# DAY'S ATTORNEYS PLEAD FOR MERCY

### Negro Murderer Represented by Counsel and Sympathizers Asking Clemency.

### THE DECISION IS DEFERRED.

After Hearing Arguments, Board of Pardons Adjourns to Conclude Yamues of Petition.

Albert T. Day, by his attorneys. pleaded this morning for elemency before the board of pardons, urging that his sontence to be shot on Fridag, the 13th day of December, be commuted to life imprisonment. After considering the matter for a half hour the hoard adjourned until 3 o'clock to render Its

AFRICAN PREACHER SPEAKS.

W. W. Little and William Dunn ap-W. W. Little and William Dunn ap-peared before the heard in behalf of their client, who was convicted of the murder of Horace H. Voss about one year ago. Dist. Atty. Fred C. Loof-bourow argued for the infliction of the penalty, as did also the Rev. J. C. Bell of the African church in this city. J. W. Houston, in whose employ Day had formerly been, appeared to argue the case from the standpoint of an humani-tarian.

ATTACKS TESTIMONY.

Mr. Little read from the evidence and sought to show that much of the testimony of the state's witnesses was evidently untrue. He discredited the testimony of Joe Ware, Jr., by reading from the transcript his testimony to the effect that while he was standing at Third South and Main streets he saw Day crossing the street from the Knuts-ford hotel howard is drug store diagon-ally opposite, and that at that time Day held a revolver in his hand. That the distance was more than a block. Day held a revolver in his hand. That the distance was more than a block. Mr. Little contended, indicated the value of the other points of his texti-mony. To discredit the testimony of Lizzle Voss, the widow of the nurder-ed man, he introduced before the board of pardons the files in an old case of Voss against Voss wherein Voss swore that Mrs. Voss had admitted to him that she had killed two mon, and that she had served a term in the Kansas penitentiary. He contended as set forth in the attorneys' letter , a the board, that Day had not been properly defended by attorneys guring his trial. STATE OFFERS REBUTTAL.

STATE OFFERS REBUTTAL. Mr. Loofbourow stated to the board that if he had not been a public of-ficer he would not have appeared before the board, but that not to have done so he would have considered himself rehe would have considered himself re-miss in his duties. Mr. Loofbourow argued to the court that Day had been ably represented before the jury which tried the case and convicted Day of murder in the first degree. He explain-ed to the board the details of the trag-edy. He related that the night before the tragedy, which occurred on Sun-day, Day had tried to borrow a revolver from a negro barber, but that he had day, Day had tried to borrow a revolver from a negro barber, but that he had been denied the use of the weapon, that he then went to a pawnbroker and rented a revolver with the under-standing that it was to be returned the next day at noon. It was with this revolver that Voss was shot and Vost was armed with no weapons with which to defend himself when he was shot as he sai on a trunk talkingto a yong colored woman. Mr. Loofbourow read from "Law Notes" the comment of an English authority on the growth of crime in the United States. He offered this in-

United States. He offered this in-formation to the board in urging that it was the duty of the officers of the state to punish crime to prevent spread. By the statistics containe



In usual liquid form or chocolated tablets known as Sarsatabs, 109 doses. Antisepiets or Catarihets promptly relieve nasal catarrh, deodorize discharge, sweeten breath, Price Se, Druggists or promptly by mall, C. L. Hood Co. Lowell. Mass.

When a man kills another, he declared, it is not within the rights of the race to remove him, but it is within that rights to allow the law to take its course, he said, and this he asked the bound to do.

# COMPANY ISSUES SCRIP.

The fact that the banks have been ssuing a substitute for legal tender has inspired other corporate bodies to follow sult, and a Twin Falls company of Idaho hus been issuing private scrip In payment of local obligations. A local wholesale house has received \$500 worth of "\$5" serig-what would be known years ago as "shinplasters," from a Twin Falls merchant, which he had taken from employes of the Idaho concern in payment for goods, and which he in turn forwarded to the Salt Lake house, asknig that the same be credited to his account.

## HAS BEEN REMODELLED.

#### Sharon Building on South Temple Street Ready for Occupaticy.

The Sharon building, formerly the Lambert Paper company building, has been remodelled. The first floor will be occupied exclusively by the Utah-Idaho Sugar company, and the two upper floors by doctors and others. The building is now one of the fluest office buildings in Sait Lake City, and will be occupied on the various floors as fol-

Main floor, Utah-Idaho Sugar com-

pany. Second floor, Dr. Joseph S. Richards, Dr. Ralph T. Richards, Dr. Catherine Stringham, Salt Lake stake, Utsh-Ida-ho Sugar company, Joseph S. Peery, Rutherford & Hausen, Third floor, Dr. H. S. Allen, Dr. Mid-dicton, Dr. Ross Anderson, Dr. Mid-dicton, Dr. Ross Anderson, Dr. Mc-Donald, Joseph D. C. Young, Dr. Stookey.

### DEATH OF MRS. FORD.

#### Veteran of the Dixie Mission Answers Final Summons.

Mrs. Macilda R. Ford died at an early Mtg. Mathdia R. Ford died at an early hour this morning at the home of her daughter, Mrs. J. M. Worthen, 52 West Fourth North. The deceased was born in Tralaburg. Sweden, Noh. B. 1828, and emigrated in Viah in 1960, in an early day she was called to settle in Utah's Dixle, and while there bad many thrilling experiences with Indians. Mrs. Ford was a faithful member of the Church and was an active worker in its advancement. She is survived by six children, two sous and four daughters. The funeral will be need at the Second ward meetinghous faithful at the Second ward meetinghouse tomorrow, commenc-ing at 12 gridek. The rerains may be viewed at the residence of her daughter. Mrs. C. H. Ensign, 364 Fourth East, from 16 to II c clock Sunday.

# SMITH USED ALIAS.

#### Real Name of Man Killed by Officer is Joseph Dowd.

At noon today it was learned that the nan who was killed last night in the ne Star saloon by Officer J. M. Lyon wont under an assumed name. His real name is Joseph Dowd and not Joe Smith. He was born in Cincinnati and the the system of the system o



Departure of Emigrant Laborers Not Source of Grief to Employers.

WHITE LABOR IS PLENTIFUL

Local Concerns Find Intelligent Help The Best After All-Foreigners Can Toll, Only.

The dispatches from New York which tell of the departure of thousands of foreigners upon the sailing of every steamer are read with considerable interest throughout the west and in Utah particularly. In the railroad offices of this city have been parties of as high as 60 Greeks buying tickets at once. Itallans, Austrians and other sons of far away lands are feaving Utah in hordes. They have represented a big proportion of this state's transient population owing to the industrial activity of recent years. The Western Pacific alone employs over 6,000 laborers and a big portion of these were foreigners. The word "were" is used advisedly because when the present stringency began to be felt in the west railroads and all big constructing concerns found they would have to cut down their forces. This was a double necessity owing to the proximity of winter. Hence the employing corporations let their foreign labor go first. This threw thousands of swarthy "skinned tollers out of employment

ALL COUNTRIES REPRESENTED. A majority, bound for their native lands, are passing through Sait Lake en route to New York. For several weeks the local railrond offices have been crowded daily with Latin speak-ing people, and as explained some par-tiles contain three score and more. For some time the west has been wrestling with a difficult problem. Foreign la-bor became so heavily removacied that with a difficult problem. Foreign la-bor became so heavily represented that western towns and cities have seen big allen chlonies spring up. Not only italians. Greeks and kinsmen but Jap-anese and even Hindoos could be found wherever hig work was in prog-ress. The situation was unique and to those with all eye for the future won-dered what would result when these dered what would result when these big works were completed and thous-ands of foreigners thrown out of work.

Some thinkers took a gloony view of the outlook. When those watching affairs came to the conclusion they were entirely in the dark as to the final outcome, the present stringency furn-ished the answer.

WORK IS PLENTIFUL. "It's an fil which that blows no one good." said the philosophic, No one regrets seeing the big exodus. With plenity of white labor anxious to make their bread and barter, there were a great mony places needed. The vacan-cies Liought about by the exodus of foreigners came just at a time when most needed. The situation becomes most happy: the west has plenty of work for white men and plenty of white men to do the work. There is no excuse for the exigmen of variants, say all thinking men. Large concerns of various descriptions are not only furnishing employment for white men who apply but are advertising for com-petent help. Right here in Salt Lake P. J. Moran, the dity's most prominent contractor, has work for white laborers who really want to work. The West-ern Pacific can use more men along its line through Nevada; this in spite 3 the fact hundreds of foreigners have been laid off, in the last few weeks. The number of emigrant-laborers leav-The an HI wind that blows no one



of Holiday Ribbons at prices Nobody will care to duplicate. Remnant lots will be placed on the first table as you enter the Store, to select from at from 5 cents up OUR REGULAR STOCK CON-

SISTS OF THE HIGHEST IRADES OF IMPORTED AND DOMESTIC RIBBONS, so under-priced that good cheer will fill the hearts who would make useful Christmas presents at a mod-

ful Christmas presents at a mod-erate cost. There are several lots of the finest ribbons made included in this sale, to be closed at less than half the regular prices. Sale begins Monday morning.

115 So. Main St.

FAMILY NOT SMALL. Some few years ago Mr. and Mrs. John Kooyman and several young Kooymans resided in the country once saved by a boy who stuck his funger in the hole in the wall—no not Wyo-ming. Holland? Correct. But in time the Kooyman family came to Salt Lake. It now has 16 members and much of their time is spent in police court, for scarcely a week passes without seeing a new outburst in the Kooyman fam-ily. At every outburst mother, father, sisters, brothers, uncles and aunts, not to mention "grosfader, grosmudder und a cubble of oders," and Heine, the das-chund, all rush to Judge Diehl. CORNELIUS "HEAVY" MAN. Railway company was forced to make raniway company was forced to make up construction and repair gangs with Greeks and Italians from one to five accidents happened daily. A dozen men would get hold of a rail and in lifting it on to a car would drop it upon their respective toes. Railroad companies tell the same sort of stories. Contractors have found foreign labor unsatisfactory for modern day de-mands and needs. "All an emigrant haborer can do with any degree of suc-cess is to swing a pick or wield a shovel—only the most common sort of labor." is the verdict of employers. Hence the departure of emigrant tollars board. Seeing he was getting \$14 partly in money and partly in cashiers' checks Mrs. Keeyman thought the time had ar-rived when liquidation should com-mence. When a builet singed past her ear she rushed to the police station to swear out a complaint. Cornelius fol-lowed pace and by the time the sta-tion was reached had succeeded in get-ting his mother to change her mind. CHAPTERS FROM HISTORY. is not a source of grief-blg concerns have learned that white labor is much more valuable.

BURGLARS EAT ROAST.

#### Two Men Visit Johnson Home on Sixth Street-Frightened Away,

Two rervy burglarymen visited the home of Oscar W. Johnson, 285 Sixth avenue about 2 o'clock Monday morning and for a half hour had a merry time. They began their work by getting into the back porch and calmly sitting down to a feast made up of verything in the refrigerator, including a roast of beef which they devoured with a relish. Mr. Johnson was awakened by a noise and thinking his wife. sick with typhoid, he got to investigate. She had heard the noise and thinking he had got up, she arose. When they discovered each other, Mr. Johnson realized that someone was downstairs. He had heard someone walking back and forth on the pavement in front of the house and the pavement in front of the house and so creeping down stains cautiously made the discovery that some one was picking the lock to the door leading up from the celiar. The burglar was on the other side of the door. Not having a gun in the house Mr. Johnson could do nothing, and being unable to com-municate with the police station, could look for no relief from that source. So he called for help to arouso the neighborhood. He succeeded but not until the man in the celiar and



Was Present Residence of Sixteen Trouble Breeders.

run-don't forget to run. When at a safe distance watch the victim of your joke writhe and stamp and dance in

FAMILY NOT SMALL.

CORNELIUS "HEAVY" MAN.

Cornelius, who might be called heavy man in the Kooyman troubles-"a continuous performance sort of a show"-shot at his mother yesterday. She says it was because the asked him for money, as he owes her \$200 for board. Seeing he was getting \$14 partly is money and parts in each fore' checks

CHAPTERS FROM HISTORY. Some of the things which have hap-pened and been aired in police court follow: Cornelius Kooyman was mary-ried but as wedded life did not suit, a dworce court severed the bonds. Mrs. Kooyman and two children are sup-ported by the county commissioners. It was asserted in police court during one of the many airings of the family's troubles that Cornelius had returned to his former wife but kept it quiet so the money from the county would be fortheoming regularly. A Mrs. Eggen, a divorce, became in-terested in Cornelius and his checkered career and according to relatives of Cornelius has been a factor in the case. Young Kooyman was arcested and tried upon a charge of beating his younger sister Minnie. He was con-victed and sentenced to do time in the eity jail. While on the chain gang he made an unsuccessful break for lib-erdy. Because of the pleadings of the young man's father he was released. MAKES GREAT OFFER.

MAKES GREAT OFFER.

his agony.

If there is anything that will make a member of the Salt Lake police force jump startled or an attache of the police court mumble a long line and fine assortment of things it is the word Dutch chocolates greet you today "Kooyman." The best way to get results is to pucker up the mouth gently, get right behind the policeman. higher in quality, better than ever. Judge Dichl or any other attache of the court and when everything is quiet, whisper softly "K-o-o-o-yman." Then

McDonald's Dutch chocolates now contain ten different varieties of flavors, some of which have nut cen. ters. The result is an increased daintiness, an exquisiteness not found in other grades at equal price. The demand for them, the strong praise, the manner in which they forge ahead are undisputed evidence of superlative worth --- they lead the whole world in the 30 and 60 cent class.

- I One thing about McDonald: he is always asserting his best endeavors. always striving to improve each particular grade.
- Therefore today Dutch chocolates greet you improved, better far better than ever!

McDonald, Salt Lake, exclusive manufacturer of fine chocolates,

# PRISONERS TRY TO

SAW OUT OF JAIL. Jailer Wilkinson of the city jail made the discovery this morning that "Razor Jack" Richardson, and his two pals arrested Wednesday night on the charge is said by the police that Vance made of robbing Si Carmen of \$140, had made an attempt to saw their way out of struck her with his cleached for jail. The men were on the second knocked her down and thes kicked her Roor in the west cells and managed in some way to secure steel saws. Other prisoners heard them at work and noti-fied the failer. Several bars had been attacked and were partiy sawed through. Richardson and his pals were searched but the saws were met found

d but the saws were not found

This afternoon the jailer is making a thorough search of the jail in the hops of finding the implements used by the would-be jailbreakers. This morning Richardson pleaded not guilty to the charge against him and was sent to the county juil in default of \$500 bail.

# West between Eighth and Ninth South street, was arrested last night by OB-Golding on a warrant charging Vance with battery upon his wife. a most brutal assault upon Mrs. Vars

WIFE BEATER ARRESTED.

Thomas Vance, residing on Second

DIED.

will be heard Monday

MCDDNALD'S ( ) ( ) / ATIA FRIENDS, COUNTRYMEN, MAIDENS AND MATRONSI

the extract, Mr. Loofbourow showed that the percentage of criminals to the million of inhabitants was greater in the United States than in any other nation with the exception of Mexico and the relative number of executions fewer than in the majority of nations. He urged the board to deny the petition

#### HOUSTON HUMANITARIAN.

J. W. Houston next addressed the board, saying that he came before it not to argue any legal phases of the question, but merely as a humane acquestion, but inerely as a humane ac-tion on his own part and cohuntarily. He pleaded the lack of opportunity at the begro to account himself with the begro to account himself with the accepted views of civilization; urged that Day did not know right from wrong and contrasted the mas's danger to society with that of Abe Majors, who secured the cloniency of the hoard.

#### REV. BELL'S ARGUMENT.

The Rev. J. C. Bell appeared before the board to oppose the commutation. of Day's mentence. He urged before the board that his race was not so much in the darkness as Mr. Houston would have the board believe. Through the grace of the while man is setting the negro free and providing him with opportunities to learn of the right and wrong paths he declared that bit member the negro rise and providing him with exportinities to learn of the right and scrong paths be declared that his people where learning and that they did not want their wave to be judged by the had people found within it. He declared that the negroes of this city wore anx-fous to have the members of their race who are black at heart taken from the race by the operation of the law.

It's not too early to begin talking Christmas

goods

but really, there are so many good things lined up here for your holiday buying we can hardly keep them from you.



**172 MAIN** 

They have been notified of the tragic fate of the man. This afterneon Justice of the Peace Dana T. Smith, begins an inquest over the remains. The purpose of the offi-cial investigation is not with a view to placing any blame whatever upon Offi-cer Lyon, but to have an official rec-ord of the man's death—the time, the place and the cause. No disposition of the body has been made and none will be until the rela-tives in San Francisco are heard from. Hobby Laws, the main whom Officer Lyon was looking for when he encoun-tered Smith, walked into police head-quarters this morning and gave him-self up. Officer Lyon had reason to be-lieve the man knew something about the iheft of a suit case. Laws says he knows nothing about it. He is being held at police headquarters pending further investigation.

# AMUSEMENTS.

Theater-That most delightful com-"The Heir to the Hoorah," came

The atter—That most delightful com-edy. "The Heir to the Hoorah," came back on a return visit to the Sait Lake Theater last hight and and as before, delighted the patrons of the house, even chough they were not out in everwheinling numbers. The distinct buzz of holiday purchases is in the air, and theatriculs are the first luxures up to be affected by it. Mr. Arm-strong's play remains the same chairs ing delineation that if ever was, with the out exception, that same of the leading purts are net via as capable hunds as they were on the first visit. Mr. Monroe, while a careful artist, hardly sounds the depths of the part of Joe, the owner of the inlos, and neither is Miss Mutrell cast to the fullent ad-vantage in the part of the wife. Most of the ather roles remain as they were before, and few things could be more enjoyable than the Dave of Mr. Croshy, the Bud Yonny of Mr. Dean, the Bitt of Mr. Quinby, and the Gas of Mr. Hig-atias. Helen Lackaye has her old role of the videw and she plays it with the churming freshness, ease, and natural-ness which before made her a favorite. The opties due the baby is presented in the other the usual uprovisions in andre. "The Heir to the Hoorah" brings its

he Heir to the Hoorah" brings its gement to a close tonight,

### FOUR IN TWO WEEKS.

Diphtheria and Scarlet Fever Decimates Clay Family.

Fo loss four children by death within To issue four children by death within the short period of two weeks was the distrosence calamitty that berell Mr. and Mr. Will H. Clay, of 24 Lowe alvenue, Puplar Grove. The disease that as great-by dominated the family of seven child-ren was a minging of disinteria and match fever such the family of exceed-ness being the family of seven was cold, who rassed away conterfare with the family of seven that we cold, who rassed away conterfare with the family of seven that the seven and the family of seven without. The others that did were fitnout. The others that do the seven intoin. The others that do family fitnout. The others and John. The was thought that the first three different that died were afflicted with displayments, but after a commutation of thy michana. It was decided that scarlet for the seven of age. The remaining three while an are the with the same disease.

The number of emigrant-laborers leav-ing for native lands is swelled greatly by fellow-countrymen who have been made nervous by existing financial con-ditions. With them are going millions, scraced and sured for years. Some foreignets dressed wretchedly, and pov-erty stricken in every detail of appear-ance, have gone back home with thou-erands of dolairs tucked away in hid-den belts and wallets. Another feature brought to the notice of railroad men-is that the majority of those leaving have been in this country a few years only. Out of 100 Greeks and Italians who left through this city during the week only one had been here over five years. of emigrant-laborers leav

WAGES WERE TOO HIGH.

WAGES WERE TOO HIGH. Large concerns are not sorrowing at the exodus. Lately it was almost im-possible to get sufficient white labor and wages kept on the ascent until the most ignorant class of laborers, doing the most humble sort of work were get-ting as bigh wages as were paid skilled white laborers in recent years. For the vast sums represented the employ-log concerns were getting incompetent labor. Foreign tollers are slow to learn and quick to forget. In a majority of cases they are clumsy with machinery nad if a number are on one piece of work seem to get and keep in each other's way. When the Utah Light &



TRIAL BOX FREE.

oting exercise or exclusion is y. My natural, sciently Reducer door all the work i a hundred times better the you try this wonderful home

educer. Binply fill in your name and address i dotted lines below and mail to J. Kellogg, 1200 Kellogg Block, Sattle Creek. Mich., and you will acsive a trul package by return mail, il charges prepaid.



the neighborhood. He succeeded but not until the man in the cellar and his "pall" who had been doing sentry duty out on the pavement had disap-peered from the neighborhood. The police were notified by a neighbor, but when they arrived the would-be burg-largs were probably down town. Mrs. Johnson was so upset by the affair



#### Expired While Being Removed from Garfield to a Hospital.

F. D. Borland, a Garfield druggist. died this morning while being taken to a hospital for treatment. For some time he had been breaking in health, having become almost a nervous wreek. He was about 30 years of age and when He was about 39 years of age and when at his best was considered to be a very efficient druggists. For a long time he was employed at Schramm's drug store and for a brief period with the Willes-Horne Drug company. Later he went upon the read, but of late had charge of a drug store at Garfield. Mr. Borland is survived by a wife, who was formerly a Miss Moyer. There are no children. Mrs. Borland is absent from home on a visit at the present time. prozent time.

# GOVERNOR VISITS PROVO.

#### In Company With Prominent Officials, lie Visits State Mental Hospital.

Yesterday the governor, Judges Straup ad Frick of the state supreme court, Atty.Gen. Erection, State Auditor; Ed. wards, and State Tressurer Christiansen went to Provo to inspect the state menial hospital. They looked the insti-fution over, viewed the grounds, visited the various wards, and noted the im-provoments that have been made in ward C, and those now being made in ward G. They all expressed thema-fyes as being very much micased with the as being very much pleased with the condition of affairs there, and were surprised that the improvements in the wards were not thought of years be

# ALLEGED MURDERER HERE.

Sheriff Dye of Twin Falls Brings Prisoner from Arizona.

Sheriff Dye of Twin Falls, Ida., ar-

<text><text><text><text>

MARES GREAT OFFER. On the day of his release the boy showed his appreciation of the old man's kindness in a very peculiar man-ner, according to the father, who re-ported that Cornelius went to the Kooyman home and finding no one there but Fredrika Kooyman, a young-er sister, offered her \$25 if she would show and kill their father. He down

there but Fredrika Kooyman, a young-er sister, offered her \$25 if she would shoot and kill their father. He show, ed the girl how to use the platol, shoot, ing through the kitchen floor in so do-ing. Anyone doubting Papa Kooy-man home, 973 East First South street and look at the bullet hole. The girl did not want \$25 earned that way and turned the offer down. The father also says his son ran bills and stole money. The father goes on and says Cornelius helped his wife, Mrs. Eggen, and another man throwing their aged mother out of house and home. Last night 13 Kooymanists and Papa Kooyman to swear out a warrant against Cornelius today. Police force and police court members are on the anxious' seat, jumping nervously at every footstep that doesn't sound like a policeman's. policeman's.

# **NEGRO MURDERER GIVES**

HIMSELF UP TO POSSE.

(Special to the "News,")

(Special to the "News.") McCammon, Ida., Nov. 30.—The man was was shot and killed here yesterday by Chas, Evans, a negro, was Robert Jackson, a saloon man. The dead man is survived by a wife and four children, the oldest child being 10 years of age. Jack-son employed the negro and as the lat-ter was of a guarrelsome nature when under the influence of liquor, he has been principal actor in a number of episodes. After shooting Jackson Evans made his escape by jumping through a window to the ground, 30 feet be-low. He then ran to the lava rocks hear here and hid in a crevice. Hunger and loss of blood as a result of being wounded in the chin and arm, brought him out of his hiding place with hands extended in the air as a sign that he was ready' to give himself up. As a crowd had formed at McCammon with the avowed intention of lynching the black men the nears head Brone here the avowed intention of lynching the block man the posse had Evans taken to Pocatello where he was placed in

the county jail. It seems Evans was beating another man up and raising a rumpus in gen-cal when Jackson was sent for, Jack-kon came and the mago shot him without warning. Once before Evans was out on a drunkep rampage and had to be beaten into unconsciousess to prevent him from killing somebody.

### FIRE DESTROYED ALL.

#### Blaze at Waterloo Today Burns Up \$1,250 Worth of Goods.

Fire destroyed the little home of Mrs.



at night. There is no better advertisement than a good light in your store. See the dozens of stores now lighted by

GAS

and decide to put it in while it will do you the most good.

You get Better Light for Less Money and besides it never fails.

Let us figure with you.

UTAH GAS AND COKE CO. PHONES 4321 61-65 MAIN STREET