

SENSATION IN KAIGHN CASE.

Slayer of Willard Haynes Says He Was Protecting His Sister's Honor

WAS THERE AN INSULT?

Claim That Traveling Salesman Attempted to Ruin Miss Coates—What Defense Has Been Treasuring Up.

When the court resumed its session this afternoon Judge Morse overruled the motion of the defense to require the district attorney to read the deposition of Mr. Barrett and produce the other witnesses spoken of this morning. An exception was taken by the defense. The map used by the state and the bullet taken from the body of deceased Haynes, then offered in evidence by Dist. Atty. Eklund.

Judge King then made an opening statement to the jury on behalf of the defense. He said in part: "I will state that no effort will be made to conceal any of the facts connected with this case. There is no denial that deceased came to his death by a gun shot wound, the gun being held in the hand of this defendant. The evidence clearly shows that there is no criminal liability for this offense."

"It is with regret that I refer to physical defects in this case. The evidence will show that this boy was deprived of the careful guidance of a mother; that his mother was of an extremely nervous disposition and the boy fell heir to her disposition. Ever since the age of 7 or 8 he has been addicted to the use of cigarettes and has smoked them continuously up to the time of his incarceration."

"Deprived of the influence of a home he contracted bad habits, became addicted to the use of liquor. He used alcohol and worst of all absinthe."

KING'S OPENING STATEMENT.

"The proof will show that those who are absent have hallucinations and imagine that they have enemies when they have none. Absinthe destroys the reasoning faculties and also destroys the capacity to determine right from wrong. We will show you that at times this boy has imagined that he has enemies who have rushed home to his father, and declared that he had shot someone and the officers were pursuing him."

"While in this position certain conditions arose. In July, 1901, his father married Miss Effie Coates. He took the boy to his home and surrounded him by good influences. In his father's household was a young woman, Miss Jennie Coates, the sister of Mrs. Kaighn, who manifested for him a kind and sisterly influence. He was acquainted with Willard Haynes. Proof will show he was interested in Miss Coates and friendship ripened into affection. His visits to Col. Kaighn's were not clandestine but were open and with the view to gaining her love. About the 24th of November Mr. Haynes came to this city. A short time before he had been asked to marry Miss Coates to be his wife. She had declined, or rather, took the matter under advisement. He returned then on the 24th of November to further press his suit. He was at the home of Col. Kaighn on the evening of Nov. 25 and took Miss Coates to a concert in the Tabernacle. When they returned to the house, Col. Kaighn had retired. They went into the parlor. Mr. Haynes sat down on the sofa and Miss Coates on a chair. He put out his hand and pulled the chair towards him and made improper advances to Miss Coates. She pulled away and in the struggle fell to the floor and he on top of her. He attempted to disarrange her clothing and in the struggle she bit him hard on the arm and he yelled with pain. The noise awakened Roy Kaighn and he came down to the parlor and looked and saw them struggling on the floor. When he approached the door they rose and Miss Coates, in an indignant manner ordered Mr. Haynes from the house and told him never to return again. Roy then went back to his room and brooded over the affair all night. The next day he went down town, alone and drank some alcohol and absinthe. While under the influence of the same and in this condition he went to the store and purchased a revolver, then went to the hotel and called for Haynes. After talking for a few minutes the evidence will show that Haynes said to Kaighn, 'Keep your hands out of my business or I will fix you.' He made a movement which was undoubtedly taken by the boy to throw his pocket to secure a gun."

ABOUT EYES.

Glasses are not Always Necessary.

Parents are often advised to get glasses for their children by the school authorities who attribute the weak, watery condition of the eyes of the child to a defect in the vision, and do not realize that the trouble may arise from the common practice of coffee drinking. A case in point, Mrs. C. E. Knapp of Elgin, O., says: "Six months ago we had a family of invalids; my husband, myself and two children were afflicted with stomach trouble. I would sit so faint before it was time for meals, and after eating had pain in the stomach, which felt as though there was a hard lump in it. I felt drowsy and stupid most of the time. I was out in the wind my eyes would water and it hindered me from seeing."

My son was the worst afflicted. His eyes were so weak that he could not see his school and we thought it would be necessary to have them treated. His mother finally had him bring his reading book with him to school. He would not read a paragraph without stopping to wipe his eyes or close them. We were great coffee drinkers, especially my boy, but never thought that was the cause of our trouble until I read an article on the subject in the Cleveland paper. We were discussing it at table one day and my daughter said, 'I know it is that coffee that hurts me for when I do not take it I do not have that watery eye in my morning.' My boy said, 'A lump is in my stomach. I feel just as though they were there.' I was both scared and astonished at such information, and told them I had made the last cup of coffee for home use. I got a trial for our next meal and Food Coffee and it was like it and I took it better than coffee. We have none of us been troubled with our stomachs since we commenced using it. Our eyes do not water any more when we are out in the wind, our cheeks and when we are out in the wind, the drowsiness has left and the prickly feeling has entirely left my son. We use it twice a day and give it freely to my 20-month-old baby. We find it better and cheaper than coffee. We cannot speak too highly of its merits for we know we are the change in our health to Food Coffee."

POSTMASTER FOR ISHAWOO.

(Special to the "News.")

Washington, D. C., Sept. 17.—M. K. Jones has been appointed postmaster at Ishawoo, Big Horn county, Wyo. Vice Martin L. Jones, resigned.

IN JUDGE DIEHL'S COURT.

In Judge Diehl's court this morning, Edward Johnson, charged with forgery, was ordered held to await the action of the district court.

Fred Daniels, charged with grand larceny, was arraigned and pleaded not guilty. In default of \$500 bail he was taken to the county jail.

R. F. Fowler, the soldier accused of burglarizing the Williams residence on East Second South, was arraigned, but did not plead. The case was set for Friday morning for preliminary examination.

Today's local bank clearings amounted to \$85,545.47 as against \$51,022.30 for the corresponding day of last year.

People from Price report that coal prospectors operating with a diamond drill nine miles from Scofield struck a good flow of oil at 550 feet. Coal is supposed to lie there in large quantities, and of good quality on the west side of the range. If this can be proven a large camp will grow there and the fuel company will have an easy down-grade haul instead of the expensive one over Scofield summit. The east-side mines can be used for coke and commercial sales and railroad consumption.

NO REVISION OF THE TARIFF.

Oyster Bay, N. Y., Sept. 16.—Senators Hanna, Spooner, Allison, Aldrich and Lodge, and Postmaster General Payne met today and discussed with him the entire political situation, having special reference to the conditions in the western states, which the president is to visit on his approaching trip.

The parties to the conference were very recent after they returned from Sagamore Hill, but it can be stated on reliable authority that it was decided to make no attempt to revise the tariff at the coming session of Congress; that the president is to maintain his position as to the tariff, and further, that he is to insist on his demand for reciprocity with Cuba. It is understood that he will fully outline his policy regarding this latter question in some of the speeches he is to make on his western trip.

It is also stated on excellent authority that the coal strike was not discussed.

The president's purpose in having this conference was to ascertain if there had been any marked political changes in the different sections of the country during the past year. The conference, it is said, showed that there had been none.

"The conference was entirely harmonious," said one of the gentlemen who participated in it, but who declined to permit his name to be published. "No differences of opinion developed and the president's position on the different questions discussed was endorsed. We talked over the entire political situation, especially that in the states through which the president is to pass. The coal strike was not talked about."

The senatorial delegation arrived here at 12:20 p. m., coming from Long Island City in the private car of President Baldwin of the Long Island railroad. They were met by the entire police force. The senators refused to see a number of newspaper men who were on the train. On their arrival here they were driven at once to Sagamore Hill in President Roosevelt's trap. They left in the private car at 10:10 p. m. for Long Island City. Postmaster General Payne came over earlier in the day from Center Island. He left at 6:55 p. m. for New York.

Arrested for Stuffing Cigar Boxes.

New York, Sept. 16.—Geo. G. Tyson, vice president of the firm of Tyson & Company who owns news stands in the Waldorf-Astoria and other leading New York hotels, has been arrested on a warrant sworn out by internal revenue officers charging the firm with having refilled imported cigar boxes with cheap cigars known to the trade as "stuffers." A second complaint was made against Mr. Tyson charging the firm with having failed to cancel the revenue stamp as required by the law.

Call on National Banks.

Washington, Sept. 17.—The comptroller of the currency has issued a call for the condition of national banks for the close of business Monday, Sept. 15.

Beresford Commends American Navy.

New York, Sept. 17.—Admiral Lord Chas. Beresford, of the English navy, has arrived here for a stay of three weeks.

"I have followed the American naval and army maneuvers with much interest," said Beresford, "and I think it is a pity that the United States has wasted so much money in the powder that was burned in the sham war game. We are beginning to do that too now, and I think it is one of the best things for the training of the navy and army and to see just where the weak points in a country's war force lie."

About the shipping combination Lord Beresford said: "I must confess that we are a little frightened, not at the probabilities but at the possibilities. It is ridiculous to talk of England forming a rival combination. We cannot compete with your railways and it is the through route which pays."

Manifesto to Victorian Electors.

Melbourne, Sept. 17.—Following the dissolution of the Victorian parliament yesterday in consequence of an adverse vote recently on the government's schemes for retrenchment, the premier, W. H. Irvine, has issued a manifesto to the electors appealing to them to prevent their own servants from paralyzing the administration. He said that in order to avoid a serious deficit the government decided on a graduated reduction of the salaries of public servants and that thereupon the mass of the state employed became rebellious and the pressure brought to bear on them by the malcontents the assemblymen voted against the government.

English Praise for Lt. Peary.

London, Sept. 17.—The Morning Post devotes the place of honor on its pages this morning to the announcement that the Associated Press of the safety of Lieut. Peary, the Arctic explorer. This

announcement is followed by a description of Lieut. Peary's expedition, filling more than two columns of the paper, and an editorial article in which the Post says that it fears that Lieut. Peary's return indicates that the pole is still unconquered by man.

"Sixteen years of almost continuous devotion," says the paper, "to one of the most toilsome and exacting tasks which a human being could impose upon himself, have won for Lieut. Peary an honored place in the ranks of the world's great explorers. Lieut. Peary has failed, Mr. Baldwin has failed and we are afraid there is little room for hope that Enderbup has been more successful."

Philippine Death List.

Washington, Sept. 17.—Gen. Chaffee has cabled a list of deaths reported to the army headquarters at Manila since Sept. 1. The total number is 250 of which nine were caused by cholera and seven by dysentery. Two cholera cases were in the Fifth cavalry.

Boer Generals May Not Come.

London, Sept. 17.—In view of the possibility of anti-English demonstrations, the Brussels correspondent of the Standard, it is not improbable that the proposed American and European tours of the Boer generals Botha, De la Rey and Delany will not occur. In that case the generals would immediately return to South Africa after paying another visit to Mr. Chamberlain, the colonial secretary.

To Divert Grand River Waters.

Grand Junction, Colo., Sept. 17.—General H. Matthes of Washington, assistant hydrographer, U. S. geological survey, has arrived, accompanied by an assistant, for the purpose of making such surveys as will test the feasibility of diverting the waters of the Grand river so that the land on the plateau of eastern Utah as well as west of this city will be watered and thus become fertile farm and fruit lands.

Irrigation Engineers' Congress.

Colorado Springs, Colo., Sept. 16.—The National Association of Irrigation engineers will hold a convention in this

city Oct. 6 to 9 next, during the tenth annual meeting of the National Irrigation congress. All civil engineers are invited to attend the convention.

To Fight Western Packers.

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Need More Help.

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The Largest Night Blooming Cereus in the West will be on exhibition all this week. Come and see it. A rare novelty. Salt Lake Floral company, in Willis Horne Drug company.

DIVIDEND NOTICE.

Utah Sugar Company. The Board of Directors of the Utah Sugar Company has this day declared a dividend (No. 20) of 5 per cent on the capital stock of the company, payable on Sept. 29th, 1902, to stockholders of record on Sept. 25, 1902; the stock transfer books will close Sept. 25, 1902, at 5 o'clock p. m., and will be re-opened on Oct. 2nd, 1902, at 10 o'clock a. m.

H. G. WHITNEY, Sec. Salt Lake City, Utah, Sept. 16th, 1902.

UTAH, IDAHO, THE WORLD.

Three new maps, just issued, Utah and Idaho on one side, the World on the reverse side, including population of countries and towns according to the 1900 census, with a brief sketch of every country in the world. Size 27x31 1/2 inches, value 75 cents; sent to any address for 25c. Address Deseret Book Store, Salt Lake City, Utah.

PROBATE AND GUARDIANSHIP.

Consult County Clerk or the respective signers for further information.

IN THE DISTRICT COURT, PROBATE Division, in and for Salt Lake County, State of Utah, in the matter of the estate of David L. Miller, Deceased, Notice.—The petition of Melvin M. Miller and T. G. Miller, administrators of the estate of David L. Miller, deceased, praying for the settlement of final account of said administrators and for the distribution of the residue of said estate to the person entitled, has been set for hearing on Friday, the 3rd day of October, A. D. 1902, at 10 o'clock a. m., at the County Court House in the Court Room of said Court, in Salt Lake City, Salt Lake County, Utah.

Witness the Clerk of said Court with the seal thereof affixed this 15th day of September, A. D. 1902.

By J. FRANK EMBURY, Deputy Clerk.

James H. Moyle, Attorney for Administrators.

AN ORDINANCE.

AN ORDINANCE CONFIRMING THE assessment upon the property on the north side of North Temple street between East Temple and West Temple streets, in Sewer District No. 1, for the construction of a sewer.

Be it ordained by the City Council of Salt Lake City, Utah:

Section 1. That the assessment list made by the City Treasurer as corrected, approved and confirmed by the Board of Equalization and Review, heretofore duly appointed by the City Council for that purpose, of the property on the north side of North Temple street between East Temple and West Temple streets, in Sewer District No. 1, for the purpose of constructing a sewer upon said portion of said street, is hereby confirmed, and the assessments made and returned in said completed lists are hereby confirmed.

Section 2. This ordinance shall take effect upon approval.

Passed by the City Council of Salt Lake City, Utah, Sept. 15th, 1902, and referred to the Mayor for his approval.

J. O. NYSTROM, City Recorder.

Approved this 16th day of September, 1902.

EZRA THOMPSON, Mayor.

State of Utah, City and County of Salt Lake.

I, J. O. Nystrom, City Recorder of Salt Lake City, Utah, do hereby certify that the above and foregoing is a full, true and correct copy of an ordinance entitled:

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In witness whereof, I have hereunto set my hand and affixed the corporate seal of said city, this 16th day of September, 1902.

J. O. NYSTROM, City Recorder.

Bill No. 101.

Sewer Extension No. 102.

AN ORDINANCE.

AN ORDINANCE PROHIBITING THE erection and maintenance of water closets, out-houses and privies within forty feet of any street line.

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Section 1. It shall be unlawful for any person, firm or corporation to erect or maintain any water closet, out-house or privy within forty feet of the line of any street in Salt Lake City; provided that this ordinance shall not apply to any water closet situated in or to be erected, erected or maintained in any dwelling, store, factory, shop or office building, where the same is or shall be properly constructed, with vent pipes passing through the roof of the building, and connected with the sewer or cesspool.

Section 2. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine in any sum not less than five (\$5.00) dollars, nor more than one hundred (\$100.00) dollars, or by imprisonment in the City Jail for not more than three (3) months, or by both such fine and imprisonment.

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Bill No. 96.

FOREMOST BAKING POWDER IN ALL THE WORLD.

PRICE BAKING POWDER, CHICAGO, U. S. A.

"After all there is nothing like Dr. Price's Baking Powder. Sure, every time. All others are a disappointment, and I've tried a lot of them—samples, cheap, and prizes."

two in the Fifth Infantry, one in the Eleventh cavalry, one in the Ninth cavalry, one in the Second battalion of engineers, and one in the Second Infantry. The cholera deaths occurred between Aug. 23 and Sept. 14.

Scotch Antarctic Expedition.

London, Sept. 17.—The Scottish National Antarctic association under the leadership of William S. Bruce, director of the laboratory of marine zoology, Edinburgh, has completed arrangements to sail for the Antarctic regions on the auxiliary screw steamer Scotia early in October. The ship is splendidly equipped and has several novel features, including an apparatus for taking brisquies views from kites, moving picture machines for obtaining records of movements of South Sea organisms and 6,000 fathoms of cable, with the object of sounding the ocean where Sir James Ross failed to find bottom with 4,600 fathoms.

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