

DESERET EVENING NEWS.

10 PAGES -LAST EDITION

TRUTH AND LIBERTY. FRIDAY MARCH 13 1908 SALT LAKE CITY UTAH

The Local Stockholders Are Bought Out and the Syndicate Formed Last Year

Receives Its \$50,000-New Jersey People the Buyers.

CO. AGAIN CHANGES HANDS.

UTAH INDEPENDENT TELEPHONE

FIFTY-SEVENTH YEAR

Artemus Holman, a Rancher of Navy Department Announces

MANY SEAPORTS

WILL SEE FLEET

"For Rent" Ad.

That Furnished Room Can be Put on

a Paying Basis Through a News



And One Uses Revolver **On Fire He Signalled** On the Other. For Help. HOWELL MAKES CAPTURE. "Buck" Staten in Dying Condition Without Suggestion of Panic, All Went

While "Gun Man" Languishes in Jail.

rouble Occurs in "Candy Bill" Me-Kenzie's Saloon on Commercial St. -Principals "Dope" Fiends.

At 11 o'clock this morning Officer Howell, the colored policeman on the local force, captured Jerry Chorn in a om of a house opposite the Sanitarum, 53 west Third South street. Chorn was with a white man named Frank Merrill, and had been with the latter since shortly after Chorn shot Staten n the back.

Officer Howell, "got a line" on the nan through a friend of Chorn's who became indignant over the shooting He saw Chorn and Merrill together after the shooting and told Officer Howell. The latter went quietly to work and finally located the man at the place stated. Howell quietly entered the room and placed Chorn under arrest. he man did not resist and came quiet The man drive the officer. Word was sent to police headquarters that the mar, had been caught, and within 15 minutes Howell arrived with the pris-

MAKES BRIEF STATEMENT.

Chorn is a light complexioned negro Cheim is a light complexioned negro, ut has the appearance of a Mexi-an. His hair while black is quite raight. His skin is of light cream olor and his eyes are of light brown as the did not appear at all ner-ous over his arrest, but refused to k beyond making the following def statement to Officer Howell: "This never would have happened if brief statement to Officer Howell: "This never would have happened if Staten had not reached for his gun, when he threw the dollar on the table. I saw the butt of the gun as he started to pull it from his inside coat pocket. I simply beat him to it, that's all." "Candy Bill" McKenzie, proprietor of the saloon where the trouble occurred, was at the station when Chorn was brought in. He said that the two men had been close friends for many years, and that in California each had bor-nowed money from the other. Their dispute last night was over \$1. Mc-Kenzie said Staten was regarded as Kenzie said Staten was regarded as a quiet, peaceful man, and one not given to trouble making.

OTHERS RELEASED.

Bob Jones, colored, who was also with Chorn after the shooting was arrested ast night and locked up. Chorn's wife was also taken into custody, but after Chorn was placed under arrest they were both released. The prisoner, when taken to the station, refused to make any statement beyond what he said to Officer Howell. He sent for Attorney Newton and employed the latter to de-fend him. When asked for his revol-ver, he said he did not have any, and

PASSENGERS TRANSFERRED

Aboard Relief Boat Summoned by Means of Wireless Telegraphy.

New York, March 13 .- Prompt and de termined action on the part of Capt. Appleby of the Fall River line steamer Providence prevented what otherwise might have been a serious catastrophe when fire broke out on the craft while she was coming up Long Island sound

bound from Providence for New York early today. Three hundred and fifty passengers were asleep on the Provi-dence when the fire was discovered on the freight deck of the steamer which then was off Sands Point, 20 miles from New York.

New York. Fearing that if the alarm were per-mitted to spread over the ship he would have a panic of passengers with which to contend as well as a fire to fight, the captain sent a wireless call to the steamer Richard Peck, of the same line, which he know must be somewhere in which he knew must be somewhere in the vicinity. The Richard Peck also was bound for New York and while she had not been sighted during the night, it was known that her schedule would bring her at that hour to a point with-in a few miles of the Providence.

CALL WAS HEEDED.

CALL WAS HEEDED. The call was promptly answered, the predicament of the Providence was ex-plained, each steamer was advised of the other's position and they started toward each other. When they came together the fire was still in progress on the Providence, but the passengers, who had been aroused a few minutes before, had been told of the coming re-lief and were quietly waiting to be transferred to the other steamer. The sea was calm and the transfer was made quickly and with little difficulty. The officers declare that there was not even a sign of uneasiness aparent The officers declare that there was not even a sign of uneasiness aparent among the passengers and the crew of the Providence gave their whole atten-tion to fighting the fire, with the result that the flames were quickly extin-guished.

DEFENDANT'S DEMURRER SUSTAINED BY JUDGE WOOD

(Special to the "News.") Bolse, Ida., March 13 .- In the case of ON TRIAL OVER TWO MONTHS State Auditor Bragaw vs. Gov. Gooding. Calvin Cobb, et al., of the Idaho States man, in which the latter are made de fendants in the libel suit Judge Fre-mont Wood of the district court ren-dured his decision yesterday afternoon sustaining the demurrer of the defendants, but at the same time holding that the governor's article, as published in the Statesman was libelous per se in some of its parts and therefore allowed some of its parts and therefore allowed the correction the re-presentation of the complaint which was considered faulty in certain respects. The article in question is one Gov. Gooding publish-ed in reply to the auditor in which the latter is scored for exhibiting the state's accounts in the Steumenberg murder case to Western Federation men. Damages are asked by Branau itol conspiracy case in which John H. Sanderson, a Philadelphia furniture dealer and contractor, former Auditor

The long telephone war which has cone on throughout Utah ever since he Utah Independent Telephone comgone on throughout Utah ever since the Utah Independent Telephone company entered the field exclusively oc cupied by the Rocky Mountain Bell, has finally come to an end. The final act in the drama took place today when the last share of stock of the Utah Independent Telephone Co. owned by local men, passed into the hands of the eastern people, represented by Waldemar Van Cott of the law firm of Van Cott, Allison & Riter, Mr. Van Cott conduct ing all the active negotiations and giv-

ing the checks for the sums involved All the local stockholders who have been opposing the turning over of the property to the eastern buyers have now been bought out, and there is no further bar to the peaceable taking over of their property by the new own-As the public will remember the bonds

and the control of the capital stock of the Utah Independent Telephone com pany were owned by the United States Telephone company of Rochester, N. Y. Last year this concern became badly involved and its various properties were

CONSPIRACY CASE

IN JURY'S HANDS

Nearing the End After

Long Fight.

Keystone State Was Upset When State

Treasurer Berry Announced That

Buildings Cost \$13,000,000.

Harrisburg, Pa., March 13 .- The cap-

Pennsylvania's Greatest Scandal Representative from New York

Rochester owners, however, though al. first acceding, finally declined to make the extension and the second \$50,000 was returned to the Salt Lakers who had raised it. The property was then sold to Day & Co., New York brokers, gen-erally thought to be representatives of the Bell Telephone people, though this was denied by the local Bell officials. Mr. Jones thereupon announced that the would fight to the last ditch, before allowing the property to be turned over-to a competing concern. In the mean-time Day & Co. decided to hold the bonds of the Utah Independent Tele-phone company, but sold the capital stock to George A. Berger, of the Trust Company of New Jersey, Hoboken, N. J., and his representative, Mr. H. A. Harvey, has been in Salt Lake for some time endeavoring to secure possession of the property. All his efforts had failed until lately, when he received and the property. All his efforts had failed until lately, when he received authorization from his principals to meet the terms demanded by the local stockholders, who held \$498,000 of the \$1,000,000, issued capital, the other 1,000,000, issued capital, the other 502,000 being in the hands of the New Jersey people represented by Mr. Har

All the details of the settlement are not given out to the public. It is known however, that the minority stockholders, who paid prices ranging from 4 cents to 10 cents per share for their stock, were bought off at somewhere around those figures, though it is statvolved and its various properties were offered for sale. Mr. Elmer B. Jones, managing director of the Utah Inde-pendent company, acting for a number of prominent Salt Lakers, paid \$50,000 for an option on the bonds and stock, the figure being below \$1,000,000 and be-ling generally regarded as a great bar-gain. In the meantime, the board of directors was reorganized, Heber J. Grant being elected president. A sec-ond sum of \$50,000 was sent to Roches-ter to apply on the purchase, for the time of payment of the total sum, the financial slump having intervened and made it impossible for the full amount

WILLETT ATTACKS

NATION'S CHIEF

Denounces Him as Despot

Of Imperialism.

CONSPIRACY OF SILENCE.

He Declares That One Exists Among

Republican Members to Keep the

People in Ignorance.

Washington, March 13 .- Denunciation

was heaped upon President Roosevelt

in the house of representatives by Mr.

Willett of New York. Mr. Willett in-

Assuming that the local stockholders received an average of 8 cents a share for their stock, and with the \$50,000 option returned, it means that some-thing like \$90,000 has been paid over by the eastern people to the home stock-holders and the parties who raised the option memory. money

Mr. Van Cott stated to a "News" re-presentative today that as far as he knew the new owners were in no way connected with the Bell Telephone Co., connected with the Bell Telephone Co., and the Independent would be conduct-ed on straight business principles as a separate and independent concern. The board would be re-organized and sev-eral of the old members had consented to continue in office, including Heber J. Grant, George T. Odell, Heber M. Wells and S. F. Fenton. Those who would rethre were Mr. Jones, M. H. Walker, L. H. Farnsworth, N. W. Clay-ton and John Henry Smith, their places being filled by Mr. Harvey, Mr. Van Cott, J. H. Moyle, J. D. Spencer and Lawrence Green. Mr. Grant would re-tire as president, and be succeeded by Mr. Harvey, representing the owners in the east. Mr. VanCott will act as managing director; Benjamin F. Howell will be secretary and treasurer. It is

managing director; Benjamin R. Howell will be secretary and treasurer. It is understood that all the board, except Mr. Harvey, will have only a nominal financial interest. Mr: Jones was asked today concern-ing what his intentions were regarding the future, and he said that he had nothing to announce, except that he had resigned and would have no fur-ther participation in telephone busither participation in telephone busi-ness. As he has been the storm center of the fighting for years, pushing the Utah Independent into the commanding position it now occupies with a skill, position it now occupies with a skill ability and all around persistence that compelled the admiration even of his opponents, it is safe to assume that even if the Bell has no interest in the purchase of its rival—and this the Bell people vigorously maintain—a program of Harmony, with a large H, will be marked out for the future conduct of the two concerns. people v

PRISON SENTENCE

FOR BANKER WALSH

New Trial and Arrest of

Judgment.

WILL SERVE FIVE YEARS.

Former President of Chicago National

Bank Must Pay Penalty in Ft. Leav-

enworth for Illegal Transactions.

Pleasant Grove, Proves to Itinerary of American Bat-Be a Marksman. tleships' Return Trip. CUTS WIRES WITH BULLETS TO RETURN THROUGH SUEZ

UP POWER LINE

Then He Hauls Away Poles Placed on His Farm by the Telluride Power Company.

FARMER SHOOTS

(Special to the "News.") Pleasant Grove, March 13 .- Artemus

Holman, a well known farmer in this vicinity, this morning took his rifle and shot all the lines of the power line running across his farm, and belonging to the Telluride power plant, to pleces, hauling away three of the poles. This is the outcome of an extended fight with the company over a right of way desired over his property for their Bingham power line. Last year a mix-up was narrowly averted, and when the employes of the company attempted to string the wires over his land Mr. Holstring the wires over his land Mr. Hol-man resisted strenuously. The com-pany secured a temporary restraining order and under court protection the wires were put up. The injunction ex-pired yesterday, and the company had not compiled with the conditions, whereupon Holman took summary ac-tion and shot the wires all to place tion and shot the wires all to pieces. Considerable feeling one way and the other exists in this section, and the outcome is watched with interest.

ALBANY'S GUNNERS PUT UP NEW RECORD

San Diego, Cal., March 13 .- Following upon the report that the cruiser Al upon the report that the cruiser Al-bany, now at this port, had won the world's record for target practise with the 5-inch guns of her main battery, the announcement is made that she has broken all records with the 3-pounder guns of her secondary battery. Ten guns with two pointers for each gun were employed in the practise and the scores made in 10 shots were:

No. 1-Sikes, 6 out of 10, 29 seconds; urrof, 7 out of 10, 28 seconds. No. 2-Akers, 9, 28 seconds; Carter, 6, seconds

No. 3-Coopman, 5, 39 second; Cun-ningham, 8, 27 seconds. No. 4-Plaifer, 5, 30 seconds; Arneld, Judge Anderson Denies Motion for

29 seconds. No. 5-Byrne, 9, 27 seconds; Carson, 8,

- No. 6—Brewer, 10, 30 seconds; Hawk-ins, 8, 28 seconds.
- No. 7-Canaday, 7, 29 seconds; Catlin,
- 6, 28 seconds. No. 8-Bishop, 9, 29 seconds; Silik, 10.
- 22 seconds. No. 9-Bunce, 10, 22 seconds; Willey,
- 19. 24 seconds.
 No. 10-Hughes, 10, 28 seconds; Hanson, 5, 29 seconds.

SAYS HE WAS DREAMING

WHEN HE SHOT HIS WIFE

Chicago, March 13 .- John R. Walsh Washington, March 13.—Hugh Hol-lis, a treasury department clerk, who came here from Louisville, Ky., and served for a time as private secretary to the commissioner of internal rev-enue, shot and killed his wife early former president of the Chicago National bank of this city, who was convicted of illegal use of the funds of he institution, was today denied a new

Supply Ships Arrive at California Ports To Load Up Cargoes of Repair Material and Food for Jack Tars. ******* ITINERARY ANNOUNCED. Washington, March 13 .- Admiral Evans' battleship fleet. after leaving San Francisco, will visit

En Route, Foreign States and

European Possessions Will

View Squadrons.

Hawail, Samos, Melbourne and Sydney, Australia, the Philippines and return to New York by way of the Suez canal.

San Diego, Cal., March 13 .- The ruiser South Dakota, Capt, Charles Fox, arrived this morning direct from Magdalena bay. She dropped anchor off Coronado alongside the Washington and Tennessee of Admiral Sebree's fleet, and will remain several days. They will probably be joined before night by the California, which left Magdalena bay on the 11th, to

join the Sebree squadron, to which she has been attached, here. Another arrival this morning was the big supply ship Cuigoa, which steamed into the harbor at S o'clock for the purpose of loading supplies for

for the purpose of loading supplies for the fleet. Orders were placed some days ago and the supplies have been collected for her arrival. In addition to the supplies, the Cul-goa will take a large amount of mail for the fleet, several tons of which have collected at this point.

PROGRAM ARRANGED.

PROGRAM ARRANGED. On the first night of the fleet's ar-rival, the whole ocean front will be illuminated for an hour, with, 16 sta-tions all burning red fire at once. The regatta committee is proparing, if it meets with the approval of the fleet commander, to offer a series of handsome cups for barge and six races between the 'rarious creat. Among the other events, marking, the visit of the war vessels, will be a ministed performance to be given by the members of the crew of the Tennessee at the Garrick theater to-night for the benefit of the sailors' re-ilef fund. lief fund. RELIEF WEIGHS ANCHOR.

he said he did not have any, and efused to say what he did with it fter the shooting. McKenzle denies that the men

McKenzie denies that the men quarreled over a gambling game and declares that he runs a respectable place and that the men were playing pool when the trouble started.

CLAIMS SELF DEFENSE.

Chorn stated to Captain Burbidge that he shot Staten, but in self defense, and that after the shooting he threw the gun away on the street. He went back later, he said, to find the weapon

ut it was gone. While the police are holding Jerry Chorn colored, a jockey and "hop-head," James Staten, better known as "Buck," also colored, is lying on a bed at St. Mark's hospital, fatally wounded. He will, in all probability, die before nightfall. Staten was shot by Chorn shortly before 11 o'clock last night in "Candy Bill" McKenzic's saloon and gambling joint at 33 Commercial street. The shooting was the result of a quar-bel between Chorn and Staten over money. Chorn, after firing a bullet from a 38 caliber revolver into the back of Staten, threatened to kill any one who attempted to detain him, and made good his escape.

STORY OF EYEWITNESS.

According to the story told this norning by a colored man who was in moraling by a colored man who was in the room where the shooting occurred. Chorn and Staten, with others, had been "shooting craps." The two became engaged in an altercation over money matters. They had loaned each other money at various times but there was a dispute as to whether they were even or not. Chorn elaimed that Staten owed him \$1. "The latter declared that owed him \$1. The latter declared that he did not. Then, it is allowed othat he did not. Then, it is alleged, Chorn said: "The first time I see a dollar of yours on the table I'm goin' to take it."

SECOND SHOT SCORED.

At this remark Staten reached in his pocket, drew out a dollar and threw i on the table. Instead of reaching for the money, Chorn drew a gun. Staten saw the weapon and started to run up-stairs. When half way up Chorn fired. The first bullet went wide of its mark, and then Chorn took deliberate aim at the retreating nearo and fired again. retreating negro and fired again, shot took effect. The builet entered Staten's back, ranged upward and ed through the lungs. Immediately all was confusion. Those in the room ducked under tables and behind chairs. Chem lost his hat in the confusion. He returned for it, still brandishing the

WANTED HIS HAT.

"Where is my hat?" he demanded. Don't do any more shooting pleaded one of the colored men preset

You black -"You black <u>get</u> out of my way or I'll kill every <u>d</u> one of you." Chorn is alleged to have replied. He then picked up bis hat and disap-peared.

WOUND IS FATAL.

Staten was taken to a drug store by ome of his friends and later was car-The to police headquarters, where Dr. H. B. Sprague attended him. The wound was dressed and Staten was ordered sent to St. Mark's hospital. The at-tending physician regards it as remark-able that the man has lived so long and it is stated that the wound is a fatal ore. Or.e.

HE HAD NO GUN.

Staten did not have a revolver on him. according to statements of eye witness-tz. They say he merely threw a silver dollar on the table and reached back

Damages are asked by Bragaw for \$50,000.

n his pocket when Chorn, quick as a flash, drew a weapon. Staten ran for the stairway and was half way up when the first shot was fired. It missed, but the second took effect. Staten did not fall immediately, but in a few seconds sank to the floor CROOKED JOCKEY.

Chorn is married and lived with his wife at 23 Franklin avenue. He was a jockey and rode at the last meet at the state fair. He was ruled off anthe state in a leged crooked work. He was a "hop" fiend and was regard-ed as an ugly customer by other ne-groes. Just before the shooting he had a wrangle with a man and made threats. with another colored

STATEN A COCAINE FIEND.

"Buck" Staten was addicted to the use of cocaine. He is married and lived at 53 Franklin avenue. He is 32 years of age and came here from Austin, Tex., where his mother lives. She has been notified. When Chorn made a demand for the

When Chorn made a demand for the l, saying that Staten owed him the ame, Staten replied: "Well, if I do

\$1, saying that Staten owed him the same. Staten replied: "Well, if I do I'll never pay it." Then Chorn declared he would take it by force. The mo-ment the money was thrown on the table the shooting began. During the early part of this winter, Chorn was well supplied with money. It is claimed by those who were some-what intimate with the fellow that he had at least \$3,000, but lost nearly all of it by gambling. He lost money last night before the shooting, and was in a most disagreeable frame of mind. nost disagreeable frame of mind At this writing Staten is still alive but word comes from the hospital that he is in a precarious condition and can

not live. AMERICAN CIPHER CODE

STOLEN FROM EMBASSY Second Occurrence of the Kind

-Frenchman Escapes to

Constantinople.

Bucharest, March 13 .-- It was learned here today that a copy of the cipher of the American state department used in private correspondence between Wash-

ington and the various American legations and embassies, was stolen recently from the American legation here by a French employe who succeeded in escap-

ing to Constantinople. It is understood that this is the second time the American cipher has been obtained by strangers within the past few strangers within the past few

General W. P. Snyder, former Treasurer W. L. Mathews and James M. Shumaker, former superintendent of the board of grounds and buildings, are charged with defrauding the state in furnishing the capitol, was given to the

jury today. The arguments were concluded yesterday and today Judge Kunkel gave final instructions to the jurors who have patiently listened to testimony and speeches since Jan. 27. The present case constituted one of

the longest jury trials in the history of Pennsylvania courts, and it attracted much attention throughout the state. The prosecution of the alleged capitol frauds is the indirect outcome of tol frauds is the indirect outcome of the great political upheaval in Phila-delphia in 1905, which resulted in the fall of that year in the election of W. H. Berry, a Democrat, to the office of state treasurer. After Berry took office he startled the people of the state by charging that the books of the state by charging that the books of the

state by charging that the books of the state treasury showed that the capitol instead of costing \$4,000,000, had actu-ally cost \$13,000,000. An investiga-tion followed and findings of the in-vestigators were to the effect that great frauds were committed in the furnish-ing and decorating of the building. The case was laid before the attorney gen-eral who began proceedings which re-sulted in the indictment of 14 persons. After the case of the four defendants, now before the court, has been dispos After the case of the four defendants, now before the court, has been dispos-ed of, the prosecution of the others will be taken up. The state alleges that the frauds in the furnishings and decorating of the capitol aggregated near

INTERESTS IN HOLLAND

PROTEST DIVIDEND

Albany, N. Y., March 13.—Application was made to the public service commis-sion, Second district, today by attor-neys for Hymens and Zoon of Amster-dam, Holland, and John T. Keegan of Milwaukee, to investigate the Dela-ware & Hudson railroad with reference to the question of impairment of the company stock. It is further asked that the commission intervene in the suit of Hymans and others against the that the commission intervene in the suit of Hymans and others against the Delaware & Hudson and take such further proceedings as are necessary to prevent the payment of the contemplat-ed dividend of 9 per cent.

MAN BELIEVED INSANE CAUSES STIR IN CHURCH

Chicago, March 13.—A man giving the name of Wendum and who is believed to be insane, caused a disturbance to day in St. Elizabeth's Roman Catholic day in St. Hitzabeth's Roman Catholic church at Forty-first street and Wa-bash avenue. He sat in a pew in the rear part of the church weating his hat and mumbling in an incoherent manner. When requested by the janttor to remove his hat he declined, say.

ing This is a free country and I can do as I please. When the organ begins playing I am going to take out my

distressing effects of panic of 1907 still were being felt. "There seems to be," he said, "a conspiracy of silence on the part of the Republican members of the house on the subject and cause of the effect of

the panie." Those members, he declared, wer afraid to attack the president for fear of his "big stick." The president, he said, was "reaping the reward of his own reckless misconduct."

BROWNSVILLE INCIDENT.

He referred to "the imperialistic methods" of the president a evidenced by "The un-American discharge of whole companies of American soldier without trial, without proof of guilt," worth. and said it sounded "more like an edict of an African chieftain or Russian des. pot than the command of an American

president." Mr. Willett charged that President Roosevelt, "has done more than all other president's and all other public men in the history of the country to shake the confidence of the people in our form of government and has done more than any one man in our nation's history to destroy legitimate business, shatter confidence among the people and bring utter panic into every counting room, factory, shop, office and home in the land, and has exhibited a greater degree of self-consciouncess and ego-tism, which are the natural result of power and flattery, than any presi-dent who has occupied the White house.'

SUGGESTS REMEDY.

"Nevertheless," he said, 'the clarion tongues of the great Republican party are silent; the people's rights may be trampled upon, but party interests must be portected."

must be portected. He characterized the president as "the great central deity." and said that if the usurpations of the president passed unchallenged by the people, they would soon create the force of prece-'Now is the time," he exclaimed

"Now is the time," he exclaimed, "and we are the people to watch with jealousy, such beginnings to indignant-ly attack them and if possible prevent them. In conclusion he said: "Remove the cause of the unrest, sl-lence the ceaseless, senseless clamor for spectacular effect on the part of the man in the White House and quict will be restored."

MORSE IN BANKRUPTCY.

Petition Filed in United States Court For New York Asks Judgment.

New York, March 13 .- A petition asking that Charles W. Morse, the former banker and steamship promoter, be declared a bankrupt was filed in the federal court today. The

petitioners are Charles A. Hanna, receiver of the National Hank of North America, of which Morse was at one

strangers within the past few years. The previous occasion was at St. Petersburg, where spice se-cured photographic copies of the cipher from the American em-bassy. Men searched at the police that he has made matrix to take but my shouting gun." The janitor ejected him, and after reaching the vestibule Wendum de-nounced the Catholic religion, declaring that the priosis should be blown off the earth. He was arrested later, and told the police that he has made matrix the search at the priosis in Clereland. When searched at the police station a revolver was found in his possession.

trial by Judge Anderson in the United States district court and sentenced to serve five years in the federal penitentiary at Fort Leavenworth.

As soon as the court had announce the refusal to grant a new trial, the attorneys for the defense entered a motion in arrest of judgment on which they argued for some time. It was generally thought about the court room that they would consume three or four more hours stating their rea-

sons for the granting of this motion, but Atiy. Hart, who presented it, ceas-ed speaking in about 30 minutes. Judge Anderson then promptly over-ruled the motion and sentenced the banker to five years in Fort Leaven-

SPOKE ONE HOUR.

Judge Anderson in denying the mo-tion for a new trial, spoke without notes, his decision requiring about one

tion for a new triat, spoke without notes, his decision requiring about one hour in delivery. He first took up the question of the alleged non-assent to the verdict of Juror Palmer, reciting the circum-stances from the record of the court and declaring: "It cannot be said for a moment that Palmer dissented from the verdict. To my mind there is but one construction to be placed upon the whole matter and that is that he assented to the verdict. If it had ap-peared to consul for the defendant that he did not do so, they should either have asked that the jury be sent back for further deliberation or that it be discharged. No such request was made and the court is therefore justified in saying that counsel took, at that time, the same view as was held by the court and that was that the verdict was entirely regular." NO MISCONDUCT SHOWN.

NO MISCONDUCT SHOWN.

NO MISCONDUCT SHOWN. The court further declared that charges of misconduct on the part of the jury were not founded on fact, saying that counsel for the defense had stated in open court that they had no objections to offer to whatever degree of liberty the court might allow the jury at times when court was not in session. This being the case, he de-clared that counsel was barred from claiming that too much liberty had been allowed, particularly when it had not been shown that any improper use had been made of the freedom granted. It is claimed by the defense that while in a variety theater, one of the jurors in this trial, removed the garter of an actress. What that has to do with this case I cannot imagine, and of an actress. What that has to do with this case I cannot imagine, and why dignified counsel should bring it into this case is beyond my comprehen-sion. It has no logical or possible rela-tion to the deliberations of the jury. "Much has been said about the incon-sistency of the verdict, it being claim-ed that the defendant was found guilty more several counts which charge the upon several counts which charge the same offense to have been committed in different ways. It seems to me that the verdict covers all the points in the case, and that there has been no incon-Sistency as alleged." On the point of alleged error commit-ted during the trial, Judge Anderson

sald

HAD A FAIR TRIAL. "Generally speaking. I want to say now that this defendant has had a fair trial. Nowhere did the court allow evi-dence to go before this jury which was calculated alone to prejudice the case of the defendant

today. Hollis procured a revolver a day or two ago and practised shooting it yesterday. About 3 o'clock this morning his wife arose to attend their child and as she returned to the bed-side, Hollis awakened, pulled the re-volver from beneath his pillow and fired, instantly killing the woman. Immediately he went to sleep again and knew nothing of the shooting un-til he was afterward awakened. He has always borne an excellent repu-tation and he declares he was dream

-

ing of burglars.

intended to do the things that are charged against him in the indictment. For more than 30 years I have taken part in legal procedure as a lawyer and a judge, and it is my deliberate and a judge, and it is my denomiate conviction that a more reckless, utter disregard of law has never been shown in any case within my experience. Feeling thus, it was with considerable misgiving, if I may so speak, that I sat here yesterday for more than three hours and heard counsel for the defend-ant areue that the government had

ant argue that the government had failed to show criminal intent. WENT TOO DEEP.

"I had occasion to say in ruling up motion made by defendant's o on a motion made by defendant's coun-sel that no man can serve two masters. To my mind that is the key of this whole situation. The defendant was a banker and president of a national bank. The proof shows that he loaned to himself practically seven-tenths of three-fourths of the entire assets of this patients hank's seventeen or eighteen national bank's seventeen or eighted million dollars, which was invested no in properties which had been developed in properties which had other properties which he hoped to develop. The bank-er was lost in the promoler, the specu-lator, the railroad man. The evidence clearly establishes this."



lives will form special features in the

SATURDAY NEWS TOMORROW

Other exclusive articles for this issue will be: Emperor of Austria Suppresses

- Another Royal Scanda! Lady Mary's London Society Letter. Carpenter's letter on the
- Strange Tribes in the Heart of the defendant. "In my opinion no reasonable man could hear the evidence in this case and have any doubt that the defendant

Cheyenne, Wyo., March 13.-The Ital-ian car in the New York-to-Paris race, left Cheyenne at 9:47 this morning, mountain time. Expects to make Laramie by night.

sailed from Mare Island this morning, en route to Magdalena bay, where she will join the battleships under Rear Ad-miral Evans. The Relief was placed in commission over a month ago, and was to have sailed on or before March 10, but owing to delay in putting her stores and coal aboard, she was unable to set succe before this marning. The to get away before this morning. Relief is the only hospital shlp in United States navy. She carries merchant crew and sailing master. in the number of naval surgeons are attached her, as well as a large corps of hospital stewards.

Mare Island, Cal., March 13.—The hospital ship Relief, under commond of Surgeon Charles F. Stokes, U. S. N., sailed from Mare Island this morning, on route to Mordeland here the

SAN FRANCISCO ARRIVALS.

San Francisco, March 13.-Rear Ad-miral Swinburne's flagship Charleston, companied by the cruisers Milwaukea accompanied by the cruisers Alliwalikee and St. Louis, arrived here this morn-ing from Magdalena bay, where they had been engaged in target practise. The torpedo boat destroyer Perry ar-rived last night. The destroyer Preble stopped at Port Los Angeles to o and is expected to reach this port night. The cruiser Albany, also Rear Admiral Swinburne's squadron, is at San Diego.

METCALF CONGRATULATORY.

Washington, March 13.-The follow-ing congratulatory telegram signed by Secretary Metcalf was today sent to

Rear Admiral Evans: "The department congratulates you and the men and officers of the Atlantic fleet on the termination of the voyage to the Pacific in exact accordance with the filterary and also upon the efficiency of the ships and the time of the arrival at Magdalena Bay."

MAN STRICKEN DEAD IN PECULIAR MANNER

Seattle, Wash., March 12.-W. L., Abrams, credit man of the Nationas Grocery company, was killed by elec-tricity in his home last night. A storm was in progress and a street car be-came short-dircuited in front of his house. After stording at the window came short-circuited in front of his-house. After standing at the window with his wife watching the electrical display for a moment, he turned on the electric light with one hand, and with the other reached for the tea-kettle, which was on the kitchen stove. As he touched the kettle he was stricken dead. He remained standing with arms outstretched and the fingers of one hand were burned away by the one hand were burned away by the current, which seems to have come from the trolley wire.

WITH THE AUTOMOBILES.

American Car Due at Ogden 'Tonight-Italian Car at Cheyenne Today.

Marshalltown, Iowa, March 13 .- The German car in the New York-to-Paris automobile contest left here today at

Granger, Wyo. March 13.—The Amer-ican car left here at 6 o'clock this morning, mountain time. Expects to make Ogden, Utah, by night, Ogden is 146 miles west. this Omaha, Neb. March 13.—French car No. 1. reached Crescent, Iowa, at 15 o'clock this morning. Crescent is 10 miles east of Omaha.