THIEDE IS TO HANG.

That Was the Sentence Passed by Judge Bartch this Morning.

THE PRISONER WILL NOW APPEAL.

He Declined to Elect His Own Mode of Death and the Court Chose for Him.

To be hanged by the neck until he is dead.

That was, in brief, the sentence passed upon Charles Thiede by Judge Bartch, in the Third district courtroom this morning, for the wilful murder of his wife in April last.

The prisoner was brought down from the penitentiary by two guards, and ushered into court a few minutes before 10 o'clock. There was a crowded audience in waiting to learn the result.

Thiede now presented a manner and appearance altogether at variance with his former bearing. He had lost his old time nonchalant air; his face wore an anxious look, his eyes were red as though from crying or loss of sleep, and he seemed a thoroughly dejected being, as if fearing that all hope had fled. While Judge Bartch was passing upon the motions for a new trial and in arrest of judgment, argued by counsel for the defense last week, the prisoner sat in a chair against the bar enclosure and strained his ear to catch every word that fell from the lips of the court.

THE MOTIONS OVERRULED.

The Judge said: In the case of the people vs Charles Thiede: This was based on a motion in arrest of judgment and for a new trial. I deem it unnecessary this morning, in passing upon these motions, to discuss their merits. Suffice it to say that I have very carefully examined the points that were raised by counsel for the defendant on both of those motions; also the questions that were raised in regard to the charge of the court, and the point raised in regard to the jury being satisfied beyond a reasonable doubt, or not being satisfied with each link in the chain of circumstances, beyond a reasonable doubt. In considering the cases that seemed to be adverse to that, it will be noticed that they were cases where the evidence was wholly circumstantial. In one of these cases it was agreed by counsel that the evidence was wholly circumstantial. The supreme court of Colorado in that case considered the instruction wrong. In a case similar to the one under consideration, where the same language is used, in the State of Illinois, 117 Ills., the Court refused to take that view of it, and I think for perhaps the best reasons I have noticed.

In the case at bar the prosecution introduced evidence tending to show a confession. I think that that confession would be in the nature of direct evidence. The circumstances on each side will lead up to that particular part of the testimony and show as to whether or not, in the light of these circumstances, the confession is true. I take it that while perhaps that expression might be read what modified, if counsel had called the Court's attention to it at that time it undoubtedly would have been modified, referring entirely to the circumstances.

In regard to the evidence, or admission in evidence, on the part of several witnesses as to the woman's screams, and the evidence in reference to the appearance of the deceased and the defendant on a particular occasion, while there are a very few authorities that condemn it to a certain extent, I think the great weight of authority is the other way.

I think, therefore, under all the circumstances, after giving it fair and impartial consideration, desirous of getting at the truth of the whole matter, and at the exact questions of law involved in it, I am of the opinion that both motions should be overruled.

Judge Cherry, on behalf of the prisoner—We take exception to both.

Prosecuting Attorney Howat, rising—If the court please, I now move for judgment upon the verdict.

SENTENCED TO DIE.

A deathlike silence prevailed as Judge Bartch, looking across at the prisoner, said in a strong tone of voice: "Charles Thiede, stand up."

Thiede, trembling like an aspen leaf, at once obeyed the command.

The court asked—Have you anything to say why the sentence of the court shall not be pronounced against you?

The prisoner, appearing half dazed, did not seem quite to understand what was said to him, and Judge Bartch repeated the question.

"All I have got to say," responded Thiede in a hesitating, faltering voice, "is that I am not guilty of the charge I am charged with. God in heaven knows I am not guilty. The man who did it is the only one under heaven that knows I am not guilty." Stretching forth his right arm and pointing heavenward, the prisoner excitedly exclaimed in a loud voice, "I don't know anything about it. Only him who murdered my dear wife knows I am not guilty of the crime I am charged with!"

As Thiede concluded the last sentence he spoke tremulously and tears came into his eyes. It looked for a moment as though he would break right down; but he soon pulled himself together again and listened attentively for what had to follow.

"Have you anything further to say?" asked the court deliberately.

"No," was Thiede's tearful response.

Then Judge Bartch proceeded to pronounce sentence. He said—You were indicted by the grand jury of this judicial district for the crime of murder in the first degree; you have been tried by a jury in the manner provided by law, and found guilty of that crime. The penalty fixed by the statute for the crime of which you have been convicted is death. This must be inflicted either by hanging you by the neck until you are dead, or by shooting you—at your direction. Which mode of death do you elect shall be inflicted upon you?

Thiede momentarily turned very pale and answered in words broken by inward emotion—If you think you have strength enough in your own heart to put an innocent man to death, I will leave it to you.

Judge Bartch—You will leave it to the court then?

Thiede merely answered yes.

Judge Bartch—I think the [illegible] should [illegible] refuse to [illegible].

Judge Bartch—Do you refuse to elect which mode of death shall be [illegible] against you?

Thiede—I will leave it to you.

Judge Bartch—Well, do you still refuse to elect?

Thiede—Yes, sir.

Judge Bartch—It is the judgment of the court that you, Charles Thiede, be taken from hence to a safe place of confinement until Tuesday, the 18th day of December, 1894, and between the hours of ten o'clock in the forenoon of that day and two o'clock in the afternoon of said last named day, in the yard of the jail or place where you are confined, or in some other place provided within this judicial district, you be hanged by the neck until you are dead, and may God have mercy on your soul.

The prisoner then sat down and big tears coursed down his cheeks.

Judge Cherry broke the silence by saying—If the court please, we desire to ask for sufficient time to prepare a bill of exceptions. We desire to take this case to the Supreme Court of the Territory.

The court granted thirty days, with which counsel expressed himself satisfied.

The condemned man was at once removed to the "cage" in the marshal's quarters and there remained about an hour. To the court reporter of the News he repeated his former protestations of innocence and declared that the real murderer of his wife was at this moment stalking around. He knew he could soon find him, he said, if he could regain liberty for a short time, and stated he was sure that the truth would yet prevail.

Little Annie—who is now staying with the mother of Attorney C. O. Whittemore—was not in the courtroom this morning, but she had an interview with her father just after the passing of sentence. When informed of the result the unfortunate child sobbed as though her heart would break, and Thiede himself shed copious tears. The parting was a sad one, as Thiede bid his little girl good-bye before his removal to the penitentiary.

Judge Cherry this afternoon applied to the court that a transcript of the official reporter's notes taken at the trial of Charles Thiede, for use in the appeal to the Supreme court, be made at the expense of the Territory, and Judge Bartch so decided.

It was further ordered that the appeal operate as a stay of proceedings on the judgment until such appeal is disposed of.

Returned Elder.

Elder William Teller, of Santa Clara, Washington county, is in the city visiting friends and relatives, having returned from a mission to Europe. He left for that field on May 18, 1892, and returned to Salt Lake City yesterday, November 4. He first labored in Switzerland, in the cantons Appenzell and St. Gallen, and in the latter part of January, 1893, he was called to go to Germany. His first was appointed to Leipsic, Saxony, where he discharged his duties as a missionary until Oct. 2, 1893. At that time he was sent to Dresden where, in company with Elder Albert Schmeil, he succeeded in establishing a branch of the Church. Then, some Elders having been banished from Soden, he was called to take their place, where he remained until Sept. 22, this year, being much blessed in his efforts to disseminate the Gospel, notwithstanding the opposition led by the clergy. He was then released and after a brief visit to Switzerland proceeded on his way home. He has enjoyed good health during his absence and felt to rejoice in the work in which he has been engaged.

Attention, Cavalry!

The officers and members of Troop C 1st Cavalry, N. G. U., are hereby reminded that the day and hour of drill have been changed to Wednesday, Nov. 7 at 4 p. m.

Not Tomorrow.

Tomorrow being election day, the Third district court will not be in session.

Bound for Beaver.

Judge Bartch's court has been adjourned until his return from Beaver, for which place he will start tomorrow to hold a term of court.

LOGAN.

LOGAN, UTAH, - Nov. 5, 1894.

Military Review.

Inspection day was a grand success. From early Saturday morning until 2 o'clock p.m., the hour at which the parade began, people commenced to arrive from all parts of the county. Six or seven brass bands came in, and when the order to march was given, standing room was at a premium on Main street. The Governor and Secretary Richards were driven in a carriage at the head of the parade until time for review, followed by Adjutant General Ottinger, Colonel Tallock, and Colonel Stevens of the Governor's staff (mounted), also Captain Cannon of troop C. Following in carriages were Capt. Woodbury and Lieut. Lassiter, of the U. S. army, Capt. Page, of Brigham City, and Lieut. Thornton, of Ogden. Next came the Logan Silver band, nicely uniformed, heading companies F and M of Logan and L of Richmond, Captains Erwin, Wilson and Hendricks respectively in command; two companies of male and one company of female cadets from the Agricultural College, the Mendon band bringing up the rear. Lieutenant Styer, of the 18th regiment, U. S. A. military instructor at the A. C., was acting as commander of the battalion. The Governor and his staff reviewed the battalion, and all were high in their praises of the proficiency attained by the companies in the execution of manoeuvers and the manual of arms. Governor West made a short speech to the boys, congratulating them upon their success and encouraging them to remain faithful to their duty. A grand banquet and ball were tendered the visiting officers in the evening, and thus ended very pleasantly the first eventful day in the history of the Cache Valley militia.

Runaway.

An exciting runaway occurred Saturday morning. A team which the owner left untied standing in front of a grist mill, became frightened and sped off down street. They ran into a light wagon, tipping it over and throwing its occupants, an old German and his wife, to the ground. The two wagons were badly shattered, and the unfortunate German was quite severely injured. The woman escaped unhurt.

PROVO.

PROVO, UTAH, - Nov. 5, 1894.

Mrs. Marks Wants Damages.

The case of Anna Marks and Wolf Marks vs Dave Lombard was commenced Saturday in the First district court. Plaintiffs were represented by John M. Zane and defendant by J. W. N. Whitecotton.

Plaintiffs sue for damages in the sum of $5,000 for injuries inflicted upon Mrs. Marks by Dave Lombard on the 7th of May, this year, when, it is charged, he struck her with a shovel and inflicted a wound upon her arm and a wound on her lower lip.

Defendant denies having assaulted plaintiff, but claims that he was assaulted by both plaintiffs; that Mrs. Marks struck him on the nose with a paint brush, and filled his eyes with paint. He placed the shovel in front of himself and pushed his assailants away, but used no more force than was absolutely necessary to defend himself. Mr. Lombard presents a counter claim and asks for $1,000 for the assault on him. All the parties reside in Eureka where the row took place. Mr. and Mrs. Marks had a store in Market row, in Salt Lake City, some years ago, before they moved to Eureka.

The trial of the case occupied much of the time Saturday, and had not been concluded this forenoon. A considerable number of witnesses were examined, and at times the dialogue between a witness and counsel was quite amusing.

OTHER BUSINESS.

The jury in the case of B. Bachman, administrator, vs. Mary C. Dyer, returned a verdict of "no cause of action."

The 10th of this month was set for sentencing Madison Dunn.

New Arrivals at the County Jail.

Mrs. L. Hendricks has again been brought down from Clear Creek, charged with burglary. She is unable to do without liquor or morphine, and when she has no money, raids the saloons for the former article.

Andrew J. Dahl is serving out a $15 fine for stealing lumber from the American Fork Lake resort. He was sent up by Justice McNiel, of American Fork.

Hans A. Girgesen, of Mount Pleasant, has been bound over to await the action of the grand jury by U. S. Commissioner Johnson, of Sanpete county. The charge against him is adultery. The co-respondent is a Mrs. Jurgensen, also of Mount Pleasant. In default of bail defendant is incarcerated.

Political.

The political parties have been and are working hard for success at the election tomorrow. Last Saturday evening a monster meeting was held by the Republicans in the opera house; the principal speaker was Hon. C. E. Allen, who delivered an eloquent and logical address and was listened to with close attention.

This evening the Democrats will hold a meeting in the opera house, when H. W. Smith and Hon. O. F. Whitney will be the speakers.

The Republicans will hold meetings in the Federal court room and in the county court house. Ex-Governor Thomas and others will speak there. Both parties will have torchlight processions and other appropriate trimmings.

There are three polling places in town, conveniently located for the accommodation of voters; 1,273 voters are registered on the one list, and 1,223 on the Constitutional delegate list. It is estimated that 100 voters are away and will not return in time to vote; but many men who have been away to work have returned to vote and others are still arriving.

Notes.

Richard H. Hansen, aged 22, and Margaret E. Thornton, aged 19, both of American Fork, have taken out a marriage license.

The report that Marshal Fowler is in the San Raphael country and has the movements of Sheriff Burns, of San Juan county, surrounded with a posse is entirely without foundation. Mr. Fowler is in this city and has been for the last week.

ADDITIONAL TELEGRAPH.

FOR HIS SOUL'S REPOSE.

Impressive Requiem Services Celebrated in Berlin.

BERLIN, Nov. 5.—Impressive requiem services for the repose of the soul of the late czar were celebrated today in the church of the Russian embassy. Emperor William and Prince Leopold were present in Russian uniforms. Prince Hohenlohe, chancellor of empire, royal and other princes, the diplomatic corps and leading military officials were present.

Count Schuvaloff, the Russian ambassador, received Emperor William at the entrance of the church and escorted him to the place of honor. The emperor and all present held lighted tapers.

Betting Continues.

NEW YORK, Nov. 5.—Betting today continues as it has for several days at odds of 3 to 2 in favor of Morton for governor. An exception was a bet of $3,000 to $2,000 which M. W. Dwyer made on Hill. Dwyer could not be induced to place any money on Grant. The latest actual wager on the stock exchange was $400 to 1,000 on Hill. Betting men are predicting the odds will be four to one against Hill and 3 or 4 to 1 against Grant tonight.

Receivership Terminated.

MILWAUKEE, Nov. 5.—Judge Jenkins made an order today terminating the Northern Pacific branch line receiverships and authorizing the Northern Pacific receivers to lease the lines and operate them. The so-called "Wisconsin Central" will leave St. Paul tomorrow night to go over the entire system and make leases with various companies.

Murdered to Hide a Crime.

PAULDING, Ohio, Nov. 5.—The bodies of a boy aged 7 and a girl aged 5, children of Samuel Good, a prosperous farmer, who have been missing since yesterday, were found in a brush heap today. The boy's throat was cut from ear to ear; the girl was decapitated and disemboweled. The weapon was an axe. An attempt had been made to burn the brush heap, but it was too wet. The theory is that the girl was outraged and the double murder committed to hide the crime. Armed men are searching everywhere for suspicious persons.

O'Toole Wishes to Retire.

NEW YORK, Nov. 5.—Acting Captain William O'Toole, of Leonard Street police station, filed an application for retirement on Saturday afternoon just after Dr. Whitehead had testified before the Lexow committee that he paid money to O'Toole as a bribe on several occasions when arrested on charges of malpractice. He swore upon one occasion that he gave O'Toole $200.

REMAINS OF THE CZAR.

His Body Will Lie in State in Moscow and St. Petersburg.

ST. PETERSBURG, Nov. 5.—The czar and Prince and Princess of Wales will leave Livadia on Thursday noon, arriving at Moscow on Saturday, where the body of the late czar will lie in state throughout Sunday. The body will be taken from Moscow on Monday to St. Petersburg, where it will lie in state seven days.

COMMERCIAL.

SALT LAKE CLEARING HOUSE.

Today's clearing house exchanges amounted to $[illegible]. Same day last year, $[illegible].

TODAY'S QUOTATIONS.

New York.—Silver, [illegible]; lead, $3.00.
London.—Silver, [illegible].

ORE AND BULLION.

McCornick & C., received today: Hanauer bullion, $[illegible], silver and lead ores, $2,[illegible]. Total, $[illegible].
Wells, Fargo & Co. received today: Pease, bullion, $[illegible].

REAL ESTATE.

[illegible]

STOCKS AND MARKETS.

NEW YORK STOCKS.

[illegible]

CHICAGO MARKET.

[illegible]

DEATHS.

FOWLER.—At [illegible], November 1, [illegible], Mrs. [illegible] Fowler, of [illegible]. [illegible]

Dr. Price's Cream Baking Powder
World's Fair Highest Medal and Diploma.

The Perfume of Violets
[illegible]

PROFESSOR MIER,
The Great and Wonderful Magnetic Healer,
[illegible]
161 S. West Temple St., Room No. 17, Salt Lake City.
[illegible]

CASTORIA
for Infants and Children.
[illegible]
The Centaur Company, 77 Murray Street, New York City.

Highest Award
FOR
Supreme Excellence,
TO THE
PUTNAM
HOT FORGED AND HAMMER POINTED HORSE
NAILS.
At the World's Columbian Exposition at Chicago. A medal and diploma worded: "Supreme excellence in material, method in manufacture, and quality of finished product; elasticity and smoothness combined with holding power in clinch. It allows the use of very small nails."
[illegible]
PUTNAM NAIL CO.,
Neponset, Boston, Mass.

Scott's Emulsion
of cod-liver oil presents a perfect food—palatable, easy of assimilation, and an appetizer; these are everything to those who are losing flesh and strength. The combination of pure cod-liver oil, the greatest of all fat producing foods, with Hypophosphites, provides a remarkable agent for *Quick Flesh Building* in all ailments that are associated with loss of flesh.
[illegible]

Make Your Wants Known
ONLY 5c A LINE.
By Advertising in the NEWS.
IT WILL PAY YOU TO DO IT.

Pimples, blotches and eruptions completely vanish before a steady use of
Beecham's Pills
(Tasteless)
and health again glows in the pure skin and clear complexion.

R. K. THOMAS
26, 28, 30, 32, East First South Street,
Salt Lake City.

Special September Announcemnnt.
WE ARE NOT LOOKING FOR PROFITS,
WHAT WE WANT IS VOLUME OF BUSINESS.
We shall offer some Tremendous Bargains to effect this object. We shall show a thousand or two
JACKETS,
CAPES AND
WRAPS,
At about one half their value, ranging from Two to Ten Dollars. We don't want a Wrap left by November First. We want increased room for our Dry Goods Department, so will close out our Entire Stock of
LADIES,' MEN'S AND
CHILDREN'S
SHOES.
You'll all want Shoes for winter, and now is the time to get about two pairs for the price of one. You should not wait until sizes are broken, but call early. Mail orders can be filled by giving sizes.
SILKS.
About Ten Thousand Dollars worth will be thrown on our counters, at prices that all can afford a Silk Dress. We are showing about Five Hundred Pieces
New
Dress · Goods,
Which will sell at not much more than half of last fall's prices. We shall offer Fifty Thousand Dollars worth of
RIBBONS,
LACES,
HOSIERY,
GLOVES,
TOWELS,
SHAWLS,
FASCINATORS,
UNDERWEAR,
SHIRTS,
TIES,
WINDSORS
HANDKERCHIEFS,
And Family Supplies Generally in this sale, all at Cut Prices, as we are determined to close them before January stocktaking. We don't want to have it a few weeks before then when people have been supplied, but the Knife goes in at the very commencement of the season. You'll all want lots for your money this fall. It will be given you at our
Reliable Establishment.
This is a bid for your business, and the One Hundred Thousand Dollars worth of goods we expect to move between now and Christmas, will save to the customer fully Thirty-five Thousand Dollars.
REMEMBER the Three Great Specialties.
SILKS.
SHOES.
CLOAK[illegible]
TH[illegible]
WE [illegible]KET
[illegible]ETABLES
GROCERIES.