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"There is no advantage gained for either of us in inducing you to spend your money for advertising unless I can sell your goods for you." "Our interests are mutual."—Jim's Junk.

NOT SAFE FROM AFTERMATH OF BRIDAL

Young Wife of Harry K. Thaw Recites Facts Leading Up to the Tragedy.

Jerome Protests Vigorously Against "Defamation of the Dead"—Case Goes Over Until Monday.

New York, Feb. 8.—Evelyn Nesbit Thaw again today was the central figure at her husband's trial. She was still on the stand—her direct examination unfinished—when the usual weekend adjournment until Monday morning was taken.

Picking up the threads of her life's story where she had dropped them the evening before, the girl-wife of the defendant—always, she declared, telling her story just as she had related it to Harry Thaw from time to time—brought the narrative down to her wedding in Pittsburg on April 4, 1905, and her return to New York following a honeymoon trip in the west. She declared she had heard White call to her on the street once after this, and that on another occasion when she passed him in a cab she noticed his cab turn around and follow her in the direction of a doctor's office where she was going to have her throat treated.

More Remains to Be Told. Mrs. Thaw had taken up the story at the time of her return from Europe in October, 1902, following her refusal of Thaw's offer of marriage on the grounds which she related yesterday. Her story may be called upon to finish the relation of the events which, it is claimed by the defense, brought on the explosive impulse in the diseased brain of the defendant and caused the killing of Stanford White.

Jerome's Dramatic Protest. District Attorney Jerome, who had throughout silently listened to the young wife's statements, sent a thrill of excitement through the court room late in the day by vigorously protesting against "this defamation of the dead."

"Is there no limit," he exclaimed, "to the aspirations that are to be cast upon this man? Your honor well knows I cannot, under the law, controvert any statement this witness might make against the memory of Stanford White."

In words bitterly sarcastic, Mr. Jerome spoke of "this tattle of the tenderloin," and declared the court had the right to limit such testimony "until competent evidence has been adduced here to show that this man is, or was, of unsound mind. We don't know whether this defendant ever was insane," he concluded.

Other Girls Involved. The question which called out the vehement protest from the district attorney was addressed to Mrs. Thaw by Mr. Delmas and its purport was whether or not Harry Thaw had at any time told her about "other girls who had met a fate similar to yours at the hands of this man."

"What man?" snapped Mr. Jerome. "Stanford White," replied Mr. Delmas with the coolness of voice and manner characteristic of him; and then he added, still in the same low tone, "who else?"

Justice Fitzgerald held that the district attorney's suggestion was a good one, and he thought the defense should lay a broader foundation to show insanity before proceeding along the lines suggested by Mr. Delmas' question.

"We will proceed to do this as soon as possible," announced Mr. Delmas. Solicited by White. Mrs. Thaw declared today that Stanford White, during the year which followed her experience in the room of the mirrored walls, repeatedly sought to have her visit him alone. "I told Harry," she said, "that Mr. White had begged me, had pleaded and cried and soiled and done everything he could to make me come to see him alone. I refused, and he told me I was cruel and that I was cold as a fish, and not a human being. I told Mr. White I did not care to return him."

After her return from Europe, and during the months she would not see Harry Thaw "because of the dreadful things Mr. White and his friends told me about him," she declared Thaw accused her of improper relations with the architect.

"I told him it was a lie, and that I had not," she testified, with an emphatic show of indignation. The defense had Mrs. Thaw tell of her acquaintance with Jack Barrymore, the actor. Mr. Barrymore was in the court room one day during the early part of the trial, at the instance of the district attorney. It was said, Mr. Delmas asked Mrs. Thaw today to tell what she had told Mr. Thaw of her acquaintance with the actor.

Jack Barrymore's Proposal. She said she had first met Barrymore at a party given by Stanford White, the year following her introduction to the architect. "I thought him very nice," she frankly said today, "and one day at Mr. White's studio he said: 'Evelyn, will you marry me?' I said: 'I don't know.' He asked me a second time, and again I said, 'I don't know.' He just like that," and Mrs. Thaw told me I would be very foolish to marry Mr. Barrymore, and my mother said so, too, and we all quarreled, and the upshot of the whole thing was that Mr. White said I ought to be sent away to school; and I was, to New Jersey."

After leading the witness to tell, in chronological order, of the incidents of her wedding with Thaw in Pittsburg, Mr. Delmas asked her if she had seen Stanford White after her return to New York from the honeymoon trip.

"I passed Stanford White one day on Fifth avenue. I was in a cab and he saw me, and I heard him say, 'Harry, who has hit his nails.' These were the only two instances, Mrs. Thaw said, that she told her husband that Stanford White had approached or attempted to speak to her.

Followed Her in a Cab. "I went back to our hotel and told Harry," she said: "The dirty blackguard. He had no right to speak to you." The next time I saw him I was driving to Dr. Delavan's office to have my throat treated. Stanford White was also in a cab. He just stared at me that time and stroked his mustache, as I alighted at the doctor's door, I saw Stanford White coming. I rang the bell and the maid came to the door and then I got so nervous and dustered I told her I would come back again and I ran down the steps, got into the cab and drove to the hotel, where I told Harry what had happened. He got very excited and bit his nails."

There was another great crowd in the court room today, every bit of space being occupied. The dramatic thrills of the day before were not there, however. The day began with a continuance of the reading of the letters from Harry Thaw to Mr. Longfellow, written after Evelyn Nesbit's revelations to her suitor in Paris.

These were others, too, which Thaw had sent the attorney to deliver to Miss Nesbit, who at the time would not see him.

Experience With Abe Hummel. Mrs. Thaw followed these with a relation of her experiences with Stanford White and Abraham Hummel concerning the alleged affidavit which she made charging Harry Thaw with having taken her from her mother against her will, and with gross cruelty. Mrs. Thaw told how she had been induced to answer some questions about herself and Mr. Thaw at the time, and had been told the stories about his "cruelties to girls." Stanford White had told her, she declared, that it was necessary to take drastic measures to protect her from such a person and that Harry Thaw must be kept out of New York. She denied ever signing any papers in Hummel's office, but said she remembered having signed some papers for Mr. White in "his offices," the contents of which she did not know.

She demanded them, she said Mr. White took her to Hummel's office and there they burned a paper which had her name at the bottom of it. She was not allowed to see what the paper contained before it was destroyed.

Lawyer Picked Up \$1,000. Mrs. Thaw's story was made amusing at times by her interjections of the names which Harry Thaw had applied to the lawyer and Mr. White's agitated questioning as to what she had told Hummel about him. She declared she had told the lawyer nothing.

Continued on Page 2.

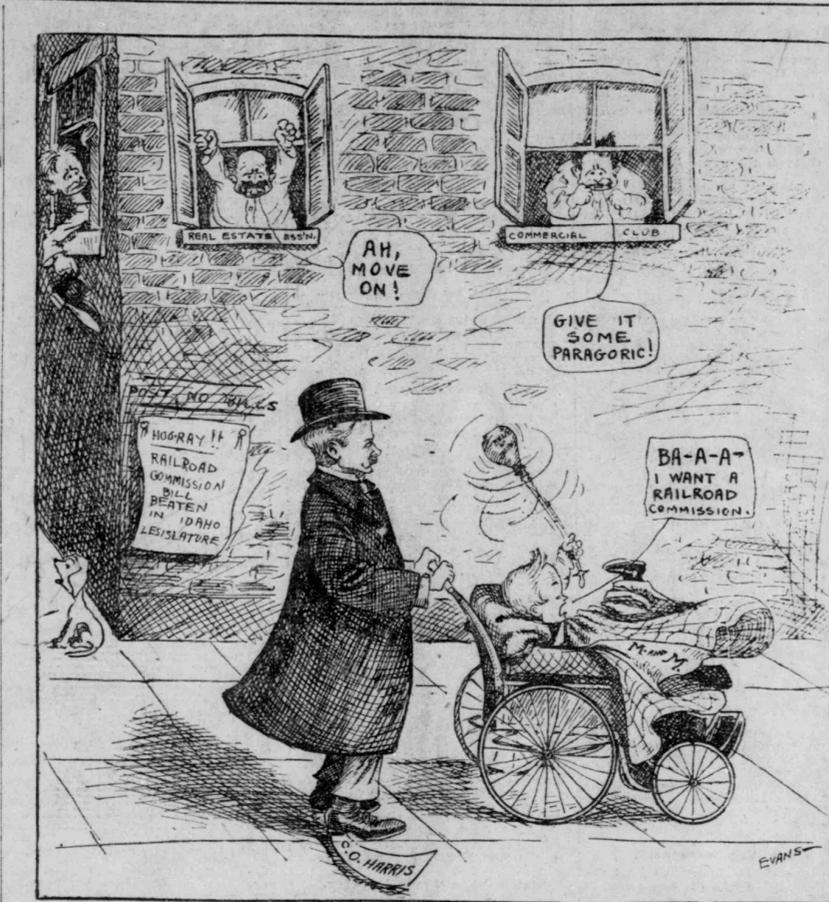
commission is to run all the roads, I think they ought to want me." On the congestion of traffic on the railroads of the country, Mr. Harriman said: "Everything has been going along smoothly, and they appear to be able to get along as well without me as with me. Why should I not stay at home altogether?" "But I must work, and soon I may be looking for a new job. My recollections are many years of experience on many railroads in many railroad fields, and if they will raise the salary a bit I may apply for a job on the interstate commerce commission, inasmuch as the interstate commerce

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Much Ado About Nothing.

SWEET TOOTH OF UNITED STATES

Each American Citizen Said to Consume Half His Weight in Sugar in 12 Months.

Washington, Feb. 8.—"The average citizen of the United States seems to have consumed one-half his own weight in sugar in the year just ended," says a statement issued today by the bureau of statistics of the department of commerce and labor. The average per capita consumption was seventy-six pounds. The amount of sugar consumed was \$30,000,000,000 pounds, at a cost of over \$30,000,000,000. Of this enormous consumption, one-fifth was produced in this country, another fifth was imported from our island possessions, and the remaining three-fifths, or 3,856,555,561 pounds, from foreign countries. The quantity of beet sugar produced in the United States was 67,000,000 pounds, showing a remarkable increase, and for the first time exceeding the production of the product from cane. There was an increase of 26 per cent in the production of sugar over cane sugar from 1906 to 1907. Rapid as the increases in sugar production in the United States has been in recent years, it has not by any means kept pace with the increased consumption. In the last ten years there has been an increase in the consumption of this article of 2,624,518 pounds, it being more than three times as great as the increased home production.

COUNTRY HOME BURNED.

John Wanamaker Loses Art Gallery Containing Valuable Paintings.

Philadelphia, Feb. 8.—The country home of John Wanamaker at Chelton Hills, near Jenkintown, was destroyed by fire tonight. The loss is estimated at \$750,000. Mr. Wanamaker's home was considered one of the most artistic and valuable of Philadelphia suburban properties. The estate consists of thirty acres of ground, and the house, which was of English style of architecture, stood on a hill about 350 yards back from the famous old York road. The Wanamaker art gallery contained some of the rarest prints and most valuable paintings in existence. The Wanamakers have been in their present home here and the country place was in charge of caretakers. The fire made rapid progress a few of the valuable paintings being the only things saved. Among those were "Christ Before Pilate" and "Christ on Calvary," by Munkacsy, valued at \$250,000.

UTAH APEX CIRCULAR.

Bonds to Be Cancelled and 26,000 Shares of Stock Released.

(Special to The Herald.) Boston, Feb. 8.—A circular has just been issued to Utah Apex stockholders announcing that the directors have decided to cancel \$120,000 of the 5 per cent ten-year convertible bonds and release 26,000 shares of stock held by them for conversion. This stock will be offered to stockholders at the bottom of record Feb. 29 at \$6 per share, each stockholder having the right to subscribe for one new share for each twenty now held. Subscription rights expire March 9 and the subscriptions are payable in full on that date at the office of the company.

ALMOST READY FOR TRIAL.

San Francisco, Feb. 8.—By a stipulation agreeable to both sides it was arranged today in Judge Dunne's court to dispense with the examination of the grand jurors as to their alleged bias and prejudice in the trial of Rufus and Dinan for conspiracy and the trial of Dinan for perjury. This brings these cases practically to the same point as that reached in the Rufus and Schmitz extortion cases, and actual trial will probably begin next week.

SENATOR BEVY SPEAKS MONDAY

Particular Attention Will Be Paid to Mountain Meadow Massacre by Statesman.

(Special to The Herald.) Washington, Feb. 8.—Senator Bevy gave notice today, through Senator C. W. Smith, of the department of the army appropriation bill, that on Monday he would address the senate on the Smoot case. Senator Bevy, it is understood, will pay particular attention to the Mountain Meadow massacre incident in Mormon history, a number of the victims of which were citizens of the senator's state, Arkansas. There is considerable quiet expectation in the senate that this time for and against Smoot, and the question of the next presidential election of the Republican party is at issue. Today Smoot's friends learned that Senator Hemenway, who is supporting Fairbanks' presidential nomination, would be against Smoot. This is taken by Smoot's friends to mean that the anti-administration faction of the Republican party in Utah is ready to agree to send a Fairbanks delegation to the national convention in return for opposition to Smoot, who Fairbanks' forces will support.

DIFFERS WITH STEVENS

Chairman Shouts Surprised at Position Taken by Chief Engineer of Panama Canal.

Washington, Feb. 8.—Chairman Shonts of the Isthmian Canal commission unqualifiedly expressed himself in favor of building the canal by contract. He said that the great advantage accruing therefrom would be the witnessing of immediate results. "Contractors have solved the labor problem," he said. "They can get what they want and we can only get what is left." Then again, they could bring into play their vast combined experience, skill and organization, and this necessarily would effect the completion of the work in much shorter time than if matters were allowed to go on as they are. Mr. Shonts said he was much surprised to read the statement that Chief Engineer Stevens had indicated his intention to resign, should the work be done by contract. He said that Mr. Stevens always had favored the contract plan.

OKLAHOMA CONVENTION.

"Jim Crow" Car Provision Not Yet in Constitution.

Guthrie, Okla., Feb. 8.—An attempt to sidetrack the proposed "Jim Crow" plank was defeated by the constitutionality convention this morning. Delegate Henshaw moved to strike from the calendar committee report No. 25, which provides for separate coaches for whites and blacks. Immediately Delegate Ledbetter was on his feet clamoring for recognition. He moved to deny for recognition the report until tomorrow morning, and his motion prevailed by a majority of three votes.

BILL BY W. R. HEARST.

Washington, Feb. 8.—Representative Hearst introduced a bill in the house today to prevent corrupt practices in elections by making bribery a felony, and prescribing other safeguards for elections.

DEATH PENALTY FOR FRANK WILLARD, ON TRIAL FOR INSANITY AT TIME OF CRIME.

Death Penalty for Frank Willard, on Trial for Insanity at Time of Crime.

San Francisco, Feb. 8.—An opinion was rendered in the supreme court today holding that two commitments to an insane asylum do not exempt a murderer from responsibility for his crime nor uphold his plea that at the time of the homicide he was insane. This interesting decision was rendered in the case of Frank Willard, who in 1905 shot and killed Sheriff Smith of Mendocino county. He had been arrested on the charge of insanity, was before the court and adjudged insane, when he suddenly leaped to his feet and ran from the court room declaring that he was not insane. The sheriff pursued him and was killed. Willard escaped to the mountains, was captured and immediately sent to the asylum in which he had been confined on two prior occasions. After thirteen days' confinement he declared for a writ of habeas corpus, which was granted, and he was placed on trial for murder, convicted and given the death penalty. From this he appealed and the supreme court decision now is that even if he had periodical attacks of insanity he was responsible at the time of the homicide and must therefore suffer death by hanging. The decision was written by Justice Lorigan and was concurred in by Justices Shaw, Sloss, Henshaw, Angelotti and McFarland.

MRS. BRADLEY BREAKING DOWN UNDER THE STRAIN

Witness of Foreign Birth Held in Seattle Jail Five Days After Case Was Decided.

(Special to The Herald.) Seattle, Feb. 8.—The British embassy at Washington has demanded that the state department at Washington that King county compensate Andrew Hughes, a British subject, for being held five days at the county jail as a witness in a criminal case after the case had been terminated. The state department today requested prosecuting attorney Mackintosh to at once see what compensation might be had for the matter through the department. Hughes, some three months ago, was arrested at a watch in saloon in the southern part of the city. James Clem was arrested for the theft and pending his trial Hughes was held in jail. Clem was convicted and Hughes by mistake was taken back to the county jail. The prosecuting attorney thought that he had been released. He learned through friends that Hughes was still in jail. At the end of five days he was released.

JOINT COMMITTEE MAY GET STUCK IN THE SLOW

(Special to The Herald.) Boise, Ida., Feb. 8.—The joint committee appointed to visit the northern institutions left this afternoon. The members are Senators McCutcheon, Rich and Whitwell, and Representatives White, Killpack, Smith, Abbott and Hudson. Miss Etta C. Hanson, a senate clerk, goes as secretary to the joint committee. Whether the committee will get through in another question, W. C. Foreman of Nez Perces, who left here some days ago, telephoned tonight from Pendleton that he was coming back to Boise, as there was no prospect of getting through. He said 599 people were detained there.

WILL SEND NO NEGROES.

Rio de Janeiro, Feb. 8.—The Brazilian government has decided, in order to avoid possible disagreeable incidents, to exclude negro sailors from the Brazilian squadron which will visit the United States. The opposition newspapers attack the government for this step.

FARMER FROZEN TO DEATH.

Ravia, I. T., Feb. 8.—The body of John W. Smith, a farmer living near here, was found today. He left home last Tuesday night during a severe blizzard, and the supposition is that he lost his way and was frozen to death.

DEATH AT HANDS OF ANARCHISTS

Paterson, N. J., Justice of the Peace Killed by Explosion of Infernal Machine.

PACKAGE CAME BY EXPRESS

SUPPOSED VENGEANCE OF ITALIAN LAWBREAKERS.

Paterson, N. J., Feb. 8.—Justice of the Peace Robert C. Cortez was fearfully injured in his office tonight by the explosion of an infernal machine sent him by express. The office was wrecked and the detonation could be heard for blocks. The judge had received the parcel in the capture of Italian lawbreakers recently. Justice Cortez died at midnight from his injuries. He had been home to supper this evening, leaving his son Robert in charge of the office. It was the younger son who had received the infernal machine, which came from Newark and was delivered by an American Express wagon. The charges were paid and the boy accepted it. When Cortez reached the office the boy handed the package to him. The outside wrapping was of paper, tied with string (twice), Cortez saw nothing suspicious. Inside was another wrapper made fast with straps such as boys use to put around school books. Robert says he watched carefully to see what the little box contained. His father rested the package on the desk and pulled the ends of the strap toward him so as to loosen the tongue of the buckle. The moment he did so there was an explosion. A hole six feet square was torn in the floor and the desk was driven down into the cellar and torn to pieces. The boy was hurled into a corner and seriously bruised and burned.

Judge Frightfully Injured.

Judge Cortez was found behind the doorway and the hole in the floor. Both legs and both arms were broken, his face and body were torn and lacerated and his back apparently broken. A mass of flesh was torn from the bones. He was removed to St. Joseph hospital, where his condition is reported as serious.

Judge Cortez had been a justice for twelve years. He was shortly to be appointed a sergeant-at-law. His recognition of the active work he had done in aiding the police in running Italian and other criminals down. Only a short time ago he tracked a foreigner who had robbed his father of \$3,000, and caught him in a Pennsylvania town. He brought him back to New Jersey and sent him to state prison for thirteen years. Two others were concerned in the robbery, but have not been located.

Leaves Large Family.

Cortez had a wife and eight children. From the fact that the greatest force of the explosion was directed downward, it is believed that the infernal machine was filled with dynamite. Not a trace of the machine has been found. The police may have some bearing upon the affair is that of a well-to-do foreigner who was found in the charge of insanity, was before the court and adjudged insane, when he suddenly leaped to his feet and ran from the court room declaring that he was not insane. The sheriff pursued him and was killed.

VICTIM DEMANDS DAMAGES

Witness of Foreign Birth Held in Seattle Jail Five Days After Case Was Decided.

Seattle, Feb. 8.—The British embassy at Washington has demanded that the state department at Washington that King county compensate Andrew Hughes, a British subject, for being held five days at the county jail as a witness in a criminal case after the case had been terminated. The state department today requested prosecuting attorney Mackintosh to at once see what compensation might be had for the matter through the department. Hughes, some three months ago, was arrested at a watch in saloon in the southern part of the city. James Clem was arrested for the theft and pending his trial Hughes was held in jail. Clem was convicted and Hughes by mistake was taken back to the county jail. The prosecuting attorney thought that he had been released. He learned through friends that Hughes was still in jail. At the end of five days he was released.

FLOODS SURE TO FOLLOW

Warm Rains Melting Snow in Vicinity of Bellingham, Wash.

Bellingham, Wash., Feb. 8.—The Nooksack river rose four feet last night and is now at the high water mark, with indications of a still further rise. The melting of its banks thousands of acres of orchard and farm lands will be inundated. Warm winds and rains are melting the snow in the mountain districts and unless the weather moderates disastrous effects from the flood which is sure to follow are expected. Farmers are moving livestock to higher ranges. Many landslides have occurred on the Great Northern coast line and all trains on the Northern Pacific from and to Bellingham are stalled, and boat transportation is the only means now of traveling.

LIMIT ON SURETY.

Washington, Feb. 8.—Secretary of the Interior Hitchcock today issued an order declaring that no surety company shall be accepted for an amount greater than ten per cent of the paid up capital and surplus.

EVIDENCE AGAINST THE ICE TRUST MISSING AND CANNOT BE LOCATED

Albany, N. Y., Jan. 8.—All the evidence on which was based the complaint of Attorney General Mayer against the American Ice company for dissolution of an alleged monopoly of the ice business, served on Dec. 20, has disappeared from the attorney general's office and cannot be found. This announcement was made tonight by Attorney General William S. Jackson. Mr. Jackson also made public affidavits of employees of the attorney general's office which show that a part, at least, of the papers were known to be missing late in December before the retirement of his predecessor, Mr. Mayer, but that the disappearance of the evidence was not known to Mr. Jackson until early in January, when, after he himself had assumed office, he took up the case with a view of further proceedings.

Mr. Jackson said tonight that he had issued a demand upon the American Ice company for access to its books and records for the purpose of replacing the lost evidence, and that the company had asked until Monday to make an answer.

DEATH SENTENCE WILL BE IMPOSED THURSDAY.

Slayer of Horace H. Voss Convicted of Murder in First Degree.

NEGRO'S NERVE UNSHAKEN

DEATH SENTENCE WILL BE IMPOSED THURSDAY.

A T. Day made life for the murder of Horace H. Voss. A life for a life was the penalty contained in the verdict of the jury which last night found Day guilty of murder in the first degree. The verdict was returned last night at 8:50 o'clock, after the jury had deliberated four hours over the case. Day was unmoved as he heard the verdict and returned at once to the county jail to his cell, with but a single comment on the result of the trial. A deputy, hoping to cheer him, said: "I hoped they would use you better, Day." "Well, so did I," responded the prisoner, "but it doesn't matter much." At 4:45 the twelve men entrusted with the fate of the black man and his brother negro, filed solemnly from the court room. Realizing the responsibility that rested with them they proceeded with care in their deliberations and carefully weighed each bit of evidence for and against the defendant. Shortly after 8 o'clock they told the judge that they were ready to report. Judge Armstrong was in his chambers awaiting the verdict. Day was brought from the county jail by Deputy Sheriff White, Steele and Sharpe and took his seat quietly behind his attorney, Walter W. Little.

Jurors File In.

At 8:45 Judge Armstrong ascended the bench and the court staff rapped for order. Negroes interested in the outcome and the small knot of court attaches were on the quiet vantage of expectancy, and so still that you could hear a pin drop. As soon as the clerk, the stenographer and the judge were in their places the jury was notified that the court awaited its arrival.

At 8:50 the twelve jurors came from their room and took their places in the jury box. The spectators scanned eagerly the faces of the jurors in an attempt to read the colored man's fate. Day, however, evidenced no interest in the proceedings and did not even glance at the jury as he sat motionless in his chair. Foreman W. B. Armstrong passed the folded verdict to Judge Armstrong, who glanced at it and then handed it to the clerk. He stood up and read: "We, the jury empaneled in the above case, find the defendant guilty of the crime of murder in the first degree, as charged in the indictment."

As the fateful words were being read every eye was on Day, but he never flinched, and to all outward appearances was the most indifferent man in the court room. The words which pronounced his doom might have been applied to a total stranger for all the concern he showed.

Judge Armstrong turned to the jury and thanking them for their verdict, he dismissed them from further service. He then fixed the time for sentencing Day for next Thursday at 10 o'clock. Under the laws of Utah the penalty for murder in the first degree is always execution, the prisoner having the choice of being hanged or shot to death.

Attorney Walter W. Little for the defense said last night he had not decided just what would be the next move on the part of the defense. He is expected to appeal will be taken from the decision of the jury and if the district court is satisfied with the manner in which the appeal is made, it will be permitted to be permitted to sacrifice his life for his crime.

Immediately after the verdict was read Day was taken back to the county jail and placed in his cell in the rotatory. On the way back to the jail he exhibited no signs of emotion. Within ten minutes after he was placed in his cell he was in his bunk sound asleep.

The proceedings yesterday opened with the taking of testimony until 1:30 o'clock when a recess was taken until 1:30. Two witnesses on the stand by the name of the defense, by whom it was attempted to show that Voss did not bear a good reputation among the colored people, Charles McWine, formerly county license collector, was one of these, and his testimony was to the effect that Voss was quarrelsome and had at one time threatened to stab the witness. His evidence, however, was so disconnected that it was ruled out of court. George M. Gutch, stenographer in the criminal division of the city court, was then called and by means of the record showed that Voss had been arrested some years ago and fined \$9 on a charge of assault. The defense then rested its case.

The state then called a number of witnesses whose testimony went to show that Voss was a man of exemplary habits and good reputation. Attorney W. B. Little, who had been called to the stand by the defense, testified that Voss was a man of good character, and had looked up the record of the colored people at the time his name was mentioned for the keeper of the last legislature, and had found that his standing was high. Sheriff Emory Willard, Henshaw, state attorney, County Clerk Eldridge, State Statistician Fred W. Price, O. K. Lewis, manager of the S. S. Walker estate, and Warren Foster all testified to the good reputation of the dead man.

Sticks to His Story. The defendant was put under a severe cross-examination by District Attorney Loofbourne, but stuck to his story of self-defense. Several witnesses were called who gave testimony to the previous good character of Day. One of these, Rev. L. A. Jones, said that Voss did not

Continued on Page 3.