, in vigorous terms, defied the vicar genera

to stille him, declaring he would con tinue to protest until ejected by force A general uproar followed and it was only when the vicar general prepared to carry out his threat to clear the hall that Kensit consented to sit down.

Shouts of "farce" and conspiracy" accompanied Bishop Gore's declaration and the administration of the oath. Sale Will be Made. Copenhagen, Jan. 22 .- It has been

definitely decided that the treaty with the United States providing for the sale of the Danish West Indies is to be signed at Washington this week. All the formalities here are completed,

National Temperatures.

New York, Jan. 22 .- Despite the French government's demand, the au-Chicago, Jan. 22 .- Temperatures at a. m.: New York, 42; Boston, 44; Phil-adelphia, 40; Washington, 36; Chicago, thorities have refused to allow the Frenchman, M. Secrestat, to land at La 30; Minneapolis, 14; Cincinnati, 26; St Guayra, Venezuela, says the Willem-Louis, 22. stad, Curacao, correspondent of the

Noted Chemist Dead.

Des Moines, Iowa, Jan, 22 .- At the

joint session held at noon today of th

egislature the vote taken yesterday

upon United States senators was for

mally ratified and certificates ordered

ssued to Senators Allison and Dolliver

for terms of six and five years respec

tively, Dolliver being elected to fill the

vacancy caused by the death of the late Senator John H. Gear.

Bandits Demand Time.

Constantinople, Jan. 22 .- It is under

stood that the American negotiators for the release of Miss Ellen M. Stone

and her companion, Mme. Tsilka, to whom the money subscribed for the

ransom of the captive missionaries was

sont, may have to entrust the fund to

the brigands for some days before th

latter release the captives, in accord

ance with the precedent adopted in the

bandits are said to insist on this point.

in order to enable them to dispose of

can be organized. There is some risk

cash before retaliative measures

Th

cases of previous brigandages.

old age.

Louisville, Ky., Jan. 22 .- Prof. Emil Scheffer, one of the best known chem-ists in the country, died at his home the robbers were compelled to fice, leaving the money behind. n this city today of the infirmities of

Allison and Dolliver Ratified.

Constantinople, Jan. 22 .- Two armed Armenian bands have appeared in Sandjak, in the Mush district of Asiatic Turkey. In an encounter between the Armenians and a detachment of Turkish troops the latter lost an officer and two men killed.

Topeka, Kansas, Jan. 22 .- Wm. Allen White, the distinguished Kansus au-thor and newspaper man, is sick and has given up work for the present. He left Emporia yesterday with his fam-fly, going to Colorado Springs for a rest. A week ago he had an attack of grippe, which has left him in a state of nervous exhaustion.

St. Louis Included.

St. Louis, Jan. 22 .- President D. R. Francis of the Louisiana Purchase Exposition, today received the following telegram from First Assistant Secretary of State Hill, chairman of the committee of three appointed by President Roosevelt to entertain Prince Henry and arrange his itinerary:

in adopting this course, but the be-havior of Miss Stone's captors thus far encourages confidence that they will fulfill their engagements. "Replying to yours of yesterday, St. Louis is included in Prince Henry's itinerary, Detatils later."

There were accession services this afternoon at many of the churches, while military and naval salutes were fired by the artillery and from the guns of the warships, which were decorated with bunting. The court had laid aside all visible signs of mourning and returned to bright colors.

AT BERLIN.

Berlin, Jan. 22 .- A memorial service in commemoration of the first anniver-sary of the death of Queen Victoria was held today at the English church It was attended by the emperor and empress, Prince and Princess Henry of Prussia, the British ambassador, Sir Frank C. Lascelles, the United States ambassador, Andrew D. White, Secretary Jackson, of the United States embassy, and other Americans. The imperial chancellor, Count Buelow, and many Germans officials were also present.

Bank Robbed. Hartford, Ky., Jan. 22 .- The Bank of Hartford was robbed by five or six safe-blowers early today. The vault was wrecked with dynamite. About 36,000 was on hand, but it is believed the robbers obtained only a small per cent of this, as much of the money was found scattered on the floor. The noise

of the explosion aroused the town and

Encounter with Armenians.

Newspaper Man III.