

TO JURY TOMORROW.

The case may go to the jury to-norrow afternoon. Seven hours have been set aside for arguments from soth sides, and an additional half hour

On cross-examination by Atty. Chris-tensen it was sought to bring out that the visit was to entrap the chief. Mr. Pendergrass denied that he regarded it as any such thing. "How did you come to go to the city council investigation. "I was sent by the Republican to get as good a report as possible." He de-scribed the meeting as follows: "There were 15 members of the council present: a large number of outsiders and I was large number of outsiders and I was the streets. in the midst of them all; that is, I got in with the councilmen at their desky around me. There was confusion. got as many answers and questions as heard and got a good many." When asked about the transcript the tate used, Mr. Pendergrass said it had been copied from an original copy. 'You don't pretend any stenographe could have got a correct report of that meeting?" asked Atty, Christensen.

gested. The teamsters promised to do all in their power to assist Mrs. Thomas, but blamed the barn bosses and employers or the apparent cruelties. Many said abuses could be corrected through the skylight. They had so-cured a ladder to an upright under the skylight and apparently had no trouble in getting away. Just what time the robbery occurred if the city council would limit tonnage per horse that could be hauled through

While securing the \$210.95 in gold and silver, the robbers dropped to the floor a bankbook in which there was \$97 in bills. Papers and books were scattered over the floor. After making their haul the robbers made the exit eir haul the ex1

TRAINMAN KILLED IN IN ROYAL FASHION FREGHT COLLISION.

Los Angeles Feb. 26 .- The committe soliciting funds for the entertainment New York, Feb. 26 .- One man, a of the officers and seamen aboard the trainman, was killed and the tracks of the New York, New Haven and Hartford railroad were blocked for Hartford railroad were blocked for a time, by a collision between two freight trains near Barstow station early today. The dead man was Charles Deener, a brakeman, and the superintendent of the division, after a brief investigation, declared that it was Deener's carelessness which re-sulted in the wreck and his own death. Coroner McDonald later ordered the arrest on technical charge of homiarrest on technical charge of homi-cide of Engineer Boat of Hartford, who was in the cab of the ond train.

solth sides, and an additional half hour s to be added for the court's charge be he jury. Then the trial will have been completed except for the verdict. All worts of goestp regarding the probable decision can be heard, but not given at this time. Both state and defense assert their satisfaction with the case they have built for and sgainst the defendant, and will con-sume three and a half hours telling the jury why they are satisfied.

the jury why they are satisfied. At the end of the arguments and when the charge has been read to the jury, guesses will be in order and that will be no end of predictions is already evident.

The state paved the way for a climax oday, and what appears about the ross-examination in another portion of his issue is a part of this article, for

The defendant appears confident and when both sides rested today, chatted with friends about affairs entirely away from the trial just concluded.

DEFENSE ARGUMENTATIVE.

The state may not talk for any great length of time, it being almost cer-tain the three hours and a half will not be used up by District Attorney Loofbourow or County Atorney Han-son, who represent the state. The son who represent the state. The defense was anxious to get at least three hours' time, to give Judge Thur-man, Atty. Christensen and Atty. Wedgwood each an hour. Each can now go over an hour to the extent of the minute to the extent of en minutes.

Throughout the trial the jurors have een free to go about their business for court hours, but of course, have een admonished by the court regard-ue their state of the court regarding their duties.

COURT HAD TO WAIT.

Because the crowd crushing to get Because the crowd crushing to get Up to the fourth floor of the county beliding where the Sheets trial is be-ing held, was so great this morning. Attorney Wedgwood and Judge Thur-man, attorneys for the defendant, were held from the elevator and court had to walt until they reached the floor. When court was declared in session court was declared in session

Christensen rose to his feet de this explanation. At the of the main persons in the trial alled by a curious throng a stalled by a durious throng a passed around the room. Finally Thurman reached the floor and one-examination of the defendant, the orge A. Sheets, was resumed by

y Attorney Hanson first called worse A. Sheets back to the stand dis morning to resume the cross-ex-mination, details of which appear in bother part of this paper. "Didn't you tell Mr. McWhirter, when e returned from California, that you ad done all you could? This was in the presence of Stenographer Pender-rasa?" George

grass

Mr. McWhirter told me he didn't see how the man (Bell) had back with \$250 so soon. I sug-the might have had it on him. I of remember telling McWhirter I done all I could qui gested he had had done all I could; not just that way, anyhow."

SHEETS EXCUSED.

Mr Sheets was excused after nar-fating that McWhirter had said he had seen some of the mon and when asked why he hadn't notified the police Mc-Whirter said his lawyer, Mr. Braffett, had said the time was not ripe.

TESTIMONY OF REPORTER.

The defense called Wm. Day, short-hand reporter, who took the testimony in the preliminary hearing of Shoets

"Not a correct report." "But what you got was correct," in-terposed County Atty. Hanson. Mr. Pendergrass was excused.

STATE SCORES POINT.

Former Councilman A. F. Barnes fol-lowed. He was present at the coun-cil investigation Oct. 3, 1906. In telling of the affair he said: "I asked Mr.

of the affair he said: "I asked Mr. Sheets if he (McWhirter) said he had been robbed of \$8,000, and the chief told me McWhirter had a receipt for that amount." The state excused Mr. Barnes after scoring this significant point, Atty. Christensen conducted the cross-examination. "Was there a great deal of confu-

sion?" "Certainly."

"Certainly." "You sat as a committee of the whole in response to a request from Mr. Sheets himself, didn't you?" "The chief sent in a letter, yes." "You were politically opposed to Mr. Sheets, weren't you " "I belonged to another party." "You and Mr. Fernstrom and Mr. Wells were most active in the quest

Wells were most active in the ques-tioning, weren't you?" "No! Every councilman asked questions, as the records will show.

HAD SEEN RECEIPT.

"You mean to say Mr. Sheets said he had seen a receipt for \$8,000 that McWhirter had?"

"Yes." "Didn't Sheets say McWhirter had "No, as I recollect it, Mr. Sheets said he saw the receipt." "Were you interested in that re-ceipt?"

No: I was interested in the investi-

gation, as were all the council mem

FERNSTROM TESTIFIES.

Councilman Fernstrom was next alled. He, too, was present at the called. Sheets investigation before the city

ouncil 'Did Chief Sheets make several state-?" asked County Atty, Hanson, did." nents?"

"Did the chief say they accused the little fellow of acting as an auxillary officer and he showed them a regular badge, whereupon they said the badge the man who took the money wore, was different in having straight police on

'Yes, sir." CORROBORATES BARNES. "Did Sheets say McWhirter had a ote or receipt for \$8,000?" Yes, sir."

"Was Sheets asked if he was told how had been robbed of \$8,000?" hoy "What did he say in answor?"

"He said, "That they had lost that amount? Yes!"" Mr. Fernstrom was placed under a

SLOW MOVING FREIGHT PREVENTED BAD WRECK

Higginsville, Mo., Feb. 26.—An at-tempt to wreck the eastbound Chica-go & Alton passenger train, running between Kansas City and St. Louis was made at the west edge of Higgins-ville late last night. A freight fram that preceded the passenger knocked the obstruction from the tracks. There is no clue to the wreckers. Railway men here believe their pur-pose was robbery. A dozen huge logs had been placed across the tracks and securely praced.

A dozen huge logs had been placed across the tracks and securely braced. The freight train that struck the ob-struction was fortunately running at p_2 slow rate of speed. The engine was damaged and the crew slightly hurt, tut beyond this no serious was done. The only thin saved the passenger train was thing the tact that it was a few minutes late.

A similar attempt to wreck a west-ound Missouri Pacific passenger bound Missouri Pacific passent train was made last Friday night Otterville, Mo.

SALT LAKE GIRL DYING IN LOS ANGELES HOSPITAL

Los Angeles, Feb. 26 .- Paralyzed from head to foot, Dawn McPherson, whose neck was dislocated July 15, 907, in a folding bed accident is slow-

but, if a rolaring boat accelerate is show-by dying at the county hospital. This case has been one of the most remarkable on record in Los Angeles. That she has lived with her spinal cord seriously injured for more than half a year, is considered wonderful by surgeons.

by surgeons. Miss McPherson and her mother name to Los Angeles from Salt Lake about a year and a half ago.

ross-examination in which Atty. Christensen wanted him to tell what Black said; what he, himself, said, etc. This, of course, Mr. Fernstrom could not do in toto.

"You were shown a copy of this newspaper account of the meeting last night, weren't you?" "Yes. I glanced it over."

NO MORE THAN USUAL. "There was a great deal of confusion, asn't there?" "Oh, no more than what is usual at meetings as a committee of the whole."

Mr. Fernstrom was excused and the state announced that its rebuttal was all in. "I would think two hours on a side sufficient **he** alguments," said Dist. Atty. Loofcourow.

TIME FOR ARGUMENT. "We will ask three hours and a haif we will ask three none and a half and try to use as much less as possi-ble," asked Atty. Christensen. The court so ruled, saying the time could be divided among counsel on each side as they saw fit.

WILL OPEN FOR STATE. An adjournment until 2 o'clock was called. County Atty. Willard Hanson will open for the state at that hour,

could not be determined. The thieves must have known the location of the safe and the interior arrangements of the market. They also timed their visit so as not to be interrupted by the

visit so as not to be interrupted by the nightwatchman or the police on that beat. The watchman is supposed to make his rounds about every hour and a half. No noise was heard either by him or the patrolman on the beat and it was impossible to follow any tracks from the rear of the place. In the cut-ting room a soiled linen handkerchief was found by Mr. Marriott this morn-ing. The handkerchief has a laundry mark on it and this may prove to be a mark on it and this may prove to be a valuable clue. It is now in the posses-sion of Chief of Detectives Janney. DIAMONDS NOT INCLUDED.

Mr. Marriott, in discussing the affair this morning stated that it was only luck that the thieves did not secure his wife's diamonds and some coupon bonds. Mr. Marriott's wife, who is ill, asked him yesterday to take charge of her jewels. He brought the diamonds and bonds from his home and intended to place them in the safe, but having to make a visit to the bank he left the gems and bonds in the safety vault. The thieves did not visit the main of-fice at all but even if they had broken gained nothing for their pains. This is the first safe cracking job that has been done in Salt Lake for many months and the police are working hard to locate the robbers.

WARMEST DAY OF YEAR.

The local office of the weather bureau began today, printing its daily weather map from the new press furnished by the department from Washington. The work is much neater and cleaner that work is much neater and cleaner than the old mimeograph process used for so many years, and is creditable and con-venient in its arrangement. Owing to the approach of a low barometric area from the northwest, the forecast is for cloudy and uncertain weather at Salt Lake for the morrow. Snow is predict-ed in Wyoming. The minimum mer-cury early this morning was quite high. at 40 degrees, and at noon it was so at 40 degrees, and at noon it was so warm on the streets that an overcoat was uncomfortable. It was the warmest day in the year, giving additional em-phasis to the growing belief that "we are to have an early spring.

NELSON ELECTED SECY.

Utah Man Selected at Conven-

tion of National Educa-

cational Assn.

Washington, Feb. 26 .- W. H.

Elson of Cleveland was elected

president and A. C. Nelson of

Sait Lake City secretary of the

National Educational association

here today. Oklahoma City was

chosen as the next place of meet-

ing.

battleship fleet has obtained pledges covering \$16,000 of the \$25,000 which will be expended by the committee of citizens headed by Postmaster M. H. Flint. The city and county each contributed \$5,000 The entertainment will be repeated

on four successive dars. The men will be given free transportation to and from the beaches. Two parks will be leased during the entire week.

WITH THE LITTLE ONES.

Washington, Feb. 26 .- The torpedo boat flotilla, under command of Lieut Commander Cone, accompanied by the

supply ship Arethusa, now on its way to Magdalena bay, left Talcahuana yesterday for Callao, a run of eight days. The tropedoboats will reach Callao some days after the departure of the battleships.

TO SELL MANSFIELD COLLECTION New York, Feb. 26 .- The art collect

tions of the late Richard Mansfield will be sold at auction in New York, be

ginning tomorrow. The collections in-

clude a number of portraits of famous old time actors by English masters and many other pictures, including a num ber of Hogarth prints. There are als in the collection many rare bits of fur-niture, china and glass, and a number of Flemish tapestries and hangings.

TO RE-ENLIST NEGROES.

Washington, Feb. 26,-Senator Foraker today introduced a bill providing for the re-enlistment of such dishonorably discharged negro soldiers of the Twenty-fifth infantry as were shown by the testimony in the investi-gation of the Brownsville affair not to have been connected with the af-tair fair.

EXPLOSIVES ON TRAINS.

Washington, Feb. 26 .- The house comnittee on interstate and foreign commerce today favorably reported the Sherman bill forbidding the carrying of explosives on any passenger ve-hicle engaged in interstate commerce. A fine of \$2,000 or imprisonment for 18 months, or both, is provided for vio-lation of the proposed act.

VILLAGE TOTALLY DESTROYED. Columbus., N. D., Feb. 26 .- The village of Rival, N. D., was completely destroyed by fire last night. Total loss \$39,000. Total.

BUSSE ESCORTS PRISONER.

Chicago's Mayor Personally Attended

Confessed Embezzler from Joliet.

Chicago, Feb. 26 .- Mayor Busse personally escorted from a cell at Joliet to Chicago last night a self-confessed embezzler of public funds, John A. Linn, former clerk of the circuit court, convicted of unlawfully taking \$31,000

The mayor sat with Line during the ride from the penitentiary to Chicago, and kept him from being annoyed by

FRENZIED BY JEALOUSY KILLS WIFE AND BOARDER

Cleveland, O., Feb. 26 .- Frenzied by jealousy, Andrew Kalinoski murdered his wife, Katie, and Jacob Schmelzer, a boarder in his wife's home, early today. The murderer then field. Though surrounded by a crowd at-tracted by the shots, he broke his way through by flourishing a revol-

Kalineski, who was 53 years old had been separated from his wife.

REAR ADMIRAL CAPPS ANSWERS REUTERDAHL

Washington, Feb. 26 .- Rear Admiral Washington Lee Capps, chief constructor of the navy today before the eenate committee on navy affairs re-plied to the magazine article written by Henry Reuterdahi in criticism eenate committee on navy affairs re-plied to the magazine article written by Henry Reuterdahi in criticism of the construction of American bat-ileships. The admiral assoried that the American ships are the equal of ships of any navy in the world. The most serious charges made, he said, were of insufficient free board, mean-ing height from water line to deek were of insufficient free board, mean-ins height from water line to deck. Insufficient gun height, and improper location of main line armor belts, and all these, he explained, have been the subject of the closest study and ex-periment for many years by naval de-eigners of every country. Admiral Capps characterized as "exploded" the theory that if a shell penetrated the armor plate at a slight incluse it would be deflected upward by the armor of "he protected deck.

CLEVER ROBBERS LOOT BAKERSFIELD POSTOFFICE

Bakersfield, Cal., Feb. 26 .- One of the afes in the local postoffice, was brokin open last night and \$6,750 in stamps, on open last night and \$5,000 in stamps, of all denominations, was stolen by burglars who left no clue. The safe cracking job was cleverly done. The combination locks on both the inner and outside doors were broken by means of a sledge and chisel and after the stamps had been taken, the doors were again shut and the demolished locks out in place by means of fulocks put in place by means of tal-

The first knowledge of the robbery when a clock went to open the this morning and upon turning combination, the knob fell into his , it is throught that entrance to , it is through that entrance to W11.18 afe this the building was gained by means of t pass key.

that the priest was some outward symbol and present ambassador of symbol and present ambassador of that only authority by which kings reign and magistrates execute justice and human law rears itself in awful dignity and lends its sanction—the authority and governance of God. And because the murderer had re-volted against God's authority his re-bellion went to its uttermost logical conclusion in action: the readited conclusion in action; he revolted against its presence in the world of human law and broke it until it gushed human blood; he revolted against its outward symbol, the priest, and slew him.

MURDER WAS LOGICAL.

MURDER WAS LOGICAL. "The murderer was logical. The anarchist is never truer to his diabol-ical principles than when he slays a Catholic priest and slays him at the altar of God. It matters not that the individual priest possesses little of the world's power or goods, nor desires than for himself. It matters pot even that he is a follower of that blessed Francis who chose Lady Poverty for his bride and gave his great love to the poorest things and the most un-loved. Wherever he is the Catholic priest in some great way carries in himself that church of authority and of God and externates her to men. He is an officer in that great army whose of God and externates her to men. He is an officer in that great army whose tramp is around the world; whose dis-cipline is most perfect; whose organ-ization is most minutely refined; whose banners forever set against the enemy of disorder and anarchy in the hearts, in the speech, and in the sections of men as opposed to just actions of men as opposed to just human government and divine rule.

SLAIN BUT TO LIVE.

"Yes, he was logical. He might hate the ministers of other Christian bodies, but not with similar hate—the impo-tent hate that slays; for they, alas! are too divided to be dangerous to him. He might hate a king, for he rules: but kings come and go, and kingly policies have their chances and chang-es. But the Catholic priest is slain but to live and the Catholic policy, the Catholic accents of morality are un es. But the Catholic pricet is shan but to live and the Catholic policy, the Catholic accents of morality are un changed and unchangeshie as the throne of God. He saw this at home in Italy, that there is not the parlia-ment of the king that saves his crown to him: It is not the army of Italy that saves her from the spoiling of the Socialist and the red hand of the an-archist; though weakened by many de factions, the one strong, coherent, un-yielding power is still an imprisoned pope and an ill-used church. "And hence the whole foul brood of the anchist who translates the ser-mon into red deeds, come here hating the church and the priesthood. Here they learn to hate all other things that are consecrated to us, the power of our president, the wisdom of our senates, the majesty of our courts and the quiet dignity of our homes. WHAT ARE WE DOING?

WHAT ARE WE DOING?

WHAT ARE WE DONG! "Great God, brethren, what are we doing? Of what are we thinking? A great president of our country is slain by a degenerate who was nerved to the deed by Bocialist and anarchist vaporings. We read that anarchy has its seat in New Jersey; that she sits in council in New Orleans or Chicago. They have a propaganda, a red press, an appeal to reason," forsooth; we are made aware that some of their come her from reachers and enstern

we found the pearl beyond price that

(Continued on page two.)

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