HISTORIAN'S OFFICE. Church of Jesus Christ of Latier-day Saints.

# THE DESERET EVENING NEWS.

FIFTY-SECOND YEAR

**INFORMATION OF** 

### THURSDAY, SEPTEMBER 26, 1901. SALT LAKE CITY, UTAH.

TRUTH AND LIBERTY

### Effort of Navy Department Was to Show That Admiral Schley Had Knowledge of Its Whereabouts.

**CERVERA'S FLEET** 

court of inquiry began its session today with the intention of holding one sitting, having decided to forego the afternoon session in order to permit the members of the counsel and court to attend the funeral of Judge Wilson.

The counsel for the navy department today conflicted their efforts to show that Admiral Schley had information of Cervera and his fleet in the harbor of Santiago and introduced for this purpose adidtional officers of the auxiliary cruisers which were at the time doing duty as scout boats in West Indian waters.

Capt. Wise, who commanded the scout ship Yale during the Spanish war, continued his narration of the retrograde movement of the flying squadron toward Key West on May 27. He first told of how the Yale had taken the Merin tow under direction of Adrimac miral Schley. He said that the admiral had signalled upon starting to ask if e was coal enough to carry him to West, to which he had responded in the affirmittive. On the next day he of reported in response to an in-quiry that he had coal sufficient for two days of full steaming, and for four days

moderate steaming. He was then dispatched to Newport He was then dispatched to Kewport News, reporting to Admiral Saspson on the way. He had told Admiral Samp-son, he said, that the flying squadron was about thirty miles west of Santia-rea in regroups to a question of the adgo. In response to a question of the admiral he had said he did not know what it was doing there. In detailing the trip westward toward Key West the witness told of the breaking of the Yale's haw-

ser on the Merrimac. He said this had caused delay. was the difficulty?" asked

Capt. Lemly. "Improper securing of hawser on the Merrimac. Was it due to tempestuous weather

or not?" "Not at all."

READS FROM SCHLEY'S REPORT.

Mr. Hanna read the following extract of Admiral Schley's report of February 18, to the committee on naval affairs, in reference to the letter from the secre-

Washington, Sept. 26 .- The Schley | ago prior to the arrival of the flying squadron? was senior officer until Capt Cotton came on the 23rd. He was there until the 24th, and I was senior officer on the 25th and the squadron came there on the 26th."

"Did you not direct Capt. Sigsbee to give to Commodore Schley the information that you had received from the navy department with regard to the whereabouts of the Spanish squadron?" "I did not.

cused and Admiral Cotton was recalled to make verbal corrections to the tesmony previously given by him.

Admiral Cotton was questioned con-cerning some points of the Santiago campaign. He said that on the morn-Schley.

certained that some, at least, of the ships of Admiral Cervera's squadron were within the harbor of Santiago; that they had been seen and were in sight and, as a matter of fact, one of them was in sight at the entrance to the harbor. In language, as nearly as I can remember, he said, 'After dinner I am going to hoist my flag on board the Massachusetts, and take her and the Iowa and go in and have a pot shot

Mr. Lemly-Anything further conversation. I cannot recall the words nor aside from what I have men-tioned, the particular subjects."

ist on the Texas during the battle off Santiago on July 3, testified that on that date he had been on duty at the throitle of the starboard engine of the battleship. He said that when he went to the engine room the vessel was go-ing ahead. "The next signal," he said, "was to stop a minute afterward to re-

The witness said that the reversal was very brief, the revolutions not exceeding 100 and the time being short. He had, he said, heard afterward that the reversal was because they were passing the Brooklyn.

truth of the charges.

ADMIRAL COTTON RECALLED.

At this point Capt. Wise was ex-

ing of May 21, after arriving from Kingston, he had gone aboard the Brooklyn with dispatches for Admiral

Asked by Capt. Lemly to relate his conversation with Admiral Schley on the occasion of that visit, he said:

"He informed me that it had been as

at those fellows.' "There was, of course, some further inversation. I cannot recall the recall the

CHIEF MACHINIST GRAY.

Wm. C. Gray, who was chief machin

verse. The engines were then re-

testimony the court at 12:45 adjourned for the day to permit attendance at Judge Wilson's funeral. OCDEN VISITED SHAFFER ACCEPTS CHALLENGE Willing to Meet Gompers and Mitchell Before Arbitration Committee. Pittsburg, Sept. 26 .- When President haffer of the Amalgamated Association of Iron and Steel workers was shown the open letter issued last night by President Samuel Gompers of the Ford Dies of Typhoid. American Federation of Labor and John Mitchell, president of the United Mine Workers of America, in reply to Mile workers of larging them with the responsibility for the failure of the great steel strike, he said he would accept their challenge and was ready

to submit to an investigation as to the "I have no objections," said he, "to the men named by Mr. Gompers to act as a committee of investigation but as he looks to arbitration that is what I will agree to. I desire to go to the root of this matter and will select as

my man, Simon Burns, president of the Knights of Labor, and the National Window Glass Workers' association, Mr. Burns can choose a second man and Gompers and Mitchell the third

"The meeting should take place in Pittsburg. Gompers and Mitchell gave us three hours to accept the proposition of the United States Steel corpor ation and in demanding my acceptance to their terms, they now limit me to three days."

EIGHT MEN KILLED.

The Result of an Explosion of Gas in Newark, N. J.

New York, Sept. 26 .- Eight men were killed and seven seriously injured in an explosion at the works of the Essex

and Hudson Gas company at Newark, N. J., today. The foreman of the works. Newman Otto, and two workmen named Meyers and Kesch were cleaning the inside of a tank when they were overcome by

Recuers were called for and nine men volunteered. All were overcome by gas while engaged in removing a plate from the tank to get the three un-conscious men out. A spark ignited the gas and an explosion followed. Four of the injured men were taken to a hospital. The explosion was followed by a fire and the flames spread rapidly. Later-Six bodies have been recovered

and the police think that more men were killed than at first reported, Looking for Shamrock Money.

New York, Sept. 26 .- Wall street is still looking for Shamrock money. The host of friends will pay their last re-sptcts to the deceased. largest bet reported recently was \$2,000 put up by Frederick Brooks, of Seligs-berg & Co., the bankers, on Columbia against \$1,500 by Fred. Cakes on Sham-

rock. The latter amount was provided by a number of Canadian yachtsmen. A pool has been formed by members of the stock exhange of \$10,000 which will be placed in a lump sum against \$7,500 or divided up into \$1,000 wagers, at odds of 7 to 5.

\$7,500 or divided up into the source of this money was covered by blessing earth with his presence for over 72 years, went to meet the Great Creator; and so far as thorough good-DID HE KILL

BY THE REAPER **COMMENCES TODAY** Bright and Accomplished Ethel Alleged Defaulting Local Treasurer

VAN KURAN TRIAL

of Oregon Short Line in Court.

Interests.

#### PIONEER JOHN ELLIS DEAD. JURY WASQUICKLY SECURED

Mr. Ellis Came to Utah Fifty Years Intorney C. S. Varian Assists in Pros-Ago and Was Admired For ecution and Watches Short Line His Sturdiness

(Special to the "News.") 

Ogden, Utah, Sept. 26 .- Seldom has Jury empaneled in the Van this city been visited by the hand of Kuran embezzlement trial: death where it was so keenly felt as at Francis Taylor. the present time. At 8:10 o'clock last John Nichols, night Ethel Ford, daughter of Mr. and Mrs. L. W. Ford, passed away after an W. B. Moreton, Edmund S. Lovesy. illness of over a week from typhold fever. Ethel was born in Ogden and C. G. Johnson, J. P. Cahoun was over 17 years of age when death stole her away. She was the pet of the Henry A. Tuckett, whole town because of her extraordi-Samuel H. B. Smith. nary accomplishments as a violiniste, and on account of the sweet disposition which she possessed. For some time

The embezzlement trial of Arthur J. Van Kuran was commenced before Miss Ford had been studying violin at San Francisco under Prof. Minnetti of Judge Stewart in the criminal division of the Third district court this morn-Berlin and made rapid progress in fining. The defendant's wife occupied a place near her husband in court. She ishing the schooling which she had alis a handsome woman of about 40 years of age. She seemed much worried at the position that she and her husband were in. The audience was small dur-ing the morning. Mr. C. Abbott, the claim agent of the National Surety company of New York was present in over

court and sat behind Judge Varian. Both sides had agreed that five perempory challenges of jurors would be sufficient, and a jury was empaneled an nour and a quarter after the examination of jurors had commenced, Judge C. S. Varian is associated with

Prosecutor Eichnor as counsel for the prosecution and H. E. Booth of Booth, Lee & Ritchie, with Powers, Straup & Lippman for the defense the Second ward meeting house at 2 o'clock on Sunday afternoon, when a

STATEMENT FOR DEFENSE

Judge Powers made the opening statement to the jurors to the effect that Arthur J. Van Kuran was charged At 11:05 o'clock last night Ogden suswith having on Feb. 8th, while act-ing in the capacity of local treasurer, embezzled the sum of \$\$,000, that he was arrested on Feb. 14th, and had a pre-liminary trial before Justice Dana tained another loss, although in this case the sorrow is softened by the knowledge that this was the natural go-

ing out of a long life of sturdy up-rightness and unobstrusive usefulness. Succumbing to general debility, at his Smith, on April 24th. The first juror to be examined was Henry Rudy. Answering Judge Pow-ers he said that he had heard of the case, but was in no way connected with the Oregon Short Line railroad or any ness is concerned, few have been so well prepared for the last journey. Most other railway. He said that he had not formed any opinion as to Van Kueverybody in Ogden knew the deceasen, and many a wayward boy can mark his ruh guilt or innocence. ers then commenced the examination good turning point with a kindly pat on the back and a quiet word of en-couragement from "Uncle" John Eills. It was fifty years ago that this pionger of Francis Taylor. He said that he believed he could give the defendant a fair and impartial trial. John Riches, of Mill Creek, was next put through the ame here from England, and for He also was same line of questioning. kindness and splendid manhood his emporarily passed by the defense and life has been a model one. Funeral services will be held at the Second ward meeting house at 2 o'clock tomorrow (Friday) afternoon. E. Rich was the next to be exam ined. He also passed muster and coun-sel passed on to W. B. Moreton. Mr Moreton said that he did not know Mr Craig, traveling auditor, Mr. Hills, auditor, of Mr. Bancroft, general man-For some reason the newspapers have ager of the Oregon Short Line Railroad company. He seemed to be unbiased, and counsel passed to Morris Levy. The latter knew Mr. Van Kuran and Mr. But the Diamond Has Not Been Recovered-Shrewd Work of Veterau Hills, but was not acquainted with Mr Bancroft. He said he was a shipper over the Oregon Short Line. Edmund S. Lovesy said that he was an occasional shipper over the Oregon There is now no doubt whatever that Short Line. He was not aware of anything to bias or prejudice him either a gang of pickpockets and daring robtowards the innocence or guilt of the defendant. Edwin L. Carpenier said bers are at work in Salt Lake, plying

the instance of one of the interests parties, the National Surety company of New York. Mr. Varian then wen fully into the meaning of embezzle ment as defined in the statutes and en ment as defined in the statutes and ex-plained to the jury the duties of the local treasure of the Short Line com-pany. He told that every day the cash was counted and the amount put down in the cash blotter along with the dis-bursements by Mr. Van Kuran, or is his absence by Chief Clerk Kimball. On the following magnitude the account the following morning the account were submitted to the auditor. Judy Varian reviewed the alleged discovery of the shortage and Auditor Hills' su-pleion of Mr. Van Kuran. He told of how. Mr. Hill had treated Van Kursa with kindness and how Mr. Van Kursa at the time entirely exonerated Chief Clerk Kimball. At this point the court Clerk Kimball. At this point the courtook a recess till 2 o'clock. AFTERNOON SESSION.

### Judge Varian continued when cou reopened this afternoon. He said that Mr. Hill had asked him if he could de

anything to help him recover the mit-sing money. Van Guran had replied no, that it was all "blown in." Mr. Abbout had asked him what he intended to do. Mr. Van Kuran had said that "there was only one thing to do." Mr. Van Karan had signified a desire to go to Karan had signified a desire to go to Chicago, but Mr. Abbott had told him that he could not leave the state with that he could not leave the state with-out putting up a sufficient bail. The next day Mr. Abbott had visited Mr. Van Kuran at the jail and he then stated to him that he had "blown in" the money. This practically concluded Judge Varian's statement to the jury. Albert E. Kimball, chief clerk in the local treasurer's office. Oregon Short Line Railroad company, was then put local treasurer's office, Oregon Short Line Railroad company, was then put on the stand. Replying to Judge Var-ian he said he had been with the com-pany since 1897. Before that he had been with the Union Pacific. Thei systems were the same. He had been appointed by Mr. Van Kuran. Mr. Kimball then described the system of keeping books followed in the loca-treasurer's office. He said that the cash receipts book showed the total

cash receipts book showed the total for each day and also the total up to that day of the month. Mr. Kimbal also related the kinds of accounts that were entered into the cash receipts book, also how the cash disbursements book was made up. "When these books were made up." asked Judge Varian, "what did you do with them?" They were sent into the auditor's

"What did Mr. Van Kuran do every day in relation to accounts?" "There was a report made every day to the New York office and one to the general manager." "How were these reports designated?"

"Statement of cash receipts and dis-ursements by the local treasurer."

"Who signed them?" "Mr. Van Kuran or when he was not there I did." Various samples of statements were

then submitted to Mr. Kimball, who identified them, and they were then admitted as exhibits in evidence. Mr. Kimball was still on the stand when this report closed.

Crooks Exposed by a Boy.

CANC OF ROBBERS

IN SALT LAKE

## LEON CZOLGOSZ IS SENTENCED.

NUMBER 265.

President's Assassin Will be Electrocuted in Week Beginning Oct. 28, Earliest Date That Could be Fixed for Execution. -

Buffalo, Sept. 26 .- The police arrange- tence should not be pronounced against nents at the city hall, where Leon F. You?" Czolgosz dld not. 'zolgosz was to receive his sentence

Czolgosz do hot. Czolgosz could not or pretended he could not hear the question put by the clerk. It was repeated to him twice, and then he said something in an in-audible tone. The judge intervened and explained what was meant by the ouestion. this afternoon for the murder of President McKinley were even more stringant than during the trial of the as-

Half an hour before the time anounced for the opening of the court. "First, you may claim you are in-"First, you may claim you are in-sane. The next is, have you good cause to ofter against sentence being pro-nounced against you?" the courtroom was illed and the doors ocked. After 1:30 no one but officials onnected with the court or newspa-The judge also stated legal reasons the prisoner night have against senper men were allowed to enter. About 25 of the 150 speciators were women. "I have nothing to say about that," The police cleared the hallway of the crowd, and no more were allowed to

vas the reply. Judge Titus asked that the prisoner ome to the second floor of the buildbe allowed to say something in excul-pation of his crime. The prisoner began to speak. His olce was so low he could scarcely be eard. Judge Titus was obliged to At five minutes after 2 o'clock the

risoner was brought into court shackheard. ed to Detectives Geary and Solomon, repeat it sentence by sentence, so that accompanied by Asst. Supt. Cusick and Jailer Mitchell.

repeat it sentence by sentence, so that the court might hear. "I have nothing to say," whispered Czolgosz to his counsel. Judge Titus: "I think he ought to be permitted to made a statement in ex-cupation of his family." "Urning to the prisoner again Judge Thus held a brief conference. Turning to the court coursel for the hermony Czolgosz was perspiring and seemed nervous, though he did not tremble and his gait was steady. Czolgosz took his seat and mopped his brow with h handkerchief. When he settled bar Thus held a brief conference. Turning to the court, counsel for the defendant In his chair his wonted listless attitud was absent. He kept his eyes wid open and looked about him occasion ally, but presently he dropped his eyes He says no other person had anyto the table ahead of him and assumed his former listless air. The strain on him was intense evidently, as was ai-

sted by a few sighs and heaving of the chest. At 2:12 Justice White took his seat on the bench and the crier announced the opening of court.

"Czolgosz, stand up," comamnded Dist. Atty. Thomas Penny, of the The assassin rose "What is your name?" asked Mr. Penny. 'Leon F. Czolgosz.'

"How old are you?" "Twenty-eight years." "Where were you born?" "Detroit "Where were you living when arrested? "Cleveland." "What is your occupation?" "Iron worker."

thing to do with it; that no other per-sub knew of his containsion but him-self. His father or nother or no one else knew anything about it." The prisoner closed his lips, stared straight ahead of him and awaited the court's pronouncement of his dam court's pronouncement of his doom. The sentence was brief. "Czolgosz," said the court, "you have ommitted a grave crime against the state and our union in the assassina-tion of our beloved President, After parning all the facts and circumstances n the case twelve good men havs pro hounced you guilty of murder in the first degree. You say that no other person abetted you in the commission of this terrible act. The penalty is fixed by statute and it becomes my duty to impose sontence upon duty to impose sentence upon you. The sentence of this court is that

the place designated and in the manner prescribed by law, you suffer the pun-ishment of death," Czolgosz stood erect, looking straight

Columbia, 11,10 49. Columbia seemed

At 11.32 the yachts were holding

The wind fell off to about goven knots

Both boats tacked to starboard.

was noted that Columbia was pointing higher than Shamrock and at 11,54 the

American boat seemed to appear more

1:20 p. m .- A strong tide is setting to

not more than ten miles from the start.

miles distant and Columbia slightly in the lead. The wind had continued freshening. At 2 p. m. Columbia ap-parently blanketed Shamrock and

canged ahead, gaining a lead of nearly

100 yards, A' 2:27 the yachts were less than

At 3:06 Columbia turned the stake boat and setting her balloon jib, ran

for home. Shamrock was half a mile

astern. At 2:12 Shamrock turned the stake

boat and set her big jib top sail for her

homeward journey. At 3.37 p. m. the boats had the wind

almost exactly on the broadside. All sails were pulling finely and they were making good time and apparently would finish by 4:40 p. m., the time lim-

At 3.59 the wind was dropping and it

seemed unlikely that the race could finish within the limit. Columbia was

a mile in the lead and gaining steadily, 4.24 p. m.—The race will soon be called off as it is perfectly evident that they cannot finish within the title

4.15 p.m .- The official time of turning

4.28 p.m.-The sails on both boats are

mbia is still two miles from the

flapping and it is almost dead calm. 440 p.m.-The time limit has expired.

the windward mark: Columbia, 3.05:32.

Shamrock, 3.12:47.

three miles from the mark. Colu-had increased her lead decidedly.

yachts were head 4 for the mark.

At 1:36 the outer mark was but four

the course in the time limit.

ing point

The race,

With

Columbia

Both

have the best of the start but

the week beginning October 28, at



tary of the navy of February 6, 1899, beginning, "After having been informed by the scouts, commanded by Sigsbee, Jewel and Wise, that although they had all been off Santiago de Cuba for a week, they had seen nothing of it (the Spanish fleet), and knew nothing of its

movements or its whereabouts, etc He then asked Capt. Wise if he had made such a communication to the admiral

'I did not," was the response Did you give Admiral Schley any information respecting the Spanish squadron?"

Only through Capt. Sigsbee. I did not on board the Brooklyn at all. I gave Capt, Sigsbee all the information the

"Had you been off Santiago for a week?

"I was there from the morning of the 22nd until the evening of the 26th when the flying squadron arrived.' Capt. Wise was cross-examined on this point by Mr. Raynor. He asked From the morning of the 22nd until the arrival of the flying squadron on the evening of the 26th you were trying to get in touch with the enemy and watching the harbor?"

"Yes." "You saw nothing in there?" "I could not see any harbor at all."

You could not see around the corner Caysmith." We saw the masts of a small vessel Could not distinguish which it was."

"You sent no one on shore to try to establish communication?" "Not at all." "Is not the natural condition of the

harbor such that it is possible to see considerable up the harbor?"

"You can see only a short distance the harbor." up the "And there was nothing in sight whatever, was there?"

'Nothing at all."

The witness had said that Capt. Sigsbee had taken the dispatch beginning "Get in touch with the enemy."

A QUESTION BY DEWEY. The court, through Admiral Dewey,

asked Was it your duty or Capt. Sigsbee's

to convey the information in the dis patch referred to Commodore Schley? "I think it was Capt. Sigsbee's, as I went immediately on duty and I was intercepted by orders from the com-modore to take the Merrimac in tow." Mr. Hanna:

"Did you receive any inquiry, or did the commanding officer of the flying squadron ask you for any information at any time? "Nothing."

Mr. Raynor continued his questions devoting himself especially to the sig nalling between the Yale and the flag-ship. The witness said he was sure that on May 26th, when he hailed the Texas, he had not passed within haii-ing distance of the Brooklyn, being one and a half miles distant.

Mr. Raynor read from a report made n May 30 by Admiral Sampson in which he stated that Capt. Wise had told him that he believed Santiago harbor to be strongly fortified. "Is that true?" Mr. Raynor asked.

"It is," was the reply. Capt Wise said in reply to questions y Capt. Parker that he would at any time when off Santiago have been able to signal any information he might have had in regard to the situation He had seen the ninsts of a vessel and thought it to be a small military ves-He had gone near enough to ob-

serve the land batteries. In reply to an inquiry from the court the witness said that the land batteries did not fire on the Yale while that vessel was reconnoitering the harbor, H also said that even though he had been the senior officer off Santiago prior to the arrival of Capt. Cotton he had no commanded Capt. Sigsbee to give to Commodore Schley the information which he (Wise), had given to him, (Sigsbee).

DID NOT FIRE ON YALE. The questions by the court and the replies to them were as follows: "Did the batteries at or near Santiago fire on the Yale while she was re-

"Not at all." "Who was the senior officer off Santi-

LT. WOOD TESTIFIES. Lieut. Spencer S. Wood, who com-manded the dispatch boat Dupont dur-ing the Spanish war, was the next wit-

Lieut. Wood related the particular of his mission as a dispatch carrier from Admiral Sampson lying at Key West to Admiral Schley, who was off Clentuegos. He had left Kew West on May 30 convint dispatches of which May 20, carrying dispatches of which the Iowa carried duplicates, and had reached Cienfuegos several hours in ad-

vance of the Iowa. "On my arrival," the witness said. "I went aboard and personally delivered the dispatches which I carried from Admiral Sampson to Commodore Schley in his cabin at 9 o'clock. He asked me Admirai's Sampson's idea about where the Spanish squadron was. I told him I did not know; he asked me of Admiral Sampson's intentions. told him I did not know them. He told me he thought the Spanish squad-ron was there. The conversation was on the line to endeavor to find out from me what Admiral Sampson's plans

"How long were you on board the flagship? "Until just before luncheon."

"Have you anything further to state with respect to this interview which

"The commodore hesitated some about giving me coal. He did not think he could spare coal at first. I said it was absolutely necessary; that we were almost out of coal, having made the run from Key West. He said, 'Very well, go below and I will think it over."

was afterwards called up and inform-ed that they would give me coal. I had never before met the admiral. He immediately impresed me as being very

"If I understand you clearly you had

contents of the

he said, he gave to me because he thought the Dupont could make better speed. I left after the Iowa passed her off Cape San Antonio and arrived in Clenfuegos some three or four hours before she did. I left Key West at 11: 30 a. m., on the 20th.

made some statements with respe the admiral's manner, had he read the dispatches? Did he read them in your presence?" "Oh, yes." "Did he advise you of their contents

me what they were.' "I wish to ascertain exactly the par-

important character, judging from the admiral's manner upon receiving them. As I stated, he was very nervous.

Asked by Mr. Raynor if Admiral Sampson or any one else had informed him before he left Key West for Clen-fuegos that a code of signals had been agreed upon between the American forces and the Cuban insurgents, Lieut, Wood replied in the negative. Wood replied in the negative. He had not, he said, received such information officially, but he added it was, current talk at Key West that the Marbl

on a previous trip had established com-munication with the Cubans. If, how-ever, a code had been arranged he did not know of the fact. Before Lieut. Wood had concluded his

State's Testimony All In at Logan

were. I could give him no informa-

will bear on the subject of this in-

"I went below to the ward room and

for brief cros-examination. around, come back and sit down, and a number of questions he asked me about Admiral Sampson's intentions I in substance:

no knowledge of the

ho knowledge of the contents of the dispatches which you delivered?" "Admiral Sampson did not tell me what was in them. He simply told me those were duplicate dispatches he was sending by the Iowa. Those duplicates,

which two shots were fired During this interview in which you

then? "He did not tell me positively what they were. I gathered while I was aboard the flagship what they con-tained, but whether it was while I was in the cabin or later in the ward room, I do not know. I never saw their con-tents, and Admiral Sampson never told

ticulars of this interview." "All the dispatches seemed to be of an

stead of down. under those circumstances, to deprive

mother af his society. Joseph Jenson, of Brigham City, was testimony was ruled out and court adjourned till 2 p.m.

MRS. PATTERSON APPOINTED. [Special to the "News."]

as they shouled to them.

# WILL BROWN?

### In the Abe Majors Case.

Was Not the Slayer.

[Special to the "News."]

stances after Majors' arrest.

ATTORNEYS BEGIN.

afternoon.

failed to chronicle the death at Pay-son last week of Baby Albert E. Car-roll, infant son of E. S. and Rhoda Carroll of this city. The funeral was held on last Saturday, and was at-DEFENSE TO HAVE INNING.

tended by many friends. The First ward choir, Bishop J. E. Hulsh, Patriarch Evans, President Page of the Nebo Stake, and Elders Brewerton and Hanson participated in the services. Mr. Carroll is city editor of the Standard Mr. McGurrin States What His Side Expects to Prove-Says Majors

#### STAR ROUTE CONTRACTS. Bids Must be in by December 3 for

DEATH OF A BABE.

PIONEER JOHN ELLIS.

New Four Year Contracts.

Logan, Utah, Sept. 26 .- J. S. Stokes, of Brigham City, followed Officer Bel-Advertisements have been issued by the department for bids for carrying nap on the witness stand Wednesday star route malls for the term of four He testified that while in jail at years, beginning July 1, 1902, says the Wheatland World. List of routes, Brigham City he heard Abe Majors confess to killing Brown. He admitted forms of bids, etc., can be had by apthat he was in jail for fornication. plying to the department or from most Sheriff Layne, of Weber county, was postmasters. Bids must be in by Dethe first witness on Thursday morning.

cember 3, 1901. Under the new regulations contract-He testified as to Brown's clothing and correlated testimony as to circumors will be required to live on or near the route on which they undertake to Belnap and Thompson were recalled carry the mails, and they will be required to give their personal attention to the matter and see that the service Attorney McGurrin made the openis well performed. Contractors will ing statement for the defense and it also be required to deliver and collect was a most effective address. He said without extra compensation mail to all patrons living on or near their "Gentlemen of the Judy: We will routes, the only requirement on the

prove to you that the defendant could not have killed W. A. Brown: we will part of patrons being that of providing suitable boxes for use in deposit-ing and collecting the mail. prove to you that neither of the Majors boys killed Brown. You have heard It is expected that under the witnesses testify that they coolly wit-nessed Majors fire at Brown and kill regulations, and the requirements of

the new contracts, a much better serhim, but we will prove to you that vice will result than has been procuthose witnesses were crazy with exunder the old system of speculative citement at the time of the death, and wholesale bidding by a few contractthat it was impossible for them to give ors, who depended upon sub-contract an exact account of what occurred. ing to get the service performed. We will prove that the revolver from der the old system many abuses have found lying close to the dead Majors crept into the service which the deand the full pistol near Abe Majors. We will prove that the bullet which killed Brown was a rife bullet and partment is determined to eradicate. The parties actually carrying the mail are frequently paid so small compensathat it came from up the hill instead of down, where the Majors were, Wat tion that adequate and satisfactory service has been impossible. Only broken. down horses have been pounded over the hills of Wyomiug and other western a pistol could not have carried a bul let from Majors to Brown and done the execution that was done. It was a scientific impossibility. We will prove to you that these Majors boys were states, half fed, and totally unable to comply with schedules in many cases in order that a few contractors might hounded like dogs by the officers after the robbery and that the officers began receive a margin over the price of their bids, and deluded suckers who had takshooting at them each time as soon shooting at them each time. We will en sub-contracts be permitted to keep their heads above water and continu prove to you that Stokes' tale is abthe service in a half-hearted sort of solutely untrue because he was rever way. The department has not contem-plated that its mall service should dealone with Majors, and thet Dr. Rich was wrong when he said the bullet ranged up through Brown's body ingenerate into such conditions, The government stands ready to pay a reason. It would be a crime, able compensation for its mail con-cumstances, to deprive tracts, and it has been the fault of the this defendant of his life or deprive his people themselves that a fair price has not been obtained. What the department wants and what it will insist upon called to testify as to the papers in having hereafter, is good and competent the preliminary examination, but his service and those who bid on the new contracts should understand this in advance. No half-way work or neglected service will be tolerated and while ex-orbitant figures will not be paid con-tractors, a fair and reasonable compensation may be had if the bidders will

their nefarious vocation at the midway. that he had formed an opinion on the case and was challenged for cause by PENALTY FOR EMBEZZLEMENT. last night, and W. S. Henderson was

Mr. Eichnor then took up the examinthe victim. He lost a valuable diamond ation. He asked Mr. Moreton if the stud in the German village, and while fact that the penalty for embezzlement is from one to ten years in the penitentwo of the supposed thievese are now tiary would have any weight in decid-ing his verdict. Judge Powers objected, but the court ruled that the ques-tion might be answered and the juror answered that he did not consider the penalty too severe, and the defense noted an objection. The prosecutor pockets he held his hand on his purse, put the other men in the box through the same line of questioning Mr. Levy created a laugh in court when

asked if he had any objection to cor-porations by replying "No, except that they generally charge more than they and pointed to Mr. Henderson's shirt front and then at one of the men. The Counsel on both sides then passed the diamond was gone and Mr. Henderson remaining seven furors in the box and the defense peremptorily challenged Henry Rudy and E. E. Rich, and the and called for the police. Just then a State Morris Levy. The remaining four jurors were then accepted and They are Francis Taylor, John Riches, W. B. Moreton and Edmund Lovesy. The names of D. F. Walker, Jr., who was excused by the court: Joseph E. an officer quickly disappeared. The po-Gallagher, George T. Odell, W Barnett, Judge Powers passed Gallagher, When it came to the three robbers. Mr 10 M Odell's examination a laugh was raised at the question of traveling on a rail-road pass. Mr. Odell said he traveled

n hought tickets, and Judge Varian volunteered the information that all Short Line passes had been called in. The defense made no challenge for cause, and neither did the State after examining them. On peremptory chal-longes the State excused Mr. Barnett, and the defense Mesers, Gallagher and Barnett, Mr. Johnson was then sworn making five jurors accepted on the sec-

ond call. J. P. Cahoon, Henry A. Tuckett and Charles A. Monteer were the next names taken out of the box-the name of William F. Colton was called but Mr. Colton was not in court, having been previously excused.

LACKED ONE JUROR.

Mr. Booth then examined the new furors all for cause. The State did likewise, but peremptorily challenged Mr. Mounteer. This left but one juror required to fill the panel, and Samuel H. B. Smith was called. At this time the defense had exercised four of its five peremptory challenges and the State three. Mr. Booth passed Mr. Smith for cause, and so did Mr. Eichnor. Counsel on both sides then acjury. All jurors not serving in this panel were then excused till Monday morning at 10 o'clock.

INFORMATION READ.

At 11.20 o'clock Frank Hines read the Washington. D. C., Sept. 26.-Mrs. Luella M. Patterson of Salt Lake, has been appointed assistant matron at the Indian school, Oregon. At 11.20 o clock Frank Hills Frad the but just remember that a mail route is horses, and feed, and buggles, and other things, to perform a mail route service.

"What degree of education have you at the judge, He did not tremble; not a muscle quivered. As soon as the death sentence was finished he took his received ? No reply seat in the same indifferent manner that has characterized him throughout "What schools have you attended?" "Public and church schools." Three Well Dressed Pickpockets the trial. He was brought to his feet quickly by the officers at 2:20. They 'Are you temperate or intemperate?" "Temperate. Get Henderson's Diamond. "Have you ever before been conshackied him and led him away to the jali while the crowd surged after him and the officers had to force a passage for the assassin from the victed of any crime?' "Are your father and mother alive?" "My father is alive. My mother is Though elation and satisfaction were TWO OF THEM CAPTURED. written on every face in court there was no applause and no demonstration of Caolgosz's replies were so low that he uld not be heard five feet away. "Have you any legal excuse why sen- I any kind on the part of the spectators,

"Are you married or single?"

## COLUMBIA=SHAMROCK RACE.

New York, Sept. 26.-With a brillant | a point off the Long Island shore. Official time of Shamrock was 11.11 01; autumn and a piping breeze the first day of the international yacht races opened with every promise of perfect

Shamrock forged well ahead, footing much faster than the defender. conditions of wind and weather. After blowing half a gale nearly all night the southeast on the port tack. One of the most daring thefts that northeast breeze subsided a triffe at however, was very close and after twenty minutes of sailing neither apever occurred in the city took place late sunrise, but at 8 o'clock both Sandy Hook and the Highlands at Navesink parently had any advantage. reported that it is still blowing at 18 and the yachts were moving slowknots. It had swept away every vestige

of mist or haze and the Long Island securely locked in jail, the gem is still shore was visible from the Jersey coast. missing. Mr. Henderson noticed that The sea, however, was quite rough three well dressed men appeared parand a heavy surf was pounding on the like her old self for she then began to ticularly anxious to crowd him and beach at Sandy Hook. fearing they were trying to pick his

like her old ach to. However, at 11:42 Columbia crossed Shamrock's bow and at 12:08 apparently had a lead of a quarter of a mile. The wind continued Remembering how the breeze fell yesterday, however, from a half gale in the quarter of a mile. The wind c falling and the race was slow. The men jostled up against him and tarly morning winds on board the chal-At 12:31 p. m. Columbia was about 200 yards on the weather bow of Shamthen moved away. A boy named Geo, lenger and defender everyone was early Parkinson approached Mr. Henderson

rock and still in the lead. Twelve By \$:10 o'clock both boats had gotutes later Shamrock caught a fresh puff f wind and pointed up finely. Columbia soon caught the breeze ten their jibs and stay salls in stops and laid their spinnakers ready to wever, and outfooted and outpointed break. The big club top sails also were Shamboek. At 1:05 p. m. Sandy Hook reported wind nine miles east, an increase of about three miles in the last hour. Both boats had come about on port tack, standing off shore. Shamrock ap-peared to be to the windward with a mode weighter. made ready and the covers taken off

said he was an officer and would take the main sails. charge of the man. But at that stage No changes were made in the prinof the game Sergeant Burbidge and Officipal sails. Shamrock II has the same cers Gillesple and Burt arrived on the scene and took charge of the prisoner main sail bent that she used in the good position while the man who had impersonated squall off Sandy Hook last week and the westward and the boats are making slow progress to windward. With Columbia's main sail is the same one lice are confident that he was one of which she tried last Saturday on Long the breeze now prevailing it looks doubtful if they will be able to cover

The suspect was quickly removed to Island sound, the police station and the officers con-At 9:05 the Columbia slipped her tinued their search for the other two. meerings and was taken in tow by the The man arrested gave his name as F tag Flint. A moment later Shamrock

lightshlp.

he Erin

the race.

Champneys, for having disturbed the corsion steamer passed the Hook and peace of N. Erickson, Anthony E. then began a splendid procession of

Kore refused to pay up and said he pre-ferred to go to jall. Accordingly, he has now commenced to serve sufficient. The course today was 15 miles to the course today was 15 miles to windward and return, starting from the Randy Heck lighted as a gunning to

On board Shamrock were W. Butler

Dincan, representing the New York Yicht club, Mr. Jameson and Mr. Bat-

At 10.10 the wind still held at 16 knots, Fully 20.000 persons left the city for

it was 10 o'clock when the first ex-

wisdward and return, starting from the Colum Bandy Book listeration and mumbing to finish.

J. Howard, and claims to be a switch man. That name appears on all his let. was taken in tow by the Lawrence ters and papers. In his pocket were found a catalogue of all the fairs to be Going at full speed, the Flint, with the cup defender, passed the point of the held and a checkered cap, and the police regard these as damaging evidence Hook at 9:12, heading for Sandy Hook against him.

Howard was locked up pending further investigation.

elzed the man pointed out by the boy

large well dressed man stepped up and

At that hour the wind had decreased Some time later the Parkinson boy pointed out to the police a second sussightly and was blowing at 16 knots from the northeast. pect and Officer Simpson arrested hir The Victor, with the guests of Sir and took him to headquarters. Mr. Thomas Lipton, arrived at the Hook Henderson was sent for and positively about 9.40 and the party aboard were dentified him as being one of the thre that jostled him in the crowd. The feltransferred to the Erin which immeow denied all knowledge of the crime diately started after Shamrock. but refused to tell where he was room-It had been Sir Thomas Lipton's in-tention to sail in the races on board ing. He gave his name as Andrew Jackson, and was locked up. The authori-ties feel certain that they have the the Shamrook, but this morning he concluded that his leg, which is taill lone from a recent fall, would prevent his taking an active part in the man-agement of the boat, so he remained the Shamrock, but this morning right men and hope to recover the dia-

### REFUSED TO PAY.

#### Anthony E. Kore Prefers to Go to the County Jail.

been fined \$5 and costs by Justice

(Special to the "News.") Ogden, Utah, Sept. 26 .- After having

mond.

