THE DESERET EVENING NEWS.

TRUTH AND LIBERTY FRIDAY, APRIL 26, 1901. SALT LAKE CITY, UTAH.

FIFTY-FIRST YEAR

A SENSATION IN THE HUBBARD CASE

Intimation That Mrs. Knox and Child Were to Get Big Money for "Right Kind of Story."

ed'

p-a-teapot variety was flashed with nexpected suddenness before the visof the exclusive coterie of attorneys nd witnesses in the Hubbard assault se in Judge 'Timmony's court room oday. It was sprung by Judge Powers a manner that indicated blackmail undue, influence upon the youthful tim and her mother. While the forr was on the witness stand Hubard's chief counsel extended the index nger of his right hand towards Attor-Alexander McMaster and asked ith measured and accentuated delibion if that gentleman had not visither mother's home and assured her it if the "right kind of a story" was old they would get a sum of money-000 or \$5,000. The child in a manner ost frank and unsuspecting answered firmatively and clung to the correctss of her statement. On the face of the answer was rather startling and orarily promised a bona fide senn. But investigation and explan-punctured the suddenly inflated ars of all.

ATTORNEY MCMASTER'S STATE-MENT.

Attorney McMaster was interviewed during the noon recess the "News" during the hold letters d said: "All there is to the 'sensa-n' is this: Mrs. Knox sent for me real days ago and consulted with regarding the propriety of institut-regarding the propriety of institut-"News" regarding the propriety of institut-clvil proceedings against Hub-d. After talking the matter er with Mrs. Knox and h my partner, Judge Dininny, concluded that there was good and for action. The little girl was sent and \$3,000 and \$5,000 were menand as were also \$15,000 and \$20,000 l other sums which the child might t as well have mentioned. But all had reference to the amount of the vil suit that we are going to bring gainst Hubbard. Not one work was aid about the 'right kind of a story' about testimony in any way what

"We served a summons on Hubbard a days ago and will file the complaint Just what amount we will sue has not been agreed upon, but it e in excess of the sums named by

A decided sensation of the tempest- | the witness described in detail what she claims to have seen. "You saw that reflected from the mirror did you not?" "Yes, I did."

HEARD HELEN CRYING.

"How much of the bed was reflect-

About two-thirds." Mrs. Lawler was almost overcome by emotion at this point of her testi-

mony and asked for a drink of water. After composing herself for a few moments, Mrs. Lawler continued: "When I got down off the wardrobe I went out into the hall and soon I heard Helen crying, 'Stop! stop! you hurt me!' She said that several times. ''I ran down stairs to look for an

offic "Did you have any conversation with Helen?

'No, I did not." Judge Powers then took the witness in hand and asked her if she screamed

when she saw Hubbard and Helen on the bed.

"No," said the witness. "You did not cry out?"

'You did not cry for assistance?" "No." "What! do you mean to say that you

did not call for some of the roomers? "I did not." "Were you looking for evidence?"

"Yes. "And you were willing to let a crime be committed in order to secure evi-dence against Hubbard?"

"Yes; if you want to put it that way," replied Mrs. Lawler. Judge Powers was most severe with the witness and compelled her to an-swer his questions briefly and to the point. She denied to him that she had

testified in a case similar to this one.

HELEN ACCUSES HUBBARD.

Mrs. Lawler was excused and Helen Knox, the II-year old girl alleged to have been outraged by Hubbard, was called. In answer to Mr. Loof-bourow she said that she lived at 275 south First West. She said she knew Hubbard, who she claimed told her to call him Williams. The little girl then gave her testimony in a fearless manner, but the deatils are too revolting for publication in this paper. She related the circumstances of her first meeting with Hubbard, of her going to the Sanitarium with him and later of

bard to come down to your place and see some rooms for rent?" "No, sir." By Mr. Loofbourow-"Who asked you first about Mr. Hubbard taking a room at your house?" "Mr. Hubbard. He asked me what mama did and I said she kept furnished rooms and he said he might rent one." CHILD'S MOTHER TESTIFIES. Mrs. Francis E. Knox was called and testified that she was Helen's mother and that the child was eleven years old. She said that when Helen brought home

the bracelet and kodak she said that a gentleman had given them to her. Helen told witness that the had been up to "Mr. Williams' " room. Mrs. Knox identified some underwear which Helen wore on the day of the assault. In answer to Judge Powers Mrs. Knox safd that Helen told her that she had been up to "Mr. Williams" room but she told her she did not want her to go there any more. She said that Helen said that "Mr. Williams" would not hurt her, that he had a sister there. "Was Helen's teacher at your house on the 14th?"

'Yes. "She talked to you about this case and asked you if Hubbard was guilty?" "Yes, sir." Lid Mrs. Brown ask you why you

allowed Helen to go to Hubbard's room, and did you not reply that it was nec-essary for Mrs. Lawler to get more evidence against Hubbard?" "No, sir."

Witness was positive that no conver-sation of that kind occurred. She ad-mitted that she has brought suit against Hubbard and sent him a sum-

mons before a complaint was worn to, "When did you swear to a complaint?" "I don't remember." "What damages do you claim?"

"Ten thousand dollars." Judge Powers offered two summons

in evidence, but it was objected to by Mr. Loofbourow on the ground that it was imaterial. The objection was overrule Mrs. Knox was on the stand when this report closed.

TITTLEBAUM IS RELEASED

Set at Liberty on His Own Recognizance by

Judge Stewart. Rabbi Rabinovitz, Father of Leab,

Seeks Court in Chambers and Pleads Poverty. Joseph Tittlebaum, whose trial for unlawful carnal knowledge of a female under the age of consent, has been set

by Judge Stewart for May 20, was this morning, on the representation of F. J. Gustin, his attorney, set at liberty on his own recognizance. It had been satisfactorily shown to the court that Tittlebaum was not in a condition of health to suffer confinement. His attorney said he would do all in his power to have his client on hand on the day set for his trial.

Rabbi Rabinovitz, father of the pr

SKIPPED TO DAWSON.

Wife, Sues for Divorce.

H. F. Minough has called in the aid

bonds of matrimony between him and Ellen Minough, who, he claims, has

been living with a man called Allen at Dawson City since August, 1899. The

marriage took place in this city on January 4, 1896. There are no children.

Change of Attorneys.

dered for the defense of Frank Brown, charged witht felony. William M. Mc-

Crae has been allowed to withdraw,

and the court has appointed in his stead

Attorney P. C. Evans. The trial will

New Trial for Wilson.

Harry Wilson's re-trial on a charge of robbery changed from next/ Thurs-

day to tomorrow morning, Mr. Wan

less has business in Denver next week,

CHILD IS BADLY SCALDED.

Serious Condition.

Little Job Hemsley, Jr., of Sugar

House ward, is lying at his home in a

precarlous condition, the result of be-

ing scalded. The accident came about

water on the porch. Little Job tod-died up to the vessel and while rinving around it he fell in. He save one

around it he fell in. He say. One hand and leg by grabbing the rim of the boller, but the right leg and hand

and his right side were frightfully scalded. The screams of the little fel-

OLD FOLKS ENTERTAINMENT

Veterans of Granite Stake Assemble

at Murray Today.

Attorney Wanless had the date of

be next Wednesday.

A change of attorneys has been or-

EIGHTY BODIES RECOVERED

Taken from the Debris of the Electro-Chemical Works Near Griesheim.

Fighting Flames All Night - Distressing Scenes - Children Horied in the Main and Drowned.

Frankfort, April 26 .- By 11 o'clock this morning eighty bodies had been recovered from the debris at the electrochemical works near Griesheim, but there are still many missing, About 150 persons were injured, many of them seriously. The work of fighting the flames proceeded throughout the entire night, though the danger of further explosions was regarded as averted at midnight. The search of the ruins continues. The scenes which occurred throughout the night were most distressing. Villagers and survivors were groping about the ruins in search of relatives and comrades and endeavor-ing to recognize in the charred bodies or dismembered and muthated corpses the identity of missing friends.

The flames gutted Marx & Mueller's chemical factory and a part of the

Griesheim color works. A number of children who were hurled by the explosion into the river Main, were drowned before the res-Main, were drowned before the res-cuers could reach them. Several fire-men are among the victims: A special train with relief firemen and additional doctors and nurses was sent to the scene of the disaster this morning. A number who it was feared had perished reported themselves this morning. Noon-There was a fresh outbreak of

the flames among the ruins at Gries-heim, which revived apprehension and after the explosion of a great benzine reservoir, at 11 o'clock this morning, orders were issued that every one in the village of Griesheim and its vicinity must vacate their premises forth-with. The inhabitants fled, panic stricken, with such possessions as they could hastily collect, most of them going to Frankfort. Even the firemen, salvagers and soldiers left the scene of the disaster. The railroad service to Griesheim is suspended on account of

the danger. 1:30 p. m.-It transpires that during the panic this morning a number of women and children were thrown down and trampled under foot. The danger of fresh explosions neces-

sarily retards the drawing up of a cor-rect death roll, but the latest reports to not indicate that this is so large as was at first reported.

NO DECISION REACHED.

Demands of Machinists Presented to Illinois Central.

Chicago, April 26 .- No decision was reached at today's conference between Illinois Central officials and the committee of the International Association of Machinists which yesterday present. ed the association's demands to the company's superintendent of machin-ery, William Renshaw. The conference lasted several hours and an adjourn-

ment was taken until tomorrow.

from despotic treatment, the removal of all barriers to enlightenment and the free profession of any faith. The etter concludes: "This appeal have I, Leo Toistol, written not as a personal conviction but as the conviction of millions belonging to Russian intelligence." The correspondent asserts that the

April Coo

letter has made the deepest impression throughout Russia. The Cologne Volks Zeitung prints a

St. Petersburg special, which says the university situation has suddenly university situation has suddenly grown worse. From Moscow university word has been given to persist in pas-sive opposition until all the sentenced students have been pardoned.

The Vorwærts publishes a joint pro-test from the proletariat to the world bearing the signatures of the leaders of the socialist movement, including those of the United States, dated from Brussels, against the brutalities of crarism. czarism.

BOND-BLAINE CONVENTION.

Premier of Newfoundland Wants Its Ratification secured.

London, April 26 .- Premier Bond of Newfoundland has requested the British government to secure the ratifica-tion of the Bond-Blaine convention and

tion of the Bond-Blaine convention and Mr. Chamberlain has notified Mr. Bond that he has taken the matter up and has communicated with Canada. A representative of the Associated Press learns that the negotiations be-tween Canada, Great Britain and NewfoundMand are likely to come to a definite conclusion shortly after Mr. Bond's arrival here on the Tunisan, on which vessel he sails May 2.

BRIG. GEN. LUDLOW.

Appointment as Governor of Visayas Revoked Because of Illness.

Manila, April 26.—Owing to his ill-ness, the appointment of Brig.-Gen. William Ludlow, to be military gover-nor of the department of the Visayas. has been revoked. A board of sur-geons has made an examination and reports that Gen. Ludlow suffered from an attack of grippe and localized con-gestion, which has developed into a dangerous case of tuberculosis. Gen. dangerous case of tuberculosis. Gen. Ludlow will return to the United States by the first transport.

Shamrock II Draws 19 Feet.

Glasgow, April 26 .- A measurement of the Shamrock II., at her dock shows she draws exactly 19 feet. The draught of the Shamrock I is twenty feet four inches, and that of the Valkyrie III. nineteen feet six inches,

Two Hundred Christians Killed.

New York, April 26 .- A dispatch to the Heraid from Rio Janeiro says: Reports from Maranhao say that In dians attacked the Christian settle-ments in that Brazilian state, that a fight ensued and that 200 Christians were killed. No official report has been received.

Sandowne Park Races.

London, April 26.-H, J. King's Es-meralda II, ridden by Lester Reiff, won the Princess of Wales handicap of 500 sovereigns at Sandowne Park today. Richard Croker's Harrow, with John-ny Reiff up, finished second, and Nahl-band came in third. Nine horses started.

EXPRESS CAR ROBBED.

TRAIN ROBBER **BLACK JACK HANGS**

Rope Broke, but His Head Was Jerked Off -Wrote Letter to President Saying Certain Men Are Innocent.

Ketchum, alias "Black Jack," the train robber, was hanged at 1:21 p. m. today. The rope broke, but his head was jerked off. The execution took place inside a mountains.

stockade built for the occasion. The enclosure was crowded, 150 spectators having been admitted.

When Ketchum mounted the platform at 1:17, his face was very pale, but his eye swept out over the crowd coldly and boldly, as if he had no fear. A priest stood at his side as the rope was put around his neck. The condemned man had consented to this at the last moment. Ketchum declined to make a speech

before the noose was put around his neck. He merely muttered, "Good bye," then said, "Please dig my grave very deep," and finally, "All right, hurry up." His legs trembled but he kept his nerve

When the body dropped through the trap, the half-inch rope severed the head as cleanly as if a knife had cut it. The body pitched forward with blood spurting from the headless trunk. The head remained in the black sack and flew down into the pit.

Some men groaned and others turned away unable to endure the sight. For a few seconds the body was allowed to lie there half doubled up on its right side, with the blood issuing in an in-termittent stream from the severed neck as the heart kept on with its mechanical beating. Then with cries of consternation the officers rushed down from the scaffold and lifted the body from the ground. It was only then apparent exactly what happened The drop of the body was seven feet and the noose was made so it slipped easily. Ketchum was a heavy man and the weight of the body with the easy running noose caused the rope to cut the head cleanly off. Dr. Slack pronounced life extinct in a little over five minutes from the time the body

dropped through the trap. It is stated too much of a drop was given for so heavy a man. Sheriff Salome Garcia superintended the execution, and himself let the trap drop. Thomas E. Ketchum, alias "Black

cate to you by means of this letter some facts which I deem would be through their th

Clayton, N. M., April 26 .- Thomas E. | the leader of a band of outlaws who

committed many train robberles and other raids in Texas, New Mexico and Arizona. This band has been scattered since his arrest. Seven or eight have been killed, three are in jail and the others have been driven into the

GUARDING THE JAIL.

NUMBER 134.

Clayton, N. M., April 26 .- Twenty armed deputies were on guard all night at the jail here in anticipation of an attempt to rescue Thomas E. Ketchum, the train robber, under sentence to be hanged today, but if any friends of the bandit were here they made no demon-stration. Hundreds of armed men, many of them cowboys from the surrounding country, thronged the streets today.

Ketchum received the ministrations of a priest this morning. He ate a hearty breakfast, took a bath and said he was ready to die at any hour. At 11:30 a.m. he called for music. A violin and a guitar were sent for. Ketchum talked for over an hour with visitors to-day, cooler than any who met him. He declared death preferrable to imprison-ment. Ketchum told of robberies in which he was concerned, but declared that he had never killed a man and only shot three. He said that he was not "Black Jack," and that that bandit still lived. Ketchum refused to give names of friends still at liberty.

Besides giving a full account of the Steen's Pass robbery, exonerating the men who were convicted of that crime, Ketchum said that Bud Upshaw was innocent of the murder of A. P. Powers in Texas, of which he is accused. This killing. Ketchum said, was the result of a conspiracy to which he was party. KETCHUM TO PREST. M'KINLEY.

Denver, Colo., April 26 .--- A special to the Denver, Colo, April 26.-A special to the Denver Post, from Clayton, N. M., says that Thomas E. Ketchuin, who is to be hanged there today, mailed the foll-wing letter to President McKinley this morning: Clayton, N. M., April 26, 1901.

His Excellency. President of the United States, Washington, D. C.

Sir -Being now at the town of Clay-ton, N. M., awaiting my execution which is set for this day and realizing the importance to the liberty of other men and the duty which I conceive to he incumbent upon myself, standing in the presence of death, where no human aid can reach me, I desire to communi-

ge Powers- \$3,000 or \$5,000. JUDGE POWERS' VERSION.

Judge Powers, when spoken to this ternoon said: "I don't know what make of the developments. I simasked the girl if she had been told tell the 'right kind of a story' and e said she had. When I questioned r as to who told her she replied that dge McMaster had. When I asked r if he said they were to get money replied that they were-\$3,000 or Now, that does not look quite Besides there seems to be a lot of undue haste in the matter. ubbard had a summons served on m on the 23rd and again on the 25th. ut there was no complaint. Of murse, I know that under the law nsel has ten days in which to file complaint. But so far as I can see, ere is no reason why both should not we come together. The man was in il and perfectly safe and that should ave been enough.

THE HEARING BEGINS.

istrict and County Attorney's Officers Represent the People.

preliminary hearing of W. E. ubbard on the charge of outraging the Helen Knox began before Judge ony at 10 o'clock this morning. ng before the case was called the room was crowded with specors who appeared to be eager to tch every word that was spoken in ation to the case. On motion of lation to the case. On motion of udge Powers, counsel for the defense, ac court room was cleared of everywith the exception of those ately interested in the case and

representatives of the press. he prosecution was conducted by inty Attorney Christensen. Assistant nty Attorney F. C. Loofbourow and istrict Attorney Eichnor were presduring the hearing.

The first witness for the state was eputy County Surveyor J. D. H. Mc-llister, Witness testified that he ade a diagram of room two and part room three in the Realty block, here it is alleged that Hubbard com-litted the crime. Mr. McAllister decribed the dimensions of room No. 2, and the furniture therein, explaining he location of each piece. He said hat there was a wardrobe in room aree abo ree above which is a transom. Witnd by looking through the transom ould see the bed and part of the flected from a mirror in room No. 2.

CROSS EXAMINED.

In answer to Judge Powers Mr. Mclister stated that the transom was vered with a screen of green cloth idge Powers then subjected the wit s to a rigid cross-examination as to he exact measurement of each article urniture in the room and the doors ndows and transom. Asked to state e difference in the highest part of wardrobe and the highest part of transom witness said there was lifference of ninety-one hundredths of foot

MRS, LAWLER TESTIFIES.

Mrs. Sarah E. Lawler, proprietress of he Realty block, was the next witness. the testified that she knew the de-endant; that he had roomed at her ice since February 28th, 1900.

Asked to state if her attention was led to anything unusual on the of April Mrs. Lawier replied in the af-firmative. She stated that on several occasions she had noticed little girls going to Hubbard's room. On this par-9th Heular day about 5 o'clock she saw Helen Knox going down stairs and she asked her what she wanted. Helen re-plied: "I am looking for Uncle Will." "I asked her who her Uncle Will

"asked the winess, "and she said that he roomed in No. 2. "Later," continued the lady. "I hoticed the door of Hubbard's room slightly ajar. I went into room No. 3 and getting on the wardrobe I looked through the transom and saw Hubbard and Helen in the room. I saw Helen and Hubbard lying on the bed. I could any see part of Helen's body." Then

to his room. She accused him of assaulting her and corroborated the testimony of Mrs. Lawler.

OUTRAGED MORE THAN ONCE.

Upon cross-examination the child and his family might be a care on the stated that she went to Hubbard's ofcounty's bounty till the date set for Tittlebaum's trial. The judge did not fice on one occasion, but Hubbard was not there. She told of the times she see his way clear to take any steps in the matter and referred the rabbi to went to Hubbard's room. She said that on the 6th of April she went to the county commissioners. his room and he assaulted her. She was sure that he assaulted her on two occasions, that he gave her \$5 to pur-chase a kodak and that he gave her a H. F. Minough, Deserted by His silver bracelet. She also said that Hubbard cautioned her not to say anything about what happene of the district court to dissolve

Judge Powers asked Helen if her mother had brought suit against Hubbard. Helen did not know what coun-Pointing to Judge Alex sel meant ander McMaster, who was present Judge Powers asked: "Did that gen was present. tleman go to your place and ask you to sign a paper and tell you that if you told the right kind of a story here you

would get money?' question was objected to, and The Judge Timmony said:

"I have no hesitancy in saying that civil no question in relation to any suit against this defendant will have any bearing on this case in this court." The court permitted Judge Powers to ask the question again, and Helen replied that her mother had been told that if she told the right story they would get \$3,000 or \$5,000. The court then adjourned until 3

o'clock this afternoon. AFTERNOON SESSION.

and asked to have the trial set for next Friday, but as this conflicted with The hearing was continued this af-ternoon with Helen Knox on the witthe Tripton trial and Prosecutor Eich nor and Attorney Gustin, of counsel for ness stand. Another motley crowd con-gregated to hear the testimony but Tripton, both objected ,the Tripton cas will be heard on Friday next as schedwere disappointed for the court room was cleared and the doors locked. The uled. witnesses were again excluded from the court room. The defendant sat behind Judge Powers with his brother and appeared to be as indifferent as Little Job Hemsley of Sugar Ward in ever. At times he manifested some in terest in the testimony and at other times appeared to be weary.

Helen testified that the Tuesday she was assaulted by Hubbard was the Tuesday after Easter. "Which side of the bed were you and Hubbard on?"

'On the side away from the window. in this way: The family lives in a dou-"How many times were you at Hub-bard's office?" ble house, and the lady in the other side of the house left a boiler of hot

"Only once." "What day was it?" 'Easter Sunday.' What time?"

About 8 o'clock." A silver bracelet, a kodak and some Easter eggs were shown to Helen and she said she bought the kodak and eggs with the \$5 Hubbard had given

low brought some members of the fa-mily to his rescue. He was tenderly her, but Hubbard gave her the bracelet the first Saturday she was in his room. taken into the house, where everything She was shown an umbrella which she said she saw in Hubbard's room. The was done that could be thought of to soothe the terrible pain. Dr. J. S. Richards was summoned, and after working with him for some time, sucarticles mentioned were offered in evidence and Judge Powers raised no objection. ceeded in alleviating most of the pain. The doctor states that the baby has sustained a most severe shock and the consequences may be serious.

In answer to counsel for defense Hel-en said she bought the kodak Tuesday and paid \$3.50 for it and \$1.50 for the bracelet. "Has anybody talked to you since this morning about your testimony?"

asked Judge Powers. "Has Mr. Loofbourow talked to you?"

No. sir.'

"No, sir." Helen said when she got the bracelet she showed it to her mother and told her that "Mr. Williams gave it to her, also the money to purchase the kodak. The old folks of Granite Stake this afternoon and tonight are being tendered a complimentary outing by the She said her mother did not say any-thing about it, that she did not know that she had been to Hulpard's room. In reference to the bracelets Helen ad-Old Folk's committee of that Stake. This afternoon the Murray opera house was packed with the veterans who had mitted to Judge Powers that she took one of the bracelets out of the dresser drawer. Then Hubbard took the trinkcongregated to witness the performcongregated to witness the perform-ance of the operetta "The Sleeping Queen," which was rendered in a charming maner by John Robinson, Thomas Ashworth, Miss Luella Ferron, Miss Barrow and other artistes assist-ed by Prof. W. C. Clive and Miss Mac-Pherren, accompanist. The occasion was a lowous one and the veterans enet from her arm and she told him not to take it but he took it neverthe-They were both on the bed at the

time. "Was your teacher Miss Brown your place Saturday?" at

Pherren, accompanist. The occasion was a joyous one and the veterans enjoyed themselves immensely. "Did your mother tell you to tell Hub-

ST. LOUIS MAYOLAMIT. cuting witness, was again present in court. Before court was opened he Lee Meriwether Serves Notice of sought Judge Stewart in his chambers

the

The

Contest on Mayer Rolls, Wells. and, pleading poverty, asked that he

St. Louis, April 26 .- Notice of contest was served today on Mayor Rolla Wells by Lee Meriwether, the munici-pal ownership party's candidate for that office. In the notice of contest, Mr. Meriwether asserts that he received a majority of the votes cast for mayor on April 2nd, and that from 25 to 150 ballots cast for him in each precinct were counted for Wells. He further charges that there was no legal election, that 15,000 names were fraudu iently placed upon the registration books and voted by the judges and clerks and hired repeaters, and that a conspiracy to steal the election existed between the Democratic managers, the police and the Jeffersonian club THE CALLAHAN TRIAL.

Testimony Concerning Crowe and Schneiderwind House.

Omaha, Neb., April 26 .- B. K. Munshaw, who lives near the Melrose Hill house, was the first witness called this morning on the trial of James Callahan in the Cudahy kidnapping case. He identified the picture of Crowe as that of a man who came to his house about three weeks before the kidnapping and wanted to know why owned the Schneiderwind house.

Munshaw said he told him and the man came back later and said he had rented it and paid \$1 down and would pay the balance when he moved in the following Monday. Munshaw testified that he saw Crowe

there on the day before the kidnapping and talked with him again, and the latter said he would move in the next Monday.

Munshaw added that on the night of the kidnapping the dogs barked late in the evening and he went out by the well and saw a buggy or spring wagon drive past and draw up to the steps of the Schneiderwind house. He was down hill from there and the parties were outlined against the sky. The night was dark but he could see the outlines. He saw what he thought was two men go up the steps and into the house, and he thought the parties were moving in some of their goods. Crowe, Munshaw testified, was ac-

companied by a woman when he called the first time in a buggy and inquired about the house. Detective Savage was recalled.

estified that he talked with Callahan at Fourteenth and Douglas about three weeks before he was arrested. C.J. a-ban claimed that he was going to work switching for the Chicago, St. Paul, Minneapolis & Omaha road on the following morning. They talked about Pat Crowe and the kidnapping and Calla-han expressed his belief of Crowe's innocence and said he had taken Crows with him to his sister's house and introduced Crowe to her as Mr. Johnson. This Callahan said was just after the Northwestern train robbery, when Mrs. Kelly was living in Council Bluffs. Savage testified that later Callahan admitted to the chief of police that he

had introduced Crowe to his sister as Johnson. He testified that Callahan said he could not turn up Crowe, and that he would not if he could.

George Wittum identified Callahan as George wittum identified Califanan as a man who passed by his house on the day before the kidnapping between 12 and 1 o'clock. He said he and his wife both watched the man while he traveled 200 or 300 feet, and until he passed out of sight.

TOLSTOI TO THE CZAR.

Another Version of the Famous Letter to Russian Monarch.

April 26.-The National Berlin, Zeitung today prints Russian special correspondence which contains another of the letter Count Leo Tolsto April 10, addressed to the czar and cab-inet. The letter protested against the system of forcibly suppressing intel-lectual and political progress and coun-seled the liberation of the peasants

Robbers Secured Several Hundred Dollars on the Georgia Central.

of the Central of Georgia railroad going from Atlanta to Savannah was robbed this morning by two men who boarded the train at Macon. After the train pulled out of Macon the two men who had secreted themselves in some way entered the express car and confronted Express Messenger J, N. White. They seized and bound his hands and foot, and threw a sack over his head. They then went through his packages and secured about \$250, but left a \$1,000 pack. age lying on the floor. The safe resist-ed their attempts to open it. At Gor-don, twenty miles from Macon, the robbers dropped off the train. The messenger was uninjured. Detectives and company officers are now scouring the country in search of the robbers.

No Attempt on King Charles' Life. Bucharest, April 26 .- There is no truth in the report that an attempt has been made on the life of King Charles. A lunatic recently threw stones at a window on the ground floor of the palace, but he was promptly arrested and has been placed in an asylum.

BROWN APPEARS IN COURT.

His Trial is Set for Next Tuesday Afternoon,

The arrest of Charles Brown by the police yesterday afternoon as an nounced in last evening's "News," has caused a big sensation in the neighborhood in which he lived

The most sensational feature of the case is the announcement made by the officers last evening that Brown is the man who assaulted Miss Della Smith a

man who assaulted Miss Della Smith a few nights ago. The officers declare that they have evidence to prove that Brown blacked his face to give him the appearance of a colored man. Officers Gellispie, Davies and Sperry have been working on the case for several days, and they say that a num. ber of little girls will identify Brown as the man who insulted them. The charge against Brown at present is in. charge against Brown at present is insulting Emily Foster, a ten-year-old girl who resides at 351 north, Fifth West street. She is the child of Charles Foster. According to the story of the little girl the offense was committed last Tuesday evening about \$ o'clock. The 9 year old daughter of F. W Solomon, and Minnle Graham, aged 13, also accuse Brown of assaulting them. Both have identified the The belief that Brown is the

who assaulted Miss Smith is based on the story told by Miss Mary Haslam of 544 west Fourth North. She says that about two months ago she and two girl companions were on their way home from meeting when a man who home from meeting when a man who appeared to be a negro made an as-sault upon them. Miss Haslam says she thought she recognized Brown dis-guised as a negro. Another suspicious circumstance is that some black streaks were found on Miss Smith's from the night was spired or First face the night she was selzed on First South. After Brown's arrest he refused to talk to any one. Chief Hilton asked him a number of questions last evening but the man said he would explain all to the judge when the proper time Brown appeared in court this afternoon

but stated that he was not ready to plead. He has employed J. M. Hamil ton to defend him. Prosecutor Diehl asked the court to fix the defendant's bonds at a reasonably large amount as the case was a serious one and it is likely that more complaints will be fixed against him. The court fixed the time for pleading and trial next Tues-day afternoon, and placed his bonds at \$300.

WATER AT TWELFTH SOUTH.

At 4 o'clock this afternoon the water in the Salt Lake and Jordan canal had reached Tweifth South street.

Jack," was the most noted desperado of the southwest. Although he was credited with having taken the lives of some of his fellow beings, yet he final-ly paid the forfeit with his own life for an attempted train robbery in which nobody was killed. This crime was committed near Fol-

som, New Mexico, August 16, 1899. Single handed "Black Jack" held up a Colorado & Southern passenger train. He ordered the engineer and fireman to uncouple the engine and leave the train. The conductor and mail agent opened fire on him, which he promptly returned. He received the contents of a double-barrelled shotgun in his right a double-barrelled shorg in this right arm, but quickly changing the rifle to his left shoulder, he succeeded in wounding both conductor and mall agent. He then escaped in the darkness, but was captured the next day. He was tried for assault upon a United States mail agent and sentenced to ten years in the penitentiary. Then in years in the penitentiary. Then in September, 1900, he was tried on the more serious charge of assault upon a railroad train with intent to commit He was also convicted on this folony. charge and was sentenced to be hanged in November last. The execution was stayed until March by an appeal to the territorial supreme court, which af-firmed the finding of the lower court and in March a reprieve was granted until April 26.

President and perhaps be the means of liberating innocent men. There are now three men in Santa Fe penitentiany serving sentences for the robbery of the United States mail at Steen's Pass., Ariz., in 1897, viz: Leonard Al-berton, Walter Huffman and Bill Waterman, and they are innocent of the crime as an unborn babe. The names of the men who committed the crime are Dave Atkins, Ed. Fullin, Will Carver, Sam Ketchum, Broncho Bill and myself. I have given to my attorney in Clayton means by which articles taken in said robbery may be found where we hid them and also the names of witnesses who live in that vicinity who will testify that myself and gang were in that neighborhood both imme-diately before and after the robbery. The fact that these men are innocent and are suffering impels me to make this confession. While you cannot help me and while I realize that all efforts to secure to me a commutation of my sentence have signally failed, I wish to do this much in the interest of these innocent men who, so far as I know, never committed a crime in their lives. I make this statement, fully realizing that my end is fast approaching and that I must very soon meet my Maker. Very respectfully, your servant, T. E. KETCHUM.

"Black Jack" was said to have been

ANACONDA BURGLARS GET \$10,000

Anaconda, Mont., April 26 .- Two | wagon. Driving outside the city limits they broke the safe open and secured \$10,000 in gold. Putting the broken safe burglars entered the Alaska saloon early today by forcing the Main street early today by forcing the Main street door. Bodily picking up a 390-pound horse toward the city and made good safe, they loaded it on to an express their escape. There is no clue.

TOP OF OHIO FLOOD NOT REACHED

Cincinnati, Ohio, April 26 .- The top | the river have also suffered very much of the flood in the Ohio at this place has not yet been reached. While there was a rise of only two-tenths of a foot between 5 o'clock yesterday evening and 2 a. m. today, the rise between 2 a. m. and 9 a. m. today was three and one-half tenths. The decline, when it begins, will be slow, as Huntington, W. Va., this morning reports a fall of only half an inch in twenty-four hours.

other small points on this side of the river, the condition after the flood is very serious as they have been prac-tically under water for some days. Ow-ing to the short duration of the flood as well as the fact that it is below the record of seven other Ohio river floods, the damages along the valley are comparatively small. The greatest suf-ferers are those who have been thrown aut of work or driven from their homes. No lives have been lost except by ac-cidents. There is no indication of a will not be fit for habitation for almost a week. In this respect Newport and Dayton, Ky., and other towns across in the lower Ohlo valley.

At Ripley, Higginsport, Manchester and

CABINET MEETING. Discussed Exclusively the Visit of Cuban Commission.

Washington, April 26 .-- The cabinet meeting today, the last one before the

President's departure for the Pacific coast, was occupied almost exclusive-ly with the discussion of the visit of the Cuban commission. Secy. Root, who has been conducting the confer ences with the commission, submitted rather exhaustively an account of the interviews he had had with them. He told the President and the cabinet of the objections which the commissioners raised to the Platt amendment. some of the misunderstandings regard ing it under which they seemed to be to be taboring. There was a general change of opinion among the mem - 65 the members f the cabinet regarding the situation and in light of the views expressed Secy. Root will hold another conference with the commissioners before their departure. The President will not

or two points upon which some of the members of the commission are insis tent, the general feeling of the cabi-net, as reflected in their exchange of views today, was that the result of the commission's visit could not be but extremely beneficial in removing eroneous impressions which it is said are intertained in the constitutional conention regarding the purposes of the

Inited States. Altogether it would not be too much Altogener it would not be too mark to say that the cabinet generally are hopeful that the convention after hear-ing the report of the commission, will be much more disposed to accept our terms than they have been heretofore.

Decoration for Capt. Engelbart.

New York, April 26.-Tonight on the steamship Kaiser Wilhelm der Grosse, Capt, Englebart will have attached to his coat a medal given by the Volunteer The medal Life Saving association. The medal will be his reward for conduct during the great Hoboken fire last summer. Capt. Englebart rescued men from the see them again except to formally bid ill-fated steamships Main, Saale and them farewell. While there are one Breinen.

Tenement houses along the river front will not be fit for habitation for almost