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# DESERET EVENING NEWS.

TRUTH AND LIBERTY

MONDAY, OCTOBER 12, 1903. SALT LAKE CITY, UTAH.

ADVERTISERS: Our Readers Have Money to Spend With You. Tell Them Through our Columns What you Have to Sell.

10 PAGES—LAST EDITION.

FIFTY-THIRD YEAR.

## "Nick" Haworth Captured By Big Cottonwood Farmers.

### THE JAILBREAK WAS FORETOLD.

A. L. Mair, a Prisoner Who Came Out Some Months Ago, Warned The Proper Officials.

### MATTER WAS DULY CONSIDERED

Was Only a Convict and His Story Did Not Strike the Authorities as It Might Have Done.

### HE TOLD FISHER HARRIS FIRST.

Said There Were Two Guns Hidden in Prison in July and That Scheme Was to Break in October.

A most astonishing story came to light today. It was verified by Fisher S. Harris and Governor Wells. As long ago as July a prisoner who had served his time came to him and told him as a member of the state board of corrections that two guns were at that time hidden in some of the prison cells and that the scheme was to make a big break for liberty in October. Mr. Harris informed his official colleagues and while no marked amount of credence was attached to the apparently improbable tale a thorough search of the prison was made without any result that would confirm the suspicion. The task over the story was dismissed like some of other similar ones have been. Officers and the public alike are still specialists as to who was responsible for the prison outbreak on Friday evening. An investigation to determine the matter was started by Acting Warden Wright early Saturday morning and the entire prison was searched for evidence. Needless to say the convicts one and all prizes, the profoundest ignorance as to who smuggled in the guns, how the lead was secured for the deadly slugs shot which were manufactured right under the very noses of the guards and how the knives came into the hands of the desperate men.

### STILL TWO THEORIES.

Two theories are advanced: One that Mrs. Haworth brought in the weapons under her dress on Thursday when she called at the prison and fervently embraced her condemned husband; the other that the trustees were responsible. The latter theory seems to be the correct one in the face of developments. While searching Waddell's cell on Saturday afternoon, a note in Major's handwriting was discovered. It was addressed to Jack Penglass, an ex-convict who was released from the prison on Oct. 3 after serving his term for robbery near Ogden in 1901.

### MAJORS NOTE.

It was brief and to the point and showed that there had been some previous discussion of a plot to escape. It read:

Old Pal—Plans have been changed. Throw the iron over the wall into the ash pile. You know the rest.

It is the theory that the unnamed man was prepared by Majors, who entrusted it to Waddell to hand it to a trusty, who in turn would pass it along so that it would reach its destination. Needless to say, the word "iron" refers to revolvers or other weapons, that is the common term among criminals for such articles.

### PENGGLASS A MODEL.

Penglass was a model prisoner, and so well did he behave himself that he was made a member of the farm gang and worked on the prison ranch under the eye of Guard Hilton, whose gun did such execution on Friday evening.

### STILL ANOTHER NOTE.

Still another note was found yesterday on the person of Abe Majors, who undoubtedly was the moving spirit in the murderous attempt to escape. Majors was put into stripes and his clothes were searched with the result that the note between two sheets of paper was found pinned inside the lining of his vest. Besides the letter a number of postage stamps were found. The letter was addressed to Jack Penglass, 325 South First West street, Salt Lake. This was signed and read as follows:

"Friend Penglass—As you insisted, I will not speak again to you for fear of arousing suspicion, but as I have heard the prison, I must inform you. Instead of throwing the 'rods' into the second grade yard, throw them over the wall into the ash dump, just north of the boiler-room. If you agree with me that this is best, return this note as it is. Your friend,

"A. R. MAJORS."

In addition among the papers was found an address of Mrs. Florence Webb, Payson, Utah.

### LOOKING FOR PENGGLASS.

The prison officials and the police are now actively looking for "Mr. Penglass" with the object in view of having a heart-to-heart talk with him on matters pertaining to the outbreak. The gun taken from Abe Majors also is being shown around among the second grade yard, with the object in view of ascertaining just who was responsible for the fact that while this "well-behaved" trusty was engaged in passing the story to the prison farm he was also instrumental in passing in forbidden articles to his less fortunate companions within the prison walls.

### WENT TO TONOPAH.

When Penglass left the prison it was given out that he had gone to Tonopah. The Tonopah authorities accordingly have been notified to check up on the ex-convict. Subsequent developments point to the fact that while this "well-behaved" trusty was engaged in passing the story to the prison farm he was also instrumental in passing in forbidden articles to his less fortunate companions within the prison walls.



"NICK" HAWORTH, The Recaptured Convict.

subsequent jail break, were on the ash dump and had charge of carrying out the ashes. It was easy for an accomplice to throw the guns over the wall at a designated time and for the two convicts to be on hand ready to conceal the "iron" under their clothing and carry them into their cells.

### ONE MORE STORY.

Still another story is being told relative to the delivery. A. L. Mair, an ex-convict whose term expired on June 27, is responsible for the statement that the guns were smuggled into the prison four days before he was released. The first revolver was taken into the penitentiary by James Smith, a colored boy, who was a trusty working outside.

### WHAT MAIR SAYS.

Mair tells his story as follows: "When Smith came in that night he professed to be suffering terribly with cramps. When the guard who admitted him asked him what the matter was, he said:

"For God's sake don't touch me here."

"As he said this he indicated his stomach, and said he was in fearful pain. He had the revolver and ammunition inside his clothes against his stomach at the time. He was subject to cramps, and his story was believed by the guard on this account. He showed me this gun a day or two afterward, and asked:

"How would you like to have this?"

### HID THE GUN.

"I told him my time was too short. He then told me how he got it and what it was for. It had been taken out from the city by James Broiles, who had been sent up for the Corbin hold-up, and later pardoned. He is a partner of Waddell. Broiles hid the gun under the bridge over Parley's just south of the penitentiary, and Smith took it from there. My time was out on the 27th, and Smith came some time later. Soon after this I met Smith one night and asked him where he was going. He told me out to the penitentiary. I asked him what for. He told me to take a gun and ammunition. I told him he could not get in. He said he intended to hide it under the bridge and that they would be taken in from there. I saw him afterward, and he then told me that the stuff had been taken in by Shorty Williams. He told me that Majors and Waddell were engineering the scheme and that it was to be pulled off in October, during conference, if possible.

### COMPLETE SYSTEM.

"The prisoners have a complete system of passing things in and out of the penitentiary. When there is danger of a search they pass out their guns and things like that. I thought that when Smith showed me his gun in the hold-up, and later pardoned, he was a partner of Waddell. Broiles hid the gun under the bridge over Parley's just south of the penitentiary, and Smith took it from there. My time was out on the 27th, and Smith came some time later. Soon after this I met Smith one night and asked him where he was going. He told me out to the penitentiary. I asked him what for. He told me to take a gun and ammunition. I told him he could not get in. He said he intended to hide it under the bridge and that they would be taken in from there. I saw him afterward, and he then told me that the stuff had been taken in by Shorty Williams. He told me that Majors and Waddell were engineering the scheme and that it was to be pulled off in October, during conference, if possible.

### TOLD HARRIS.

"I went to Fisher S. Harris and told him all I knew. I went to him because he was a member of the board of corrections, and had befriended me in many ways. I felt under obligations to him. I had still another reason for telling the story at this time, and that is that Mrs. Haworth is charged with taking the guns into the penitentiary. She had nothing whatever to do with it, and I want to see the little woman have fair play. Haworth had nothing to do with the plot, and knew nothing about it till his cell was opened. Majors and Waddell had the matter entirely to themselves for a long time, and it is only lately that the others were let in on it."

### TRUE, SAYS HARRIS.

Mr. Harris this morning stated to the "News" that Mair's story, in the main, was true with the exception that the man gave him no names. When Mair was released," he said, "he came to me and asked me to do something for him."

(Continued on page two.)

### PARDON, PERHAPS, FOR ROBERTSON.

Friends Expect Former Councilman's Pardon to Make Him A Free Man Again.

### PLAYED A VERY BOLD PART.

"But," He Says, "I am a Convict and Who Cares? I Only Did My Duty."

When the prompt display of pluck on the part of Alex Robertson, former city councilman and paying tailor in Wells Fargo's bank, who is undergoing sentence in the state prison for embezzlement, in turning in the alarm at the risk of his life and then looking the prisoners in their cells on the occasion of the jail delivery on Friday evening, the friends of the prisoner have been taking steps in the direction of securing his pardon. Before the board of pardons can act on his case it will be necessary, however, for the position for pardon to come from Robertson himself. It is with this object in view that his friends are now working. When approached on the subject by the "News" at the state prison, Robertson turned, parried the question, and it is said that even among his friends he shows the same disposition when it comes to forwarding his own position. "A REGULAR HELL."

To use Robertson's own expression to the "News" his life in the prison has been "a regular hell." His last act of Friday night put the directing position for pardon to come from Robertson himself. It is with this object in view that his friends are now working. When approached on the subject by the "News" at the state prison, Robertson turned, parried the question, and it is said that even among his friends he shows the same disposition when it comes to forwarding his own position. "A REGULAR HELL."

### ONLY DID HIS DUTY.

"Robertson, the old man is talking freely right in full view. Douglas, however, would not have been hidden from the prying eyes of the prisoners by the iron bulkhead of the cells. Of these two trustees the guards speak in the highest terms. As one of them said to the "News," never mind about us, give the trustees a good send-off, for they earned more than ever you can give them. There are not half a dozen men among the prisoners here that would have done what Robertson and Douglas did. Robertson is very unpopular on account of the fact that the prisoners cannot work him, but he always has treated them square."

### WHO MRS. WEBB IS.

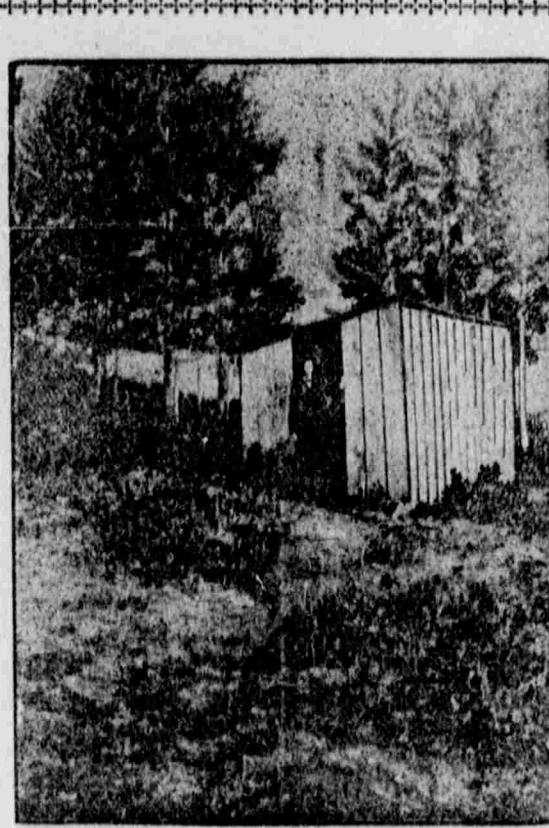
Is a Respected Resident of Payson And Wife of an Ex-Convict.

(Special to the "News.")

Payson, Oct. 12.—Mrs. Florence Webb, whose name appears in a letter written by Abe Majors, is a resident of this city, but is at present thought to be in Park City, where she went two weeks ago. Mrs. Webb is the wife of an ex-convict who did time in the Arizona state prison for robbing the United States mails. She is a daughter of Henry G. Boyle, once a resident of Payson, but now living in Arizona, and is highly respected by a wide circle of friends here. Two children of Mrs. Webb are at present attending school in this city.

### CONVICT SCOWLS.

Robertson showed his indifference to



WHERE HAWORTH HID. Cabin Where he was Captured.

### PRISON ESCAPES.

Heavy Penalty for Those Who Attempt to Regain Liberty.

Revised Statutes of Utah—Escaping From State Prison. "Every prisoner confined in the state prison for a term less than for life, who escapes, or attempts to escape therefrom, is punishable by imprisonment in the state prison for a term not less than one year nor more than ten years; said second term of imprisonment to commence from the time he would otherwise have been discharged from prison."

### IS LYNCH DEAD? QUESTION ASKED.

Conviction Grows That He Crawled Into the Brush and Died From His Wounds.

### AT POINT OF A REVOLVER.

Ed. O'Connell Tells of Two Strangers Compelling Him to Drive Them Away Saturday Night.

Where is Lynch the missing convict? That is a question that the officers in several counties would like to be able to answer. It is a question the public would like to have replied to correctly. There is also considerable speculation as to whether he is dead or alive. While three posers are still in the field looking for him and while thousands of persons, spurred on by the state's offer of a big reward, have their eyes open for him, not the slightest tangible clue as to his whereabouts has been obtained. Meanwhile the conviction is growing from the governor down to the least concerned individual, that he probably crawled into an obscure spot in the brush of one of the nearby mountain ravines and died from loss of blood and exposure. It is a well known fact that he bled profusely and that his wound was very severe. Blood stains were found at frequent intervals from the prison wall down which he scaled and all along the course that led towards the mountains. At one place where he halted temporarily not less than a quart of blood, it is estimated, was lost. Having no means at hand with which to care his wound, he resorted to the official supposition is that he succeeded in finding a secluded spot in which to rest and that death probably resulted. However, this is supposition only. It may transpire that he is yet very much alive. In the meantime a vigilant search is being made for him in all directions.

### A STRANGE OCCURRENCE.

Ed O'Connell, night watchman for the city, at the waterworks in Parley's canyon, told the "News" a strange story of an experience had by him on Saturday night. His tale was couched in the following language: "I drove into Sugar House ward on Saturday night with a lady and returned about 1 o'clock. When about half a mile above the state prison, two men confronted me in the road and asked if I might ride with me. I told them they could, and they climbed in and the car started towards the canyon. I had proceeded a short distance only when one of them suddenly drew a revolver and said that I had better turn my horse around. I replied that I did not care to do that as I wanted to go in the other direction. The response was that they didn't, and that I would NOW have to ride with them. As soon as a space wide enough in the road was found to turn, I turned, and they told me to drive towards the city across the reservation, which I did. We went about two miles. They never spoke a word until they informed me that I had gone far enough and to turn around, which I did. I never saw them after that, and continued my journey home.

"The 'News' man asked: 'You knew there had been a big jail delivery, did you not?'

"I did," was the response.

"And you did not take the trouble to inform anyone on Saturday night?"

"I said nothing until yesterday morning."

"Whom did you tell at that time?"

"Mr. Brown at the tankhouse below where I am stationed."

That was the whole of O'Connell's story. Even if he had the experience he claimed there is much doubt in the minds of the officers about either one of the two men being Lynch. It is hardly probable that Lynch would have been found with a companion, they argue, within a half a mile of the state prison twenty-four hours after the jail break, particularly as hundreds of persons have traversed the intervening ground in the meantime.

O'Connell says that both men wore hats. It will be remembered that Lynch lost his and that it was picked up close to the prison wall. Another thing, O'Connell says he has no idea that he could identify either one of the men if he should see them again, as it was very dark.

### CAUGHT IN CABIN NEAR HOLLIDAY.

Captors Got the Drop on Him and He Surrendered Without the Slightest Resistance.

### HE DENIED HIS IDENTITY.

With the Coolness for Which He is Noted He Tried to Lie His Way To Freedom Again.

### WAS VERY MUCH DISCOURAGED.

Realizes Thoroughly That He Has Greatly Lessened His Chances For Life Sentence.

"Nick" Haworth's desperate dash for liberty on Friday evening has failed signally, and the probabilities are, that, after all, he will have to face a murderer's death.

With a broken spirit, bloodshot eyes and with bruised and scratched hands, arms and feet, he now languishes dejectedly behind the bars of the state prison. He is double-locked in a solitary cell and the chances that the door will ever be opened for him again except when he is led forth to be executed, are exceedingly remote.

### STORY OF HIS CAPTURE.

He was captured yesterday morning shortly after 10 o'clock in a small room frame cabin less than a mile east of Holliday, this county, by Constable Hyrum Nielson, his brother, James Nielson and Orson Andrews, all citizens of the place. Constable Nielson was taken into custody without even a sign of trouble, not a shot being fired.

### MEER AS A LAMB.

When ordered by determined men to come forth from his place of hiding, he obeyed meekly, in a manner that made a dash for life and freedom. He was as docile as a lamb but lied to his captors as to his identity. It was predicted by prison officials and officers who knew him that if captured he would surrender without a struggle. They said he was a craven coward and did not possess the stamina to put up a fight such as Lynch would make if cornered. He had a chance to secure a weapon but either did not have the courage to take it or overlooked the opportunity. But when he was taken for life and liberty he would surely have lost both. The three men who made the capture were armed, fearless and determined.

### ORDERS TO SHOOT.

Constable Nielson had given orders to his associates to shoot and shoot to kill if Haworth indicated the least intention to escape. They were not positive that he was the escaped murderer, but they took no chances. He was taken to Mr. Nielson's store at Holliday and there held under guard while Acting Warden Wright was notified and sent for. In the meantime, Mr. Nielson was sure he had the right man and if there was any doubt of this, it was at once dispelled on the arrival of Mr. Wright from the state prison, who greeted the captured man with a hello "Nick; how are you?" Warden Wright, assisted by guards, took charge of the man and escorted him back to the prison from which he escaped. He was taken to the cell block and placed in a cell. He was given the details of his experience since he leaped over the prison walls with the hope of freedom surging in his breast.

### BRIGHT BOYS CLUE.

As before stated, the capture was accomplished just after 10 o'clock yesterday morning and was brought about by information given to Constable Nielson by his young nephew, Leonard Nielson, who was attending Sunday school when he heard another boy say that a strange man had been seen to enter the cabin. Excusing himself from school, the boy ran hastily off to inform Constable Nielson of his discovery. The latter lost no time in preparing for the man's capture. He ran to his brother's home, informed him of the facts. Both armed themselves with a revolver and rifle and then went to the home of Orson Andrews and secured his services. The latter armed himself with a double barreled shot gun loaded with buck shot. The three men jumped into a rig and drove some trees near the cabin. Here they alighted and went around the north side of the building in order to have a good view of the only door and not be agitated. They quickly decided to conceal themselves as much as possible at the same time keeping the door covered with their weapons and call to the man inside to come out and give himself up. Each man nerved himself for any emergency and it was agreed among them if the man made any attempt to fight or escape he was to be killed with bullets.

### COMMAND TO SURRENDER.

Quickly and silently the men worked their way behind brush and rocks until they obtained a point of vantage. Up to this time they had made no noise and Haworth's attention had not been attracted. When all was ready, Constable Nielson called out loudly: "Come out of there and throw up your hands."

### HANDS WENT UP.

Almost immediately the hunted man appeared in the doorway. "Throw up your hands quick," was the command that greeted him. He lost no time in obeying the order, but did not lift his hands high enough to suit Nielson.

### "UP HIGHER."

"Put your hands up higher," called out the constable, "higher than that, and walk towards us." Haworth obeyed.

When within twenty feet of the men, Haworth raised a second time and again greeted with the command to hold up his hands higher. Constable Nielson then emerged from his cover, pointing a revolver at the man. Then the other two approached him in such a way that he was a good target for all three, while there was no danger of the