THE DESERET EVENING NEWS.

FIFTIETH YEAR.

PASSENCER WRECK AT TERRACE, UTAH

second Section of No. 6 on the Southern Pacific Crashes Into First Section, With Fatal Results.

Freman H. A. Shorer of Wells, Nevada, Buried in Coal from His Tender and Scalded by Steam Leaking from the Broken Water Glass-Died Before Reaching Ogden-Engineer Bert Cave Receives Injuries to His Feet-Front End of One Engine Entirely Smashed In and a Couple of Cars Badly Damaged-Deceased Fireman Had Been Married but Three Months-Body Returned to Wells.

parring, which resulted in the death "Fireman H. A. Shorer of Wells, Neids and the slight injury of Engineer

Bit Cave of Ogden. Passenger train No. 6 was running out Welle, eastward, and proceeded from helper, with orders to run Terrace. When the reached Terrace it was farred by a freight train and stopped. of the first section ran lick to flag the second section, but befor he could reach the rear end of his thin the said nd section dashed into it. 1:30 this morning, and as cond section did not sec head of him until too late. reineer Biddle and Fireman Nelson. sta were dead-heading on the first secnot from Carlin to Ogden, ran back and found Fireman Shorer buried up to b neck in coal and steam from the when water glass flowing out upon

an accident occurred on the Southern | his head and shoulders. Messrs. Biddle Ridie railway, at Terrace, early this and Nelson immediately turned off the valves and stopped the steam, and then shoveled the coal from Shorer's body. It was found that the unfortunate fireman was badly scalded about the face and neck and also internally, having been compelled to inhale the leaking steam. He was made as comfortable as possible and immediately put aboard a car and started for Ogden. where he could be given proper medical and surgical aid. The poor fellow died, however, a few miles out from his destination and his lifeless body was brought to the junction city where it will be prepared for burial and sent back to his home at Wells. One heart-rending feature connected

with the fatality is that the deceased fireman was married only three months Engineer Cave had his feet slightly hurt, but will soon recover their prop-

The rear coach of the first section and one of the baggage coaches were badly damaged and the front end of the second engine was entirely smashed Some of the other cars were somein. what broken up, but not to such an extent as to prevent their being run to the conclusion of their trip.

TRUTH AND LIBERTY. WEDNESDAY, DECEMBER 20, 1899, SALT LAKE CITY, UTAH. LETTER IN A TURN ALL OF **GEN. LAWTON WAS** THEM LOOSE. BOMBSHELL. NOT A RICH MAN Independence Not Only for Cuba, Message Fired Into Mafeking by His Home in California Under a but Porto Rico and Philippines. Boer Cannoneers. Mortgage. GEN. BULLER GETS HIS GUNS PROPOSITION OF MR. HOAR. AN APPEAL TO AMERICANS. Boers Never Took Them - How the Resolution Introduced in Congress Request that They Clear the Home-British Advance at Colenso Today by the Senator from stead of the Dead Hero, for the Was Surprised. Massachuseus. Benefit of His Family. London, Dec. 10 .- A special dispatch Washington, Dec. 20 .- Senator Hoar Washington, Dec. 20 .- A general order from Durban, Natal, dated Saturday, of Massachusetts today introduced the will be issued from the war department Dec. 16, says it is rumored Gen. Buller following resrolution in the Senate: today announcing the death of Gen. called for volunteers to recover the "Whereas, The American people and Lawton to the army officially and payabandoned guns and that a party isthe several States in the Union have, ing appropriate tribute to his worth, sued from the camp after midnight and in times past, at important periods in It is the intention of the officials to brought in the guns, which were untheir history, especially when declaring have the remains brought to the United injured. their independence, establishing their constitutions or undertaking new and States for final interment, but it is not It still seems doubtful whether the known when this can be done. great responsibilities, seen fit to declare the purposes for which the nation or State was founded and the important guns that Gen. Buller abandoned at Gen. Lawton died a poor man, al-Colenso are in the possession of the though but few beyond his circle of im-Boers. According to a dispatch to the objects the people intend to pursue in mediate friends knew of the small petheir present action, and "Whereas the close of a great war of liberation by the United States of the Associated Press from Durban sent off first-even though I commit suicide!" cuniary return that had come to him Such were the exclamations which fell on the evening of the battle, and which from his life work in behalf of his has just been received here, the guns from the drawn lips of J. H. Bacon people of Cuba and Porto Rico in the Western Hemisphere, and of the Philipcountry. Therefore some of these when he was convicted after the failure remained where they were left by the friends have thought proper now to pine Islands in the Far East, and the British troops, and were covered by the of the bank of which he was president, reduction of those peoples to a condicome to the aid of his family as is Whether the utterance were a prophe. heavy guns of Gen. Hildyard's brigade, tion of practical dependence upon the United States constitute an occasion shown by the following statement adoccupying an entrenched position. tic one or not it has come to a truthful dressed to the American people, issued The dispatch adds that the Boers realization, for Mr. Bacon was pardoned on which make a declaration proper, therefore be it, "Resolved, That this Republic ad-heres to the doctrines which were in have thus far not attempted to cross today: by President McKinley this morning. the river and capture the guns, while advices to the Associated Press from Pretoria under the same date say that "Washington, Dec. 20, 1899: Major Gen. Henry W. Lawton, United States the past set forth in the Declaration of volunteers, whose death occurred at San Independence and in its national and an official Boer dispatch reports that Washington, D. C. Dec. 20 .-- President Mateo, Island of Luzon, on December 18, State Constitutions. two guns, thirteen wagons and a quan-That the purpose of its existence and McKinley today granted a pardon to tity of ammunition were captured be-1899, has left little but his good name as the objects to which its political action ought to be directed are ennobling of sides 208 prisoners. James H. Bacon, who was convicted in a legacy to his wife and children. A Further accounts of the Tugela river battle emphasize the ignorance of the British intelligence department in rehumanity, the raising from the dust its Utah in 1896 of making fraudulent repiece of property purchased by him as a home in California has a morthumblest and coarsest members, and turns to the controller of the currency gage of half the purchase price still outstanding and unliquidated. The un-dersigned have voluntarily associated gard to the disposition of the Boer forces. The British were not aware that the Boers were entrenched along a the enabling of persons coming lawfully and was sentenced to seven years in under its power or influence to live in freedom and in honor, under governthemselves together for the purpose of ments whose forms they are to have a share in determining and in whose adseries of low-lying hills immediately served, however, as Bacon has been on raising funds to pay off the indebted-ness. Contributions will be thankfully northward of Colenso bridge until a staggering fire compelled them to re-treat when the attack seemed about to bail pending court proceedings. The ministration they have an equal share. case is one of general interest as the received by them, and be devoted to the "That its most important and pressformer and present controller and the object hereinabove set forth. ing obligations are: succeed. The Boers were also in great-"I-To solve the difficult problem pre-"The aid of the newspapers of the attorney general all think the accused

sented by the presence of different races on our soil with equal constitutional rights. To make the negro safe in his home, secure in his vote, equal opporfor education and employment, and to bring the Indian to civilization

er number than anticipated.

It becomes clearer, also, that the man was innocent of intentional fraud, British guns were lost in attempting the last named officer concluding his get within effective range of the Boer artillery, showing that the latter outranged the British ordnance, which recommendation to the President as follows: spite of numerical superiority was

NUMBER 26.

JAMES H. BACON PARDONED TODAY

Attorney General of the United States Says **His Conviction Was Unwarranted** and Decidedly Erroneous.

Comptrollers of Currency Say Mr. Bacon is the First Bank Official Ever Interfered With and Convicted on Account of the Methods He Pursued-They Assert that Bank Officials All Over the United States Do the Same Thing and Are Never Questioned-Mr. Bacon, Upon Conviction, Said He Would Never Go to Prison-Words Have Come True-Plucky Effort He Has Made for Himself-History of the Case.

"I will never go to prison! I will die | Wright, H. G. Whitney, P. C. Christen-rst-even though I commit suicide!" | sen, Lewis M. Cannon, John Reid, Jos S. Clark, Edward Morgan, E. Rush, Thomas Sevy, and Richard Brerton. On December 16th the jury returned its verdict in these words:

"We, the jury in the case of the Unit-ed States of America against J. H. Ba-con, say the defendant is guilty as charged in the third and fourth counts of the indictment.

On the following day-December 17th -Mr. Bacon appeared in court for sentence. He was greatly agitated over the verdict of the jury and was pale and haggard at the outcome of the case. Judge Marshall was very brief in the discharge of his painful duty, Commanding Mr. Bacon to stand up he said:

'You have been convicted of a very serious offense and the coust now sen-tences you to seven years' confinement in the Utah State prison.

Ellis made a brief but earnest and eloquent appeal for a suspension of sentence in order to prepare a bill of exceptions to make a motio new trial. If the present bond of \$20,000 were considered insufficient, they would give one in any amount that the court yould desire. The finding of guilty related solely to the overdraft and it was monstrous to send the defendant to prison on an error of bookkeeping. The verdict, he thought, should be set aside. Attorney McGinnis resented counsel's

paracterization of the very

BIG BATTLE OF THE TUGELA.

First Detailed Account of the Engagement Where the British Army Under Gen. Buller Was Beaten Back by the Boers.

New York, Dec. 20 .- A dispatch to the ! Beald from London gives the following amount of the battle of Tugela, sent to the London Daily Telegraph by its war mrespondent.

The action which was fought day between the British forces ad the Boers was a very severely consted affair. Losses on both sides were

Gen. Buller, who commanded, was reestedly under a deadly fire. Maj. Hodges of his staff was killed,

while Lieut, The Hon, A. H. S. Roberts We wounded. Other officers had nartwescapes, their horses being shot un-them. The object of Gen. Buller's Wance was to force the passage of the itala, carry the Boer intrenchments

6m. Hart's brigade, comprising the Int battalion of the Connaught rang-m the first battalion of the royal Inskilling fusileers, the first battalion of the border regiment, and the first satislion of the royal Dublin fusileers, he sent to ford what is known as male Drift, situated west of Doorn-

den Hildyard's brigade, consisting of the second battalion of the Devorshire stiment, the second battalion of the Wen's royal West Surrey regiment, is second battalion of the West York-are regiment and the second battalion the East Surrey regiment, was di-Miled to proceed to Colenso, and cross

the fiver near the iron bridge. Gen. Littleton's brigade, which was imposed of the second battalion of the Disconlans, the third battalion of the disconlans, the third battalion of the disconlans, the third battalion of the the of the Durham light infantry. The first battalion of the rifie brig-was ordered to support tither Manal or Hart, as occasion might the while Gen. Barton's union fusi-an brigade, consisting of the second stallon of the royal fusileers, the first attalion of the royal Weish fusileers, he second battalion of the royal Scots and the second battalion of royal Irish fusileers, proceeded to sast of the railway toward Mount hagwane, to protect the British flank

threaten that of the enemy. Our cavalry and field guns were sta-land on either wing. The naval This were posted in a central position te west side of the railway, while I Long with his artillery were to the still side of the railway on the right

Gen Hildyard sent ahead the queen's wal West Surrey's on the right, and the Devons on the left of his front, tale Gen. Hart pushed on the Inniskil-and Connaught rangers and Dublin taleers. Our front extended for a fatance of about six miles.

CAPIURE OF ROMBLON.

Itmiral Watson Reports Operations in Northern Luzon.

Washington, Dec. 20 .- Admiral Watin today cabled the navy department bom Manila' as follows:

Manlia, Dec. 20 .- The gunboats Conand Ackley commanding, and Pamarga, Leigh commanding, the 18th inst. what two companies of infantry, capared Remblon. John James, seaman,

West district have perfected an appar. the farmers dangerously, Gold for England. any away, are requested to leave their ently anti-British organization there The meeting proclaimed its loyalty, orders at once as the demands of the examined by a sub-committee to be excellent work daily north and west The opinion grows that the commit-New York, Dec. 20.-Kuhn, Loeb & Co. and as individuals have openly ex- but declared that the conduct of the news boys and out of town news dealtee will report that he is entitled to be appointed by Chairman Tayler. will ship \$500,000 gold to Europe today. WATSON." pressed disloyalty and have threatened troops forced the people to use expressworn, but that as evidence proves that ers are now coming in at a rate that The gold is in double eagles. A member of the committee said this threatens to exhaust the issue. Owing Lieut. Bromby's Funeral. Roberts is a polygamist, he is not to attack the railroad station, which is | sions and commit acts which were ca-Atlanta, Ga., Dec. 20.-The body of the Lieut. T. L. Brumby, arrived from Bank of Russia has advanced the Bank of England £8,000,000. to the expense of preparing the litho-Allanta, Ga., Dec. 20 .- The body of afternoon that the probabilities were eligible to a seat in the House of Repgraphed covers no second edition can be printed. on the direct line between Capetown pable of being interpreted as dis-and De Aar that no more witnesses could be ex- ' resentatives.

corps in their grief. One of the most gallant officers of the army has fallen. The Boers had evidently fully extended their line. Their extreme mobility almost gives them a front in air. 'Ine guns were booming around Lady At the time the sad news came to us his nomination as brigadier general of the regular army was already made for transmission to the Senate, but no

smith when ours broke the silence of Colenso by shelling the foothills north of the Tugela river and Fort Wiley, which stands upon a ridge near the bridge. With skill and labor the Boers bridge, had built walls and forts and had dug successive trenches on the road commanding every line of approach from Estcourt to Colenso.

The country is bare and generally undulating, similar indeed to our downs. Our troops therefore had to advance to the Tugela without any cover. The battle commenced before 6 o'clock

In the morning but the Boers made no reply to the heavy cannonade which our blue jackets directed upon them. Few of the enemy were visible. They lay hidden behind their hillworks, but on our infantry and batter-les and cavalry nearing Colenso a sharp musketry fire was opened on them by

the Boers from the houses on the river bank, behind which many of the enemy had been concealed for hours. It was twenty minutes after six when the Boer batteries opened fire at our field artillery, cavalry and infantry, on the east of the railway. Their cannon

included a creosul 50 pounder, Krupps and a Hotchkiss, the latter a machine gun which, while being discharged gives forth a villalnous and an unnerv-ing rattattat, a sort of a voluminous postmary's knock. postman's knock

The enemy's shells were soon splash-ing in all directions but our indomit-able infantry, in the face of the fu-silade which really was one continuous roar of shot and shell, fought gallantly on and gained Colenso. Col. Long rushed in the batteries in

order to get close range, when sudden-ly the Boers sprang up and opened a destructive fire with Mausers at a range of only 600 yards.

Gunners and horses were rapidly shot down. With the utmost pluck our private soldiers took teams to recover the cannon, but the animals were killed and ten field pieces were not recovered, despite the heroic efforts of our fellows to get them back. It was then that Lieut. Roberts was hit. ' Gen. Barton sent in some companies of Scots and Irish fusileers to assist.

Meanwhile Gen. Hart's brigade, shelled by the enemy and pelted from the hill tops with Mauser bullets and from the trenches on the river bank, met with

an equally terrible opposition. But despite the great losses which were sustained the boys of the Irish brigade grandly won their way across the river, though a few of them were drowned in the passage. But they found the position untenable and were ordered to retire.

Washington at 5:10 this morning and was escorted by a special military guard to the State Capitol, where from 10 to 12 o'clock the face was viewed

by thousands of people. The funeral will take place from the cathedral about three o'clock this af-ternoon and will be conducted with military honors.

Company B. Seventh infautry, will march in the procession and fire a sal-ute over the grave. There will also be seven companies of the Fifth regiment,

mittee, if he decides to come, will be question.

general. Washington. and to culture in accordance with his William Ludlow, brigadier-general, need and capacity. "2-To enable great cities to govern themselves in freedom, honor and pur-William R. Shafter, major general,

commissary

tunity

country is requested.

one of the following:

Havana, Cuba

San Francisco.

overshadowing affliction

"WILLIAM M'KINLEY."

Secretary Root cabled as follows:

death of a soldier, as his splendid cour-age and devotion to duty has met the ideal of a soldier's life. The sad news

will be announced to the army and due

John F. Weston, Acting

"Contributions will be received by any

"H. C. Corbin, adjutant general, Washington, D. C.

"3-To make the ballot box as pure

Washington, Dec. 20.-The President today sent the following cablegram to Gen. Otis: as a sacramental vessel and the elec-tion return as perfectly in accord with the laws and the truth as the judg-"Executive Mansion, Dec, 20, 1899. "Gen. Otis, Manila.—I have learned with Inexpressible sorrow of the death of Major Gen. Lawton, and ask to share ment of the Supreme court. "4-To banish illiteracy and ignorance

from the land. "5-To secure for every workman and for every workingwoman wages enough to support a life of comfort and an old with the officers and men of the Eighth age of leisure and quiet, as befits those who have an equal share in a self governing State.

"6-To grow and expand over the continent and over the islands of the sea, just so fast, and no faster, as we can rank can enhance his fame. He rose bring into equality and self-govern-ment under our Constitution peoples and races who will share these ideals from the ranks of the Ninth Indiana volunteers, filling every grade in the service to that of major general of and help to make them realities. volunteers, and in three wars was con-

"7-To set a peaceful example of freespicuous for bravery and devotion to dom which mankind will be glad to follow, but never to force even freedom duty. The country mourns the death of this intrepid leader. Convey to Mrs. upon unwilling natives at the point of Lawton my heartfelt sympathy in her the bayonet or at the cannon's mouth. "8-To abstain from interfering with

the freedom and just rights of other mations and peoples, and to remember that the liberty to do right necessarily involves the liberty to do wrong; and War department, Dec. 20, 1899: Otis, Manila.-I join with the officers and that the American people have no men of the Eighth army corps in deepright to take from any other people the birthright of freedom because of a fear est regret over the death of their heroic comrade, Gen, Lawton. I beg you to convey to Mrs. Lawton expression of my sincere sympathy. It was the ideal that they will do wrong with it."

HOW LOGAN WAS KILLED,

Lieut-Col. Brereton, late of Fort Douglas, Tells the Story.

Youngstown, O., Dec. 20.-A letter written by Lieut. Col. Brereton, of the Thirty-third infantry, who was with Major John A. Logan when he was killed, has been received here. It sets at rest the story circulated that he was killed by his own men. The letter is dated San Fabian, Nov. 12, and says:

"Your hushand died a hero while lead-ing in battle the command to which he had been assigned upon joining his regi-ment, the Third battalion. His battalion was the advance guard of the regiment in attack upon the town of San Jacinto

"Yesterday, Nov. 11th, Major Logan was leaning over a wounded soldier to assist him when he was shot through the head. This was shortly before 9 o'clock in the morning. Prompt surgi-cal attendance was at hand, but the major never recovered consciousness and died while being conveyed to the hospital. The exact locality was about hospital. The exact locality was about two miles from San Fabian on the road to San Jacinto. I was one of the last persons who saw him alive, and he was brave and self-possessed, until struck down by the enemy's bullet." Major Logan's valet. Moriey, has ar-rived at San Francisco on the trans-port Sikh and will join the Logan fam-ily at San Diego.

ily at San Diego.

Speculation Leads to Death.

Baltimore, Dec. 20 .- Capt. Louis Scheeberger, cashier at the Baltimore postoffice, committed suicide this morn-ing by shooting himself in the head at his home. His accounts have been

NEW DANGER FOR GREAT BRITAIN Cape Colonists Say British Troops Irritate the Farmers-

> Threats to Attack Victoria West Station Between Capetown and De Aar.

Roberts, who has shown in the cross-London, Dec. 20 .- A Capetown dis- | The Afrikander Bundites at a meetguard and one company of artillery and a large number of Confederate meantime only one witness, Letcher will receive a copy of the Christmas patch dated Saturday, Dec. 16, says: ing there, passed a resolution asserting News free. All our friends who desire examination of witnesses that he is am-Five hundred colonists of the Victoria that the troops in the vicinity irritate to purchase additional copies or send of Salt Lake, summoned by the comply able to take care of his side of the veterans in line.

wholly inadequate to reply to the long range Boer guns.

The British war office comes in for scathing denunciations from the Times today for not providing effective ar-tillery. It is pointed out in this connection that the longer ranged naval guns participating in the same attack

escaped. There was no news this morning to

enlighten the general situation. The war office reported that Gen. French reconnoitered northward of Arundel on Monday, Dec. 18. After shelling Jasfontein farm three miles eastward of the Boer position, the New Zealanders advanced and occupied the farm. The Boer guns then opened, and the Boers advanced to the attack until ordered to retire.

The last news from Mafeking dated the 6th, has just been received. It says a desultory bombardment was continuing, and that the sharpshooters were engaged in a smart duel morn-ings and evenings. The dispatch also describes a novel method of sending a message adopted by some Boer, Dec. 4. A five pounder shell fired into the town that day did not explode. It was opened and found to contain a letter as follows:

"Dear Powell (Col. Baden-Powell)-Excuse iron messenger. No other means of communication: Please tell Mrs. ---- mother and family all well. Don't drink all the whisky. Leave

some for us when we get in." The sender's signature was torn off. Revised lists of the British casual-ties at the battle of Colenso show that 137 non-commissioned officers and men were killed.

At a meeting of the corpora-tion today the lord mayor, A. J. Newton, announced that £25,000 sterling had been subscribed by the large city firms which are contributing the money to defray the necessary expenses of a force of a thousand volunteers among the city corps. The lord mayor also said that Gen. Lord Wolseley, the commander-in-chief, had accepted the of-fer of the services of these volunteers.

THE KENTLCKY CONTEST.

Likely to be a Good Many Charges of

Corruption. Frankfort, Ky., Dec. 20 .- Though no. tices of contest have been prepared against both Governor Taylor and Lieutenant Governor Marshall, they probably will not be served until Friday. The delay in serving notices is said to have been planned to prevent taking depositions prior to the meeting of the legislature, the Goebel people preferring to have the whole proceedings conducted by the contest committee of the legislature instead of in part before the court examiners and later by the contest committee.

Louis McQown, of Bowling Green will be the leading counsel for Goebel before the legislature. Taylor's man-agers say counsel for the Republicans will not concern themselves to rebuttal of the grounds of contest, laid down in Goebel's notice, but expect to show flagrant frauds in many of the large Democratic counties.

Big Suits Against Cattle Men.

Chicago. Dec. 20 .- Two suits have been instituted in the superior court here against C. J. McNamara and Thomas A. Marlow, members of a Mon-tana cattle dealing and herding firm, for \$250,000. The suit is filed by the Home Land & Cattle Co., of Montana, and is brought in the courts here in order, it is said, to get service on one of the defendants, believed to be in this

Of the two actions, one is against Mc. Namara and Marlow individually for \$100,000 damages, the other against the firm of McNarmara & Marlow for \$125.000.

CHRISTMAS "NEWS" FREE.

standed in the knee, the only casually a the navy. Newark's battalion land-it from Callao, occupied Campiona, with coast of Luzon. Burwell, Wheel-te, co-operating (with) Gen. Young, the one service, landing battalion, do-The Dally subscribers of the News one company of the governor's horse

"It would be most unjust to visit on the petitioner the severe penalty pronounced by the statute upon offenders against the national banking laws for a mere failure to follow strictly a purely technical detail such as this was. I advise that the petitioner be

NEWS RECEIVED.

[SPECIAL TO THE "NEWS."]

None of the sentence has been

granted a pardon."

[By Associated Press.] Washington, Dec. 20 .- The President has granted a full pardon to James H. Bacon, who was convicted in 1896, and sentenced to imprisonment for seven years in the Utah penitentiary for making a false report to the comptroller of the currency of the condition of the National Bank of Salt Lake, Utah, of which he was president. The method of making his report, it is asserted by the comptroller of the currency, Dawes, and his predecessor, was well nigh universal among banks, and was well understood by the department and until this time had not been the subject of official com-plaint. They both state that in their judgment Bacon was innocent of any

moral wrong, and that he ought not to have been convicted. Attorney Gen. Griggs, in reviewing the case says the evidence did not warrant a finding of guilty.

PRIVATE TELEGRAM.

A telegram was received here, previous to the arrival of the Associated Press dispatch, from J. H. Bacon at Washington, D. C., which announced that Mr. Bacon had been granted a full and free pardon by President McKinley.

HISTORY OF CASE.

Mr. Bacon was indicted, tried and con. victed in the United States district court of Utah for making false report to the comptroller of the currency as to the condition of the American National bank on December 28, 1893, at which time he was president of the in. stitution. He was sentenced to a term of seven years in the Utah penitentiary. His attorney appealed to the circuit

court of appeals, alleging error in the trial. The original indictment against Mr.

The original indictment against Mr. Pacon was found by the grand jury November 24th, 1896. The case came to trial early in December of that year. It was prosecuted by United States District Attorney John W. Judd and his assistant, W. L. McGinnis, while Colonel Ellis of Dickson, Ellis & Ellis mas leading counsel for Mr. Bacon was leading counsel for Mr. Bacon. The trial jury was composed of H. S. Beatle, foreman; Robert Sherwood, R. S.

that the finding was wholly justifiable. It was only one of a series of grave offenses. He was oppose any suspension of sentence. As to ball, that was a very unusual thing in such a case as the one at bar. The court said he saw no reason

for delay. Sentence could be imposed and still all the rights of the defand-ant be protected. The court, however, would stay the execution of the senwould stay the execution of the sen-ience, which was done after sentence was imposed. The stay was for forty days and pending that time the defend-ant was permitted to have his liberty on furnishing a \$20,000 bond. Conviction was had upon the third and fourth counts. The third charged Bacon with entering in his report to the comptroller of the currency \$5,755.53 as overlapping when the amount should

as overdrafts, when the amount should have been stated as \$14,479.82, and with doing this with the intent of deceiving an agent to be appointed by the comptroller. The fourth charged him with entering an overdraft upon his report to the comptroller of the currency \$5,575.53, "whereas the amount should have been much greater," and with so doing with the intent of deceiving an agent appointed by law."

Mrs. Susan B. Emery, a wealthy Salt Lake woman, was on Mr. Bacon's first bond of \$20,000. The instrument, however, was not approved by the court on ever, was not approved by the court of account of some legal technicality and Mr. Bacon gave a new bond in the same sum, which was duly accepted, with the following sureties: Jeremiah Schenck, W. E. Hubbard, J. W. Hous-ton, L. W. Dittman, F. J. Leonard and F. W. Ross. The bond simply recited that the de-fendant abide the order of the circuit

fendant abide the order of the circuit court of appeals. When the case went to this court Mr. Bacon had a new attorney in the person of Hon. George Sutherland, who prepared the brief and argued the case at St. Paul on the 2nd May last before Judges Thayer, Caldwell and Sanborn.

Attorney George Sutherland, when apprised of the court's decision, promptly appealed to the Supreme Court of the United States on the re-ceipt of the remittitur, and presented the case in the form of an application for a writ of certiorari. The Supreme Court upheld the form-

er decisions, and then a petition was gotten up, asking President McKin-ley to pardon Mr. Bacon. This petition was signed by some members of the jury, nearly all the bankers of Salt Lake and many prominent citizens. For some time Mr. Eacon has been in Workherton provides and an angle and a solution. Washington pressing his case and, so far as determination and pluck are concerned, thoroughly deserved the result, which brings joy to himself and

WILL KEEP ROBERTS OUT.

Member of Committee Says He Has a Right to the Place, but Congress Cannot Afford to Go Against Public Sentiment.

[SPECIAL TO THE "NEWS."] Washington, D. C., Dec. 20 .- All the witnesses examined by the special committee appionted to investigate the charges against Roberts, received their expense money today, and will return home tomorrow.

The committe will not meet again until January 4th, when they will hear Mr. Roberts' side of the case. In the

amined, because the testimony given yesterday satisfied them that Roberts had plural wives living. However, this may be changed after Roberts has made his statement, and it may be that committee will yet go to Utah to make further investigation.

Privately, a member of the committee says that Roberts has a prima facle right to his seat, but they cannot afford to go against public sentiment. No one understands this better than

ceremonies of respect for his memory will be directed in general orders. ELIHU ROOT, Secretary of War. Pension for Mrs. Lawton Washington, Dec. 20 .- Senator Fairbanks today introduced a bill granting pension of \$2,000 a year to the widow of Gen. Lawton

Representative Landis, of Indiana, in-troduced a similar bill in the house. Mr. Landis represents the district from which Lawton's first regiment was re-

Objected to Samoan Island.

Washington, Dec. 20.-The Senate ommittee on foreign relations today authorized a favorable report upon the two treaties negotiated with Great Britain and Germany for the dissolution of the tripartite agreement for the control of the Samoan Islands. Senator Bacon, one of the new Demo-Senator Bacon, one of the new Demo-ratic members of the committee, was the only opponent of the treaty and he did not seek to delay the reporting of it to the Senate. His opposition was directed towards the acquisition by this country of the island of Tutulia and bis opposition to that was been way his opposition to that war based upon

the contention that the consent of the islanders should be first secured. He was met on this proposition with the statement that the natives were nothing more than wandering tribes and with the argument that the United States could not afford to forego the opportunity to secure complete control of Pago-Pago harbor which this treaty furnished. found perfectly straight. Unfortunate speculations are said to have caused the suicide.

At noon our troops withdrew to their former positions, the Boers evincing no disposition to follow us up.

