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FIFTIETH YEAR.

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TRUTH AND LIBERTY

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J. MILLS ON THE WITNESS STAND.

he Slayer of John C. O'Melveney Breaks His Long Silence and Tells His Story to the Court and Jury.

First Acquaintance With O'Melveney-The Friendship Between the Two Men Not an Ordinary One-Scene When Mrs. Mills Made Her Confession at the Hospital, Just Before the Tragedy-The Defendant Makes an Excellent Witness for Himself-Rev. D. Douglas Wallace, of St. Mark's Hospital, Tells of the Meeting There Between Mills and His Wife on the Afternoon of the Shooting.

he most interesting and important | turned it to him. This was the agreement of separation. of the Mills murder trial was AGREEMENT TO SEPARATE. ed this morning when Capt. Fred-This paper was also introduced in videace. It is written on the letter

J. Mills took the stand and told court room was packed, and rally, the proceedings were listened

hh.unusual interest. group inside the railing was a dng one. Mrs. O'Melveney, in her ow's weeds, did not lose one word ils' testimony, and occasionally an dulous smile showed that she was doubting mood.

he defendant's sister, Mrs. David usually so calm, was watchful and Mr. Hop, the father of Laura s looked compassionately on his in-law.

ills made a good witness. His manis that of a modest man, but one of strong character and a high order dlect. He was deliberate in his h, but not at all hesitating, and the impression that he was trying the exact truth.

me of the questions asked stirred emotions, but he concealed that as as possible and maintained his air as pretty well.

"I was assistant engineer under O'Melveney." "Was O'Melveney acquainted with your wife? Yes. "Did your family and his exchange

visits?" "Yes." "In 1895 what was your position?" "President of the State Fonate by vir-tue of the position I held as Lieutenant Governor of the State, to which I had

been elected.' 'Your next office?" "I was appointed State engineer by Gov. McConnell."

"How long did you hold it?" "Until I resigned to enter the army." "Have you any children?"

"Two boys." "Did you take any part in the organ-ization of the military in Idaho." "Yes, in 1898, I assisted the governor in organizing the First Idaho." "Did you become connected with the "Ultary seculor?"

military service?" "Yes, at the suggestion of the gov-

ernor, I entered the engineer corps. Our colonel was Willard Young, and I was appointed first lieutenant, first doing recruiting service in the city. Col. Young assigned me to command of my ompany

"Prior to that time what had been your health?

"Pretty good." "Did you keep up your intimacy with D'Melveney?

"Yes, we continued close friends." 'Did your families continue to exchange visits?" Yes

"Did you have perfect confidence in him 1 "Yes." "Ever have any difficulty with him up

to that time?" "None." "When you reached Honolulu, to what duties were you assigned?" "As engineer officer of the camp."

"How many men gathered there?" "At that eamp about 1,700 men."

head of the government department of irrigation, and provides that "Frederick J. Mills and Laura E. Mills, for reasons sufficient to themselves." Agree to live separate and apart. The care and cus-"Did an epidemic of typheid fever break out there?" "It did." "Did it impose additional duties on

you? Yes.

"When did you become ill?" "I went to the hospital on Nov. 21, and remained until April 21."

to have the right to see them when she so desires at St. Mary's Academy, but is not to take them from that place. "Did you visit the defendant when he Judge Powers then offered in evidence the discharge of Capt. Mills from the army, showing his appointment and promotion in April, 1899, as captain. His services are set out as having been

faithful, and his character excellent. "What was your health when mus-tered out at San Francisco?" would stare at one, and generally so conducted himself that I feared he was "It was not good."

By Mr. Putnam-When he came to you at night, a week before the shoot-ing, did he question you about his wife's conduct?" "He did." "Was a special order for your discharge made?" "Yes. The examining board wished

me to undergo an operation, but I deelined, and the matter was referred to a higher board."

"When did you leave San Francis-

"What time did he come to the hos-pital on October 8?" "About noon. At least I returned about noon and found him there, in my room, with his wife and Mrs. Wallace. "On May 11 and came to Salt Lake." "Where dld you go?" "To the Knutsford for two days." In about fifteen minutes Mrs. Wallace and I went to lunch. Mills was seeking

"Where then?" "To the home of Mr. and Mrs. O'Melveney, on their invitation. long did von remain

she should go to Pocatello. This was Saturday and she left Monday morning. I went to the train with her. 'Up to that time had anything occurred to shake your confidence in

"Where did you spend the Monday

evening?" "At The Halls, writing letters." "Was your attention altracted to anything at that time and while so

"Yes: I went to a paste board box that had been used as a waste basket, to get an address from when I noted a scrap of paper "Where is that scrap of paper now?"

"I don't know what became of it." "What was written on it?" "What was written on it?" "A note in my wife's writing, ad-dressed to me, apparently, the message being, 'My dear husband. When you read this, I shall be dead.' I was very much surprised and shocked, never be-fore having had an intimation that

fore having had an initiation that anything was wrong. That evening I walked the streets, and finally went to St. Mark's hospital to see Mr. Wallace. I knew that my wife had been a fre-quent visitor there, and wanted to know if he could throw any light on the mat-tar. I was much distressed. After leaving the hospital I returned to my but did not sleep any that night. In the morning I took the train for Po-

"Did you see your wife there?" "Yes, I called for her at once and we went out for a walk. I told her of the note and said I could think of but one thing that would cause her to con-template such an act. I asked her if I was not right. She replied that she would not lie to me. It was that which made her write the note. She said some-

it any longer. She claimed to have af-fection for me." 'Did you still love her?" The defendant's face was a study when this question was asked. He

steadled himself with a visible effort, and finally in a low, broken voice said simply "Yes."

"Did you demand the name of the mani

"Did she give it to you?"

"When did you start for this city?" "The next morning." "Arriving here, was the subject resumed?' 'Yes. "What was your condition?"

"I was angry?" "Did she offer any explanation?" "She said there was no excuse for her; she could offer no explanation." "How did you feel when you left the Halls that day?"

"I felt angry and embittered and de

"How much depressed?" "I cannot put that in words, I remember thinking like the world had

lost its attractiveness." Where did you go?" "To a gun store." "What did you get there?"

bought a revolver. "What was your Idea?" Mills was again profoundly agitated. but controlled himself wonderfully; al-

ports of Manager Cutler of the operwe talked about my wife. I told him my wife and I had agreed to separate. He said, 'My God, Fred, don't do that.' ations at the Lehi factory, and of the plans for constructing the new plant in He asked if I suspected her and I said I did. He remarked that he knew she Salt Lake county. The last bents were sliced on Saturday evening, and the had a great affection for me, and said factory will continue running for sever-al days longer on raw sugar. The total that my ideas of marriage were too Puritanical for this western country. I amount of beets worked in the 129 days

told him I didn't require anything from my wife than what I allowed to govern my own acts. He said, I should not do anything without you say if she had confessed it to me?" He started and looked at me in

such a way that I said: 'John, if I should find that you had been intimate with my wife, I believe I would kill you.' He protested that there was no ground for such a thought, and we took

a car dnd went on to the house, I there saw Mrs. O'Melveney in the front "Fred wants to ask you some ques-tions." I then asked her if she had She said she had heard something while I was up the country. Mr. O'Melveney told her to tell everything, and one o them then said my wife had been too amillior with a physician, going to entertainments and suppers with him and eading him to believe that she was not a married woman."

BENBROOK-MORRIS MURDER.

When Judge Norrell opened court this norning, and before the Millis trial was proceeded with, his honor called the attention of Judge Powers and Prosecutor Putnam to the fact that the Ben. brook murder case was set for today. "Of course, it will be impossible to take it up now, and the question is when it can be reached." Mr. Putnam said it would be some thing about not being able to stand

night he went out to visit some friends, returning at 11 o'clock to his home, 73 east Second South street. He went to bed and nothing was heard from him until about midnight, when his brother, who occupies the same chamber, found him lying dead in the bed. A physician was called and pronounced it a case of heart disease pon the defense Judge Powers stated that he expected

with that understanding, the court ex-cused all jurors until Thursday, at 19 clock, when it is expected Benbrook's trial will be commenced

TAH SUGAR MEETING.

Night-The Salt Lake County Plant.

The board of directors of the Utah Sugar company held an extended meet-ing this morning and received the re-

May Not Complete a Report This Week-Majority Report Will Probably be Adopted by House-Roberts May

Speak in Debate.

[SPECIAL TO THE "NEWS."]

ANOTHER REVERSE FOR GEN. BULLER. the factory has been in operation is 52,-625 tens, an average of 410 tons per day, the gratest record ever made in the history of the company. Mr. Cutler said after the meeting that the site for the auxiliary plant in this

Reports Come Via London, and Also That the Boers Have Left Their Entrenchments and are Retreating.

Nothing Definite Except That Fighting is in Progress-Foreign Military Attaches Go to Capetown-Not Certain That Gen. Warren Has Crossed the Tugela-Unconfirmed Stories of Boers in Full Retreat-Moving Guns From Positions Near Ladysmith-Empty Trenches Astonish the British-Relief of Ladysmith Expected Tonight-Gen. Buller Completes His Dispositions-Gen. French Routs a Small Boer Camp.

London, Jan. 15 .- A telegram from | synchronous movement of the various Newport, Wales, says: columns against the besiegers would be completed this morning.

Rutherford Harris, formerly resident. Under this circumstance it is con-sidered quite probable that the advance director in Souht Africa of the British South African company, has received a on the beleaguered town has com-menced, and that fighting is progresscablegram to the effect that Gen. Buller has suffered another reverse. it is expected Ladysmith will be re-lieved tonight if all goes well. The mili-The war office has no information to enable it to confirm or deny the dispatch said to have been received by

tary men are divided in opinion as to whether Gen Buller is at Springfield or personally directing the flank move-Mr. Rutherford Harris. ment from Weenen. Durban. Natal, Sunday, Jan. 14 .- All The officials are inclined to credit the the foreign military attaches arrived report that the British have crossed the Tugela river in that direction, alhere this morning. They will proceed

Monday to Capetown where they will join Lord Roberts.

Capetown, Jan. 12 .- A dispatch to the Argus, dated Friday last, January 12th, says:

"The authorities here received news that Gen. Warren has crossed the Tugela and occupied a strong position north of the river."

mains but rumor. Nevertheless, the

whole tenor of such news as has drib.

bled in from South Africa, during the

last forty-eight hours, indicates that a

combined forward movement of a com-

prehensive character is proceeding. It

is not necessary to believe the uncon-

firmed stories of the Boers being in full

retreat from Colenso, because it has

been learned that a column is proceed-

ing via Weenen to Helpmaakar to cut

off their retreat. But at the same time

credible information from many sources

indisputably points to momentous

changes in the disposition of the re-

maritzburg dated Saturday, January

13th, say that since their defeat on Jan-

ury 6th the Boers have been removing

their guns from the positions south of

Ladysmith. The same dispatch con-

firms the report that the thirteenth

hussars reached Groblerskloof without

meeting the Boers. As the trenches at

Groblerskloof were perhaps the strong-

est position held by the burghers, their

vacation has considerably astonished

Merchanis at Pietermaritzburg have

received messages from Ladysmith

immediate opening of communication,

while Ladysmith also heliographed the

belief prevalent there January 13, that

[SPECIAL TO THE "NEWS."]

Bingham, Jan 15-The Old Telegraph

this morning. It is one, too, that is

The victim of this is Thomas Lind-

strom, a miner about 47 years of age.

Through it he lost his right hand and

part of the arm and sustained a com-

pound fracture of the right leg below

the knee, while both his eves are so

badly hurt that it is believed that

It appears that Lindstrom, who was

at work in the mine when the accident

occurred, went back from the face of

load the holes preparatory to "touch-

excellent condition today, however, and his right had exploded with a violence very serious. But the physicians lost his right had exploded with a violence very serious. But the physicians lost

ing off" the blast. He had pleked up

difficult to account for.

for life.

the Britis

publican forces. Advices from Pieter-

official circles.

Coleskop, a thousand feet above the surrounding plain, and they success-fully routed a Boer camp three miles away from Stormstroom. An interesting item of news is that three hundred Boers escorting a party of reapers have successfully garnered This report has been current here since yesterday, but is discredited in all the crops within two tailes of the colonial camp at Bird River, the British force being too weak to interfere.

A partial deve

London, Jan. 15.-Up to the present. A dispatch from Pretoria says the federal forces recommenced bombardthe reported crossing of the Tugeia ment of Mafeking during the morning river by Gen. Warren's division reof Friday, January 12.

ment purpose referred to in these dis-

patches January 12, but by no means

the main objective hinted at, can be

recorded today in the formation of a

strong committee of South Africans and

ex-officials with Lord Loch, the former

governor of Cape Colony, and British

object is remedying the defects of the

war office. When the war office sane

tioned the formation of a corps of South

raphy of the country, and the Dutch

and Kaffir languages, the committee in-

sisted that they must choose their own

officers. The war office demurred, but

the committee pointed out that the

South Africans were cognizant of the

defects in the campaign and were not

going to be led to slaughter like sheep.

and the officials vielded. Consequently,

prominent South Africans, crack shots,

kopje, are flocking to join the contin-

and acquainted with every stream and

As a prominent enlisted man said to

Press: "We are not going to fight for

simply want to meet the Boers on their

own ground, according to our own methods. Our object is to defeat the

enemy and not run splendid but use-

The duke of Mariborough who volun-

teered for service in South Africa, will sail for Capetown Saturday next.

January 13th, saying Col. Porter, with

the mounted New Zealanders and the

New South Wales lancers, were worry-

juries that have already been indicated.

He was taken out of the mine and con-

roon today conveying him to the

Keogh-Hosmer hospital in Salt Lake

where an altempt will be made to save

The accident has caused a great deal

of speculation here during the day and

many theories advanced as to the exact

cause of the explosion. The most rea-

sonable one appears to be that it re-

which was considerably colder than the

sticks of powder which had been

Lindstrom, who is a married man and

about 47 years of age, had a son-in-law,

The special train arrived in Salt Lake

"thawed" preparatory to use.

promotion or the Victoria cross.

less risks."

"Bring up jam, etc.," indicating that It is said dispatches have been re-their Ladysmith agents anticipated an ceived from Colesberg, dated Friday,

the Boers were moving and concentrat- ing the Boers from kopje to kopje by

ing their forces elsewhere. As cor-roborative of the British activity in the als, it is added, were completely non-

direction of the relief of Ladysmith, a dispatch has been received in Lon-don from Gen. Buller to the effect that

he expected all the dispositions for a | and secured valuable information.

LACERATED BY GIANT POWDER.

Dangerous Explosive "Touched Off" With Frightful Results to

a Miner at the Old Telegraph-Brought to Salt

Lake on a Special Train.

mine, one of the properties of the veyed to the town and made as com-

United States Mining Company, was fortable as possible under the circum-

the scene of a most shocking accident stances. A special train left here at

should be recover he will be left blind suited from contact with his hand

upon which he was engaged. The par- Emil Peterson, who fell down a shaft

ticular purpose of going back was to at the Highland Boy mine and was

three sticks in his right had and was shortly after noon and the injured man

reaching over with his left to pick up was immediately taken to the Keogh-

two more when those that he held in Hosmer hospital. His condition was

that reverberated through the mine. no time in giving such relief as was in

Of course it was instantly known that their power. He is now minus un arm,

something musual had occurred, and a leg and an eye. His limbs were am-

as speedily is possible fellow workmen putated by Dr. Hosmer and his eye re-

get some giant powder with which to killed about a year go,

his life.

representative of the Associated

algh commissioner, as president.

Africans acquainted with

ent of the govern

The

topog-

ing. Optimists go so far as to say that

though there is no confirmation of the

report and altogether there is a more

There is little news of importance

from elsewhere. Gen. French's forces

have succeeded in dragging a 15-pound-

er to the summit of the steep rocky

hopeful feeling in official circles.

Ensign met near midnight last night. A few days ago the young man complained of feeling unwell, but was soon apparently all right again, and last days yet before the case on trial could be disposed of, how long would depend be through by Wednesday night, and

The Run on Beets Ended Saturday

day.

ROBERTS COMMITTEE NOT AGREED

I had been before but the profession

did not want me to introduce a scare by reporting that it was smallpox. I

the cases there and I was quite

had been out to the pest house to study

vinced that Chief Devine's child was afflicted with that disease. I became so

thoroughly convinced of it that I again called in counsel and Dr. King agreeing

with me I decided to report to the health commissioner. Mr. Devine and

his family are confined and detained

VACCINATION.

Drs. Stewart and Fisher were on hand

at the office of the board of health and

Odell and Whiting were at work in the

ANOTHER REPORTED.

Another of the little Kilpack boys on

F street has been reported to the health

commissioner as having contracted the

disease from contact with his brother.

who was taken down ten days ago. Dr

King made an immediate investigation

but as the case was not sufficiently far

FRED HALES DEAD.

Was Stricken With Smallpox Two Weeks

Ago-A Bad Case.

ISPECIAL TO THE "NEWS."]

well known citizen of this place, died here yesterday from smallpox, from which he was stricken two weeks ago.

The case was a very bad one and the

pustules which came to the skin but

The teachers contend that

ther school keeps or not," while the trustees take a contrary view. The

matter has been referred to State Sup-erintendent of Schools Park for advice,

It is understood that Dr. Park will re-

fer it to Attorney General Bishop for

.....

AMUSEMENTS.

All the Bostonians arrived from the

East last night at 11 o'clock, the

Union Pacific having brought them

down the canyon, as Manager Bacon

says, at the rate of 70 miles an hour

and upsetting some of the weaker

members from nervousness. All are in

all the principals in the company will

be in the cast of the new opera, The Smugglers of Bayadez, tonight. The company brings its own orchestra.

hanne

an opinion.

which did not break through, were num.

Spanish Fork, Jan. 15 .- Fred Hales, a

succeeded in injecting vaccine into the

bodies of 90 children today.

same manner this afternoon.

You

Drs

Funeral services will be held at the family residence at 1 p. m. Wednesday next, and the remains may be viewed from 11 a. m. to 12:30 p. m. of the same heart disease.

Deceased was the son of Samuel L. and Mary Angell Ensign, and their friends and those of the departed are invited to attend the services.

hin be

the site for the auxiliary plant in this county had practically been decided upon. It would be located half a mile north o' Bingham Junction station,

close to the ratifoad tracks; the ground necessary, about 35 acres, had already been secured. The location is 19 miles

been secured. The location is is made from the refinery at Lehl, and as it is somewhat lower than the Lehi site, and will have to pass through the ele-vated cut at the point of the mountains

south, a larger pumping plant than that at Springville, which is a little higher than Lehi, will be needed. Mr.

Cutler said the first season's opera-tions at Springville had been eminent-

ly satisfactory, and the pumping of th juice was an undoubted success.

SUDDEN DEATH.

Herman R. Ensign Cut Down by Heart

Disease.

On account of the youth of the lad

it was a sad death that Herman R.

The total

to obtain frome his wife the name of the man, and Mrs. Wallace advised her to tell the whole truth." ev. D. Douglas Wallace related 'Who had this paper when you rech of importance, but his statements turned to the room not so interesting as they would

was done

been had not all of the matter ifed to by him been presented in e form or another before.

EEV. D. DOUGLAS WALLACE. Interview With Captain Mills Just

asked Mr. Straup.

that day 1

Before the Shooting. fused to give it to me some time ago?" ev. D. Douglas Wallace testified

"Yes 'And the reason why you now give he was superintendent at St. rk's hospital. He knew both Cap-I give it because I now have Mr. and Mrs. Mills, having first met Mills permission to do so."

to you'

"Is he the person giving the confesm about two years ago. Witness mbered the time when Mills was in

"I also have the permission of Mrs. Mills Do you recall the day of the trag-"Did he make any remark when he

tody of their two minor children is given to Capt. Mills, and Mrs. Mills is

"Yes, on an average of twice a week." "What did you observe of his con-

'He was very nervous and excited,

was at the county jail?"

duct?

went out of the hospital on Oct. 3?" 'He did not." Had you seen him a short time be-"Did he walk or take the car on leav-

"I was, but my attention was called

anything to you with reference to

O'Melveney's action upon Mills' appli-cation for a position with the Short

"Thirty-five," was the response,

"You are a married man."

"Where were you born?"

"Where did you go then?"

"Did you grow to love her?"

"Or from thence on?"

"Yes.

"What is her age?"

"Twenty-six."

"Scotch."

"What is you wife's name?" "Laura J. E. Mills."

ings? Yes; I saw him three or four times 'I do not know." "You were not worried about him,

"Was he angry at it?"

ing the week.' What was his condition?" then

He was in an extremely nervous excited condition." to other duties at the time he left." "Did Mr. Mills, at some pervious time, Did you have any conversation with ith reference to the conduct of

t Mills? les; he came to me at the hospital ut a week prior to that day and said had made discoveries that led him believe his wife had been unfaithful him. He remained until 1 o'clock in morning, and was in such an excondition that I endeavored to him stay there all night, but he

MILLS ON THE STAND. The Defendant Makes an Excellent Wit-

"No."

"Yes."

Did he say how he discovered it?" ness for Himself. Yes, he said he had found a letter Captain Frederick J. Mills was the

ten by his wife, and made a general second witness. He was calm and deent regarding Did he say anything indicating that liberate during the examination, and knew who the man was?" made an excellent witness for himself. red from what he said that he His examination was conducted by Judge Powers, whose first question was: w who the man was. What is your age?

At that time was there any thought O'Melveney was connected with

When did you next see Mr. Mills?" On Wednesday of that week, to-nis the end of September." was his condition then?"

same h reference to the homicide, u see him?"

on, at my room at the hospital. resence of Mrs. Mills and my of the homicide." day .

ns said?" vidently trying to discover Mills the name of the man. ed out, and returning saw Mills had a paper in her hand. after his wife had said that mont. ent in that paper was true, o read it and keep it for

"I worked in the shops of the Old Colony railroad at Boston. Then I did, putting it in an enserved with a topographical party in the coast survey of Maine." cking it up in the safe. e had it in my possession until last "Leaving the East where did you esday, when I gave it to Judge

go'

wers, who opened it in my presence. THE CONFESSION.

ite was identified by the witgineering department of J. C. and then offered in evidence. mam objected on the ground id not been identified by the whom it was attributed, and ent followed.

admitted it, and Mr. Straup the note is as follows: Intimate with Mr. J. C. O'-

soveral times last year. Up under Mr. O'Melveney. He was transne I was a virtuous woman, le is responsible, in addition ferred to some other work in a few months, and I continued until weakness, for my disgrace 1888, when our party went to Idaho Falls. We located a line from that point to Yellowstone Park. The follow-I can see now how he mued to do this LUARA J. E. MILLS. ing summer I was made assistant en-

Det. 2, 1899. What was Mills' condition at that

when I entered and shook hands it him his hand was cold. He was excited throughout the interand showed every evidence of a ressed mind. When Mrs. Mills left room he said, 'My God, Mr. Wal-t, that man and I have slept under some biophote. one biankets for years. He also of killing himself and the ch idren sell. After Mrs. Millis left, I tried alm him, but finally he said, 'I can t no longer. I must go out and At 2:30 p. n. he left." Was any paper sent to you prior to L for the purpose of getting Mrs. 's signature?'

sition in that year?" "Yes, I was elected to the legislature."

Two days, and then I went to St. Mark's hospital." "Were you operated on there?" "Mrs. Mills. He asked her if what she had written was true, and she said it "And at Honolulu prior to that?" was. Thereupon he asked her to give it

Yes. to me, and that I read it and kep it. "Where did you go on leaving the

hospital?" "My wife and I took Stanley Claw-"Did you regard that as a confession son's house at 64 Second street. When I went to Cheyenne, my wife and he When "And is that the reason why you resister took apartments in The Halls, known as the Ricketts block, on State street, opposite the Knutsford."

"Prior to going to Cheyenne, did you apply for a position on the Short Line?" Mr. O'Melveney and myself had corresponding regarding it from the time reached San Francisco. Afterwards, while I was at the hospital, we took t up again. I was somewhat disin-lined to take the position on the ground it up again. that the compensation was small, but afterwards went with a note from O'Melveney to Dr. Pinkerton for a physical examination. The doctor sked me to wait, and later, he told me

he had word from O'Melveney countermanding the order. "Did you feel angry towards Dr. Pin-

kerton or O'Melveney on that account?" "Well, O'Melveney had told me that the position he intended to put me in was one requiring very little physical exertion, and gave me the note to Dr. Pinkerton. When the latter put off the examination and later told me that the order had been countermanded, I perhaps felt a little hard towards him for

his conduct. "During your employment in the irrigation department at Chevenne last year, did you have any other position offered you'

"Yes, the chain of engineering was offered me by Dr. Stubbs," "What was your health in Cheyenne?

"I suffered from very severe head aches at times, and found that part of my knowledge concerning the subjects I had been familiar with had passed away, and I had difficulty in remem-

bering. "Did you receive an assignment for some work in Utah?"

"I did, about Set .ember 23, to collect data on irrigation from the records and from citizens. 'How has your health been since your

imprisonment?" "In Topham, Orange county, Ver-Very poor at first, and better afterwards.

"What nationality are your parents?" "How long did you know J. C. O'Melveney?" "About thirteen years." "What is your father's occupation?"

"A blacksmith." "Where were you educated?" "At the village schools, and finally graduated from the University of Ver-"Did you see him before you left for the war?

Yes, he came up to Ft. Douglas to say good-bye to me." "Did he say anything then about your

family? "Yes, he said he would look after my

family if anything happened to my family "Up to that time, had you and your

wife lived together happily? "We had lived happily."

"To Idaho, afterwards making Poca-"Had you ever any suspicion regard-ing her, or if anything had happened to shake your confidence in her?" tello my legal home. I was first em-ployed there as draughtsman in the en-O'Mel-"Nothing of the kind had ever hapveney as chief. After that I went in the

pened." field, in charge of construction work on the Utah & Northern. Then I re-"When your wife arrived in Honolulu what were your relations?

"She took care of me during my illturned to Pocatello and was transferred to the bridge department. I next went

"After your return here and after you had come out of the hospital and gone to Cheyenne, had those relations changed in any way?" to Cheyenne and reported to Mr. Bannister, and was sent out with a party

"No sir "Had you any difficulty in getting sleep prior to September 23?" "Yes, I had been troubled with in-

somnia

gineer at Pocatello. Afterwards I be "Do you remember the 23rd of Sept., came city engineer there. In 1890 I took charge of the field work of the 1899.

"Yes. I arrived here from Cheyenne on the afternoon of that day." United States survey for the Irrigation department in Idaho. In the fall of 1891 I was in Fremont county and first Where did you go on leaving the

train?" met my wife in the fall of that year." "I started up town, and on going towards St. Mary's academy met my wife and children. She went back to the "Did you ever love a woman until then?" academy and took the children there, and we went on to our rooms. I noticed her rather unusual appearance, and told her of my offer of a position at the Nevada University. I told her it would not be long until we would "Were you elected to any public pobe able to be together again.

though it was some time before he could answer. At last he said: "The idea of suicide had entered my mind. "What did you do then?"

"I went up City Creek canyon with that idea still. "What then? "I thought of my children."

"What did you do with the revolver?" It is said today that a majority of the House will sustain the imajority i "I put it back in my pocket, and port. It is not unlikely that there will be at least eight hours debate. went back to the Halls. My wife said the Roberts will probably be permitted to address the House on the report. she had been out to the Sister Superior to see about staying there, but there was no room for her. So she asked to remain at the Halls that night, and it was arranged that she should afterwards go to St. Mark's hospital. I packed up the things so that she could take them with her, and was-so en-

gaged nearly all night. I did not sleep at all that night. On Thursday mernng I went out on the street, and upon returning, my wife had gone, our agreenent being that we should separate. I found from her, on the table a letter.

A PATHETIC LETTER.

A portion of this letter was identified witness and Judge Powers offered it in evidence. The letter read: "I am sorry. No one

tnows how I am suffering, but not more than I deserve. "If the time ever comes when you think you can forgive me, breathe but the words, and living or dead, I will hear you

'God bless you and watch over you wherever you may be is the last prayer of your erring wife.

"I well remember the last kiss you gave me. When I am dead, if I have become the least bit worthy, kiss me then as a last good bye."

The witness then told of making his will at the office of Hon. P. L. Williams. and on Sunday he met Dr. Stubbs, after having gone to the Congregational church. Later in the day the arrangenent for taking the chair of engineering at the Nevada University was complet-

"That evening." continued the witness, "I went to Provo, getting a round trip ticket."

It was evident that the witness made It was evident that the witness mide a mistake here, as the ticket on which he went, that is the return part, was stamped Oct. 2, Monday. Mills said that while at Provo, he

ooked up irrigation matters until Tuca-

"Why didn't you remain there?" "I found I could not do the work."

Judge Powers then showed witness a pocket book he had on him when arested, and it was identified. It contained some papers and locks of his children's hair. Judge Powers offered this in evidence, but it was ruled out. "Upon what subject did your mind revert while you were in Provo," asked Judge Powers.

"To my wife," was the reply, given in tone scarcely audible. "You returned to Salt Lake Tuesday,

Did you use the return portion of the "I believe I bought a ticket. I didn't

think of the return ticket. "When did you get back to the city?" "I don't know the hour. I went to

the Kenyon, where I received a letter from my wife."

"Was it friendly or otherwise?" "It stated that she had borrowed \$50 from Mr. O'Meiveney, and money from

having business at the police court will be kept out of the building hereafter as other parties." "What provision had you made for when you entered the army? your wife

"I left \$400 in bank, gave her about \$106 a month from my pay and took \$22,500 life insurance.

"Did you go to Mr. O'Melveney's office that morning?"

"Yes. "Had you been there frequently be-

fore?" "Yes. I went there at about 11 o'clock, I think. I asked him about the money my wife had borrowed from him, and said I would pay him in a few days. He asked me if my wife had told me of the debt, and he said I needn't hurry about paying it. He also asked me what was the matter with me. I asked him if he had ever heard anything about my wife. At first he did not answer, and looked surprised. Then he said, 'You don't want me to tell you.' I said I did, and he made the remark that it was "Did you have any talk about her woman's gossip, and that his wife had mentioned it. I said I would go up and "Yes; she had planned for some time see his wife, and he said. Then, I will Bowers. He pronounced the case re-

Washington, D. C., Jan, 15 .- The Roberts special committee has been in session all day, but are no nearer reaching a unanimous report than they were last Saturday. As a member of the committee said this afternoon, it is doubtful if a report will be agreed on this week.

The impression grows that a majority of the committee will report against allowing Roberts to be sworn in.

It is said today that a majority of the House will sustain the majority re-

FIGHTERS OF FIRE ARE QUARANTINED

Fire Chief James Devine and his entire family, consisting of his wife and

at their home and I have no idea that they will be removed therefrom. You three children, were yesterday evening reported to Health Commissioner King may say from me, however, that I believe that smallpox will become epias having contracted smallpox. As a demic here." result the family and the whole fire

department have been quarantined. Witcher attended the patients and made the report to the health com-missioner. It was about two weeks ago that Chief Devine's youngest daughte was taken ill with what was supposed be chicken pox, and upon being given

proper attention progressed nicely al-most to recovery, when three days ago the remainder of the family were taken with the contagion. Dr. Witcher consulted with Dr. Monahan and both ar-

rived at the conclusion that the mal-ady was smallpox and so reported to Dr. King, who immediately ordered a quarantine of the entire department, with the provision that in case of fire the men can attend to their duty.

advanced it could not be properly determined that it was smallpox. How-Much sympathy for the chief and his family was expressed today, and friends of the family feel reassured upon the ever, the premises were again fumigat ed and other necessary precautions were taken. ment that the cases are of a announ very mild type.

DR. WITCHER BLAMED.

Many people who profess to be very well acquainted with the facts in the case are not slow to blame Dr. Witcher or what they term carelessness. One

who was in his presence at the city hall when Dr. Ray, who was at that time afflicted with the disease, was at that place, says that after looking at Dr. Bay, Dr. Witcher said, "Well, it

that's smallpox, I have a case upstairs that's six times as bad, and I think I'll quarantine it.

erous. The family physician was of the opinion at first that the case was People who knew of Dr. Witcher's atonly chickenpox but the quarantine doctor contended that it was smallpox tendance upon Mr. Devine's family and his contemporary visits to the pest in virulent form and so it appears to house, blame him for thus exposing his have been. Three other cases have broken out. nationts, and some of them are free to say that the likelihood is that the sec-They are in the Malcolm, Evans and Thomas families, all of whom have been ond affliction of the child was due to contact with the doctor, especially if the first attack was chicken pox and

exposed. It will not be surprising if there will be several other cases here the second one smallpox. Said an observer: for exposure has been general. Con-ditions are such that it is doubtful if school will be opened here again this season. And that has raised another "If physicians have failed to quarantine and report these cases, they are certainly respon-sible for unwise action, to say the lifficulty. east. they are entitled to their salaries "whe.

It is probable that all persons not

DR. WITCHER'S STATEMENT.

he had given the cases of Mr. Devine and his family, Dr. J. S. Witcher said

With reference to the attention which

"About two months ago I was called

o see the family of Chief Devine and

found that the youngest had an unusu-

ally severe case of chicken pox. The child got alomst well, when the little boy commenced to vomit and to com-

plain of pains in his back. The little

drl was also taken down again and

became very uneasy about the case,

elling Mr. Devine that I thought it would be better to so report it. He

pertain that it was smallpox. I called

in Dr. Monahan in consultation and he

said he would not call the case small-

pox, but that he would not call it any.

thing else. The pustules on the young-

est child were almost confluent, that is, running together, and I called in Dr.

begged me not to do so unless

POLICE QUARANTINE.

a precautionary measure

