

## BOARD OF PARDONS ISSUES STATEMENT

Two Reports on Action in Com-  
muting Sentence of  
A. T. Day.

### BREEDEN FOR DEATH PENALTY

Attorney General Says He Believes  
Murderer Had a Fair Trial Before  
Jury Which Convicted Him.

The state board of pardons, through Supreme Justice Rich, has prepared a statement regarding the reasons considered by it in granting to Albert T. Day commutation of sentence from the death penalty to imprisonment for life. The opinion is concurred in by Gov. Cutler and Justices Stroup and McCarty. Atty.-Gen. M. A. Breeden offers a dissenting opinion explaining his negative vote. The majority opinion cites as their reasons the fact that Juror J. H. Walker hardly acted in accordance with his oath or with due regard to law and the instructions of the court, but that he voted for conviction of murder in the first degree when his opinion was firmly fixed that the man should have been found guilty of a lesser degree. According to the testimony of Joe Ware, says the report, premeditation and cold-bloodedness were not shown. The report concludes with a statement regarding the character of witnesses and with the belief firmly fixed in the minds of the board that Day was not of vicious mind.

### MAJ. BREEDEN'S STATEMENT.

Maj. Breeden's statement is as follows: Four members of the state board of pardons yesterday issued a lengthy explanation of their action in commuting the sentence of Albert T. Day from execution to life imprisonment. Atty.-Gen. Breeden, the fifth member of the board, refused to concur in the action and briefly states his reasons as follows: "I regret that I am compelled to withhold my assent to the decision reached by my brothers of the pardoning board. For the reason that I am unalterably convinced that Day had a fair, just and impartial trial, and that the verdict returned by the jury was the only one that could have been returned under the evidence that Day on the morning of the killing, about five or six minutes after a brief but heated conversation which had passed between Voss and himself, deliberately followed him into Ware's house and without notice or warning, through a partially opened door, shot his victim to death. I can see no extenuating circumstances in the case, and I am firmly of the opinion that the sentence of death should be carried out. Therefore, without further discussion, I must dissent from the decision of the board."

### LYON SHOTS AGAIN.

Policeman Uses Revolver in Arresting  
Man for Wife Beating.

That Policeman John M. Lyon is handy with his revolver was again made evident about 5 o'clock yesterday morning when he shot and wounded a railroad man named William Whitmore.

Lyon arrested Whitmore on the charge of wife beating. It was alleged that the man brutally assaulted his wife who is an inmate of Edna Prosser's home on South Main street. While on the way to the station Whitmore resisted arrest and Lyon drew his pistol. Whitmore then weakened and promised to go quietly if Lyon would put up the gun. The officer had no super complied with the request than Whitmore drew the gun and this time fired. The bullet struck Whitmore in the fleshy part of the leg near the hip. The patrol wagon was called and Whitmore was hurried to the city hospital where an examination of the wound was made. He was then sent to St. Mark's hospital. The wound is not a dangerous one.

This is the third shooting affray Lyon has been in during the past three weeks. He shot and killed a thug named Joe Down, alias Smith. A day or two later he fired a warning shot at a burglar named George H. Elliott. When the news of the shooting of Whitmore reached the ears of Chief Pitt he at once suspended Lyon pending an investigation.

### COCAINE CAUSED INSANITY.

Such is Belief of Doctors Who Have  
Examined Ellis Greenwood.

Ellis Greenwood, the young man thought to be insane and who is held at the county jail pending an investigation, has manifested no great change in his condition since he was taken into custody. Young Greenwood has worn a "muff" since his confinement. It is believed by physicians who have examined the unfortunate young man that his condition was brought about by the administration of cocaine by a dentist a few days ago when he had some teeth pulled. No investigation will be conducted until the drug has had time to completely exhaust its effects.

### CALEDONIAN CLUB.

At Annual Election John B. Cum-  
mock is Made Chief.

The Caledonian club of Salt Lake City, met Friday evening, Dec. 13, and had a very enjoyable session. The annual election of officers was the main feature and resulted as follows: John B. Cummock, first chieftain; John Dunn, second chieftain; Miss Margaret, drum major; Mrs. J. Ebert, Peter McPhillip, treasurer; Mrs. Nellie C. Maddow, chairman; Mrs. J. Ebert, conductor; Miss Annie McBride, guard; Mr. Robert B. Miller, retired as chief owing to pressure of business matters. The club is arranging a big celebration for an early date, in the nature of a concert, ball and banquet.

### HEAVY CLOSING ATTENDANCE.

The Catholic bazar closed Saturday night, with marked success, and with a crowded house. The piano was not auctioned off, on account of the low bids; instead, it will be offered as a prize in a contest between the Knights of Columbus and the Ladies' Altar society, with a view to presenting the instrument to Bishop Scanlan, as a New Year's gift. The bishop made a brief address thanking the friends of the church and the patrons of the fair for their practical sympathy and kindly interest in making the bazar a success. There must have been 1,500 people in attendance Saturday night.

### INFORMATION WANTED.

Mrs. Elizabeth Ann Mort, who resides at No. 12 Marshall street, Bolton, Lancashire, England, would like to communicate with Maggie Pendlebury, who left Bolton six or seven years ago for Salt Lake City. Miss Pendlebury may have married since coming to Utah.

Mrs. Laura Hansen, of No. 11 Hildsgade, Larvik, Norway, desires to hear from or concerning her sister, Marie Gulbrandsen, whose maiden name was Olsen. Mrs. Gulbrandsen had three children, Guibrand, Halvor and Dorthen, and she emigrated from Norway to Utah about 25 years ago. She has one brother and two sisters in Larvik.

### MURDERER PLEADS.

Charley Song Says He Is Not Guilty  
Of Charge of Killing Kojan.

Charley Song, the Chinese charged with the murder of a Korean named Chung Chun Ho, was arraigned before Judge Diehl in the police court and entered a plea of not guilty. Through his attorney, Walter W. Little, he requested that the preliminary hearing be held before Judge Whitaker. The date for it has not yet been fixed. Local Koreans have retained Soren X. Christensen to look after their interests.

### RAILROAD NEWS.

The story comes from Ogden that Stinson Emswiler will lay a viaduct proposition before the Junction city council this evening. The point under considerable discussion has been the maintenance of the viaduct and it is expected Mr. Emswiler, president of the Salt Lake & Ogden (Lagoon) line will offer to pay for the maintenance of the trestle if the council will give him a 50-year contract for the construction and operation of his line across it. If an agreement on this offer is reached, some changes in the routing of the Salt Lake & Ogden's entrance into the Junction city will be necessary. Instead of entering the city via Thirty-third and Lincoln the line will run along the sand-ridge, crossing the Weber river over the old Oregon Short Line bridge and across the viaduct to the foot of Twenty-fourth street. Mr. Emswiler was in Ogden Saturday conferring with railroad attorneys and various officials in the matter.

George McGonigle, assistant engineer of the Oregon Short Line, was also in Ogden Saturday to confer with City Engineer Parker on viaduct matters. Compared with the Oregon Short Line viaduct in this city the Ogden bridge will be exceeded in weight and will stand a strain of 3,400 pounds, 50 more pounds than the viaduct here. Mr. Parker estimates that \$1,000 will represent the cost of maintenance but Mr. McGonigle says it will not be that much. Considerable interest is being taken in the action reported to be under consideration by Mr. Emswiler.

"Home going" rates are being announced by all railroads as one fare plus \$2 will be established for the holidays. These rates will apply to all points governed by the Western Passenger association; in other words, to points west of the Missouri river. The Rio Grande will put its tickets on sale Dec. 16-20, and they will be good until Jan. 16-19. A going limit of ten days and a return limit to the extreme will be allowed.

S. V. Derrah, assistant general freight agent of the Denver & Rio Grande, has recovered from an attack of pneumonia sufficiently to return to his desk.

### RETURNED MISSIONARIES.

Have you a friend or acquaintance in your former field of labor, to whom you would like to send a copy of the Semi-Weekly News? If so, take advantage of our special offer, made to aid the great missionary work. We send the paper one year to any point in the United States, Canada or Mexico at half price, \$1.00. This does not apply to points where there are regular wards or stakes. Foreign postage extra.

## DRAMATIC DETAIL OF FATAL FIGHT

(Continued from page one.)

ness was still on the witness stand when adjournment was taken until this morning. In answer to questions put to him by Mr. Halverson, he testified that he met Dr. Beers through an introduction from Mrs. Walker, the early part of August, that for a time he and his wife, Dr. Beers and his wife were close friends going to various pleasure resorts together, and places of amusement, until September 2. That during this time he had not observed Dr. Beers showing Mrs. Walker any special attentions. He gave no reasons for discontinuing further associations with Dr. Beers and his wife after that date. He testified that while his wife registered at the Healy hotel under an assumed name, he did not think it wrong, although he was worried and suspicious. He had told his wife that if she did not give up the doctor she could never live with him, and he would take the little girl from her. He asked her if she had signed with that man, to which she replied "no." His wife promised to renew her love for him and to inform Dr. Beers that she did not want to have anything to do with him any more. He then agreed to have her and the little girl go to Los Angeles to get her out of Beers' influence. He testified he had been informed by Mrs. Beers that her husband had frequently telephoned Mrs. Walker and had written her since she left for Los Angeles. On learning this information he consulted Attorney Hutchinson and later Chief of Police McKonigle, who gave him the letter to Dick Shannon, who was at Ogden and it was to see Shannon he came to Ogden. Mr. Halverson examined him at length concerning the writing of the letter to his wife, pleading for her to be good and true. As to the dates when the letters were written, Mr. Walker was somewhat confused. The question was asked him "Isn't it a fact, Mr. Walker, that you struck Mr. Beers over the head with a club?" To which he replied, "I don't know I am sure Mr. Halverson knows where Mr. Walker is now, and did not know whether his attorneys had made any effort to have her here to testify in the case."

### WALKER STILL ON WITNESS STAND.

(Special to the "News.")

Ogden, Dec. 16.—Fred Walker was under cross-examination all forenoon today by District Attorney George Halverson. The defendant controlled himself and his answers were unvarying. He broke down and tears rolled down his cheeks once when he was required for the third time to repeat the questions and answers which passed between Beers and himself, just before the fight.

In order to show Beers that he (Walker) had no desire to harm him, Walker says he threw back his coat and told Beers to search him when they met at the electric supply store. The district attorney endeavored to get the defendant to say he had weapons. Defendant said he had no thought of carrying or using any instrument. He was asked:

"Did you not say to Beers that you wanted to fight it out man to man?" Walker replied he said nothing of the kind. Careful questioning regarding the three letters he wrote to his wife, brought in an evidence by the defense, was conducted by the district attorney. The prosecution met a surprise when Attorney Hutchinson for the defense produced the three envelopes of the letters. These were shown Walker who said he had no knowledge that they had been kept and had no idea his attorneys had them.

The district attorney tried to get the defendant to name the date of writing and mailing, but this was unsuccessful. Walker said he had no idea his wife was unfaithful even when strange stories reached his ears because she had

told him she was true and he believed her above everything else.

### TEAM ORGANIZED.

Officers Chosen for High School Basketball Lineup.

At a meeting of the High school athletic association, it was decided to organize a basketball team. Lew He Wise, a prominent track and football man, was elected manager, and Leroy Worthman, a junior, was chosen captain. Worthman pulled down the highest average of any of the players in the Y. M. C. A. Junior and basketball teams, and under his leadership the High school is looking forward to a high class basketball team.

### SOCIAL AND PERSONAL.

The social committee of the University club announces a musicale to be given at the club house on Thursday evening, a program of more than ordinary interest being prepared. It will be ladies' night, and club members are privileged to invite friends.

A new social club has been formed, consisting of some of the well known young men of the city, with the idea of giving a series of dancing and other parties during the season at the new hall on North Temple street belonging to the Ensign Amusement company. Clubrooms have been secured in the building and elegantly furnished for the use of the members. The first affair will take place the end of this month and will doubtless be a successful one. The name of the new organization is the Governor's club, and it consists of the following members: R. G. Alford, W. H. Buntz, Jr., F. C. Barnes, D. C. Brough, F. C. Cohen, P. F. Folland, F. Fowler, R. J. Forsyth, L. P. Frost, H. W. Goodwin, M. E. Grosbeck, H. C. Hansen, L. J. Hays, J. H. Hilton, C. C. Hochstetler, C. Hansen, J. Howarth, W. E. Emper, O. A. Jensen, W. N. Lewis, J. Marshall, G. S. Moffat, D. J. Murphy, L. E. McCurdy, J. W. Nay, G. B. Richardson, M. House and L. Squires.

The "Teddy bear" party is the present fad in children's entertainments. Two or three took place last week and a number of others are planned for the future, promising endless amusement for the little ones. Miss Eleanor Margretts was one of the little hostesses, her party being given on Saturday, all the details being ingeniously done in the prevailing idea. All about the room were bear skins and other emblems, and a feature was a den of bears in which were concealed souvenir packages of Teddy bear candy. A luncheon was served, and in the center of the table was a picture of President Roosevelt surrounded by his namesake animals, while at the head of the table was a high chair in which was seated a bear. Present besides the hostess were the Misses Florence and Irene McDonald, Laura Morrison, Martha Smith, Alda Stevens, May Rand, Bessie Crabtree, Flora McCann, Ethel Margretts, Helen Frong, Gladys Barlow, Winnifred Snow, Cora Howe.

Mrs. David Keith and son left on Saturday for a short stay in California.

Mrs. O. W. Powers is expected home this week from her eastern visit.

Miss Margaret Park is home from a trip to Denver.

Miss Stella Fabian will be here from New York to spend the holidays with her parents, Mr. and Mrs. E. J. Fabian.

Mayor and Mrs. John S. Bransford are at home at the Bransford for the winter.

The children of the Free kindergarten are to be given a Christmas dinner next Wednesday by the Sewing club, to which their teacher, Miss Florence, will be in charge. The affair takes place at Unity hall and on Friday at the same place the usual Christmas tree festival will occur.

Mrs. Ledyard Bailey leaves today to spend the holidays with her mother in San Francisco.

### TRANSFER PENDING.

Salt Lake Hardware Co. May Take  
Over Big Warehouse Proposition.

A transfer has been made whereby the Salt Lake Hardware company becomes the possessor of the great ware-

house project of W. C. Lyon at the corner of North Temple and Third streets. Plans were prepared by architect W. H. Lepper for a five-story warehouse, but according to present indications, the hardware company will erect there a five-story carpenter's building, and the proposed warehouse will be abandoned. The warehouse was to be a five-story building, with a cut-out house, which of itself would have been a very valuable addition to the city. The warehouse was to be a five-story building, with a cut-out house, which of itself would have been a very valuable addition to the city. The warehouse was to be a five-story building, with a cut-out house, which of itself would have been a very valuable addition to the city.

### TELEPHONE PROGRESS.

Bell Company Issues Booklet Giving  
History of 21 Years.

The Bell Telephone company has issued an illustrated booklet, giving a history of its 21 years of corporate life. It contains a picture of the Fourth of July tree in the Cour d'Alston, bearing an inscription placed on it by Isaac Mullen's party, July 1, 1881. The descriptive matter sets forth the difficulties of transmission and desert construction, and gives glimpses of the states traversed by the company's lines, with a variety of interesting statistics. A feature is a sheep herder's outfit, connected with the western line, to the surface from the lowest level, the other of the pamphlet is the well known newspaper man, A. G. Macdonald.

### HAVE YOU THE CHURCH WORK?

No Latter-day Saint's home should be without a set of the Church publications on the center table or in the library. Send for the new catalogue, Deseret News Book Store, Salt Lake City.

One Sebastian Sommer Upright Piano \$165  
One Ivers & Pond Upright Piano - \$285

That will give you an idea of the offerings at the Carstensen & Anson company's great Christmas Piano Sale.

Many others of equally great value for the money asked. They are the instruments which have come to us on exchanges for Piano-Pianos.

Among the bargains we have for this week's selling are several

WEBERS, EVERETTS, HARDMANS, FISCHERS,  
LUDWIGS, HARRINGTONS, STEINWAYS,  
STECKS AND WHEELOCKS—

From \$90.00 Up.

Every one in perfect condition and will answer every purpose of a brand new instrument as a Christmas gift.

Moderate Monthly Payments.

CARSTENSEN & ANSON CO. 74 S. MAIN ST.

# MUSICAL BARGAIN CARNIVAL!

Result of Discontinuing Certain Lines and Remodeling Warerooms

Our entire stock of Victor Talking Machines, Records, Cabinets, Flower Horns and Supplies; Organs, Coin-operated Machines, Parlor Reginas, Violins, Guitars, Banjos, Mandolins and Small Musical Merchandise will be sold during the next ten days.

## Victor and Musical Merchandise Bargains

Peerless Machine, two dozen 8-inch Records, Record Case; was...\$18.00  
Now \$11.75.  
Victor Jr., two dozen 8-inch Records; Record Case; was...\$22.00  
Now \$15.50.  
Victor Z, two dozen 8-inch Records; Record Case; was...\$30.00  
Now \$19.75.  
Victor I, two dozen 8-inch Records, Record Case; was...\$40.00  
Now \$29.75.  
Victor III, Flower Horn, one dozen 10-inch Records, one dozen  
12-inch Records, Cabinet; was...\$70.00  
Now \$49.50.  
Victor IV, Flower Horn, one dozen 10-inch Records, one dozen  
12-inch Records, Cabinet; was...\$95.00  
Now \$69.50.  
Victor 8-inch Record, 25c. Victor 10-inch Record, 50c. Victor 12-inch  
Record, 75c.  
Flower Horns, Needles and Supplies at Cost.

### VIOLINS

From \$2.00 up to \$10.00.

### BANJOS

From \$2.00 up to \$10.00.

### GUITARS

From \$3.00 up to \$12.00.

### MANDOLINS

From \$2.00 up to \$10.00.

### AUTO HARPS

From \$1.50 up to \$2.50.

### ACCORDIONS

From \$1.50 up to \$2.50.

### CORNET AND CASE

Cornet and Case, \$10.00.

### GERMAN HARP

German Harp, \$5.00.

### MUSIC ROLLS

50c up.

### BLOW ACCORDIONS

From 75c.

### HARMONICAS

From 5c.

All Supplies and Accessories  
at ABSOLUTE COST.

A Limited Supply of Sheet  
Music at 5c per Copy.

## Commencing December 16

Everything Goes . No Reservations  
STORE OPEN EVENINGS

## Announcement

On and after January 1st we will sell pianos only. We have determined to be the largest dealers in pianos exclusively in Utah.

We have long had this ambition, and every other department must now give way to make room for our increased piano business.

In view of speedily closing out our Victor Talking Machines, Victor Records, Cabinets, Violins, Banjos, Mandolins, Guitars and Organs

We Have Decided to Sell  
AT ABSOLUTE COST  
For Either Cash or Terms

In order to make room for extensive improvements in our warerooms, a limited number of our excellent line of pianos are offered at greatly reduced prices. In this sale every instrument on our floor is honestly reduced in price.

## Piano and Organ Snaps

Light & Co. Piano  
\$175.00  
Temple Piano  
\$175.00  
Werner Pianos  
\$200.00  
Mansfield Pianos  
\$225.00  
Lakeside Pianos.  
\$250.00  
Kohler & Campbell  
\$300.00

Slightly Used  
Hamilton  
Cornish and  
Chicago Cottage  
Organs  
Your Choice

\$20

While They Last

New Style Verdi &  
Burdette Organs

Five and six octave, handsome im-  
ported fancy mahogany or stained  
boxes. The very best tone.

\$25

Flat 20%  
Discount

From Prices of all  
Higher Grade Pianos

MARVELOUS

The gift of a Musical Instrument for Christmas means pleasure for the older members of the family, education for the younger, and a delightful means of home entertainment the entire year round.

Pianos, Organs, Talking Machines and Parlor Reginas Purchasable by Moderate Monthly Payments.

THE LAYNES MUSIC CO.

Pioneer Piano People  
25-27 East First South Street