

IF IT HAPPENS IT'S IN THE HERALD

THE SALT LAKE HERALD.

ESTABLISHED JUNE 6, 1870.

TWELVE PAGES.

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LAST EDITION
 WEATHER FOR SALT LAKE
 Partly cloudy and unsettled.
 THE METALS.
 Silver, 58 1/2 per ounce.
 Copper, 12 1/2; New York, 12 1/2.
 Lead, \$2.50; New York, \$2.25.

SALT LAKE CITY, UTAH, SATURDAY, NOVEMBER 21, 1903

PAID THE PENALTY OF HIS CRIME

Pete Mortensen Is Executed for Murder of James R. Hay.

Shot to Death in the Yard of the State Penitentiary.

Died Protesting His Innocence of Crime of Which He Was Convicted.

Five rifles cracked in unison, and Peter Mortensen was dead. "I am an innocent man," were almost his last words. Yet practically all who have been connected with his case are convinced of his guilt.

Twice during yesterday morning he broke down and wept. Once when he was saying good-bye to his father, sister-in-law, nephew and brother. The other time was when he was talking to newspaper men, just before the execution, of his five children who would soon be fatherless. Exercising all his will power, he regained his self-control, and from that time on faced death with composure.

Mortensen met his end while sitting in a chair in the southeast corner of the Utah state prison yard. About 100 persons saw him led out and bound, watched the officials step back, the muzzle of five rifles being thrust forth from a canvas aimed steadily toward the target over his head, heard the composite shot that rang out at 10:21 o'clock, and saw Mortensen's hands twitch and his head fall forward.

Life was snuffed out as instantaneously as a candle flame in a whirlwind. Four of the rifles were loaded with ball and one with blank cartridges. Two bullets pierced his heart and two passed directly under it. One of these four cut his spine. All went clear through his body. Physicians say his death was absolutely painless.

Thus did Peter Mortensen expire the murder in Forest Dale, Dec. 19, 1901, of his friend and neighbor, James R. Hay.

A COMMON WOODEN chair with curved arms stood close to the east wall, near the southeast corner of the prison yard, as the early light began to struggle over the snowy tops of the neighboring Wasatch mountains yesterday. Back of the chair stood a three-sided box of freshly-planed boards. The narrow space between box and wall was filled in with earth. The chair was fastened to the box behind.

Opposite and thirty-four feet distant was the wide door of the low brick blacksmith shop. This door was covered with dark blue denim, in which was a row of four holes about shoulder high for a man, and one hole a little higher. The outer stone walls on three sides and the roof of brick buildings on the fourth shut this spot off into seclusion. During the early hours of the gray morning only the wall guard in the corner tower above could see these mute evidences that a man's life was soon to be taken by the law.

Prison Yard Deserted.

The prison yard was deserted. Even the trustees among the convicts were locked in their cells before the hour of approach. There was no sound but the steel doors and a rattle of bolts and bars in the corridors of the cell houses a short distance away.

At 10:45 o'clock the outer gates of the prison were opened and closed, and opened and closed again, as one installation after another of men who had been in custody were allowed to enter the yard, passed along the cement walks and around the north side of the cell houses to the east side. A wire was stretched across from buildings to wall about 100 feet from the chair and canvas. Against this wire the men crowded, kept in order by uniformed guards among them, looking down, rifle in hand, from the wall.

Next the wire were chairs and oil-cloth-covered tables for the newspaper men. At the same time the big gates were opened, a number of men were allowed upon the wall. They filed along and ranged themselves both ways from the southeast corner.

Waiting For Condemned Man.

Looking southward from the wire, on the left and directly ahead, were the grim stone walls, surmounted by the guards, with their rifles, and the rows of spectators, silhouetted against the sky. At the base of the wall on the left was the chair, with its background of boards. On the right was the long low brick wall of the buildings, including the blacksmith shop with its blue canvas and ominous holes.

The spectators along the wire shifted about uneasily, talked in low tones, pulling out watches and keeping close eyes on the corner of the blacksmith shop around which would come the death party. Minute after minute passed.

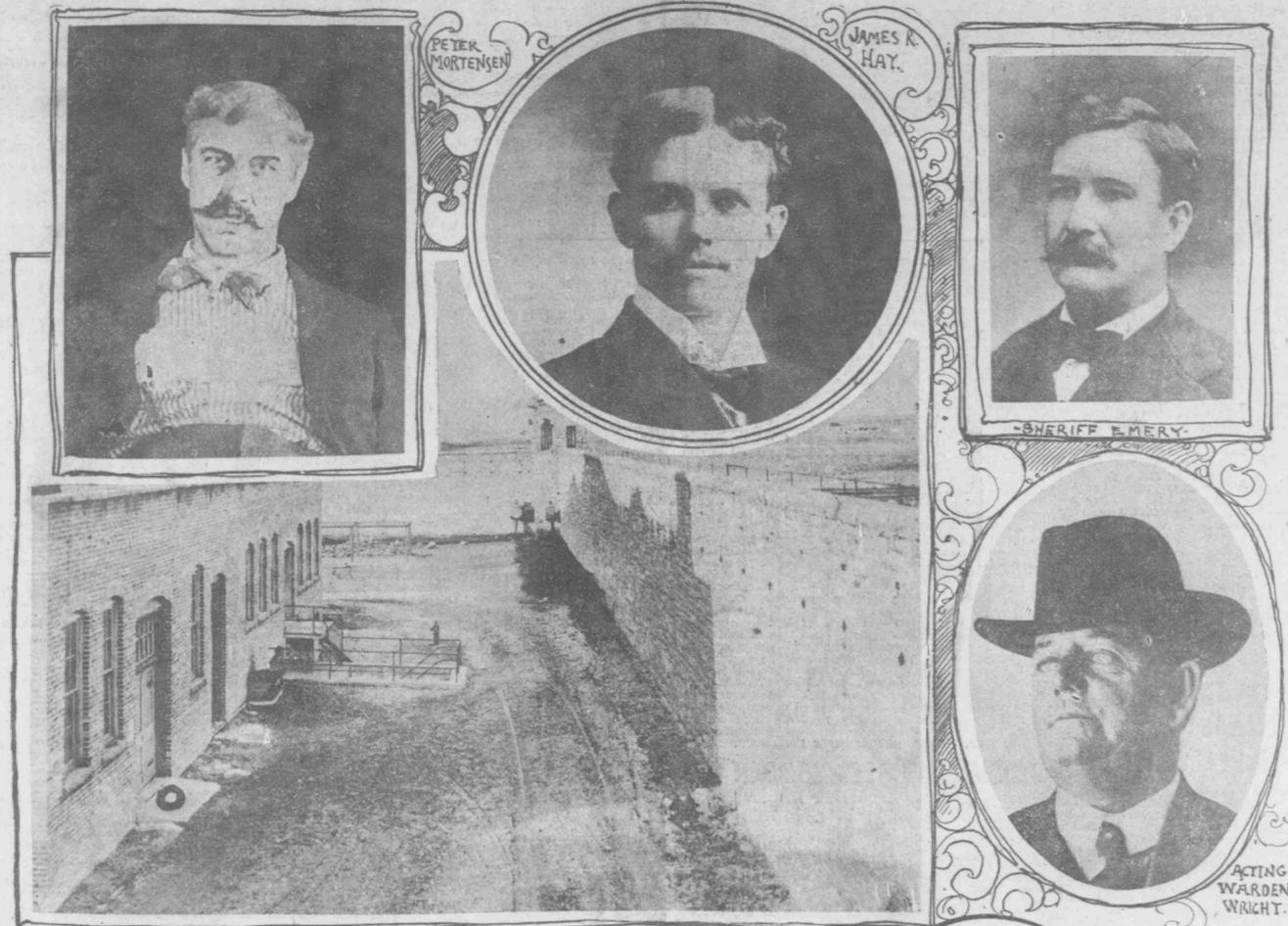
Out of the dark holes in the canvas were thrust the muzzles of rifles. The marksmen were apparently accustomed to the dark barrels were steadily trained toward the death chair, raised, and trained again with careful aim. Then they were withdrawn.

Acting Warden Wright and Sheriff Emery Walked out, made a careful inspection of the chair, and strode back around the building.

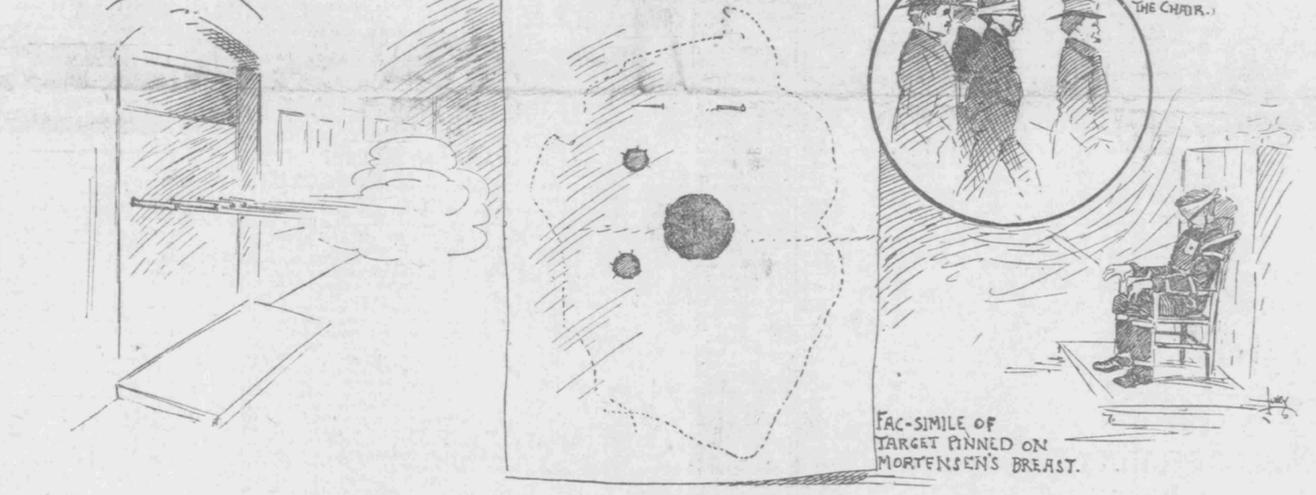
Worked Up to High Pitch.

Everybody was on high nervous tension. Guard David Hilton, seeking something on which to stand and look over the heads of the crowd, went to a wheelbarrow resting against a neighboring pile of bricks. As he stepped the barrow to turn it over and take it closer to the scene, it scraped against

Actors and Scenes in Last Chapter of Hay-Mortensen Tragedy.



SCENE OF EXECUTION (PHOTO BY HARRY SHILZER)



In the picture showing the scene of the execution, the circle indicates where the firing squad was concealed and the cross shows where Mortensen sat when he was shot. The two small holes in the wall were made by bullets that pierced Mortensen's heart. Two other bullets struck just below the target.

the bricks with a grating sound. Nearly everybody started instantly and turned around. Then there were nervous laughs as all realized what a trifle had disturbed them.

Presently a group of newspaper men, who had been with Mortensen until after he had left his cell and his hands had been bound, appeared in the group at the wire. There was a rustle as they took their places in the crowd.

"He'll be out in a minute," was passed around in whispers. There was a pressing forward, and every eye was fixed on the southeast corner of the blacksmith shop.

At 10:23 o'clock the line of men on the wall could be seen to turn as one to the westward and gaze fixedly.

Mortensen on the Scene.

A moment later a group of men emerged suddenly from around the corner of the shop. Three walked in front. The central figure wore a handkerchief over his eyes. He was clad in a prison shirt with narrow black

and white stripes, and gray prison trousers. He was bare-headed. His hands, the bonds having been released at his request, dangled limply by his side. His legs moved mechanically, half staggering as his knees bent with each step.

This was Peter Mortensen. On one side, holding his arm, walked Deputy Sheriff Andrew Smith. On the other side was Deputy Sheriff Cowan. No priest or minister attended the doomed man. He rejected all offers of spiritual consolation.

Behind trooped Sheriff Emery and a number of deputies, Acting Warden Wright, Clerk Stowe and prison officials, in blue uniforms; Dr. A. C. Young, the prison physician, and Drs. H. N. Mayo, T. G. Odell, C. G. Plummer and Wilcox.

Deputies Cowan and Smith almost shoved Mortensen forward. They conducted him across the open ground to the chair. One of them took him by the shoulders and pressed him backward until he had seated himself.

Quickly his wrists were strapped to the curved arms of the chair.

Was Bound Too Tight.

"Don't bind them quite so tight," he murmured, and the bonds were relaxed a little.

The sky was overcast. The scene was gloomy. The group that had followed him surrounded the chair, or, like Sheriff Emery, stood back a short distance.

Mortensen kicked his feet convulsively. Guard Andrew Ure drew the blindfold a little tighter. Guard A. G. Driggs leaned over and passed a strap around Mortensen's ankles and the legs of the chair, fastening the buckle.

Sheriff Emery came forward to watch the final preparations. Deputy Smith knelt and inspected closely the ankle strap. He passed a hand around the doomed man's shoulders, fastening it to a two-by-four timber across the back of the chair. Then he rearranged the blindfold, as Mortensen

had moved his head and the bandage had slipped a little.

Target Over His Heart.

Dr. Young touched the paper target that had been pinned over the heart, felt for the beating to make sure that the target was placed properly, and pulled down Mortensen's shirt a little to adjust the mark more accurately. This done, he grasped the condemned man's right hand. With wrists bound, Mortensen could only grasp the hand without shaking it.

"Good-bye," Peter, said the physician.

"Good-bye," came from the pale lips of the man about to die.

Bishop A. G. Driggs, one of his death watch, followed.

"Good-bye," said Mortensen, as he gripped weakly the extended hand.

Clerk Stowe, Guard Ure and others followed.

"Good-bye, all," said the man on the brink of eternity.

County Physician H. N. Mayo, one of

the witnesses against him, was the last to touch the limp fingers.

Awaiting the Final Act.

There was absolute silence. The figure in the chair did not move. His every nerve appeared to be tense, every muscle rigid. The handkerchief obscured half his face.

Some of the spectators removed their hats. All stood in absolute silence and suspense. Glances shifted from the figure in the chair to the sheriff, standing out alone, and to the row of dark holes in the blue canvas. The sheriff took a white handkerchief from his pocket and raised it to his mouth.

The black muzzle of a rifle was stuck upward through the hole at the south end. In quick succession muzzles were thrust from the other holes. The barrels were lowered steadily and trained

Are Well Paid.

At Sunnyside last month there were twenty diggers who made more money than their foreman, who works on a good salary, while five diggers drew down larger checks than their superintendents, and a few of the diggers but who made more than 100 for twenty-six days' work. The last heard of the same conditions prevailed at the other three camps of the county.

Three of the six men sent to the county yesterday from Castle Gate for ammunition paid their fines today and were released, the other are serving out their sentences. Their arrest appears to have had a wholesome effect in the camp, as there have been no further acts of intimidation, either there or at Sunnyside. Quiet prevails in both camps.

DIETRICH WILL START FOR NEBRASKA TODAY

Indicted United States Senator Says He Will Demand an Immediate Hearing.

Washington, Nov. 20.—United States Senator Dietrich will start for Omaha tomorrow morning to surrender to the authorities in that city because of his indictment on charges of conspiracy and bribery in connection with postoffice patronage. Senator Dietrich reiterated tonight the assertion that he would demand an immediate hearing.

MORRISON EXPECTS FAVORABLE OUTCOME

(Special to The Herald.)

Washington, Nov. 20.—Representative Mendell today introduced a bill donating 100,000 acres of land to aid in supporting the Wyoming state soldiers' home, also a bill appropriating \$100,000 for a public building at Rawlins.

Governor Morrison and Attorney General Bagley are expected to discuss the return of the interior today concerning differences which exist between the state and the general land office over the application of the Carey land act. Secretary Hitchcock has the matter under consideration and may not decide it until the return of Commissioner Richards of the general land office. Commissioner Richards' return is expected by Dec. 1. Governor Morrison anticipates that the final outcome of the matter will be satisfactory to the state.

YELLOW FEVER BULLETIN

Laredo, Tex., Nov. 20.—The official yellow fever bulletin issued tonight shows: New cases, fifteen; deaths, none; total number of cases to date, 1,001; total number of deaths to date, ninety-six. The official bulletin for Monterey reports three deaths and eleven new cases for Wednesday last.

Mortensen Speaks to the Public Through the Newspapers.

"I WISH you would say through your papers that I desire to particularly mention two names of witnesses who testified in my case. They are officers who talked to me more in the beginning concerning my case and asked me more questions than any others.

"Mr. Janney is the officer who was guarding me at the city prison during my stay there. He was called upon the stand at the preliminary hearing to testify, with reference to what he saw at the grave of James R. Hay, and heard more conversation with friends and other officers than any other man, and upon the witness stand he testified to especially name those who have had my case particularly in hand, the warden, Acting Warden Wright, Dr. Young, Mr. Ure, Mr. Wilkens, Mr. Leatham, Mr. Schettler, Mr. Pugsley and Mr. Armstrong.

"Mr. Ure has had a better chance perhaps than each of the others to become acquainted with me, and has extended more courtesies and said more kind things to me than the others have had opportunity to do. I desire to thank him from the bottom of my heart for every word he has uttered for me or to me. May the people of this state appreciate that dear boy's work. Today I look upon him as one of my best friends. God bless him, his little wife and dear children!

"Since I have been under death watch Mr. Naylor, who first brought

me down here, has been awfully kind to me. I wish to bless him and his. Mr. Driggs has been my day guard. He has said many kind things to me, both here and outside, for which I thank him, and say, Mr. Driggs (his address to the guard himself, who was standing watch over him), God bless you! Your words have been so kind, so tender and filled with such feeling that words have no meaning; they fall to express my feeling. May the people of Utah bless you for your adherence to duty—many duties, your desire to see justice done!

"Mr. Farren has long been a personal friend of mine, and while he only stopped with me a few short hours, yet he, like the others, remained my friend; was willing to see all the good that I had in me, and he said I was loth to open his eyes to the bad which has been said of me. For the sake of these words expressed to me since my trouble I thank him, but I thank him more for being true to me from youth up.

"Mr. Smoot has been my guard through the latter part of the night and has had little chance to talk to me, but for the few words he has said I want to thank him like the others.

"In conclusion I desire to bespeak for those faithful boys who defended me, Bernard and C. B. Stewart, the kindest consideration of all mankind, for they have done all that lay in their

power, and hence, in the face of the bitterest public sentiment, have been willing to dare and do their duty towards me. I desire to thank their families for the loyal support of their husbands and fathers.

"I desire to thank all who have in any manner expressed one sentence of sympathy and have uttered one word of faith in my innocence, who have expressed one doubt in the justice which it is claimed I have received at the hands of the courts. You who are my friends, who have been my friends, I embrace you with the deepest love and most friendly feeling which I possess. My feelings have been touched many times because of your kind words, because of your welcome visits and because of your parting tears.

"To the world I want to say and swear by the heavens above, by the earth beneath, and by all things I hold dear on this earth, I am not guilty of that cowardly murder of my dearest friend! I ask, therefore, no man's pardon for aught that I may have done in life. I am confident that my life is an example to most people. I do not say that I am better or more worthy of the respect of the world than the average man, but I have done my duty to my friends, to my father and mother, to my brothers and sister and to other near relatives. I have done my absolute duty towards my wife and

five little babies. May God keep and care for those sweet darlings!

"You who have hearts and have feelings and have families, I say to you, help them if you can. I forgive no man who has said one word against me which has not been true. I have no feelings towards those who have spoken truly. There are such. But to those who have by idle words or by their attitude towards me misrepresented me or spoken falsely of me, I will never forgive, neither here nor in the world to come.

"Good-bye to the world and all those who have manhood enough to stand up for principle, for truth and justice. The one bright ray in my last hours is the consoling opinion rendered by the Hon. Thomas Marionaux, who dissented from the opinion of the court in my last appeal. God bless you, Mr. Marionaux. You are a stranger to me in name, but I love you because you dare stand up for what you believe to be true. I don't think I have anything further to say."

"Do you believe in a future life?" was asked.

"Yes, I'll go one better; I know it. It is indelibly impressed on my mind."

"You have no fears for the future, then?"

"No, I have said I was innocent, and I meant it. I have no fears."

THE MARCH TO THE CHAIR.

FAC-SIMILE OF TARGET PINNED ON MORTENSEN'S BREAST.

(Continued on Page Two.)