



Trial of the Celebrated "Dianondfield Jack" Cases Commences in Albion.

Two Men Charged with Killing Herders Cummings and Wilson.

Assassins Sneak Up on the Unwarned Boys and Shoot Them Like Dogs.

### DETERMINED TO SLAY BOTH

Wilson Killed Outright and His Body Placed in a Natural Position in Bed so as Not to Arouse the Suspicion of His Partner on His Approach to the Camp-Cummings Comes Up and Is Mortally Wounded and Left to Die in Agony-Makes a Noble Effort to Write the Facts of the Tragedy but the Grim Messenger Hurrie Him Over the River Before the Record Can Be Made.

Albion, April 7.—Here in his lit tle town, nestled among the foothills. engendered it was employes of the is to be fought out one of the most important criminal cases. that have shocked the community and ever tried in the state of Idaho. It is the case—or cases—of the state against ploy of the concern. Jack Davis, known as "Diamondfield" Jack," and Fred Gleeson for the mur-The first shooting that occurred i der of John C. Wilson and Daniel C. Shoshone basin was on Nov. 16, 1895 when "Diamondfield Jack" sho Cummings near Deep creek in Sho-William A. Tolman through the body. shone basin, in the southwest portion Tolman was driving a band of shee of Cassia county on or about Fob 6

The case is one of peculiar interest because of the circumstances surrounding the tragedy and because of the fact that it contitutes the most sensational of all the bloody chapters of the killing of Wilson and Cummings, zora town, he shot a boy's dog; held war which has been waged for so many years at different points throughout this entire tier of states.

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That the rule of violence had invaded this section of Idaho was attested when, about three years ago, two sheepmen were found dead on the range near American Falls. The lives of those men were snuffed out there in the solitiude of the sagebrush plain and to this day the public has no knowledge of the perpetrators of the murder.

The crime has no connection with the case now attracting attention ore; but it marked the beginning of sion of blood in this region, and, moreover, this man "Diamond field Jack" is believed by many to have had a hand in the tragedy.

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His presence there was brought to the knowledge of District Attorney Rogers and a requisition was sent for him. The governor turned him over to Sheriff O. P. Anderson in February and he was brought back here. the wagon tongue. A third bullet was

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Some of the facts concerning the movements of these men, as gathered by the prosecution are: mings is ever possession of the ranges. There was a little more writing, bu Diamondfield appeared on the Snake

the rest of the county—that is, they have driven them off the large ranges, was the reader may picture for his himself. The man yet lived; his brain The sheriff chased him out of the state. none being left but the small bands belonging to farmers. Gradually the cattlemen have retreated until now nothing is left for them but Shoshone basin.

In the man yet fived; his brain was clear; he desired to tell what had befallen him, but the torpor of death was upon his muscles and the hand that had so long responded to his will was no longer able to trace the characters which it was desired to leave giant nearly the Brown

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Shoshone basin is ranged by the herds of a number of cattlemen, but the principal portion of the stock feeding there belongs to the Sparks-Herreld Company, a mammoth corporation, whose cattle feed in both Idaho and Nevada. This company owns a string of ranches reaching from one to the intit the other and covering a final to the company of the stock feeding of ranches reaching from one to the stock feeding of ranches reaching from one to the company of the ranches embrace some of the mordered men. They are traced from one point to another during the next few days and finally to The Wells in Nevada. There, at Alice Wells' house of prostitution Jack is said to have boasted of having killed, two sheepherders. He sent a friend out to see if there were any strangers in town, saying somebody might be around with a warrant. Finding the coast clear they get drank and took in the town, frequently talk ing about killing the sheepmen. have been fired since it had been area since it had cleaned. Two dogs tied to the wagon had "been in Shoshone basin smoking were nearly famished. They had out sheepherders." They week the great the contract of the wagon were nearly famished. They had out sheepherders.

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Mr. Hawley came in Monday morning overland from Nevada, having traveled some 250 miles by team d ing the past week. He was acco panied by John Sparks. They me surveyor to work at the scene of tragedy to carefully locate ev

Witnesses have gathered from far and near. There will be 30 or 40 on side, and some of them have come nundreds of miles. Others interested have also assembled, sheer the valleys and cat hills, and the tow

ick Davis is 5 feet 71/4 inches tall. dark hair and eyes and weighs pounds. His head is large, being inches, according to the Arizon son record. That record shows he as sentenced in Yavapoi county Jan, 1896. He escaped in Yuma Augus th while driving a team on a street rade, but was recaptured the same lay. For this he got 31 days in the 'solitary.'' He was also in solitary onfinement eight days for fighting. He was pardoned March 1st and turned ver to the Idaho authorities. nondfield would attract attent

One Cowboy the Notorious Diamondfield Could Not Domineer.

A MAN OF MANY NAMES

Reward Offered for the Appreh

SUPPLEMENT TO

# FARM, FIELD AND FIRESIDE

DECEMBER 22, 1900.



From Original Painting by E. A. Burbank. Copyright, 1899, by E. A. Burbank, Chicago.

SERIES A, No. 21.

TRANMER TESTIFIES. Herve Tranmer, who was at the

Brown ranch when it was visited by in working up the case. He Davis and Gleeson, was next called. employe of the Sparks-Herrel Did not know any man named Miller pany. He testified he went to work a in that vicinity. Was at the Middlethe Middlestacks about Jan. 1, 18 stacks January 28, 1896. Mr. Trotter and remained there till April 1s and Frank Smith and Lewis Herreld First met Davis at the U7 ranch in were there, also Davis and Gleeson. Nevada. Gleeson and Davis came t The latter left that evening. Herreld the Middlestacks in the latter part of and Trotter left during the day. Davis January. They wanted grain for and Gleeson went down the river. their horses but did not want to go to They had rifles and revolvers with the San Jacinto as they did not wish cartridges in their belts and coat pockets. They practiced with the guns after the grain, and Trotter returned during the day. Jack wanted to trade with him, at Davis' request. They with Smith: his own was too practiced with their guns while at the ranch. Witness exchanged coats with Davis. The latter said his coat—a light hunting coat-could be seen too

easily at night.

They said they were going over to the Shoshone country. There were sheep over there and they were going over to see about it They cleaned their guns before leaving. They brought four horses to the ranch, taking two away. They left on the 28th. They came back February 4th a little before sundown. They each had a led horse. They left the buckskin and Beede at the Middlestacks. Both were led in, but they showed they had been ridden hard. They left the next morning. Witness got his coat back. Witness next saw Davis at the Vine yard February 18th. Jack came back to the Middlestacks again two days later. Dav's went with him to San Jacinto. He got to talking about the men being killed in Deep creek; h told about the shooting into Dunn's camp on the night of the 2nd. Jack said Gleeson ran but he kept working nearer the wagon. Finally his rifle

got to snapping and he quit. Smith saw Jack again at the Mid dlestacks toward the latter part of the month. Jack told him Gleeson was getting drunk at The Wells and was lowing about the killing of the sheep

Davis talked about leaving he coun try. He wanted to know how much money a man should have to leave on. Witness told him he should have \$200. Jack said that they could not do anything with them for killing the pherders. They could prove an libi by Harris and the witness. Cross-examined, Smith said he was born in Texas. His real name was W. Brummet, Jr. Was known in New Mexico as Charlie Hill.

awley asked him if he had not ped a man in Texas and was a fugitive from justice. Witness denied In New Mexico he worked for the Bar V outfit. Then he went to the Cherokee Strip with a herd of cattle Went back to New Mexico and worked that season Left there in anuary, 1891, going to Arizona. At holo he was know as Jim Goddard.

Had trouble with a Mexican in New Mexico. Hawley asked him if he was ot wanted there for murder; he denied it. Witness said he was arrested or raising a racket and resisting an ficer. He was put under bonds and

Worked for C. C. Huning and anther man in Arizona. Left the next oad and took the train. Hawley asked f he had not stolen. Hnning's horse; the witness denied it. He left because the New Mexican authorities were after him. He did not want to go back because there was a whitecap outfit in New Mexico

Worked for Bright & Campbell, graders, at San Bernardino. Was known as Frank Smith there. Worked there two years. Then he got into Ne-

Here the poll book of Rock creek precinct in Idano was produced. It was shown Smith registered and voted there at the last election. Witness denied he had been sworn when he registered. Then his oath of office as deputy sheriff was produced and he admitted his signature.

He gave the story of his employment vith the Sparks-Herreld company, saying he was discharged Nov. 3, 1896 Hawley questioned him closely mow if he had given any of the infor mation about Davis until after his disharge. He said he had talked it over with the boys but had not told any

The movements of the witness subse CONTINUED ON FOURTH PAGE.

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There was a little more writing, bu the hand of the writer was touched by the palsy of death and would not re he was from Montan spond to the behests of the brain, and wanted for killing a r in the southwestern portion of the county. It is undeniable that the what was penned could not be de- he entered the employ of sheep have driven the cattle out of all ciphered.

have driven them off the large ranges, himself. The man yet lived; his brain mone being left but the small bands was clear; he desired to tell what had In January he returned accompanied belonging to farmers. Gradually the befallen him, but the torpor of death by Gleeson. They stopped at the Midbelonging to farmers. Gradually the cattlemen have retreated until now nothing is left for them but Shoshone was no longer able to trace the charmothing is left for them but Shoshone basin.

There is a law, section 6872 of the revised statutes, which makes it a misdem anor for cattlemen or sheepmen to invade ranges held by the other. This section has once been passed upon by the supreme ccurt in a case in which it was sought to enjoin such an invasion. The court held that an injunction could not lie against the commission of a misdemeanor; and the law has not since been invoked in any portion of the state. The controversy has gone on between the contending interests and the only methods employed when persuasion has faile have been threats and violence.

Shoshone basin is ranged by the suprementation of the state of the contending interests and the only methods employed when persuasion has faile have been threats and violence.

Shoshone basin is ranged by the suprementation of the state of the contending interests and the only methods employed when persuasion has faile have been threats and violence.

Shoshone basin is ranged by the suprementation it was desired to leave giant powder. They went to the Brown ranch, which was methage of Herv dealers that the chart of approaching dissolution caused it to falter. The dying man could see that he was not effect. The dying man could see that he was not effect into a case in the tremors of approaching dissolution caused it to falter. The dying man could see that he was not effect into a case in the tremors of approaching dissolution to steady the hand, but it was all to no avail. With anguish of soul he beat back the grim messenger that was all to no avail. With anguish of soul he beat back the grim messenger that was beckoning him to follow, but as he struggled there came the shudder and the way. They asked if they could not ford above. They went to the Brown ranch, which was me charge of Herv distance in the chart of t an outraged public should summon camp of the mu

the principal portion of the stock feeding there belongs to the Sparks-Her16th of February. Then an inquest at Alice Wells' house of prostitution ing there belongs to the Sparks-Herreld Company, a mammoth corporation, whose cattle feed in both Idaho and Nev da. This company owns a comming was left on the scene. It was afterwards picked up by a comboy and is now in an album at Clover creek, Lincoln county. A string of empty cartridges was discovered leading from the wagon. The gun belonging from the wagon. The gun belonging to the victims was found not to have been fired since it had been cleaned. Two dogs tied to the wagon. Gleson expressed it by saying they had 'been in Shoshone basin smoking a season. This company is the great-est sufferer from the sheep invasion gnawed a set of harness. Both the victims of

Both the victims of the tragedy they were again in Idaho, and then and naturary is most interested in lived near Oakley and were highly they disappeared. The ones who ride the ranges, and it of age and was unmarried. He, with of age and was unmarried. He, with of age and was unmarried. The defense will be defense will b J. J. Gray, owned the band of 2000 The defense will be in the nature of sheep which he was tending. Cum- an alibi, claiming they will show it oncern who did the deeds or blood mings was an employe and was 21 or to have been a physical impossibilit 22 years old.

### CAPTURE OF THE MEN.

offered for the apprehension of the work manufacturing testimous. ... work manufacturing testimous. ... other point is that certain discharged was already wanted for the shooting of Tolman. The officers soon became taken a hand in the matter, thinking convinced that he had a hand in the murder and that Gleeson was associated with him.

Search was instituted for the two nature of the testimony it proposes been followed, Jack was located in that will constitute the foundation of the Arizona penitentiary at Yuma He had apparently ridden south soon zona town, he shot a boy's dog; hel Jack fired into a sheep camp and did the same to another officer, and there was a battle in which fortun-started to leave town. A citizen started to leave town. A citizen Then, on or about Feb. 6,1896, came brought him off his horse with a

His presence there was brought to the knowledge of District Attorney Rogers and a requisition was sent for him. The governor turned him over to Sheriff O. P. Anderson in February the wagon tongue. A third bullet was and he was brought back here.

Fred Gleeson was located about ame time at Deer Lodge, Mont He was living there under the name of

Some of the facts concerning the ements of these men, as gathered the prosecution are: Diamondfield appeared on the

river about three years age the rest of the county—that is, they was the reader may picture for his vember, 1895, he shot Mr. Tolma

Shoshone basin is ranged by the herds of a number of cattlemen, but the principal portion of the stock feed
The bodies were not found until the stock feed
The bodies were not found until the stock feed
The bodies were not found until the stock feed
The bodies were not found until the stock feed-

could easily cut 100,000 tons of hay in were nearly famished. They had out sheepherders." They went out to

### THE DEFENSE

for these men to have com Rewards aggregating \$4800 were ferse that the offering of the large re-fered for the apprehension of the other point is that certain discharged employes of the cattle company have thereby to reflect upon a superinte: who recently had charge.

The defense does not disclose nen. After several false seents had introduce, but these cover the points the case for the prisoners. One theor hinted at by the defense is that th after the tragedy. Reaching an Ari- men were not murdered but were engaging in some kind of a fight when they were killed.

### THE ATTORNEYS.

J. C. Rogers, district attorney for the emrth district, has W. E. Borah assoriated with him in the prosecution the case. Mr. Boran has been employe by the sheepmen, who feel that it i arge of bird shot in the leg, and he necessary to bring the murderers was sent to the penitentiary for 14 Wilson and Cummings to justice in onths under the name of Frank order to assure safety to those who go orth upon the ranges to tend the

J. H. Hawley and H. I. Perky repreent the defense. Mr. Hawley is emoyed by the Sparks Herreld Comany. The fact that Jack had been an ploye of the company, the fact that e money and influence of the sheep nterests are enlisted on the side of the osecution, and the further fact that ischarged employes of the company re, as alleged, interesting themselves in the matter induce the great cattle concern to enter the lists-and thus the trial of this murder case arising from the long controversy between the two interests becomes a mighty legal duel in which cattlemen and sheep. men are arrayed on the opposing

Mr. Hawley came in Monday morning overland from Nevada, havin traveled some 250 miles by team d ing the past week. He was acc panied by John Sparks. They pr surveyor to work at the scene of tragedy to carefully locate e

Witnesses have gathered from far and near. There will be 30 or 40 c side, and some of them have come nundreds of miles. Others interested have also assembled, she the valleys and o hills, and the tov

ck Davis is 5 feet 71/4 inches tall,

dark hair and eyes and weighs

pounds. His head is large, being

inches, according to the Arizon

son record. That record shows he

as sentenced in Yavapoi county Jan.

1896. He escaped in Yuma Augu

th while driving a team on a street

ade, but was recaptured the same

av. For this he got 31 days in the

solitary." He was also in solitary

onfinement eight days for fighting

He was pardoned March 1st and turned

Diamondfield would attract attention

bullseye lantern, are deep-set unde

etling brows. His jaw is heavy and

iel, and his thick lips are sur

ounted by a small moustache.

lass of black hair hangs down on his

chead. He has a peculiar smile

thich is said to play about his mouth

CONTINUED FROM FIRST PAGE.

or. Jack has been a "terror"

ery sense and there is no man s

ugh in all this section that he di

t acknowledge him as a master.

Fred Gleeson is about the same

eight as Davis, but is rather lighter

weight. His hair and eyes are

ack, the hair standing up pompa-

dour above a good forehead. His chin

is well chiselled and his features are

good. He bore a good reputation

until recently, when he turned out as

bad man. Fred formerly had a sister

living at The Wells who was highly

espected and because of her influence

here are multitudes all through the

border section who hope to see him

out of this trouble. He is not natur-

lly the kind of a man that Diamond

in marked contrast with that of the

field is, and his demeanor in court is

man with whom he stands arraigned.

OPENING OF THE CASE.

Men Plead Not Guilty-Storm Prevents

The two prisoners, under heavy

guard, were brought before Judge

Stockslager Monday afternoon. Clerk

Hanson read the informations and each

man pleaded not guilty. The infor

mations are separate, three against

Jack and one against Gleeson, one or

nooting Tolman.

mething frightful.

those against Diamondfield being for

The only thing done Tuesday was

he summoning of 25 extra ju ymen.

sixteen had been summoned on th

regular panel. It was apparent these

vould not be enough and more were

A terrific storm has been raging and

he work of summoning jurors wil

e seriously impeded. The wind has

een blowing a hurricane. In the ear-

ier part of the ay it rained torrents

oward evening snow took the place

not all present and an adjournme

was taken until 1:30. The failure

jurymen to appear is attributable

the storm. It continued all night

howling tempest, and it would h

articularly to sheared sheep.

been practically impossible for me

to travel. It is feared the snow and

old have been injurious to cattle and

the rain and the weather has been

Court met this (Wednesday) morn-

clock, but the juryme

in the regular panel wer

the Arrival of Jurymen.

then be is in his most dangerous his

CONTINUED ON FIFTH PAG

nywhere. His eyes, which flash lik

ver to the Idaho authorities.

Reward Offered for the Apprehension of the Cassia County Murderers Served to Interest Him on the Side of Justice-Tells His Story in Court and Has Some of His Record Paraded-Sensational Statement of a Nevada Man.

Albion, April 12.-There seems to

not in town.

fully exploited. He was in the sweatbox for about two hours.

The feature this morning was the Davis had no further work to do testimony of Bishop Harper, who had just made a trip over the ground for of February that made the roads bad. the purpose of determining how long The horse Beede that witness got fo it would take to make the ride. Other testimony showed the country was in good condition for riding at the say they were trying to fish with giant other man in Arizona. Left the next powder. They left on the 4th about year for California. Struck the railtime of the tragedy.

camp, that was attacked on the night

The defense objected to the introdu tion of the paper but were overri The note said: "If I die bury. F., care for Jerome and Ruthy.

One Cowboy the Notorious Diamondfield Could Not Domineer.

### A MAN OF MANY NAMES

have been a mistake about Arthur Brown coming here to asisst the defense in the "Diamondfield Jack" case Men who know him well declare the saw him get off the stage, but no trace of him can be found. If he did come he took the stage back again at once. Those who should know say he was

The leading feature of the Saturday afternoon session of the court was the examination of Frank Smith. This witness is the one through whom the prosecution has secured much of the evidence in the case. He is a singular character; very rough in appearance and manifestly able to hold his own in any kind of game. He has seen life in its roughest phases. He was an employe of the Sparks company at the time of the killing, and his activity in the prosecution has made him an object of particular hatred among the cattlemen and cowboys. It is said he was the only man on the range over whom Jack did not hold sway. The defense have resolved to break down Smith's testimony at all hazards, and when the cross-examination opened it was apparent that his record had been

Diamondfield was il1. For this reason a night session could not be held and the prosecution did not close as it expected to on Saturday.

The prosecution will close this afternoon.

When court met Saturday aftern oon the question of the introduction of Tolman's testimony was temporarily set aside and the surveyor was recalled to locate on the map the Dunn sheep of the 2nd. This was two or three miles south on a road running south from the Point From the camp to the point of the killing was nine miles or an air line and 101/2 mlies by route of travel. This evidence was in suppor of a theory that the killing may hav

been done on that night. H. L. Perkins, ex-sheriff, was recalled and identified the note written Cummings after he was shot. Th had been secured since the beginnin of the trial. It had been in the posesion of some one in Lincoln, count

referred to his uncle.

came Frank Smith, one Herve Tranmer, who was at the stars of the trial. He had bee Brown ranch when it was visited by in working up the case. He is Davis and Gleeson, was next called. employe of the Sparks-Herreld Did not know any man named Miller pany. He testified he went to work a in that vicinity. Was at the Middlethe Middlestacks about Jan. 1, stacks January 28, 1896. Mr. Trotter and remained there till April 1s and Frank Smith and Lewis Herreld First met Davis at the U7 ranch in Nevada. Gleeson and Davis came to were there, also Davis and Gleeson. The latter left that evening. Herreld the Middlestacks in the latter part o and Trotter left during the day. Davis January. They wanted grain for their horses but did not want to go to and Gleeson went down the river. They had rifles and revolvers with the San Jacinto as they did not wish cartridges in their belts and coat Critchfield to see them. Witness went pockets. They practiced with the guns after the grain, and Trotter returned during the day. Jack wanted to trade with him, at Davis' request. They coats with Smith; his own was too practiced with their guns while at the light colored-it could be seen in the ranch. Witness exchanged coats with

dark. The exchange was made. Davis Davis. The latter said his coat-a

and Gleeson were riding company light hunting coat-could be seen too

TRANMER TESTIFIES.

Witness went to the Boars Nest on

the west road, but asked if they could

ford above. There was a crossing.

They said they had given up finding

he horse. It was 10 miles to the

Boars Nest; 17 to the Middlestacks.

It would take three hours to ride to

the Boars Nest in the condition of the

migh be ridden in an hour and a ha

Gleeson told witness that Billy

Valker was at the ranch on the 31st

and he had introduced Jack to him

Cross-examined, witness said the

thoroughbreds were moved out of Shoshone basin when the snow came.

Gleeson was lame. Thy shod him in

front before leaving. They did not

up. The sun does not rise ther

oloy of the company since Aug. 1

atil an hour and a half later than

lsewhere; there is a high bluff to th

ast. Witness had not been in th

On re-direct witness was questioned

losely about the condition of the road

on the 2nd, 3rd and 4th. He had no

peen over the road on those dates. He

hought that on the 4th a horse

could have walked from the Middle

stacks to the Boars Nest, seven miles

na little over an hour. It would

have taken three hours to travel from

the Brown to the Boars Nest, 10 miles

his was because of difference in the

or two hours. Davis and Gleese

under the name of Miller.

horses.

easily at night. They said they were going over to the 29th and stayed there that night. the Shoshone country. There were Charlie Edwards was there, also Glee- sheep over there and they were going son and Davis. It was seven miles over to see about it They cleaned from the Middlestacks to the Boars their guns before leaving. They Nest. Witness went to the Brown brought tous horses to the ranch, tak-

ranch, 10 miles from the Boars Nest ing two away. They left on the 29th. on the 30th. Mr. Goodsell was there They came back February 4th a He left at once and did not return for little before sundown. They each had about 10 days. Witness carried a com- a led horse. They left the buckskin munication to Goodsell; the latter left and Beede at the Middlestacks. Both reading it. Witness went to the Point, were led in, but they showed they had remained one night, then went to been ridden hard. They left the next Henry Jones' on Rock creek for to- morning. Witness got his coat back. bacco. Got back to the Brown ranch | Witness next saw Davis at the Vine on the 1st. Brought a horse from Rock vara February 18th. Jack came back

creek at Gleeson's request. The horse to the Middlestacks again two days was said to be the fastest in the outfit. later. Dav's went with him to San Gleeson and Davis were at the Brown Jacinto. He got to talking about the when he returned. They said they men being killed in Deep creek; he were looking for a horse named Idaho. told about the shooting into Dunn's On the afternoon of the 2nd Jack camp on the night of the 2nd. Jack and Gleeson left the ranch, riding said Gleeson ran but he kept working away eastward. (This was toward nearer the wagon. Finally his rifle

the Dunn sheep camp.) They got back about 10 o'clock at night. On Smith saw Jack again at the Midthe 3rd they laid around. Early on dlestacks toward the latter part of the the 4th they left the Brown about month. Jack told him Gleeson was sun-up, saying they were going getting drunk at The Wells and was to the Middlestacks. They took blowing about the killing of the sheep-

> Davis talked about leaving he cour try. He wanted to know how much money a man should have to leave on. Witness told him he should have \$200. Jack said that they could not do anything with them for killing the epherders. They could prove an alibi by Harris and the witness. Cross-examined, Smith said he was

26; born in Texas. His real name road. Five or six miles an hour was all horses could stand. The distance was W. Brummet, Jr. Was known in New Mexico as Charlie Hill. Hawley asked him if he had not

stabbed a man in Texas and was some giant powder at the ranch under fugitive from justice. Witness denied In New Mexico he worked for the Bar V outfit. Then he went to the Cherokee Strip with a herd of cattle Went back to New Mexico and worked that season Left there in January, 1891, going to Arizona. A

Sholo he was know as Jim Goddard. Had trouble with a Mexican in New Mexico. Hawley asked him if he was not wanted there for murder; he denied it. Witness said he was arrested for raising a racket and resisting an officer. He was put under bonds and

Worked for C. C. Huning and anroad and took the train. Hawley asked if he had not stolen. Huning's horse: the witness denied it. He left because the New Mexican authorities were after him. He did not want to go back because there was a whitecap outfit in

Worked for Bright & Campbell graders, at San Bernardino. Was known as Frank Smith there. Worked there two years. Then he got into Ne-

Here the poll book of Rock creek precinct in Idano was produced. I was shown Smith registered and voted there at the last election. Witness denied he had been sworn when he regstered. Then his oath of office as deputy sheriff was produced and he admitted his signature.

He gave the story of his employmen with the Sparks-Herreld company, sayng he was discharged Nov. 3, 1896 Hawley questioned bim closely t know if he had given any of the infor nation about Davis until after his dis harge. He said he had talked it over with the boys but had not told any

The movements of the witness subse CONTINUED ON FOURTH PAGE.





## DID NOT FEAR JACK

CONTINUED FROM FIRST PAGE.

quent to his discharge were traced in detail. He admitted he was intereste in the reward. He was to get a third if the men were convicted. Lewis and McGinty would each get a third. He got \$60 from Dailey toward his expenses; this had been contributed by the sheepmen.

The witness was closely interrogated about the part he had taken in hunting up testimony and reluctantly admitted he had been somewhat active

in that way. Witness was asked if he told Chester Dwight on the 5th of this month if he did not corroborate him as to the date when Davis and Gleeson were at the Middlestacks he would kill him. The witness said he did not, there was notuing said about killing.

Asked if he knew Miss Rhoda Kinney he said he did. He was asked if he did not say to her that, as she was engaged to Billy Majors and as Majors knew something of this, he must have told her and if she did not tell it he would have her thrown in jail, the witness denied it. He also denied he had told Majors that he had so talked to the young lady.

He did not ride with Billy Majors in the early part of January, 1897. He also denied he had told Majors that if the Sparks-Herreld company did not 'put up" for him, he would make a lot of money out of the sheepmen in this matter.

Then followed a long series of similar questions all designed to impeach the witness by the testimony of subsequent witnesses. In each case the witness denied the statement attributed to him. Hawley's questions were all written out in a blank book de voted to the purpose.

Then the witness was cross examined on the testimony he had given, the ground all being gone over carefully. His testimony was not materially shaken.

On re-direct the witness was asked respecting each of the statements at tributed to him by Mr. Hawley's questions. Most of them were denied in toto; others were narrated, putting an entirely different face upon them Among other things he explained the conversation with Miss Kin ney. She told him she had overheard a conversation about the killing bu she would not tell it to anybody but her mother. He asked her what she would do if she were put on the stand. Her reply was that she would not

tell; they might place ner in jail. It was 6 o'clock when the long examination was concluded. Court then adjourned until 9:30 Monday

MONDAY MORNING.

Damaging Admission Made to Georg

Porter—Time Required for

the Ride.

the first witness this morning. He saw Jack Davis at Deeth in February or March, 1896. Sold him a hat

When Jack opened his purse to pay for

it, witness remarked, "You are prett well fixed." Jack realied, "Yes; am getting \$40 a month for shooting

During cross-examination a conti

versy arose over an attempt by Ha

ley to get from the witness the reas

why he had refused to tell him (Haw

was cut off by an objection.

ley) on Monday last what he would testify to. This line of questioning

Charles Edwards, recalled, testified

that Davis and Gleeson left the Bour

T. E. Harper tesified he visited the

place of the killing on the 8th of the

present month with Albert D. Le

all the points involved in the case

point of killing four miles south an

one-half mile east. It was 16 mil from the Brown to the point of killing

and 25 or 26 from the point of kill:

to the Boars Nest by a practical route

Witness described the country ar

said its contour was such that rapi

travel would not be interfered with.

Witness rode from Oakley to t

scene, using the same horse until his

return. With a fresh horse he coul

the killing in one and three-fourth

hours. With the same horse he could

ride from the point of killing to the

Boars Nest in two and a half hours.

When he was there the roads were bad

Boars Nest. For six or seven mile

there was snow. It would take fou

or four and a half hours to ride the

route with the roads in such condi-

On cross-examination witness gave

the movements of his party in detail.

They rode from the point of killing around the circuit in the direction

opposite to that supposed to have been

ridden by Jack and Gleeson, except

Springs and not up the Salmon.

that they went from Grays via Twin

Albert D. Lee gave it as his opinion

that it was 16 miles from the Brown

to the point of killing and from the

latter point to the Boars Nest 20 to 25

miles. The first part of the route

would require a one and a half hour's

ride and the latter part two and a

fourth to two and a half hours, if the

Lorenzo Wilson was recalled. He

valleys in the vicinity of the killing

at the time of the tragedy and very

little in the hills. It had been dry for

weeks. About an inch fell on Febru-

ary 3rd. Joe Wilson gave similar tes-

E. R. Dailey testified that he went

with the sheriff to bring Davis back

from Arizona. Found him in the peni-

entiary. There was strong objection

the witness giving the name unde

which Jack was known there, but the

name was Frank Woodson.

the noon recess.

testified there was no snow in the

roads were good.

between the point of killing and the

ride from the Brown to the point of

The Shoshone timber road passed the

ad Charles Parkinson. He rode to

Nest on the 4th with three horses.

George Porter of Deeth, Nev., was

Sensational Incident in the Cassia County Murder Trial.

### THE DEFENSE HAS AN INNING

Will Rely Upon Its Alibi and the Impeachment of Frank Smith-Davis Hunter Swears Positively Cummings and Wilson Were Alive When He Was at Their Camp on the 4th. Story Told by Harris, the Colored Foreman.

Albion, April 13.—A rather sensational scene was witnessed by those who lingered in the court room after court adjourned for dinner today. Mr. Perky of counsel for the defense was discussing some point with Mr. Borah of the prosecution. The talk was somewhat animated and presently Diamondfield sprang forward, his eyes scintillating with that peculiar light.

"I will take that up, Mr. Borah," he said. His counsel called to him to be still. Jack attempted to speak on but Mr. Perky commanded him to shut up, and the sheriff, coming forward, marched the prisoner off.

The prosecution closed yesterday afternoon without again pressing for admission of the story of the Tolman shooting. The prosecution expected to put on a woman who kept a disrep utable house at The Wells, the purpose being to show that Gleeson and Jack had boasted of the shooting, but she had disappeared and it was found at the last minute she was in San Francisco.

The defense is well under way. It relies upon the claim that it was physically impossible for Davis and Gleeson to have committed the crime, and, further, upon impeaching Frank Smith.

The leading feature of the testimony for the defense has been that given by Henry Harris, the colored foreman of the Sparks-Herreld Company. This morning was largely devoted to testimony introduced for the purpose of impeaching Smith respecting statements about which he was asked by the defense when he was on the stand for the prosecution. This testimony was of no general interest. It was of such a character that people estimate respective predilections, though the prosecution seemed to distinctly get the best of the Miss Kinney incident.

testimony was finally admitted. The MONDAY AFTERNOON On the way back Davis told witness In arguing the admissibility of the of a conversation he had with J. E. statement made by Jack to Dailey. Bowers relative to the killing of Wilwho was acting as a deputy sheriff in son and Cummings. The defense ob bringing the defendant back from jected to the conversation being re-Arizona, Mr. Hawley insisted that the peated, and, pending a decision, court decision in the Crump case rendered inadmissible any statement that might be made by an accused person while

in custody. Judge Stockslager overruled the obtion on the gruond that the condi ions were not the same as in the Crump case, this statement being en-

tirely voluntary. Witness Dailey then narrated that Jack said J. E. Bower gave him the first information he had of the killing of Wilson or Cummings. That was on the 6th, 7th or 8th of February. The importance of this statement lies in the fact that Bower, on the stand denied having told Jack that the men had been killed. Jack had no means of knowing of the murder, therefore, unless he were privy to it—there was no public knowledge of the crim until long after. The talk was started by Jack just after he had received a plegram from Mr. Sparks. Mr. Hawley attacked the testimon gorously on cross-examination. He ught out the fact that Mr. Dailey

and the court took a recess for two to met a man in a cart near Goat springs. hours to give the defense time to ar- Cross examined-Started from Henry When court resumed Tranmer was 18 and 9. Rode a bay horse. Did not recalled by the defense for a question about the time Davis and Gleeson left the Brown. He said it was about the time of sunrise at the ranch. Hawley then offered in evidence an almanac, showing the hour of sunrise was 7:18.

Questioned by Borah, he said he got Showing the hour of sunrise was 7:18.

Questioned by Borah, he said he got up about daylight. They fed the horses and got breakfast and then the two men left. Could not say how long after daylight it was when they left. "Was it about daylight." "No, sir, it was about the time the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the one of the sun came to could recognize the other as the ot

it was about the time the sun came up." "How long was it after day-light?" "About an hour and a half." Show the transaction. He had books whom he had met that morning.

T. M. Gray—Lived six miles from the Brown ranch. Went to the Point member anything about Smith's coat.

Did not pay any attention. He was not on after noon on the 4th after hay.

Mr. Hawley then made the opening Mr. Hawley then made the opening statement for the defense. He said the defense had already been made by the witnesses for the prosecution; it would snow for four or five days. There was no snow on the 4th.

They would show by the te timony of Davis Hunter that the men were Sparks-Herreld Company. The Mic alive when he was there on the morn- diestacks ranch was under his control ing of the 4th. This would show the shooting could not have been done be shooting could not have been done be-fore that date. They would show that middlestacks. Frank Smith was at the defendant went to The Wells and the ranch. That horse was not delivwas there on the 6th. They would ered to him there at any other time further show that the defendant and his companion could not have made that trip accepted to them. That it was a man one who gathers up stock. Did the trip ascribed to them -that it was not know what Davis was doing. Wita physical impossibilty. They would ness told Gleeson to get Beede. The of the company. It snowed on the

THE WITNESSES.

Davis Hunter-Was at Deep creek nding sheep on Feb. 3, 1896. Was at Vilson and Cummings' camp on the n, early in the morning, after a cart. hey had not had breakfast. Renained there 10 or 15 minutes and en started for Oakley. Met J. E. Bower and another man. They were

Cross-examined— Fot up at daylight. repared immediately and started for the camp, one and one-half miles away. Went on horseback. There was wood in his cart. This was thrown out by Cummings while witness prepared his team. Remained 10 or 15 minutes. It was about 8 o'clor when he left. There was a little snow on the ground that fell on the 3rd. Went toward Buck Rice's ranch, traving east two miles and then north. Met Mr. Bower about seven miles northeast of the point of killing. Did not know whether the man wit ower was Davis. It was about 1 clock when he met them. It was ot Jeff Gray who was with Bower.

J. E. Bower-Left Rock creek Feb uary 4th between 8 and 9 o'clock here was no one with him when he eft. Met a man in a cart 17 miles out. Jeff Gray had overtaken him and was with him. Met the cart between 11 and 12. Did not know the man driving. Reached the Point about 2 clock. Got to the Brown between 6 and 7. The roads were soft. There was a track ahead of him all day. ost it near the Point. Saw no track eading east from the Brown except a wagon track for a short distance. Cross examined—There was no

now; the road was wet; it might have been melted snow or rain. There was no other track as fresh as that he noticed. Road was just slippery; a forse would not sink in. It en winter; no deep snow and

he 4th and rode with him. They lones' that morning. Left between

The road was soft; had not frozen, the

Henry Harris-Was foreman for the In February, 1896, Fred Gleeson delivimpeach the "self-impeached" with horse was in good condition; had not been ridden hard. There was a sore on his back. Counsel had a good deal of trouble to get witness to state its condition as showing how the horse ha een ridden. Finally Mr. Hawley

aid, "Well, was the scab off?" Wil ness said "No." The other hor howed no evidence of a hard They got to the ranch about 3 d'c Cross-examined-Could not be sure about the month when the men came there; nor could be tell the day of the week. He was not certain about the year-it might have been 1895 or 1896 out is was 3 or 3:30 o'clock in the ernoon. Borah questioned him closely o learn if Beede was not considered a fast horse. Witness parried the question, but admitted there was such an opinion prevalent respecting the horse. Could not remember under just what circumstances he told Gleeson to get the horse. He thought spmeone came to the Middlestacks with Gleeson but

was not certain and could not same whether it was Davis or not. Could not recollect anything about the horse the other man was riding Gleeson was riding a bay horse. Forgot the horse's name. Did not know of an such horse as Idaho; it was not in tfit. Witness' headquarters was e Vineyard in Nevada. His juri ction did not extend into Idaho ould not tell when Gleeson and the ir man left the ranch.

This ended the day's testimony. TUESDAY MORNING. At the opening of court this morn-Henry Harris was recalled for fun cross-examination. on started on the journey of D. Did not know who start Told Gleeson to get Beede. I send him on the trip. The boy not stay at the Middlestacks on the ht of the 4th. Asked if he l t talked with Frank Smith abou eeson and Davis having been ou oking after sheepmen, he denied it sked if they had not come to the inevard and shot through the c If the new house, he said "No." Thad not told Smith they had shot the house full of holes; nor had he tol mith, when they went on this tri hat they were gone to look after t heepmen and he (the witness) wis o God the sheepherders would l

-- -- Did not remember nding for Chester Dwight at the to come to the Middlestacks Smith feed cattle, receiving a r y that he could not because Gleen ad gone to The Wells. After so

CONTINUED FROM FIRST PAGE. know how long he worked. Had y books that would show when he qui

Could not tell when Jack Davis left that vicinity. Did not tell Frank

Did not pay any attention. He was not subpoensed on the preliminary exam-ination. Asked if he did not come ove here then to see Gleeson, he denied i then parried the question and then ad mitted that he had come here for that L T. Robinson sworn-Lived at the

oint ranch in employ of the Spark Herreld Company. Saw T. M. Gray at the ranch Feb. 4, 1986. Mr. Bower e at 2 and left between 3 and 4 reads were muddy; were no frozen the night before.

night of February 3rd and made th sagebrush wet. There was no sno n the ground on the 3rd. January was a dry month. He was asked about many details of the 4th. Witness said he heard on the 17th that the men had been killed on the 4th. This led him to note carefully the incidents of the 4th. He was not so well posted of incidents of other days because noth ng had occurred. (The officers d)

threatened to put Miss Kinney in jail. Cross-examined—Asked Smith why he had made such a "'break" to a lady and Smith said, "I don't know as it is any of your business. What are you going to do about it?" Then there was a fight.

Rhoda Kinney-A question was read to her reciting the alleged conversa tion with Smith. She was asked if h had so spoken, in substance or effect, and she repied, "Yes."

Cross-examined—Smith did ask her f she had overheard a conversation about the killing of the sheepherders etween Norton and id not know anything that would said, "No." blicate Gleeson and Davis. ss-examined-Mr. Perky. ning partner, brought Smith

that Smith had told him he was g to make a lot of money out of the Cross-examined-Smith said would get even with Gooding fo harging him; said he would tell

w about the killing.

After the Shouting the Jury Will Decide Diamondfield's Fate.

### SOME INTERESTING STORIES

Witnesses Put on by the Defense Who Give Valuable Testimony for the Other Side—The Prisoner Does Not Go on the Stand--A Section of One of Idaho's Senatorial Fights Suddenly Sprung on James Walton.

Albion, April 14.—The great trial of 'Diamondfield Jack' for the murder IDAHO of John C. Wilson in February of last year is at an end so far as the introduction of evidence is concerned. The argument will begin this afternoon. District Attorney Rogers and Judge Powers will make the arguments for the state and K. I. Perky and J. H. Hawley for the defense. Mr. Borah will remain out of the argument.

The testimony for the defense developed two weak men yesterday. One of these was Chester Dwight, the other C. B. Moore. On cross-examination both of these men gave valuable evidence for the prosecution.

Mike Donohue of Rock Creek took the stand at the opening of court yesterday afternoon to impeach Smith with respect to the statement that he would make the company sorry it had discharged him.

HE DROVE THE HACK. James Walton was another witness

put for the same general purpose. He was asked if Smith told him that he went to the Shoshone and stole a letter from Dock Gooding purporting to be from Gleeson. He replied in the affirmative.

The cross-examination developed the fact that Walton lived in Boise two or three years ago and once had some business with James Macnab. (He drove the Hanrahan back.) Smith told witness he stole the letter in order to get the address of Gleeson, who was going by the name of William Treet. The witness said he had no introction the matter at first, but be changed his mind because he was lied to. Asked if he changed when he found he could

On redirect he said he was to get a third of the reward, but when he was lied to he changed over and took his information to the defense. The defense had never promised him any-

Taken hold of by Mr. Borah again he said he went to the defense as soon as he found he could not get part of the reward.

James B. Hitt was called as an expert on range horses. He said range horses were in better condition in summer than in winter. A good range horse could go five or six miles an hour in traveling 50 miles over such a course as that said to have been ridden by Davis and Gleeson on the day of the murder. It would be impossible to do much more than that.

On cross-examination he said there were some horses on the range that would go 10 miles an hour for five or six hours over ordinary roads. He could have ridden the 16 miles from the Brown to the point of killing in 70 or 80 minutes. If he rested his horse an hour he could then ride him seven or eight miles an hour for two and a half hours. If he was riding for his life he would go 10 or 12 miles an hour if he could, but it would depend on the horse.

AN ALLEGED "CINCH."

pany. Smith told him in July, 1896, ate. that if he got let out, he (Smith) knew Witness thought six and a half miles within 15 miles of there? go in with the sheepmen. Asked how harge of Beede in January, 1896. De-

him in July that it was over the kill- there has been so much dispute. ing that he could cinch the company. Jeff was also used as an impeaching Chester Dwight, another range rider, witness, stating that Smith had said miles as Mr. Hawl y outlined. Smith hush money. told him about the 5th that he would T. W. Forese of Rock Springs, Nev., came to the Middlestacks.

he was going to tell the truth on the horse. stand. Mr. Borah repeated a number of points from Smith's story of the conversation and the witness admitted to meet him. Smith changed horses with Davis that evening, and that was the last the witness ever saw of

Mr. Borah asked him if that was not the incident referred to by Smith on the 5th; the witness admitted it was. Asked if he aid not deny recollection of it to Smith, witness admitted he did. Asked if Smith did not then ask him if he was going to swear to a lie, witness admitted that Smit' had said something of the kind.

Witness admitted he had since talked to Smith about the matter. He was asked if he did not say to Smith, "Frank, I understood you to say if I

A back-biting, tale-carrying, trouble-promoting, selfish, unscrupulous, vicious, brawling man in a community is a pest. A brawling newspaper with these attributes is a hunnred times worse than an actual scourge. The man has neither the love nor the respect of his neighbors. The ne spaper is neither respected at home nor abroad. It earns the plaudits

kill me," and if Frank did not tell him he was lying. Dwight admitted | regard to it? that something of the kind had passed.

Lester Weatherman was sworn. Had frequently repeated that Smith said he worked for the Sparks-Herreld Comwould kill him if he did not corrobor-would kill him if he did not corrobor-wou

of a scheme by which they could make good time on a good road when a rider the company put up hush money. was attempting to make time. Smith said he was going to Oakely to Jeff Gray was recalled. He had they were firing into another camp?

long it would have taken him to make evered him to Tranmer. The horse the ride credited to Davis and Gleeson nad been "rode" down and had a sore back. Beede was just a common horse.

A. He said he Cross-examined, he said Smith told On such a horse it would take 10 hours to make the trip over which

thought he could not make more than to him that he had a scheme to make

kill him if he did not corroborate him also a range rider, gave his opinion as to the date when Gleesor and Davis about riding the 50 miles. It would Cross-examined—Frank asked him if take eight hours with an extra good

BORING INTO FACTS.

C. B. Moore of The Wells testified that he saw Davis and Gleeson at his ted that word was brought to them at hotel on February 6th. They came in the Middlestacks that the sheriff was after Jack. Jack was at the mines that day and Smith went up the road pute could not have been ridgen much seven miles an hour the horse could not travel the next day.

Witness was asked one of the Smith impeachment questions. It was as to whether or not Smith had told the witness that Davis left the Middlestacks on the night of the 4th. Smith had denied this on his examination; the witness affirmed it was true.

Then followed one of the most interesting cross-examinations during the trial. The witness was one whom the prosecution had desired to put on but had not been able to get him to admit what they believed he knew. Mr. Borah therefore went after him sharply, with the result that several did not corroborate you you would very important points were brought determine which of them shall have

> Q. You had several talks with Frank Smith about this killing? Q. You and he talked it over out copper.

there several times? A. Yes, sir. Q. It was the common conversation

A. Yes, sir. Q. It was the talk among all the persons at those ranches up land down

A. It was talked about by every-

A. Yes, sir; I have heard a good many men talk about it. Q. You and Frank Smith talked it over together?

Q. Didn't you tell Frank Smith in that same conversation that you knew Davis killed these sheepherders? A. No, sir.

Q. Didn't you say to Frank Smith in that same conversation that you knew they, meaning the defendant and Gleeson, had killed those sheepherders from the way they had been blowing around The Wells; that they had come to your hotel and sat down at your table with their Winchesters on their laps.

A. I did not. I said they came his bill? there with their Winchesters. I didn't Answer say they killed them. Q. Didn't you say you knew they killed them from the way they had

been blowing around?

Q. You are positive?

work himself? A. No.

A. Yes, sir.

Q. Didn't you say to Smith that if they caught Jack Davis they would hang him because he talked so much? sue if in trying to crack a joke at the A. It was a matter of common re- expense of a witness you should get the

Q. It was a matter you and Smith talked over several times? A. Two or three times.

Q. When did you talk about it first? A. In April-along in April. Q. Where were you at that time?

A. At the Middlestacks. Q. Didn't Mr. Smith tell you in that conversation that he did not believe Fred Gleeson helped kill the sheepmen because Jack Davis told him that Gleeson run from the eep camp—from the Dunn camp—and he went up there and did the rest of the

Q. Then what did he tell you in

A. He told me that Davis told him o Witness said Smith never asked him that Gleeson was not in 15 miles of to swear to anything false. Dwight there; that he was afraid to trust him; Q. Frank Smith told you that

> A. Yes. sir. Q. That Gleeson had run when

Davis told him that Gleeson was not

Q. That Davis had done the rest of

A. He said he killed these men Q. Frank Smith told you that Davis told him that Davis killed these men alone, and that Fred Gleeson was

A. Yes, sir; he said that Fred five miles an hour on such a trip of 50 the company put up a whole lot of Gleeson was not within 15 miles of Q. Where did you have that con-

A. At the Middlestacks. Q. That was while Smith was

working for the company? Q Long before he quit the com-

He had not been discharged

Q. How long did he work for the company after that?

CONTINUED ON FOURTH PAGE.

### THE LAWYER'S CATECHISM

Questions and Answers Which Were Doubtless Prepared by a Cynical Layman.

First.—In deciding a case, why don's the lawyers simply toss up a copper to out. The cross-examination was in the stuff instead of spending half a dozen years worrying the life out of the

Answer. - It would not be safe for the

Second. - Which is better for the client, an honest lawyer or a dishonest one? Answer. - Not sufficient data on the out there that these defendants did former branch of the case to enable one to give an opinion. Third.—Should a lawyer defend a

> man he knows to be guilty? Answer. —If he's fool enough to know any such thing, it doesn't much matter what he does.

Q. It was a matter of common talk Fourth.—But suppose he only thinks he's guilty?

Answer. -In that case he should increase the amount of his fee until he has reasonable doubts on the point. Fifth. - When should a lawyer advise an appeal?

Sixth.—Should a lawyer ever take a case on spec?

Answer. - Not if he can get anybody else to pay for it. Seventh. - How much time should a lawyer devote to his client's case?

Answer. - Whatever spare moments he has left over after making up his bill. Don't waste time on foolish questions. Eighth.—Suppose a client kicks about

Answer.—If by that time you haven't so fixed things that he can't kick, you'd better spend the rest of the day kicking

Ninth.—What is contempt of court? Answer.—Letting the judge find out what you think of him when you lose

Tenth. - What course would you pur-

worst of it? Answer.—Ask the judge to commit aim to jail and appeal to the jury whether y could ever believe a man who would stoop to buffoonery when on his sacred oath.—H. C. Boultbee in

CONTINUED FROM FIRST PAGE.

I think till July. That was in April?

That was in April. Q. You spoke of Jack Davis being around there a time or two after he got in there the night of the 6th-after they got in there the night of the 6th.

At whose house did they stop at? Q. Are you keeping a boarding house at that place?

A. Yes, sir. They slept in a house occupied by Mrs. Dr. Bettes, and put up thei horses in a house just back of Mrs. Dr. Bettes? A. I don't know.

Q. Didn't they go and put up their horses before they came to supper? A. I guess they did. Q. They carried their Winchesters

back with them? A Yes, sir. Q. Sat at your table with their

Winchesters on their laps? A. Not then.

Well, the next day? They didn't have their Winchesters on their laps. Q. Well, they had them leaning

up beside their chairs. A. They had them laying on the floor under the table by their feet. Q. They carried them into the

house with them? Q. The next morning when they got on their horses they rode around in the front of Fischer's saloon with their Winchesters on?

A. Yes, sir. And went into the saloon and had a drink or two?

A. I don't know, Mr. Borah. Were you not in the saloon there when Mr Davis went in there?

A. I don't think I was. Q. Didn't you hear a conversation over the bar made by Mr. Davis that morning when he went in there when he got off of the horse in regard to this killing?

A. No. sir. You are positive of that?

I am positiv e. J. E. Bower was recalled and testified about the speed that could be made over the routed claimed to have been taken by the accused men. He thought they might have made it by 3

William Drake testified about the time it took him to ride in from the

The defense then announced it would rest unless some witnesses should come in from Deeth on the evening stage to impeach Porter. THE CASE CLOSED.

The additional witnesses did not airive, and the defense closed at the opening of court this morning, the prosecution recalling two witnesses for a little further cross-examination.

Frank smith was called by the prosecution in rebuttal. The boys staid at the Middlestacks that night. Henry Harris was there and slept with Gleeson; witness slept with Davis. The buckskin horse was lame the next morning with a snag in the frog of his foot. Harris told him the boys had gone in to run out the sheepmen and he hoped some of them would kill the \_\_\_\_\_ Harris also told him Davis had shot through his house. Mr. Moore told witness that, from the way the boys blowed around at The Wells he knew they had killed the

"You may take the witness," said "We don't want him," said Mr.

"I thought you would not want him," responded Mr. Forah. This closed the testimony.

The jury was then sent out until afternoon and the court proceeded to settle the instructions.

SOME OF THE EVIDENCE.

We Give Below Part of the Evidence for the Prosecution in the Trial of Davis as Published in the Boise Statesman and Written by Mr. Balderson of That Paper.

We give the testimony of Or and Durfee as showing what threats were used by Davis. Many others testified to about the same thing.

William Orr took the stand He met Jack in the latter part of August, 1895, on Big creek, Jack said he was there to hold the range; there would be some shooting if any sheep went in Jack drew his gun. He claimed there was a dead line there.

Jabez Durfee of Oakley, sheepman, was the next witness. While herding sheep he met Jack Davis between Goose and Big creeks. Davis said he was holding the range and did not allow any sheep over there. Jack said he wish Bill Tolman would come over, as he would like to make a target of him. Witness was herding sheep belonging to John C. Wilson, Hyrum Severe and himself. Jack said he wanted Wilson to move right out: if he did not there would be trouble. That night they found some writing on the canvas with Jack's name at-

tached to it. There was a rattling fire of objections at this point, and the court refused to permit the witness to tell what he remembered the writing to be.

In cross-examining all these witnesses Mr. Hawley brought out their knowledge of the fact that some years ago there was an understanding between the cattlemen and sheepmen that the ridge between Goose and Big creeks should constitute a dividing line between them.

J. E. Bower testified that he went from Rock creek to the Brown ranch on February 4th. f Did not see Davis and Gleason, He heard of the killing of Wilson and Cummings about February 19th. He saw Davis February 6th. During January and February, 1896 Frank Smith was at Middlestacks and Charles Edwards at the San Jacinto, When he went to the Brown ranch on the 4th Herve Tranmer was there. Got to the Brown anch about 6 or 7 o'clock.

Cross-examined, he said he saw Davis and Gleason at the 1 H. D, ranch on February 6th. Slife got in there about I o'clock - and went to The Wells that day, Davis and Gleason going with

Charles Edwards said he resided on Salmon river and was "a broken down cow-puncher." In the winter of 1895-6 he was at the Boars' Nest, Davis and Gleason were there together during that winter; he could not remember the date. They were traveling horseback. The horses belonged to the company. They came from the south and went north. A few days later they appeared again and went south. He had said it was 2 or 3 o'clock when he saw them, but he had been thinking over the matter and thought it must have been earlier. (This is the time when the men are supposed to have ridden in from the killing and the questions of time and distance are of the greatest importance.)

Cross-examined, he said he got that night. Charlie Edwards dinner at the San Jacinto at 12; started away a quarter of an hour Middlestacks to the Boars Nest. after finishing and rode up in Witness went to the Brown about half an hour. It was tour ranch, to miles from the Boars miles, and he rode on a walk most Nest, on the 30th. Mr, Good & of the way. He got home be- sell was there. He left at once. tween I and 2, he thought Davis and did not return for about 10 and Gleason were just starting days. Witness carried a comaway. One of them said they munication to Goodsell; the lat-Igor there about 12. They had ter left reading it. Witness | cooked and eater Jinner.

witness said he thought a horse on Rock creek for tobacco. Got could walk the four miles in half back to the Brown ranch on the an hour. If a man was in a hurry list. Brought a horse from Rock he could make the four miles in creek at Gleason's request. The 15 minutes. He thought it would horse was said to be the tastest take three hours to ride in a hurry in the outfit. Davis and Gleafrom the Boars Nest to the Brown son were at the Brown ranch the short route.

"If a horse could walk four miles in 30 minutes," asked Mr. On the afternoon of the 2nd. Borah, "how long would it take lack and Gleason left the ranch, to walk to the Brown ranch: The witness did not answer

he was puzzled. "how long would it take you to walk that horse to the Brown ranch," asked Mr. Borah, "walk ing him just as you did that day "It would take about four hours," was the reply.

The attorney asked what time could be made if speed were sired, and the witness said the distance might be covered in tw

Herve Tranmer, who was at the Brown ranch when it was visited by Davis and Gleason, was next called. Did not know any man named Miller in that vicinity. Was at the Middle stacks January 28th., 1896. Mr Trotter and Frank Smith and Lewis Harrel were there, also Davis and Gleason. The latte left that evening. Herreld and Trotter left during the day Davis and Gleason went down the river. They had rifles and revolvers with cartridges in their belts and coat pockets, They practiced with the guns during the day. Jack wanted to trade coats with Smith; his own was too light colored—it could be seen in the dark. The exchange was made. Davis and Gleason were riding compan

horses. Witness went to the Boars Nest on the 29th, and stayed there was there, also Davis and Gleason. It was seven miles from the

went to the Point, remained one On redirect examination the night, then went to Henry Jones' ranch, 15 miles. That was by when he returned. They said they were looking for a horse named Idaho.

> riding away eastward. (This was ridden hard. They left the next toward the Dunn sheep camp.) Witness out his coat They got back about 10 o'clor at night. On the 3rd. they la around. Early on the 4th the left the Brown about sun-up, say ing they were going to the middle stacks. They took the west roa but asked if they could ford above There was a crossing. . They sai they had given up finding the horse. It was 10 miles to Boars Nest; 17 to the Middle stacks. It would take three hours to ride to the Boars Nest in the condition of the road. Five of six miles an hour was all horses could stand. The distance might be ridden in an hour and a half or two hours. Davis and Gleason left some giant powder at the ranch under the bed.

William Walker saw Fred Gleason at the Brown ranch 'h last of January or the first of

ruary, 1896. There was someone with him whom he called Miller It was eight to ten miles from the Brown ranch to the Point, It would not take more than an hour o ride it at the outside. From he Brown ranch to Buck Rice's place was about 19 miles. It could be ridden in two hours rhat is near the scene of the murder. There were trails all through the country.

Then came Frank Smith, one

of the stars of the wid. He has

been active in working up the case. He is an ex-employee of the Sparks-Harrel company. He testified he went to work at the Middlestacks about Jan. 1, 1896, and remained there till April 1st. First met Davis at the U7 ranch in Nevada. Gleason and Davis came to the Middlesracks in the latter part of lanuary. They wanted grain for their hores but did not want to go to the San facinto as they did not wish Critchfield to see them. Witness went after the grain and Trotter eturned with him, at Davis' request, They practiced with their guns wirle at the ranch. Witness exchanged coats with Davis. The latter sald his coat—a light huntng coat-could be seen too easily t night.

They said they were going over to the Shoshone country. There were sheep over there and they were going over to see about it. They cleaned their guns before leaving. They brought four norses to the ranch taking two way. They left on the 28th.

They came back February 4th, little before sundown. They each had a led horse. They lef the buckskin and Beede at the Middlestacks. Both were led in, but they showed they had been



Jack Davis Found Guilty.

J. W. Miller, Almo, Robert Wake, delivered by Mr. Hawley.

District attorney John C. Rogers many to have had more than ordi made the opening statement. The nary influence upon the jury. District attorney was assisted by Hon. W. E. Borah, of Boise and been out about two hours the jury Judge O. W. Powers, of Salt Lake returned a verdict finding Davis

The Defence was made by Hon. The defendant is a man of wonder-James Hawley, of Boise, and K. J. | ful self-control and nerve, and re-Perky, of Albion. The prosecution ceived the verdict with as much unintroduced a number of witnesses | concern as the coolest man in the who testified to threats that had court room. His case will unbeen made in the summer of 1895. doubtedly be appealed to the su-The prosecution also traced the preme court. The defendants atdefendant to within 18 miles of the killing. That was as near as the are confident that they will ultievidence showed them to be to the mately secure the acquital of their point where the deceased Cummins and Wilson were found dead in their sheep camp.

Eyidence was also introduced which tended to connect the defendant with a raid upon the sheep camp of James Dunn. To this evidence the defence strenously ob jected, but their objections after being discussed by the counsel were overruled by Judge Stockslager.

On Wednesday at noon the evi dence was all in, and the argument began at the afternoon session.

To the disappointment of all court attendants Mr. Borah did not participate in the final arguments. highly gratified by this tribute of Judge Rogers opened on behalf q the state. He delivered an argumentative, able and convincing speech. The Judge is always logic al and his appeal for the upholding of law and order was a magnificent specimen of forensic oratory.

At the evening session the defendants cause was presented by Mr. e piece by piece, and discussed it in a Jeffries. Jack killed a cowboy, ac manner creditable to himself and had a warrant for him. The officer most effectively for his client.

accorded the close attention of the cartridges. Riding up to the cabin, jury and all present. Many of his he heard some one say "Hold on positions were ingenious, and his ar- pard " Looking around he saw Jack gument was close, connected and suasive, adroit and eloquent appeal for his clients acquital.

On Thursday forenoon Hon. him until the Cassia county affair. James H. Hawley, of Boise began . sheriff by surprise was characteristic the closing argument on behalf of cof him. All those who have come in Davis. Mr. Hawley was suffering in the statement that he always from a serious indisposition, but seemed to drop down on them. They notwithstanding this he made a never knew he was in the vicinity until they heard his "Hello," and looked powerful argument. He dissected up to see him with drawn gun. the evidence with the skill of a master, and made strong arguments it favor of his client. He was particularly strong in applying the law to the evidence.

His speech was convincing forcible and logical. It is the opinion On Wednesday, the 5th of this of all who were fortunate enough to month the trial of Jack Davis com- hear him that no more effective armenced before Judge Stockslager. gument could have been made on The following jury were relected: behalf of the prisoner, than the one

and the same of

Almo; H. R. Cahoon, Almo; Ste- Judge O. W. Powers of Salt Lake phen Mahoney, Albien; M. F. Dur- renowned as a platform and forensic a death sentence being passed upfee, Almo; John Clark, Albion; orator closed the case for the prese- on a prisoner. Staid matrons, George T. Moore, Sublett; B. O. | cution. As a polished orator he Barker, Elba; George Gray, Albion; stands in the front rank. his ad-S. H. Barker, Elba; C, H. Schmidt, dress was impassioned as well as Albion and Thomas Bates of Sub- logical, and his speech added new laurels to his well established repu-On the afternoon of Thursday tation. His speech is considered by

On Thursday evening after having trying ordeal. guilty of murder in the first degree. torneys Messrs. Hswley and Perky

Judge Stockslager presided with great dignity and impartiality,

-A number of ladies who were in constant attendance upon the Davis and Gleason murder trials, and who were convinced of the innocence of both young men, remembered each with beautiful boquets on last Saturday, Both men were deeply touched and

DIAMONDFIELD JACK. How He Treated a Sheriff in One of

the Counties of Montana.

There are many stories of the exploits of Jack Davis, or "Diamondfield Jack," just convicted in Cassia county. One of them relates to his cording to this story, and the sheriff learned where Jack was and went He consumed three hours and was a rifle and revolver, with a belt of alone to take him. He was armed with he was preparing to dismount when holding a gun on him. The desperado ordered him to throw down his dismount. Jack gathered up the weapons, mounted the horse and rode away.

That was the last Jeffries heard of

not hold him. He will not be there victed murder

JACK DAVIS.

Sentenced to be Hung, June Fourth.

On Saturday forenoon a large crowd assembled in the court room to witness the unusual spectacle of young mothers and young ladies mingled with the throng which represented every element found in Cassia county, who had gathered to note the manner in which the celebrated "Diamondfield Jack" bore himself in this

Those who expected to see him tremble or manifest any signs of fear were disapointed. The Judge in the formal and impressive manner required by law uttered the words addressed to the prisoner, which to the average man would carry terror and inspire fear. Davis merely smiled and a moment later greeted his friends in the audience with a smile and a hearty hand shake.

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Complaint is being made at the great delay in dispos- t EDITOR ALBION TIMES: In t

A STATEMENT.

ALBION, Idaho, Sept. 25, 1897. ing of the charge against a your issue of September 24, 1897,

THE Gleason Murder Trial. The trial of Fred Treat Gleason excited a great deal of interest among the people of the entire

On Friday morning K. I. Perky discussed the evidence from the standpoint of the defense. He conr sumed the forenoon session in his argument. His entire time was ded voted to a close examination and an-

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ames H. Haw g plea for the ogical argument son and intellithe jury box. him often say His remarks ith his own infairly scintilated. e men who had with a view to was the most invective. His when he drew f the innocence

so cogent as to ne line of exact Hawley added ent reputation

Julge Powse for the proswas in excelall the trained cator. His wit ress strong and

> to the jury by t 6 p. m. on

d out until 9 morning when et of not guilty calm and relations of his nposnre. Rogers immediformation charg

ipon furnishing \$3000. John orton becoming

an accomplice

murder of John

Locals.

Jack Davis Found Guilty. On Wednesday, the 5th of this month the trial of Jack Davis commenced before Judge Stockslager.

The following jury were selected: J. W. Miller, Almo, Robert Wake, Almo; H. R. Cahoon, Almo; Ste-

On the afternoon of Thursday tation. His speech is considered by District attorney John C. Rogers many to have had more than ordi made the opening statement. The nary influence upon the jury. District attorney was assisted by On Thursday evening after having trying ordeal. Hon. W. E. Borah, of Boise and been out about two hours the jury Judge O. W. Powers, of Salt Lake returned a verdict finding Davis

defendant to within 18 miles of the killing. That was as near as the are confident that they will ultipoint where the deceased Cummins and Wilson were found dead in their sheep camp.

Eyidence was also introduced which tended to connect the defendant with a raid upon the sheep camp of James Dunn. To this evil dence the defence strenously of jected, but their objections after being discussed by the counsel wer overruled by Judge Stockslager.

On Wednesday at noon the evi dence was all in, and the argumen began at the afternoon session.

To the disappointment of all court attendants Mr. Borah did not parncipate in the final arguments. Judge Rogers opened on behalf the state. He delivered an argumentative, able and convincing speech. The Judge is always logic al and his appeal for the upholdi of law and order was a magnificent specimen of forensic oratory.

At the evening session the defend- | ploits of Jack Davis, or "Diamondfield piece by piece, and discussed it in a Jeffries. Jack killed a cowboy, acmanner creditable to himself and had a warrant for him. The officer most effectively for his client.

accorded the close attention of the jury and all present. Many of his he heard some one say "Hold on, positions were ingenious, and his argument was close, connected and logical. In closeing he maie a per suasive, adroit and eloquent appeal for his clients acquital.

On Thursday forenoon Hon. James H. Hawley, of Boise began . sheriff by surprise was characteristic the closing argument on behalf of . of him. All those who have come in Davis. Mr. Hawley was suffering in the statement that he always from a serious indisposition, but notwithstanding this he made a steemed to drop down on them. They never knew he was in the vicinity until they heard his "Hello," and looked powerful argument. He dissected up to see him with drawn gun. the evidence with the skill of a magter, and made strong arguments favor of his client. He was particularly strong in applying the law to the evidence.

His spech was convincing foreible and logical. It is the opinion of all who were fortunate enough to hear him that no more effective argument could have been made on behalf of the prisoner, than the one delivered by Mr. Hawley.

phen Mahoney, Albien; M. F. Dur- renowned as a platform and forensie a death sentence being passed upfee, Almo; John Clark, Albion; orator closed the case for the prose- on a prisoner. Staid matrons, George T. Moore, Sublett; B. O. | cution. As a polished orator he young mothers and young ladies Barker, Elba; George Gray, Albion; stands in the front rank. his ad-S. H. Barker, Elba; C, H. Schmidt, dress was impassioned as well as Albion and Thomas Bates of Sub- logical, and his speech added new laurels to his well established repu-

guilty of murder in the first degree. The Defence was made by Hon. The defendant is a man of wonder James Hawley, of Boise, and K. J. | ful self-control and nerve, and re-Perky, of Albion. The prosecution | ceived the verdict with as much unintroduced a number of witnesses | concern as the coolest man in the who testified to threats that had | court room. His case will unbeen made in the summer of 1895 | doubtedly be appealed to the su-The prosecution also traced the preme court. The defendants attorneys Messrs. Hswley and Perky evidence showed them to be to the mately secure the acquital of their

Judge Stockslager presided with great dignity and impartiality,

-A number of ladies who were in constant attendance upon the Davis and Gleason murder trials, and who were convinced of the innocence of both young men, remembered each with beautiful boquets on last Saturday, Both men were deeply touched and highly gratified by this tribute of

DIAMONDFIELD JACK. How He Treated a Sheriff in One of the Counties of Montana.

There are many stories of the exents cause was presented by Mr. e Jack," just convicted in Cassia Perky. He took up the evidence treatment of a Montana sheriff named cording to this story, and the sheriff learned where Jack was and went He consumed three hours and was a rifle and revolver, with a belt of alone to take him. He was armed with cartridges. Riding up to the cabin, he was preparing to dismount when pard " Looking around he saw Jack holding a gun on him. The desperado ordered him to throw down his weapons and ammunition and then to dismount. Jack gathered up the weapons, mounted the horse and rode away. That was the last Jeffries heard of him until the Cassia county affair.

The manner in which he took the

not hold him. He will not be there victed murder that day. - Shoshone Jour 1.

JACK DAVIS.

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Complaint is being made at the great delay in disposing of the charge against | your issue of September 24, 1897, "Diamondfield Jack" Davis. He was convicted of murder last April. Notice was then given of application for a new trial. Twenty days time should have been ample for the attorneys to have prepared themselves to argue the motion. Over six months has elapsed and the argument is still in the future. t In so far as the affidavit relates to No matter how Judge Stockclager decides the motion an appeal will be taken to the supreme court of the State. That may mean months more of time before the hearing will be had. Meanwhile it costs Cassia County just \$3.50 per day for each day the prisoner is kept in the jail at Albion. This is at the rat- of \$1,277.50 per year. Therefore we hold that the case should be heard as soon as possible, that the supreme court may take up the case at their fall term. And if they find that the lower court erred the prisyner should have a speedy trial. Justice should be done to both prisoner and prosecutor, but the money of the taxpayer should not be squandered by unnecessary delay.

ng unable te get a continuance, dismissed the case rather than have the trial."

When asked what his chances were for secoring a new trial, he replied 'I feel very confident that the motion for a new trial will be decided in my favor, and if it is I trouble in proving my innocence of the charge and will be a free man in short order.

y 3rd when it should Febuary 4th. We s correction as we do not A STATEMENT.

ALBION, Idaho, Sept. 25,1897. EDITOR ALBION TIMES: In among the affidavits filed by the district attorney, at the September term of court, in making his motion for a continuance in the Fred T. Gleason case, and published in yonr paper on the above date, I see that Frank Smith makes affidavit to a conversation said to have taken place between myself and Doc Goodin in Salt Lake City, on or about July 27, 1897. me it is entirely false, as we had no conversation whatsoever in regard to Fred Gleason or Jack

f Davis. However, I did meet Doc Goodin in Salt Lake City about e that time, and did have a talk f with him. I asked him if he was looking for work, and if he was he could go to work for me on any of my ranges. But he informed me that he had just received a letter from his old "boss" in Arizona offering him a good position there and he thought he would take it. He further stated that while he preferred to work on the Idaho range he did not like to accept a subordinate position, as he was a foreman and in charge of an outfit when he left my employ.

Furthermore, I do not believe that Doc Goodin ever told Frank Smith anything that is contained in his (Smith's) affidavit.

> Respectfully, JOHN SPARKS.

The impression seems to prevail that Diamondfield Jack has been granted a new trial in Cassia county, but it developed yesterday in the Wool Growers' Convention that such was not the case. The fees and expenses in opposing the ar questloned. motion for a new trial. - Mountain Home Bulleting

THE Gleason Murder Trial. The trial of Fred Treat Gleason excited a great deal of interest

among the people of the entire It began on Monday of last week

when the following named Jurors after careful examination were chosen to hear the evidence and decide

R. I. Rice, W. F. Yeaman, W. K. Abercrombie, Jos, Taylor, W. D. Fuller, Jos. Savage, Jos. Udy, M. A. Vaughn, J. N. Abbott, Wm. Hummel, T. C. Walton and L M. Con-

The appearance of Gleason was rather in his faver. A great deal of evidence was introduced which had been given in the Davis case, it be ing the theory of the prosecution prosecution that Gleason and Davis were associated in the perpetration of the crimes charged, The Judge ruled that a great many of the exploits of Davis could be put in evidence, inasmuch as the complaint practically charged a conspiracy between the two men.

District Attorney Rogers was as sisted in the prosecution by Judg. Powers the eminent criminal lawye of Salt Lake who took part in the prosecution of Jack Davis.

J. H. Hawley and K. I. Perky were the counsel for the defendant, Gleason.

The trial was vigorously contested on each side, from the opening day until the last argument was in. One feature of the evidence was a surprise. The writing claimed to have been executed by the deceased Daniel C Cummins after he had been fatally shot, and which had been introduced in evidence by the prosecution over the objection of the defendant in the Dayis trial, was not in evidence in the Gleason Case, for the reason that witnesses claimed it was not the same paper found in the camp of the deceased Cammins and Wilson at the time of the finding of

he bodies and at the time when the oroners inquest was held. The defendant Gleason was also ble to establish that prior to the of time his name was connected with association has able counsel in the the charge for which he was being person of W. E. Borah, and has tried his character for peace and forwarded him \$700 for counsel n quietude had been excellent and un-

> Thursday night session was taken ip with the argument of District Attorney Rogers for the prosecution His address to the jury was an able presentation of the cause of the prosecution. His delivery was calm and dispassionate and his reasoning excellent.

On Friday morning K. I. Perky discussed the evidence from the standpoint of the defense. He consumed the forenoon session in his argument. His entire time was devoted to a close examination and analysis of the evidence. He drew many favorable conclusions for the prisoner and at all times was persuasive in his manner of address.

In the afternoon James H. Haw ley began the closing plea for the defense. It was a logical argument addressed to the reason and intelligence of the men in the jury box. Men who have heard him often say he never did better. His remarks were interspersed with his own inimitable wit which fairly scintilated. His assault upon the men who had worked up the case with a view to earning the reward was the most telling kind of an invective. His reasoning, at times when he drew conclusions in favor of the innocence

[Concluded on local page.]

From fourth page of the detendent was so cogent as to approach closely to the line of exact demonstration. Mr. Hawley added to his already excellent reputat

He was followed by Julge Powers who closed the case for the prosecution. The Judge was in excellent voice and made a powerful exposition of the states theory of guilt. He has at his command and can summon to his aid all the trained arts of the polished orator. His wit was keen and his address strong and vigorous throughout.

as a criminal lawyer.

The case was given to the jury by Judge Stockslager at 6 p. m. on Friday afteanoon.

The jury remained out until 9 o'clock the following morning when they returned a verdict of not guilty The prisoner was calm and received the congratulations of his many friends with composnre.

District Attorney Rogers immediately filed another information charge ing him with being an accomplice Jack Davis in the murder of Joh

He was released upon furnishing bail in the sum of \$3000. John Sparks and A. D. Norton becoming his sureties.

Business Locals.

C. B. STEUNENBERG, Editor and Propr.

SUBSCRIPTION RATES:

ONE YEAR. .... THREE MONTHS ......

Entered at the Post Office at Albion Idaho, as second class matter,

THE GLEASON CASE.

The Charge of Murder Dismissed by District Attorney Rogers.

In order that the readers of Times may understand why state dismissed the action agains Fred Gleason, we publish the affidavits of J. C. Rogers and others. Also interviews with Fred Gleason and "Diamondfield" Jack Davis State of Idaho vs Fred Treat Gleason.

State of Idaho, County of Cassia, ss.

J. C. Rogers, being first duly sworn deposes and says: That he is district attorney of the fourth judicial district of Idaho. That he filed the information in the above entitled case against Fred Treat Gleason, for the murder of Daniel C. Cummings. That he is fully acquainted with the case and all the facts and circumstances involved therein, and verily believes that the state has a good and sufficient case against said defendant, on the merits. That the plaintiff cannot safely go to trial at this term of court, on account of the absence of the following named witness, towit: Doc Goodin, who is a material witness for the state in this action. [Here mant sets forth that the subpoena is duly issued and placed in the

That the prosecution herein will prove by the said witness, Doc Goodin, the following facts and circumstances, the same being related by said Goodin to affiant and written down by affiant, and igned by said Goodin in the presence of said affiant, and one Frank Smith, in the words and figures s fellows, towit:

leriff's hands for service, who

turned it endorsed that the man

could not be found—ED. 7

"I am acquainted with Fred Gleason, also Jack Davis, called Diamondfield Jack. I saw Fred Gleason in the back part of Fisher's saloon in Humbolt Wells, Nevada, about February 14, 1896 He, Fred Gleason, told me he and Jack Davis killed Dunn's horse about the first part of February 1896, in Cassia County, Idaho and that he and Davis packed giant powder in their boots to kill Wilson and Cummings. He, Fred Gleason, said that he and Davis killed Wilson and Cummings; and Diamondfield said that he, Gleason, weakened, and he, Diamond field, done the work-killed those two fellows; but Gleason said h was there with Diamondfield and helped do it-helped to kill the two men. but Diamondfield says I did not do it, I did not weaken, but helped do the work; we, he said, 'were on our horses and the other men were in the wagon;' h

(Signed)

said these men shot back at them.

DOC GOODIN. That a certified copy of said statement, signed as aforesaid, is hereto attached and made a part hereof, and marked Exhibit "A."

That said facts, which the pros- City, July 27, 1897, he had a ecution herein can prove by said | conversation with John Sparks, in witness, cannot to his knowledge which John Sparks wanted to be proven by any other persons. know how he, Goodin, came to That this application is not made come back from Montana to Ida for delay merely, but that justice ho, and he, Goodin, told him that may be done in the premises.

The last time affiant saw Goodin | couldn't get work in that country was at Albion, about August I, (meaning Montana,) and Spark 1897, at which time Goodin told wanted to know if he didn't comthis affiant that he would remain in back to appear against the boys this county until the September Jack Davis and Fred Gleason term of the district court for the and he, Goodin, told him, Sparks year 1897. That he would pre- no he didn't, saying to me, the fer not to be subpoenaed then in affiant, that he didn't want Spark

JACK DAVIS MUST HANG. Idaho Mitrderer's Petition For a Re-

hearing Is Denied. ise, Ida., July 28.—The supreme t has denied the petition for a re-ring in the case of Jack Davis of Cummings and Wilson, last hope, so far as the court tho are concerned, vanishes. The of pardons is the only power een him and the hangman, unless appeal should be taken to the ed States supreme court, which he supreme court, in passing on the

notion for a re-hearing says: petition for re-hearing, although quite voluminous, presents nothing new. No questions arising upon the evidence or he law applicable thereto which have not heretofore been fully considered and passed upon appear in the petition, and as we have already expended much time in the careful and laborious examination of the record and the briefs would serve no other purpose than d

state upon the trial of Gleason, about it—that I would tell it; and That this affiant felt confident that Sparks wanted to know of him, Doc Goodin would appear at this Goodin, if he was going to appear term of court \* \* but said Goodin here at court, he, Goodin, told is not now in attendance upon this him, Sparks, that he didn't know court in accordance with his prom- whether he was or not; he didn't ise, and affiant has reason to be- know anything about whether lieve and does believe that he has they were going to have him for been influenced by the friends of a witness or not-that he was go Gleason to absent himself from | ing back to Idaho. Then Sparks the present term of court, and in told him, Goodin, that if he would support of which belief affiant leave the country he would give hereto attaches the affidavit of him \$1000 not to appear here a Frank Smith, marked Exhibit court, and he, Goodin, told "B." All of which is respectfully | Sparks that he would study abou

J. C. ROGERS. Subscribed and sworn to before me this 20th day of September A. D. 1897.

JOHN F. HANSEN,

Clerk Dist. Court. State of Idaho, County of

Frank Smith being first duly sworn, deposes and says: I had a conversation with Doc Goodin in Albion, Idaho, about August 1, 1897, during which Doc Goodin told me that while in Salt Lake he came back to work; that he said action as the friends of Glea- to know that he was going to be witness upon the Gleason trial Sparks told him that I, Fran Smith, told in court that he Goodin, was the man who put m on to where Jack Davis and Free

Gleason were; he, Goodin, said

son would greatly annoy him it was the man, but that he didn't they should find out that he was think at the time he told me that going to become a witness for the I would have any thing done it and see, and Sparks was to mee him here the 12th day of August 1897, and he, Goodin, told Sparks he would see then whether he would leave the country or not.

FRANK SMITH, Subscribed and sworn to before me this 20th day of September, A. D. 1897.

JOHN F. HANSEN. Clerk Dist. Court. MOTION.

State of Idaho, plaintiff, vs Fred Treat Gleason, defendant.

Now comes the district attorney of the fourth judicial district of the state of Idaho, and says as follows, to-wit: That he has inquired into and made full examination of all the facts and circumstances connected with the above entitled case, touching the commission of the offense charged in the information filed in said court against the said defendant, Fred Treat Gleason: And that he believes if the witnesses whose names are indorsed on the information filed in said case could be procured at this term of this court, that he could make out a good case upon the trial of said action against said Gleason upon the charge of murder as alleged in said information.

NEWS OF THE STATE.

Fred Gleason and Diamond Field Jack had very little to give out for

and set forth in his affidavit

several and numerous of said v

nesses live beyond the jurisdict

of this court and without this sta

to-wit: James O'Neal, Charl

O'Neal, Bill O'Neal and Al

Woods; that he has caused all

the witnesses to be subpoenied

with the exception of Doc Good

and Alice Woods, not only thou

residing in the jurisdiction of thi

court and state, but all those r

siding without as well, and h

exhausted the processes of thi

court as well as his own individua

energies in trying to procure th

attendance of said witnesses at this

term of the court, but has been

unable to procure the attendance

of the above named witnesses

each of whose testimony he be-

lieves to be material for the prose-

cution upon the trial of said action,

and without whose testimony i

would be impossible to convic

the said defendant upon said trial.

lieve that the best interests o

society or the ends of justice would

be best subserved by a trial of the

defendant under the circumstances

here-in-before set forth, and there-

fore moves the court to dismiss

said action against said Gleason.

of the deck, the captain hears

and awards punishments. Th

officer as having actually occur the cruisers now off Havana:

like dis, cao'n," said the Bower, who had been brought to the mas

s, "as I trows me divan in de d de spud peeler plantin' his fe

swash can, and—'' ld on!—what's that?" said the c

hangs de bluff agin me dat it

packing out o' my peepers and goes t

Which is equivalent to saying," said t

fficer of the deck, "that the cook wou

ave him believe that the bucket was

"I digs him in de stoop wid me stilt, a

"That is to say," said the officer of eck, "that he gave the cook a kick, ar

mmenced to pull his whiskers, when t

atter started to yell, whereupon the sea-

'I breaks a brace of tombstones, and let

wind, and starts de fizz at me sniffer

I take it," said the officer of the deck

and then let him go, but the cook, no

ng satisfied, commenced to choke th

aman, and gave him a blow which cause s nose to bleed."

Well, now, my man," said the capta

hear any more Chectow spiel like

earess the stomach of your jeans in y that will remind you of a Hindoo skat

the Midway, and in the meantime

e you a boobie watch, with bracelets, in

refrigerator, for a seven spot."

Thich means," observed the officer of deck to the seaman, "that any more lation of the English language by you cause the captain to kick the stuffing of you and meanwhile.

you, and meanwhile you get a we brig with handcuffs and shackle.

hat he knocked two of the cook's teet

geezer free-when he plants a stall agi

Stop! stop!" said the captain.

own, but the seaman, refusing to be how winked, started to recover his property."

plants me squeezers in his ticklers, but

guy starts de ki-yi, when I joins him in

an hit him in the face."

Weekly.

continued the seaman, "but I di

means to say, captain," said the offi-

J. C. ROGERS,

District Attorney

Wherefore, Affiant does not be-

nerein for a continuance: bu

the trial and conviction of the latter, express his views on the subject. have become known throughout the He said: "I am very sorry that the country. In the trial of Davis W. E. Gleason case did not come to trial for

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I was with Jack Davis on the 13th day of February, 1896, and I know positively he is innocent of the crime I am ready to deposit forfeit or put up charged and if he is hung the wrong man will suffer for another's misdeeds. The evidence showed at the time of the trial we were never seen nearer than 163 miles (air line) from the scene of the killing and at that time we were going in an opposite direction.

I do not blame the sheep men who | Utan expert, but the challenge is have been pushing the case, as I know they were misled by people who wanted the reward, and who, if they pause the reflect, they must consider unreliable for they have had dealings with them.

I want it distinctly understood that I bear no ill will against the people who have been patting up money to convict me or against the district attorney or his associate counsel, and I only hope they wil expend the same energy in hunting down the real criminal that they have manifested in prosecuting Jack and myself."

The editor of the Times also called upon Jack Davis, in jail at Albion

publication, but when asked what h The case of Fred Gleason and Jack thought of the dismissal of the charge Davis, charged with the murder of the against Fred T. Gleason, who was two sheepherders in Cassia county and jointly indicted with him, consented to

Borah and Judge Powers led in the if it had, not only Mr. Gleason's inprosecution and Hawley & Puckett nocence would have been proven to the defended. The prisoner's lawyers entire satisfaction of all, but my own moved for a new trial which is yet to also. I think the prosecution were be argued before Judge Stockslager at well aware of this fact and did not want it to come to trial until after my Fred Gleason's case came up at case had been settled, and being unable to get a continuance, dismissed the case rather than have the trial."

> When asked what he thought his chances were for securing a new tria e replied: "I feel very confident that he motion for a new trial, will be ecided in my favor, and if it is I will ave no trouble in proving my innocence of the charge and will be a

WANTS TO MEET KNIGHT. Idaho's Roping-and-Tying Expert Issues Boise, Ida., Sept. 10.—The following allenge has been issued:

hereby challenge any man in laho or Utah to a roping and tyi ontest of ten steers or over, three t of each animal to be tied, for a de bet of from \$500 to \$5,000, contes take place during the Idaho Interountain fair at Boise in October. . My address is Albion, Ida., and entire amount of bet on notice of a

The fair committee has offered purse of \$250 for a roping and tying southeastern Idaho and is backed John Sparks and other rich cattlemen Cassia county. He is particularl

The Gleason Case.

ork securing evidence. In the mean-ime the defense has not been idle and

on the alert for all points in the

aterest of Gleason. Hawley & Perky

ill conduct the defense and a battle hyal will be fought by the legal lights

f each side.—Albion Times.

Things are lively in Albionthis week, large crowd being in attendance at t. The streets are lined with catand sheepherders, and money is wing freely. Gambling is running wide open and the games are runni day and night. All interest has cer red in the Gleason murder trial as been set for 10 o'clock, Monday September 20. An open venire hirty-five additional jurors has been sued and made returnable at 10 o'clock the above date. Just what new idence, if any, has been secured by e State in this case is not known. istrict Attorney Rogers will conduct

SUNDAY, OUT. 3, 1897.

The Semi-Weekly Democrat will be

eft at your house for afty cents per month

THE IDAHO DEMOCRA

NOTICE.-No one has authority to

A. J. BOYAKIN::::::::

Try it awhile.

Give Him all of the Shame.

The Democrat of Sept. 29, said: "Fields, chief justice of the United States, not long since employed a well-known desperado and gunfighter as a body guard, and when old Judge Terry approached him in a threatening manner, he was shot dead by the body guard."

That statement is erroneous and deprives Field of a share of the shame of that act of devilish cowardice and

Judge Terry did not "approach Field in a threatening manner," nor in any other manner.

Judge Terry, Monster Field and his hired cut-throat were seated at a hotel table at Merced, California. Mrs. Terry, who hated Field, left the table and went to the R. R. depot to procure her satchel, in which she had a pistol. After she went out, Judge Terry, suspecting, as the facts indicated, that she had gone after her pistol, and would get up a row, got up from the table and started to follow her out. In going out he had to pass by where Field was seated When he got opposite and was abou to pass Field, unsuspicious of danger, that villain sprung up from his seat, which was the signal for the assassin to fire, and Terry was shot dead.

The supreme court dishonored itself and travestied all law, reason, common sense and decency to save the assassin from just punishment; but Field was not chief justice of the supreme court of the United State. That dishonor has not yet fallen upon our country. T. J. SUTTON.

### The Official Report of Captain Sampson to "enemy's ships escaping," and general best speed, delivered a rapid fire, well-Secretary Long.

The Brooklyn Stood the Brunt of the Fight at First, But Was

The New York turned about and steamed for the escaping fleet, flying Brooklyn and Texas

The New York turned about and steamed for the escaping fleet, flying Brooklyn and Texas Speedily Joined by the Other Ships—Performances of the Brooklyn and the Gloucester Particularly Commended.

Long, and is as follows: battle and the destruction of the miles. Spanish squadron, commanded by Ad- The Massachusetts had left at 4

harbor entrance. She had started for close a diagram showing approximate-Siboney where I intended to land ac- ly the positions of the vessels as decompanied by several of my staff, and scribed above. position mentioned above, when the ing the Oquendo, at a distance of

The remaining vessels were in or the Furor. The armed cruisers, as near their usual blockading positions, rapidly as they could bring their guns distributed in a semi-circle about the to bear, opened a vigorous fire upon

The navy department has made pub- harbor entrance, counting from the range of the heavy Spanish ships, and ships, were directed by lie the reports of Admiral Sampson and eastward in the following order: The her only part in the firing was to sion at about the time the commanders of the vessels of his Indiana, about a mile and a half receive the undivided fire from the was beached, to drop o fleet, of the destruction of the Spanish from shore; the Oregon, the New forts in passing the harbor entrance, and resume blockading fleet at Santiago July 3. It is a most York's place; between these two the and to fire a few shots at one of the vessels rescued many important document, settling, as it Iowa, Texas and Brooklyn, the destroyers, though at the moment, the Vixen, finding that to does, many points concerning which latter two miles from the shore west destroyer was attempting to escape Spanish ships would r there has been a misapprehension. of Santiago. The distance of the ves- from the Gloucester. The report is dated off Santiago de sels from the harbor entrance was

Cuba, July 15, addressed to Secretary from two and one-half to four miles, the latter being the limit of day block-Sir:-First.-I have the honor to ading distance. The length of arc make the following report upon the formed by the ships was about eight

miral Cervera off Santiago de Cuba on a. m., for Guantanamo for coal. Her station was between the "Iowa" and Second—The enemy's vessels came Texas. The auxiliary Gloucester out of the harbor between 9:35 and 10 and Vixen lay close to the land and a. m., the head of the column appear- nearer to the harbor entrance than the ing around Cayosmith at 9:31 and larger vessels, the Gloucester to the emerging from the channel five or six eastward and the Vixen to the westward. The Ericeson was in company Third-The positions of the vessels of with the flagship and remained with my command off Santiago at the mo- her during the chase until ordered to ment, were: Flagship New York discontinue, when she rendered very was four miles east of her blockading efficient service in rescuing prisoners station and about seven miles from the from the burning Vizeaya. I en-

go to the front to consult with General Fourth-The Spanish vessels came Shafter for a discussion of the situa- rapidly out of the harbor, at a speed tion and for a more definite under- estimated at from eight to ten knots standing between us of the operations and in the following order: Infanta proposed, which had been rendered Maria Teresa (flagship); Vizcaya, necessary by the unexpectedly strong "Cristobal Colon" and the Almirante resistance of the Spanish garrison at Oquendo. The distance between these Santiago. I had sent my chief of staff ships was about 800 yards, which on shore the day before to arrange an means that from the time the first interview with Gen. Shafter, who has one became visible in the upper reach been suffering from heat prostration. of the channel until the last one was I made arrangements to go to his head- out of the harbor an interval of only quarters and my flagship was in the about twelve minutes elapsed. Followpanish squadron appeared in the about 1,200 yards, came the torpedoboat destroyer Pluton and after her

the blockading vessels and emerged Sixth-The Spanish vessels upon from the channel shrouded in the clearing the harbor, turned to the westsmoke from their guns.

Fifth—The men of our ships in front | full power of their engines. The heavy of the port were at Sunday "quarters blockading vessels, which had closed for inspection." The signal was made in toward the Morro at the instant simultar cously from several vessels, of the enemy's appearance, and at their quarters was sounded. The men sustaining and destructive, which cheered as they sprang to their guns speedily overwhelmed and silenced the and fire was opened probably within Spanish fire. The initial s eight minutes by the vessels whose Spaniards carried them r BRAVE MEN FEAR A FIGHT.

steamed for the escaping fleet, flying Brooklyn and Texas the signal "close in toward harbor en- start the advantage of p trance and attack vessels" and gradu- Brooklyn maintained ti ally increasing speed, until toward the the Oregon, steaming end of the chase she was making six- speed from the commenc teen and one-half knots and was rapid- action, took first place ly closing on the Cristobal Colon. and Indiana had don

ward and increased their speed to the

Detroit Free Press: Ask any r who ever followed General Sheriday e of his dashing charges, and he ican fighter of his generatio

ave run away every time

fess to Weak Moments.

is body or a cowardly drop of blood y soldier that ever fought with hir ion of this same general who made famous march to the sea that they petency, confusion and disgrace in

rragut was our greatest naval her ame that will live forever, he wept like as a woman would over the

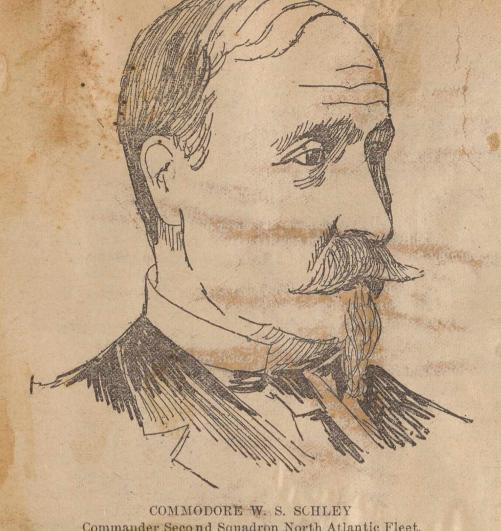
Were laid out on the deck.

Jefferson, who was physically timid, without a sense of fear; but those who ute the bravery of the great leader to overcome fear. It is conceded on all that more examed courage which can overcome fear. It is conceded on all sides that "Mad Anthony" Wayne was sides that "Mad Anthony" Wayne was something of a dare-devil, yet he was sheridan, and Sheridan knew what fear council, once estimated that one soldier would prove a coward and fail to meet greatest nerve and persistency was rebecame hot. They would fail to the or exhausted.

Sides that "Mad Anthony" Wayne was much the was same stamp of a man as was. The latter, with Sherman in out of four, in the volunteer service, the demand made upon him when the greatest nerve and persistency was rebecame hot. They would fail to the or exhausted.

One thing clearly establish

One thing clearly established in the late war was that the best soldiers did not come from the tough city quarters, where brute courage is supposed to be where brute courage is supposed to be at its best, but from the ranks of business, professional and industrial life merchants, clerks, lawyers, artisan farmers' sons, college students and so----



Commander Second Squadron North Atlantic Fleet.

umn and remained there during the Gloucester's battery. After rescing

won the admiration of every one who Infanto Maria Teresa. witnessed it and merits of commenda- RUSH OF SPANISH SQUADRON. deadly and of great volume.

battleships Iowa, Indiana, and the Santiago harbor enterance, and the Texas, yet I think a very consider. Almirante Oquendo at about 10:30 a. able factor in their speedy destruction m. at Juan Gonzales, seven miles from was the fire at close range of the the port.

the survivors of the destroyers the Seventh-The skillfull handling and Gloucester did excelent service in gallant fighting of the "Gloucester" landing and securing the crew of the

tion of the Navy department. She is a | Eight-The method of escape atfast and entirely unprotected auxiliary | tempted by the Spaniards (all steering vessel-the yacht Corsicana and has in at the same direction and in fora battery of light rapid-fire guns, She mation), removed all tactical doubts was running about two miles from the or difficulties, and made plain the harbor enterance to the eastward, and duty of every United States vessel to immediately steamed out, firing upon close in and immediately engage in the large ships. Anticipating the ap- the pursuit of each ship. The task pearance of the Pluton and Furor was promptly and effectly done. As the Gloucester was stowed thereby already stated, the first rush of the gaining more rapidly a high pressure Spanish squadron carried it past a of steam, and when the destroyers number of blockading ships which came out she steamed for them at full could not immediately work up to speed and was able to close to short their best speed; but they suffered range, where her fire was accurate, heavily in passing. The Infanta Maria Teresa and the Oquendo were During this fight the Gloucester probably set on fire by shells fired durwas under the fire of the Socapa bat- ing the first fifteen minutes of the entery. Within twenty minutes from gagement. It was afterwards learned the time they emerged from Santiago that the Intanta Maria Teresa's fire harbor, the careers of the Furor and main had been cut by one of our shots the Pluton were ended and two-thirds and that she was unable to extinguish of their people killed. The Furor the fire. With large volumes of smoke as bleached and sunk in the surf, the rising from their lower decks aft, these Pluton sank in deep water a few vessels gave up both fight and flight minutes later. The destroyers prob- and ran in on the beach—the Infanta ably suffered much injury from the Maria Teresa at about 10:15 a.m. at fire of the secondary batteries of the Nimanima, six and one-half miles from

Ninth-At 11 the Iowa arrived in the vicinity of the Vizcaya and sent boats to rescue her crew. Our boats rescued a large number of the ship's company. Tenth-About 11:30 the New York passed in pursuit of the Cristobal Colon, which was about to escape from the Oregon, Brooklyn and Texas.

Haysand the Farmer.

It is told of ex-President Ruth

ford B. Hayes that while attend-

ing school at Kenyon college, he

was in the habit of taking daily

walks into the country. These

trips were shared by two intimate

companions, who were of a fun-

loving disposition, which fre-

quently got them into trouble.

On one occasion they more than met their match at repartee in an old farmer, whom they met on

the highway. The long white

beard of the farmer gave him

while he was approaching the

students, they arranged to give

ally terminated in the discomfit

One of them doffed his hat with

great reverence and respect and

said, "Good morning, Father

The second saluted the old man

and said, "Good morning Father

Mr. Hayes, not to be outd

n affability and politeness,

tended his hand as he

'Good morning, Father Ja

plied, "Gentleman you are

Abraham, Isaac nor Jacob,

Saul, the son of Kish, who

Short Stories.

taken in the man. I am neit

sent out to seek his father's assi

and lo! I have found them."

Ignoring the outstretched h

f Mr. Hayes, the old farmer

him a "jollying," which even

ure of the youths.

Abraham."

patriarchal appearance,

Eleventh-We received on board from the Vizcaya Capt. Eulate, the commanding officer, 248 petty officers



CAPTAIN ROBLEY D. EVANS. (Commanding the Iowa.)

and men, of whom thirty-two were wounded. Also five dead bodies which were immediately buried with honors due their grade.

Twelfth-This ship was struck in the hull on the starboard side, during the early part of the engagement, by two large projectiles of about six inches calibre, which, fortunately, were not of serious importance. Two or three other projectiles of small calibre struck about the upper part of the ship. No officer or man was injured during the engagement. I cannot express my admiration for my magnificent crew. So long as the enemy showed his flag they fought like American seamen; but when the flag came down they were as gentle and tender as American women. In conclusion, sir, allow me to congratulate you on the complete victory achieved by your fleet. Very respectfully,

R. D. EVANS, Captain U. S. N. Commanding.

### TERRITORIAL NEWS.

At a speech made at Oyster Bay by Colonel Roosevelt he paid the following tribute to the bravery of the Rough Riders: "The most trying part of it all was that wait, though, for the men were being shot down like sheep. recollect giving an order to an orderly He rose and saluted, then fell dead across my knees. I saw Captain Buckey O'Neill walking up and down in front of his men. One of them said; 'Lie down, captain; you'll be hit.' He laughed and said: 'The Spanish bu let has not been made that can kill me.' The next moment he fell dead, a bullet hole through his head. He was a man of absolute courage, and one of the finest soldiers and men I have ever known. We finally got our orders to go ahead, and then began my crowded hour of glorious life, an hour I wouldn't exchange for all the rest of my life. It is pleasant to remember how the men behaved that day. I saw thirteen wounded men refuse to go to the rear, and I recall a New Mexico cow-puncher who was shot in the side and whom I ordered to the hospital myself. Twenty minutes later he was in the front rank fighting again. After the fight he went to the hospital and had his wound dressed. While lying on a cot he heard the surgeon say that he was to be shipped home. That night he jumped out of the window and came back to the camp. He fought with the

regiment from then on. - Prospector.

A STATE

# He Was Only a Regular.

(From the Chicago Times-Herald.) air, a regular, said to be of the Seventeenth, was shot through the groin at Cl Caney, July 1. Two wounded men of the Seventy-first New York fell beside m, in worse shape than he. They could not move. He could a little. Epanish sharpshooter on their right had the range of them as they lay e, their comrades having pushed on. Although down, the three men were his

pit!" and one of the bullets cut a lock of hair from Blair's forehead. oit!" again, and one of the New Yorkers winced as his shoulder was cut. Blair, for a time, could not locate the fellow, but finally discovered him 300 ards distant up a tree. He was incautious and displayed himself in taking aim. lair had his gun beside him and with one shot brought him down. Then, wounded in the groin as he was, he crawled 900 feet to his enemy to get his canteen of water, and 900 feet back, not touching it himself, and poured it down the throats of the two New Yorkers.

He died holding the drink to the lips of one of them. His only remark as to nis journey was: "I'm a regular. You fellows have homes."

One of the New Yorkers survived to return home and tell the story of this 

Two Soldiers. One man went forth to battle-To meet the angry foe -To brave the crash and rattle-To hear the screams-

To see the streams Of blood that were to flow. He went to strive for glory, To win a hero's praise-To live in song and story, And, honored, end his days.

Another went to battle. And strove in many a fight-He braved the clash and rattle-But only fought Because he thought His side was in the right. That man won lasting glory, His name stands out alone-He lives in song and story— The other died unknown.

-S. E. Kiser in Cleveland Leader.

### Ingenious, But Fishy.

os Richard Lee, was taken be- minds me that in six days God of cards in a pack I find 52fore the magistrates of Glas- made heaven and earth. the number of weeks in a year.

A sergeant commanded the hallowed it. soldiers at the church, and "When I see the eight it re- weeks in a quarter. Bible nor common prayer book sons and their wives. but pulling out a pack of cards "When I see the nine it re-

"Richard, put up the cards; thanks. this is no place for them." "When I see the ten it

When the services were over down on the table of stone. the constables took Richard ""When I see the king it fore the mayor.

"Well," said the mayor, Almighty. what have you brought the "When I see the queen soldier here for?"

"Much, sir, I hope."

punish you severely."

cards, and I hope to satisfy Solomon told by that." your worship of the purity of "Well," said the mayor," my intentions."

before the mayor, he began "What is that?" with the ace:

"When I see the ace it re- mayor. minds me that there is but one "I will give your honor a God.

"When I see the deuce it re- not be angry." minds me of Father and Son. "I will not," said the may-

minds me of Father, Son to be the knave." and Holy Ghost. .

When I see the four it re- is the constable who brought minds me of the four evangel- me here."

"When I see the five it re- knave, but I know he is the minds me of the five virgins greatest fool." that trimmed their lamps. "When I count how many

were shut out.

cow for playing cards during When I see the seven it re- "I find there are 12 picture divine services. The account minds me that on the seventh cards in a pack, representing of it is given in an English day God rested from the great the number of months in a journal: work which he had made, and year, and on counting the

when the parson had read the minds me of the eight righteous "So you see, a pack of cards prayers he took out the text. persons that were saved when serve for a Bible, almanac Those who had a bible took it God destroyed the world, viz.: and common prayer book." out, and this soldier had neither Noah and his wife, his three

he spread them before him. He minds me of the nine lepers first at one card and then an- that were cleansed by our other. The sergeant of the Savior. There were nine out company saw him and said: of ten who never returned

"Never mind that," said reminds me of the Ten Com-Richard. mandments which God handed

prisoner, and brought him be- reminds me of the Great King of heaven, which is God

it reminds me of the "For playing cards in Queen of Sheba, who visited Soloman, for she was as "Well, soldier, what have wise a woman as he was a you to say for yourself?" man. She brought with her fifty girls and fifty boys, all "Very good; if not, I will dressed in boys' apparel, for King Solomn to tell which "I have been," said the sol- were boys and which were dier, "about six weeks on the girls. The king sent for march. I have neither bible water to wash. The girls nor common prayer book. I washed to the elbows, and the have nothing but a pack of boys to the wrist. So King

"you have described every . Then spreading the cards card in the pack except one.

"The knave," said the

description of that if you will

"When I see the tray it re- or, "if you will not term me

"The greatest knave I know

ists that preached-Matthew, "'I do not know," said the Mark, Luke and John. mayor, "if he is the greatest

There were ten, but five were spots there are in a pack of wise and five were foolish, and cards, I find 365—as many as THE COWBOY AS A SOLDIER.

vice because he would simply expire

ace of the ordinary soldier. Not that

ttract him and upon which he thrives.

only men of peculiar dispositions are successful as cowboys. They must first

all be absolutely without persona

fear and to a certain extent reckless.

He must be predisposed toward a life

of loneliness and entirely willing to live

upon the boundless prairies with no

companions save his horse and the cat-

can adapt themselves to it, it appeals

with irresistible force. That is why we

find so many eastern men among the cowboys. To be far away from restrait

and to follow the nomadic instincts, which are uppermost in his nature, are

he features of life on the plains which cause men to travel thousands of miles

and take to a saddle as naturally as a

uck takes to water. Cowboys are gen-

criminals. There never was a greater

The attractions of such a life appeal to only a few men, and to those who

cannot be restrained, or would no bey orders, but because it is the free nd roving phases of cowboy life which

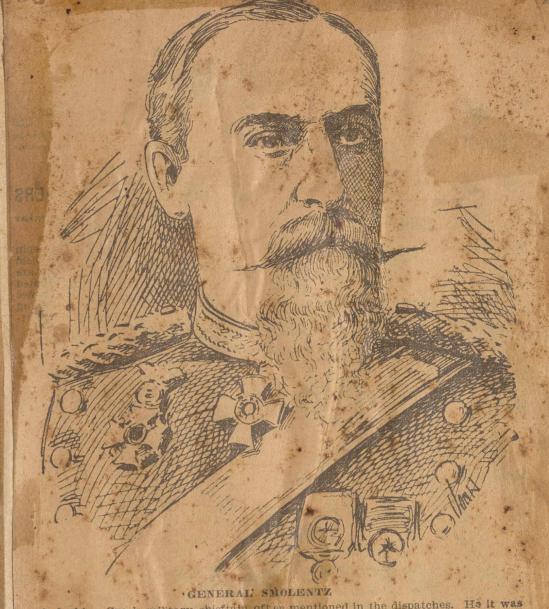
oughout the Dakotas, Nebraska, Montana and Wyoming in the recruitng of Colonel Grigsby's cowboy cavalry, which is to be made up of genu. cowboys from the states named, there are days in the year. says the St. Paul Pioneer Press. That A private soldier by the name "When I see the six it re- "When I count the number the regiment, when recruited, will be one of the most effective, as well as minds me that in six days God of cards in a pack I find 52— unique, ever mustered into the service the United States, is generally con-ted by those who know and appree the mettle of the men who will

army of the United States bef tricks I find 13, the number of and characters, is competent to speak years as Indian agent, and on the

intense interest is being manifested onel Mervin Grigsby's regimen tle ranges with the cowboys of the rthwest, gave me a very thorough quaintance with the man of that promy mind, prove the most formidable ody of soldiers that could possibly be placed in the field. I say this with all ue respect to the cavalry of the Unit-d States, and I am familiar with that lass of soldiery.

"The cowboy of the western plains is peculiar human being. He would not nake a good soldier for continued long

> The famous general in-chief of the Turkish armies, who has been sent to the The famous general in-chief of the Turkish armies, who has been self-front. He is the highest military power under Abdul Hamid, and a great tactician. He has had a brilliant career and was a prominent figure in the Crimean war and in the Serbo-Turkish war. In the last Russo-Turkish war he became known as.
>
> The here of Playna, from his remarkable four months' defense of that point



A dashing Greek military chieftain often mentioned in the dispatches. He it was who captured the Reveni Pass from the Turks. He was King George's minister of

mistake. Cowboys hate a dishones man, a sneak or a coward with a venom which is beyond comprehension. Cow boys are generous to a fault, and will sacrifice everything they possess, even to life, for a companion or a man whom they admire. That characteristic is one of the clauses in their ethical code. "Some of the warmest, truest friends I ever had were cowboys, and I have never known one of them to do a mean trick. Cowboys learn to ride and to shoot because their tastes are such, and they will fight like fury when the occasion requires. To be sure, a dozen of them in a frontier town will cause nore excitement than 1,000 ordinar men, and once aroused they are quick o kill, if necessary, but, on the plains r herds, they are superior men. cohnst and vigorous, full of 'ginger' ad grit, a thousand of them armed and equipped would sweep an enemy off the face of the earth.

"Colonel Grigsby, better known as the Smoked Yank," from his dark complexion, is just the sort of a man to ommand such a regiment. He will ain the respect and admiration of ery one of his regiment, and if the portunity ever presents itself they Il follow him into the sea. I should dge that there are about 2,000 cowboys scattered over the cattle ranges rom Missouri west to the Black Hills, and in Montana and Wyoming, and every one of them will be interested in this regiment. They are patriotic, and once their sympathies are enlisted they ll overturn heaven and earth to acemplish the desired end. And if there any creature above ground which particularly detest and abhor that



"YES, NOW THAT YOU SPEAK OF IT, I DO REMEMBER THE MAINE."

"DIAMONDFIELD JACK."

Buthless Pen-Picture of the Range Mustler-Case About Closed.

prespondence Tribune.] . Alidot, Ida., April 13.—The trial of Jack s alias "Diamondfield Jack. with the murder of John C. Will bebruary, 1896, is still in progress Sudge Stockslager and a jury. endfield" sits with his attorneys, s. Hawley and Perky, and seems to the notoriety he has excited more seemly, if possible, than any of the specbut in black and white. His hair nd mustache are black, his skin of a orison-made greenish white. His forehead made an effort in early life to show ome character, but lost its identity some



state ranges of Idaho, or anywhere

over a large extent of country armed with a Winchester and a volver, and abundantly supplied artridges.
w days before the bodies of Wilson

ing on that day Davis and Gleason is thave ridden between forty and fifty les in some five or six hours. This, it is doubtless be contended by the dese, was practically impossible, on acount of the distance, the character of country and the sloppy condition of roads.

he defense can break down the evi-

the defense will probably close this remoon and the arguments will immetely follow.

DOOLEY TALKS OF DREYFUS.

le now." hope they won't," said Mr. He

n' down below with the lawy for pro-ceed,' says th' impartial an led judge, 'to th' thrile iv the monstner, Cap Dhry-fuss,' he jumps Zola an' says he in Frause,' he says, which is a hell e thing to say to any man. An'

MY LOVED ONE-DEAD.

gave my boy, as a mother should; I gave with a whispered prayer, nd I did not weep till he waved farewell. From the hillton over there; nd then I turned to my chamber, And the tears fell down like rain, h, God! for the babe, the boy and man I never might see again.

As a man may never know. ley are flesh of our flesh; we bore them; We drink of their joy and woe.
t our country called my darling; I could not hold him here, And so I smiled a last farewell, Though my soul sank down with fear.

Sometimes from a fitful slumber
I would start with a cry of woe,
Dreaming a Spaniard's bullet
Had stricken my dear one low.
I dreemed of the cruel battle,
Of the horror and pain and strife,
And then I waked from my dreaming,
To pray for my loved one's life, To pray for my loved one's life.

with the thousands of gallant men, To die like sheep with murrain.
While the stricken people grieved,
I did not imagine this ending—
Dear God, who could have believed?

I gave my boy to our country, I gave my boy to our country,
It gives him again to me—dead;
Not slain by a Spanish bullet,
A victim of folly, instead;
Slain, with some thousand others,
In camps where disease is bred.
What have you to say, who did this thing,
To me, with my loved one—dead?
—A. J. Waterhouse in Examiner.

COWBOY, FIGHTER, LINGUIST.

Anaconda (Mont.) Standard: "Tell them I'm the cowboy from Daly's ranch," exlaimed a small, slender young man as he intered the Gem concert hall in Missoula. Some time later he was jostled by four Italians. Like a whirlwind he attacked the our, knocking them down in quick suc-

Much Business Transacted by Judge Stockslager.

"DIAMONDFIELD JACK"

Sentenced to Be Hanged Friday, the 28th Day of October, 1898. Court Room Crowded to Hear Sentence.

Friday afternoon and evening Jack Davis gave his reasons why sentence of death should not be pronounced upon him. He went over all the evidence of the witnesses and also gave much of his past history. He held the attention of the court and the large number of spectotors for nearly eight hours. and when he had concluded his remarks and sentence was pronounced he appeared to be the most self possessed person in the court room.

State vs. Charles Harper. Burglary. Not guilty.

Explanation of Why the Spaniards Weren't Able to Hit Anything. The Saxon and the Celt, the Teuton and the Norseman-which merely is to say t

the Norseman—which merely is to say the plue-eyed peoples—possess a capacity for marksmanship none of the Latin races ever may hope to attain. It isn't a Spanlard's fault that he cannot fire a bullet straight. He can't help it. He was born that way. He has a racial defect in far-vision. The trouble is seated in the eyes, and against a blue-eyed antagonist he must always be the loser when it comes to scoring on a target at fairly long range. Neither can the Indian nor the negro shoot so as to make it good betting that he is going to hit anything. They mean well, but they won't do.

What it is about the blue-eyed man which renders his far-sight superior to that of his dark-eyed cousin occulists are not agreed upon. They have not satisfactorily determined whether his advantage is derived from a pigment which clarifies his vision or whether the shape of his lenses is somewhat different, furnishing him a greater

elf they have long since ceased conte Natty Bumpo to Captain Bogartus had blue or hazel eyes. Look over the long list of Western "killers" who flourished in the frontier days, now passed away, and you will recall that the invinctible ones, those who were quickest on the trigger and who nevery missed heir man, were blue-eyed. Billy the Kid, Wild Bill, Bat Masterson and Jesse James—good men and bad, Sheriffs upholding the law and destiparadoes defying it—had eyes as blue as the unflecked sky of June. The Tennessee mountaineers who from behind Jackson's cotton bales poured so, withering a fire into Packenham's scarlet-coated veterans that even that intrepid soldiery could not endure it, and fied from its fiery breath as from before the mouth of a furnace, were blue-eyed riflemen.

Every regimental officer of experience and every gun club man knows that the records of target practice will show the blue-eyed men well in the lead over their dark-eyed fellows, and the longer the distance the more marked becames the

tance the more marked becames the disparity.

When General Shafter has fully disembarked his forces upon Cuban soil; when the ping of the Mauser gives answer to the hiss of the long bullet of the Krag-Jorgenson, the world will no doubt be afforded another object lesson of the inability of the Latin to shoot straight. The Spaniards have the arms, but not the man—their "Aeneid" would perforce begin differently from Virgil's.

gil's. The Spaniard—and the Cuban as well for The Spaniard—and the Cuban as well for the same reason—is a cutter and a slasher. He favors cold steel in battle, and with cutless or machete becomes at close range a formidable foe. It is to Spain that the world owes the invention of fencing, an art not yet 300 years old, which transformed the mediaeval sword into a shield and buckler as well as spear and dagger. The Italian, who also cannot shoot, perfected the system, and is to-day the master fencer of the world. It would seem that the dark eye has indeed its own superiority of viseye has indeed its own superiority of vis-

ion, at close range. Take note that the master billiard players—those whose exceling delicacy of touch is at once a joy and marvel to look upon—are dark-eyed men, as

### War Summary.

mates that to have taken the place by force would cost 5,000 men. The conditions agreed upon were that Toral and his officers to them by the paymaster. Two Spanish priests who survived their ships attend to been brought home, and the doctors say the imagined religious necessities of the should retain their side arms, and that all prisoners. of the Spanish army. The boundaries eastern Cuba. of the territory surrendered, which embrace 11,000 square miles, begin at Aserradero, a town near the coast, about twenty miles west of Santiago: therea to twenty miles west of Santiago; thence to of Cervera's defeat and capture he made the town of Palma, a little east of north of | an attempt at suicide. Aserradero, and about twenty-two miles | The Board of Survey, which has examdistant; thence northeast to Sagua de ined the wrecked ships of Admiral Cer-Tanamo, on the north coast, a town at the head of the Surgedero, or anchorage of that the Surgedero, or anchorage of and made serviceable to our navy if that name, and almost directly north of prompt action is taken. The two other Guantanamo. The prisoners number 24,- cruisers and the two torpedo boat destroy-000, and the United States government ers are utter wrecks, though some of their has advertised for bids for transporting them back to Spain. The city of Santiago will be garrisoned with two or more region.

In the engagement of Commodore will be garrisoned with two or more regi- Schley's flagship Brooklyn with the Vizments of immunes, comprising men who caya she fired ammunition costing \$31,000. have had yellow fever or have lived in | The Spaniard tried to ram the American stood contagion.

The bombardment of Santiago, begun had to be beached. on Sunday, July 10, was not long con- The horrors of war can be realized when tinued, but great execution is reported to we read of the hand-to-hand encounters have been done. The warships lying by which took place at the storming of the threw over 100 shells into the town, one of which struck a church where the Spaniards icans of the Ninth Regulars climbed into a had stored their ammunition for safe keep- blockhouse defended by thirty-two Spaning, destroying the building and exploding liards. The fight lasted a quarter of an the arsenal. The Spaniards replied feebly hour, and at its end all the Spaniards and to the artillery attack of General Shafter four Americans were dead, and all but one on land, and the week up to the time of the city's surrender was occupied with the city's surrender was occupied with Manila are reported to be acting in a way correspondence on the subject of the capit- to create ill-feeling. According to inforulation. Toral was exceedingly anxious mation said to have reached Admiral to keep his troops, but no proposition involving these terms was entertained. On the day that Santiago surrendered the the day that Santiago surrendered, the of the Spaniards. It having that the Spaniards were busily engaged in Spanish government telegraphed to Gen- fortifying Isla Grande, in Subig Bay, the eral Toral: "Resist to the end."

Spain not having given official notice that insurgents arrived they found the German

she has had enough of this war, the cry of warship Irene in the bay, and they re-Santiago has fallen. After securing all Gen. John R. Brooke commands this patched the gunboat Concord and the the delays possible for the arrangement of terms, the Spanish General Toral gave by General Miles. Under favorable cir-

the prisoners of war should be returned to low fever among the troops at Santiago missing; total, 1,914. Spain at the expense of the United States, may make it necessary for all of Shafter's It is on the program of the monitor Moncarrying with them the portable property army to remain in Cuba until danger of terey to seize the Canary Islands on her of the Catholic church. Under the terms infection is passed. There have been a way to the Philippines, and to take their also General Shafter obtains possession number of deaths from the disease, which governor and garrison prisoners. The of something more than a third of the the city. The plan for exterminating the solution including the city. The plan for exterminating the solution including the city. province of Santiago, including the fever contemplates the removal of the tion of 25,000 to 30,000. They lie to the military jurisdiction of the Fourth Corps troops to the cooler mountain regions of east of the Philippines and south of the

tropical climates and successfully with-stood contagion. vessel, but a shell from the Brooklyn raked her deck, killing eighty men, and setting the after part of the ship on fire, and she

insurgent leaders, July 7, sent a detachment to attack the Spanish position. When the

the American army is now, "On to Porto | ported at once to Admiral Dewey that she Rico." The First Army Corps will compose | refused to permit them to attack the Spanthe bulk of the invading force. Major- iards. Admiral Dewey immediately disup on the morning of Thursday, July 14, and surrendered the city and all the troops of this week with 25,000 men. cumstances it should get away by the last arrival of the American vessels, the Irene and surrendered the city and all the troops Many of the Spanish prisoners from hastily slipped her cable and departed. arrival of the American vessels, the Irene under his command. There was a tem- Cervera's ships at Portsmouth, N. H., Isla Grande was then taken and delivered porary hitch the next day, for Toral wanted | have made preparations for dying, being | up to the insurgents. This government will permission for his men to keep their arms, convinced that they are to be killed, but | take no notice of the incident, as it is offibut when his request was denied he capit- the greater number have regained their cially believed that the demonstration was ulated, and on Sunday the American flag was raised over the city. Shafter estimates that to have the plane of except being obliged to take a bath before putting on the clothes issued ippines.

report of American losses in that fight It is believed that the appearance of yel- gives 246 killed, 1,584 wounded, and 84

News reached this city yesterday that Homer J. Goodin, known as Dock Goodin, the most skillful cowboy in the world, has been shot, murdered at Monte, Mont. He is the youngest son of Judge Goodin of this city, and was known to every one because of the wonderful feats of horsemanship he used to perform. He held the world's record in steer tying and could ride any horse. One feat in particular he used to perform, done by no other man, was to throw the lasso off his own foot and catch a running horse. This he has repeated fifteen times without miss-

Some years ago Dock roped a mountain lion from horseback and had a narrow escape as the beast was very fleet and was about to catch the horse. By clever manipulation, assisted by good luck, he steered by a sapling and switched around the little tree so as to get the lion to pass on the opposite side. This worked all right and the daring man spurred his horse to full speed. The lion's neck was broken by coming in contact with the tree. This is probably the only case on record where a lion has been roped and

THE TRUT

### Children's Corner. things about him that you can learn than

Edited by MISS SUSAN H. WIXON. Fall River, Mass., to whom all Communications for the Corner should be sent.

"Between the dark and the daylight, When the night is beginning to lower, Comes a pause in the day's occupations That is known as the Children's Hour.

The Right Will Right Itself. When overcome with anxious fears, And moved with passion strong, Because the right seems losing ground And everything goes wrong, How oft does admonition say "Put trouble on the shelf: Truth will outlive the liars' day,

And Right will right itself!" By all the triumphs of the past, By all the victories won, Each day from sun to sun: In spite of artful ways employed By perfidy or pelf, Of one thing we can rest assured, The right will right itself!

Mother Goose up to Cavite. The queen of Spain Blew up the Maine. All on a winter's morn, The knaves of Spain

Made loud acclaim,

And shouted "Pigs!" in scorn. Then Uncle Sam With shot and ram Did thrash the knaves full sore; And made old Spain Make good the Maine And vow she'd blow no more.

these I have told you. Think what the are, and write them in your note-book. SUSAN H. WIXON.

### Life in Camp Cuba Libre.

DEAR MISS WIXON: I wonder if the Corner would enjoy a brief sketch of the soldier's life in camp? Well, I will endeavor to describe camp life here in Camp

The entire camp is reported to contain about fifteen thousand men, but I suspect ten or twelve thousand would include all of them. The forces here are under the command of Gen. Fitzhugh Lee, who stays in Jacksonville. The camp is laid out like a town, the tents being stretched in rows with streets between. Each regiment is divided into companies. Each row of tents makes a company, with the cap-The good achieved, the progress made, tain's tent at the front. When mail is brought into camp, each company's mail is left at the captain's tent, where it is delivered personally to the owner.

We are aroused in the morning at 4:45 o'clock, and roll call, morning exercises mess call, fatigue duty, and inspection o quarters follow one another in quick suc cession, which takes us to 6 o'clock. Then comes drill, which lasts till 8:30 or 9 o'clock, after which we have nothing to do until 4 o'clock P.M., when comes evening drill, mess call, and dress parade.

The program is much the same every day, except Saturday and Sunday, when drill is omitted. Saturday, guns are inspected. Sunday, we are all supposed to go to church, but I have succeeded in escaping that ordeal every Sunday.

During the middle of the day one may see the boys all over camp, under the shade of some friendly tree, seated upon the ground with paper in lap, pencil in hand, writing letters. Pen and ink are unheard of articles, while a table and chair are luxuries not to be dreamed of. Yet the boys are all jolly and good-natured, ever ready to accommodate each other, and all anxious for a taste of active fight-J. CLIFFORD COX, Co. A, 4th Ill. Inft., Jacksonville, Fla.

### BLACKFOOT

### THE LAW VINDICATED.

SID LARKINS HANGED BY THE as given, and afterwards repeated, to THE NECK UNTIL DEAD.

DIES IN 8 MINUTES AND 30 SECONDS

He Gives His Life for the Life of cate others in anyway with his troubles dered-Makes an Ante-Mortem Gallows-Is Brave to the Last.

The law has been vindicated. It all over with James Sidney Larkins. Precisely at 11:07 o'clock a. m., Depu DeKay touched the lever and, as quic as a flash light, the unfortunate mi was jerked 4 feet in the air and in minutes and 30 seconds was pronoun dead by Drs. Moore and Mitchell, attending physicians.

At 11:05 o'clock the prisoner walked to the gallows, preceded by Sheri Coltman and escorted by Messrs. I and Winn, and as he took his stan der the rope he gave directions about its adjustment and about the straps around the ankles, and then, when asked by Sheriff Coltman if he had anything to say, he said:

"My friends, a Savior died on the cross for you and for me; he was not surrounded by friends as I am to-day, for I believe you who are here are my friends. Accept him as your vior; I believe he is mine. I bid all a long farewell. Adieu."

Sheriff Coltman adjusted the l cap and stepped back and said: " goodbye," the lever was touched and all that was mortal of Sid Larkins was hanging in the air. His neck was broken.

credit and to the credit of the sherif, levelles and watch not a second collection entirety was a success.

ion he told us to repeat a ment that he was in no way implicated in the Callahan murder at Salt Lake murderers as he was himself.

the same quiet, calm and unmoved She was sorely in need of assistance nerve and cheerful spirits.

death warrant to him, and he listened. As long as we were left to ourselves, and heard him as apparently unmoved we were happy, but her mother would as any one present. The nerve of the now and then come upon the scene and have to a serious warning to man was wonderful throughout long confinement and through the trying ordeals of his last hours. M who have witnessed other executions came back to us at Boise City and indeclare they never witnessed a display of more nerve at any death scene. At 10 o'clock Rev. Mr. Yost visite

he condemned man and remained wi m in prayer and other services nent came for the solemn

The following brief history of his connection with a man of some promiearly life, of his acquaintance and life nence in Boise City set me afire, as it with Josie Hill, of his plea for forgiveness and his advice to young men is given substantially in his own words a reporter for THE NEWS. He admitted the murder but claimed to the last it was committed at a time when he was crazed with drink in a protracted debauch. In his interviews he always nsisted that he had no desire to impli-His Mistress, Whom He Mur- and whatever he knew of their efforts to give him trouble with the woman he would not make known the names of Statement Before Going to the the parties or detail what they said or did. He wanted to die at peace with all and he forgave all and hoped to be

### HIS EARLY HISTORY.

James Sidney Larkins was born in Jtah, February 15th, 1860. The first rears of my boyhood were spent with an aunt, but at 12 years of age I returned to my father and remained with who saw it. him for six years. When 18 years old I began railroading, and at one term of service was freight and afterwards

the Northern Pacific railroad.

in the service of railroad companies I not be hanged. Whiskey made m ived an honest and straightforward mad, it magnified the wrongs done propensity to do wrong. While not a my death. moral man, yet it was not charged FORGIVE AND HOPE TO BE FORGIVEN. against me that I was a very wicked In my past life there are some whose a passport into good company.

one of those smooth, polished men who forgotten. claimed that all his games were "on the If I have ever wronged anyone I here-The plans for the execution were man I learned to play at cards and de- wards anyone and it will be comforting perfect. They were carried out most termined to play on the same plans and to me to know that no one cherishes according to the same principles. I hatred and ill-will to me. That I led a man and the officials with him de- never had any desire to play at the low, life of sin need not be told now, but serve praise for the manner in swindling games. The most of my play- have a strong hope in Him who has which every detail of their duty was ing was for others, and on a salary. forgiven sinners as great as I have been. performed. The prisoner kept his During my gambling days I was only In the face of the stern reality before nerve to the last, and, be it told to his a moderate drinker, or rather a social me and of the death I am about to die drinker, drinking only with friends to it would be a pleasure to me to live, i the trying hour. The execution in its at pleasure. But in this I was misentirety was a success. In an interview with THE NEWS remitted the deed which brings me in and if I could live I would show from porter a few moments before the execu- shame and disgrace, to an untimely

LIFE WITH JOSTE HILL.

At a time when I was dealing faro for City and that it was his honest belief a firm in Salt Lake City, I met Josie that Josie Hill, a poor woman of cir- Hill, for the first time. She was in jail cumstances, was as ignorant of the real charged with being implicated in the murder of Callahan, a murder that was His last day, Thursday, was spent in so well advertised in Utah and Idaho.

manner as the days before. He re- and my employer sent me to the jail to ceived a number of visitors during the carry her some money. At that meetday, women and men, and greeted all ing our acquaintance began and as it ter, my nobler impulses and my better with cordiality and in a cheerful man- extended my infatuation for her grew nature, instead of my weaker traits and ner. Thursday night he slept well until my whole being was wrapped up my wayward and wicked ways of earlier through the entire night and greeted in her. She became a part of my life, life. My desire to lead a purer and betthe watch and officers of the jail Fri- and I believe she was devoted to me. ter life and to show to the world that I day morning with his characteristic We were never married, but we made am honest prompts me to long for conpledges one to the other as man and finued life. At 8:30 Sheriff Coltman read the wife, and for a long time we were true.

would persuade her to her former ways which is so near me and which I am to of life. I paid her mother's way to Iren land once to get rid of her, but she Just Josie to congaining path untifer and from that moment I began my down ward course in drink which I followed until crazed with the stuff I shot and cilled her at Idaho Falls.

WHAT HE SAID FOR THE NEWS. The mother's wicked ways : 1d Josie's were, and from that moment until my murderous deed I was as a crazy man. The mention of the name of the Boise nan who wronged me is withheld. ould do no good to tell it at this time forgive him and would bring no trou e to him or his family. It has often been charged against me that I knew omething of the circumstances of the

lling of Callahan on the State road in alt Lake City. I say now in all candor, were untrue. I was in no way, directly r indirectly, a party to it and nevel knew of it until after it had been report ed in the city. It will be remembere displaying a big roll of money that afternoon in a saloon and I believe that he was followed and killed by thugs you will flee from whiskey drinking,

Callahan case, and the one which has brought me in sight of the gallows are the only two in my life of 37 years ever s thousands of other men, no better passenger conductor on a division of and no werse. But for the craze of strong drink, which set me afire, 1 In all my years spent on a ranch and should never have killed Josie; I would

wronged me, but I freely forgive them My first steps in gambling were as I hope myself to be forgiven. What-

square" and that he robbed no man of by express my regrets for it, and ask to During his prison life Mr. Larkins his money. From association with this be forgiven. I cherish no ill will to-

be social and keep on good terms. I for nothing more than to prove myself taken. In an hour of excess I com- world will never credit me with having,

You see in me the results of whisky drinking and of general dissipation, of refate that has overtaken me and of e ignominious death I am to die. You ay say: "I am strong I can govern yself, I have no fears of a disgraceful "I said the same thing in earlier , I felt strong, I had confidence in yself, but I yielded and I fell, stronger men than you or I have fallen under

There was a time when no man was prouder of his honorable upright sincerely and truthfully the charges course than I, no one thought more of vated and encouraged led me on and on to shame, disgrace and ruin. Now you see me as I am. The hours given me in that Josie was with Callahan when he my lonely cell for reflection, for rewas murdered, but I did not know her morse and for repentence have shown then, and it is my honest belief now me the errors of a misspent life. They that she never knew the men who killed appeal to me now to speak these words him. She told me so. Callahan was of warning to you. Whatever you may

The charges made against me in the These all lead along the same oad to ruin. I was led by them, I was ined by them, I beg you young men, as you would fice from sudden death flee BINGHAM COUNTY laid at my door. But for those two from them. Respect and obey at all have brought upon my aged father makes my heart bleed day and night. The remorse that comes to me for the pain and sleepless hours I have brough him is the most stinging I have to pear. If you would escape the heart life. I never had an inclination or me, it made me a murderer, it caused aches, the pangs, the anguish and retry never to give unnecessary trouble to who leved you in infancy, coyhood manhood and who will not cease or bad man. My course furnished me names I might recall new who cruelly to love you in old age. Young men, one and all, my parting words to you are:

Be better than I have been, lead a taught me by a "gentleman gambler," ever wrongs they did me shall be as purer life than I have led, and most of all honor your father and mother all the days of your life.

> was an exemplary prisoner. He was obedient at all times to the rules and regulations governing him, and was patient, quiet and submissive in the restraints thrown about him. Of the officers who have had him in charge during his long term of confinement he spoke in the kindest terms and was appreciative of all the favors and attentions shown him. His manly deportment, ready obedience and his unusual

A WORD TO YOUNG MEN.

I want to speak a word of warning to

# ARIZONA OUTLAW'S

Parker Breaks Jail and Shoots an Attorney.

### NOTED ROBBER MAKES HIS ESCAPE

POSSE WITH BLOOD HOUNDS UN-ABLE TO OVERTAKE HIM

His Victim, the Assistant District Attorney, is Fatally Wounded-With a Fellow-Criminal, He Held Up a Livery Stable, and the Two Rode Away-"Just Tell Them That You Saw Us" Were His Parting Words.

Prescott, Ariz., May 9.-Jim Parket

The prisoners asked for a bucket ound both arms and Par

the stairs when Parker, v the meantime gone to the ja om and secured two rifles and le-barreled shotgun, leveled the r at him and fired. Norris, when w the desperate men with gun aced his steps and had just turn d when Parker fired, the char column, in the region of the kid

Jailer Meador, the latter w uck a terrific blow on the head wit

block distant, and held up the m

arted in pursuit with a brace ounds. The escapes got near hour's start of the pursurers. Otto Miller, a brother of one of the scaped prisoners, Ward Pritchett, a

per employee, John Fitch and Blair were arrested this ev parged with assisting the prisonescape. The nature of the evi igainst hem is not given out b

of the men, accompanying th e with bloodhounds returned at a miles, when they became exhaust were taken off. It is thought the he point where the dogs were taken

eriff Buffner, who was absent at ress when the affair occurred, ed on a special train at 7 o'clock immediately left in pursuit. From 50 men are now out. Posses have ordered out by telephone from paral and Crowned Kink. physicians pronounce Norris'

nidnight and report that Munds Beck's, on Lynd creek, just before dark. A fight ensued in which Miller was wounded, but how seriously was t ascertained, as Parker immediately sisted him to the horse again and succeeded in getting away. horse ridden by the Mexican an decamped on foot in thebrush. horses ridden by the officers are it and fresh ones have just be expected tonight. At this hou is not expected to live unti

February 24—Insurrection breaks out in three of Cuba's provinces. March 1-Fourteen hundred additional Spanish troops sent to

C uba. March 31-General Antonio Maceo proclaimed commander of the insurgent army.

April 13-Flor Crombet, insurgent leader, killed at Palmerito. April 14-Captain General Cajella displaced by Campos.

May 14-Battle of Guantanamo; 400 Spanish killed by insurgents under Gomez.

May 15-Insurgents make important captures at Bayamo. May 19-insurgent leader, Marri, Killed at Dos Ribs,

May 21-General Comes 700 cavalry repulsed at Rios. November 17-General Maced near Santa Clara with 1,000 men

defeats 2,800 Spanish troops. December 23—Campos (10,000 men) meets Gomez (7,000 men), from Hong Kong to meet the Spanand is repulsed with great losses

Captain General Campos.

Feruary 12- Eighteen thousand Matanzas. new Spanish troops sent into the

February 17-Weyler issues his ish steamer Guido. reconcentrado proclamations.

trocha with 3,000 men and drives banas demolished by guns of the

back the Spanish.

October 1-The rebellion up to Dewey commanding. this time has cost Spain \$230,000,

December 4—General Antonio Maceo killed by treachery December 10-General Ruis Rivera succeeds Maceo.

1897. August 8-Premier Canovas of

October 2-Weyer recalled by the Sagasta Liberal ministry on pressure from the United States.

November 27-Decree from goyernment at Madrid granting audonomy to Cuba.

1898.

January 24-United States battle ship Maine ordered to Havana on a peaceful mission.

February 10 - De Lome, Spanish minister, recalled for unwarranted personalities reflecting on President McKinley.

February 15—The United States battle ship Main blown up in Havana harbor and 266 lives lost.

February 17-United States board of inquiry on the loss of the Main appointed.

February 20—Spanish cruiser Vizcaya anchors off Staten Island,

February 22—Spanish board of inquiry reports the destruction of the Main an accident of internal origin.

20-Spanish minister, Polo y nabe, asksfor his pass-

trolled By Prejudice.

oise, Ida., July 20.—The board

THE SHAME OF IT.

The fact that but one man enlisted

reasts of the pretensions of Oakley is

not rauch to be proud of, especially

when that one lone recruit is of English

birth. We can scarcely believe it pos-

Oakley itself, whose young men show

At the public meeting held in Oakley

hall Friday evening able addresses were

the roll. Mr. Dunn, and old Mexican

war yeteran, made an especial strong

did also Hon. C. W, Martindale, but

their pleadings had no effect whatever.

so little patriotism.

A 1 21-The United States minister, General Woodford, is

given his passports in Madrid. April 21—Spain's severance of diplomatic relations held to be a declaration of war.

April 22-North Atlantic squad ron sails to blockde Cuban ports. April 22-First shot fired when the United States gunboat Nashville captured the Spanish coast trader Buena Ventura.

April 22-President's proclamation to all nations declaring the blockade of Cuban ports.

April 23-The President's call issued for 125,000 volunteers.

April 24—Spain's first shot at Unites States from masked bateries at Matanzas on the United States gunboat Foote.

sible that a hamlet of even half the size April 26-President's proclamaof Oakley exists in Idaho, outside of tion issues on Spanish vessels in United States ports.

April 27-Asiatic squadron sails made both by men from Albion and ish fleet at the Philippine Islands.

April 27--United States cruisers | Oakley, urging the young men to show February 10-Weyler displaces New York, Cincinnati and monitor their manhood and their love for hu-Puritan silence the batteries at April 27-The United States plea in behalf of the poor Cubans, as

monitor Terror captured the Span-April 28-United States gun-

March 1-The trocha is estab- boat Newport captured the Spanish sloop Engarcia. April 11-Maceo crosses the April 28-Spanish forts at Ca-

flag ship New York. July 9-11-Gomez wins rhe bat- | May 1-Spanish fleet under adtle of Najasa after 50 hours' fight | miral Montejo defeated by Unit-

ed States squadron, Commodore March 9-Emergency bill, \$50,

> fenses passed. March 28-The President sends a message with the Maine report to Congress.

2000,000 for United States coast de-

April 9-General Fitshugh Lee and other consuls leave Cuba. April 11-The President sends a

message to Congress recommendarmed intervention in Cuba. April 15-War department or-

ders regular troops to the coast. April 16-The intervention resolutions passed by the Senate.

April 19--The house passes the intervention resolutions.

April 19-The President prepares an ultimatum to Spain demanding the evacuation of Cuba within three days.

April 20-The Cuban resolutions signed by the President.

### "THE KOSZTA AFFAIR."

The Illustrated American gives pirited account of "the Koszta Affair" n great part from the lips of Rear-Admiral Meade, retired. Meade was a young officer under Capt. Ingraham Martin Koszta, who had declared his entions of becoming an American tizen, but who had been kidnaped by Greek hired braves, and put on oard an Austrian man-of-war and confined in irons in the hold. Capt. Ingraham was petitioned to save the man's life and he did it. He rigged his gig and, boarding the Austrian ship, demanded to see the prisoner, but the Lieutenant in charge declared that no such American citizen was on

f he was sent there his life would be

aken or a long term of imprisonmen would be given him, as he was charged with inciting revolution. After sevral days of correspondence the Ausrian Consul informed Capt. Ingraham hat the prisoner would be sent rieste. Then Ingraham filed a live rotest. He got under way, dropped lown to the anchorage of the Austrian hip, the "Hussar," the guns he "St. Louis" were shotted and t Austrian Commander was inform hat Koszta must not leave the sh ntil time had been given to commu 600 tons and twenty guns, but there were 227 Americans behind the guns the Austrians had five ships with hirty-five guns and 550 men in th harbor, but the demand was com olied with. When word came it was a he effect that Koszta had not com leted his naturalization and that any terference on our part must b mainly on the ground of humanity nour the proposition was made to turn Koszta over to the French Consul t abide the result of a conference b ween the Austrian and American onsuls. This Ingraham agreed to and Koszta was taken ashore. After that was practically free. Meade says e "Austrian Commander was a good ellow at heart, that when the 4th of fuly came he hoisted the Stars and salute of twenty-one guns." Koszta lef Smyrna a few days later, and about the same time two Austrian frigates entered the harbor directly in the out ward path of the "St. Louis." Ingraham did not like that, so when he go under way he passed directly between the big ships "with our cannon loaded, the men at quarters, primers in the guns, and lockstrings taut." But the account does not emphasize the fact | case was never again heard of in cou that had much to do with the result During that month of waiting there were repeated duels on shore between the young officers of the various war- \$22,000 ahead on his office in ty ships, in which the Americans got decidedly the best of the business, un one morning a delegation of the Au ham to see if something could not be done to stop the daily fights. Ingraham heard them the sun the sun went down.

At night when the sun went down. One held a lock of thin gray hair and one held a lock of brown. ham heard them through and then an- One thought of the sweetheart back at lelated over what a New York volunswered carelessly: "It is not a matter which calls for interference, Young men must be entertained in some Happy and young and gay, And one of his mother left alone, Feeble and old and gray. way." They did not want a fight with an old seadog who took that view of Murran was to the blue above. an old seadog who took that view of things. Great prestige was made with There on the battle sod. that little 600-ton ship, but it was because a 20,000-ton Commander sancti- Each in the joy of a woman's love

### BURNETT OF TOMBSTON

County Cut Down His Bill, and He Ray the Court to Suit Himself. A stormy life was that ended who

ld Jim Burnett was killed in Ton uld supply material for 20 of the est thrilling of the yellow backer fe. Burnett, a justice of the peace Pearce camp, had left his work in erder to go down on the San Pedro riv-0 miles away, and blow out with me, probably unknown to Burnett. ere two young girls, one a daughte Greene, aged 18, and her friend from sbee. They were caught in the flood nat followed the explosion and wer resence of his foe, saddled his horse, de over to Tombstone, found Burnett the main street and shot him dov town stood behind Creene in l d. He has been admitted to light il and will be acquitted if ever

him from the county. The count rs cut the bill down one-half. Eur

e bar, found him guilty of the crim d fined him \$1,009. Schwartz wante ne no papers on appeal. ndant sent up to Tomkstone for A w Mark Smith, now delegate to It was a clear case of nurder.

Pay the money, you ass," the la er fairly shouted, "and then go bur four elf somewhere down in Mexico Schwartz paid and shipped, and But the county never received any that coin. Those who figured on the

AS THE SUN WENT DOWN.

fied with his presence her quarter-deck.

Smiled through the pain of death,
Normured the sound of a woman's name,
Though with his parting breath. Pale grew the dying lips of each, Then as the sun went down,
One kissed a lock of thin gray hair,
And one kissed a lock of brown,
—Waldron W. Anderson in Town Talk.



### HERALD: TUESDAY.

et astraddle of their bronchos with a de-

rained to danger on the ranges, fightin' rue Haven's dome the roof above 'er prairie grass their beds. strong and fleet, "they're provin' that they,re ditto when a

fightin' on their feet. Never hold no prayer meetin's in their bivou Never do no Bible readin' by the camp fire's

An' the language they uncouple from their dut in patriotic ginger an' in loyalty th

In the Uncle Fam procession mighty close b An' they're provin' when they haven't got ne ronchos fur a seat That they ain't no peaceful cherubs when a scrappin' on their feet.

Then hurrah fur Teddy's terrors an' fur Tor-Fur the wildest aggregation that's a wearin' Fur the cowboys of the prarie an' the riders of Fur the reckless, darin' heroes of the saddle an'

the rope! They have rallied to the colors, an' they'll play a lively hand a markin' up the Spaniards with the Yanyou hesitate to put they'll make afoot. (Denver Post.)

### \_\_\_\_ A ROUGH RIDER KICKS.

ment, or Roosevelt's rough riders, as they are usually termed, behaved in a one-half miles back to camp to in which they have been engaged in bestowed principally upon those members who hail directly from New York.

bers who hail directly from New York.

bers who hail directly from New York are good. The reason for this is that many of the and brave men there are others. New York members of the regiment have great social position and influence, and whatever they do is bound to receive more or less notice from the New York papers which, great metropolitan dailies that they are, are as much teer does as the smallest paper in the west is over what the volunteer from its town does. The consequence is that Roosevelt's rough riders are looked upon by the country generally as being almost wholly New Yorkers, and New Yorkers of social position; and the country hasn't heard of the deeds of any one in Roosevelt's regiment who does not hail from New York. This state of affairs has brought a protest from a member of the regiment who

nes from Arizona. His name is W

. Huser, and he writes the New York

ie empty shell from his gun and pu nto his pocket to keep as was wounded four times within ute with a machine gun, but ke fighting. When his troop advance where he was his captain had ke away his gun by force and se nim to the rear. He walked three ar most gallant manner in all the actions murmur. He is now about ready to go n the field again. This is only one Cuba, and the meed of praise given Mexico and Arizona did in that batthem has been anything but stinted. the I could go on enumerating such But the individual praise has been acts for hours, but my only idea is to

> The "kick" is justifiable, and every man among the rough riders will say

John Sparks.

California-Other Live Stock.

talking about his cattle yesterday Mr. at 1730 and another at 1700 pounds. A Sparks exhibited medals they had taken 3-year-old bull weighs 2100 pounds, A very interesting exhibit in the live Sparks exhibited medals they had taken at the California state fair. One of these is a very handsome gold medal for a sweepstakes exhibit. He feels no little pride in the fact that he was able to go into the great state of California and capture this medal. His cattle were reared in Nevada For 25 years he has been in the business of breeding this fine strain of beef cattle and there is nothing about them ne does not know. It is the Nevada breeding that has won his cattle their pre eminence in the bosonia world. Mr. Sparks says that in California the breeders will no longer show against him. He took medals at the real of the strains of the strains of the strains at the provide fair and the provide fair and the provide fair and the provide fair and provide fair a the world's fair and wherever his stock Mr. Sparks states that stockmen are appear on the pens. appears it is admitted to be the finest going more and more into Herefords at \$5 an acre buys good farm land well ever seen in this country. In explain the expense of other breeds. This, he watered, near railroad. See W. E. ing the matter Mr. Sparks said that the says, is because they are heavier dress- Pierce & Co. excellence of his cattle resulted from ers than any other, having smaller the climate in which they were bred. tones and more meat, they are hardy For best values in photos go to Whyte, He did not say anything about the pains- and nature a year earlier than any Eighth street, next door to city hall.

Roping of Steers the Feature

of Yesterday's Sports at

Fair City.

WON BY FRED BENNETT

Soda Springs Man Downs His

Five Animals in 9:10 1-2.

Dolan Defeated, but He Bry the Record

in :32-Racing Pro in for

Monday.

Although the judges put forth their

best efforts they were unable to com

plete the racing program yesterday

and one started race was postponed and

another, the consolation run, put over

altogether until Monday, at which

time a program rataining special races, including a hurdle race and pos-

silby a match between J M B and Hy

man for \$500 a side, and the hold-overs

will be presented. The great feature

vesterday's sports was the roping con

test in the infield, participated in

by five well known cowboys, in

cluding Jack Dolan of Cassia county

who was beaten, but who roped one

steer in the remarkable time of 32 sec-

onds. Old stockmen say it was the

neatest piece of roping they had ever

was his fourth animal, the crowd sent

discordant kind of yells. Joe Black of

Owvhee did some very clean roping,

and second place was the best he could

The roping contest was won by F.

Bennett of Soda Springs, in 9:101/2,

his best time on a single steer being

1:181/2. Bennett rode a horse named

Harry, owned by W. A. Russell of this

city. Mr. Russell raised and trained

the horse in the roping business. It is

certainly a remarkable clever animal

in that line.

but he met with mishap after misha

up a series of the heartiest and most

witnessed, and when Jack had com

pleted his work on that steer, which

to the climate of the state.

the climate of Idaho is as good for cat- from 25 to 50 cents a hundred more tie as that of Nevada. These two states, than cattle from this state, though MANY BEAUTIFUL ANIMALS the Union. Cattle from both of them good beef cattle as her sister state. have gained a high reputation in the Mr. Sparks also has a pair of Sheteastern markets. But, he continued, land ponies on exhibition and one of the Stock That Won the Highest Honors in the stockmen of Idaho have not in re- Persian fat-tailed sheep. cent years paid enough attention to their herds, having ermitted their beef There are other interesting live stock

The Statesman is inclined to think that the stockmen and citizens generally owe John Sparks a vote of thanks for bringing his display of Hereford cattle to the fair. To a large majority of the people who inspect them, these cattle are a revelation—they had never seen anything like them and many had no idea that such animals could be prot the top in every market.

taking care he has bestowed upon the other cattle. Moreover they cross well nerd. That has something to do with with all other beef strains. Referring he success achieved, but it is import again to the condition of Idaho herds, ant to know that he ascribes his success he said some good blood was brought in a few years ago, but the breeding has What is of particular importance to not been kept up, while in Nevada this Magnificent Hereford Show by Idaho, however, is a further statement has been attended to diligently. The made by Mr. Sparks to the effect that result is that Nevada cattle are worth he said, are the greatest cattle states in Idaho is capable of producing just as

OTHER LIVE STOCK

s rains to run down. If they would exhibits. Among them is one of short-breed up the cattle of Idaho would rank horns by Howard Sebree of Caldwell.

no idea that such animals could be produced.

Moreover there is a valuable lesson to be learned from this exhibit. While the short of the bunch of 18 that was born in April last and weighs 795 pounds. One of the cows tips the scales talking about his cettle vestorday Mr.

TROT FOR BLOOD.

There were two cracker-jack racing events on the card yesterday. One was the special trot and the other the mile and repeat running, which require three heats for a decision. McCaugh' riding in this event won for him grea

In the trot two new horses appeared Duke Temple, owned by T. S. Kerr of this city, and Danford, one of the string owned by Dr. Miller of Butte Electrophone, Attorney General Mo Farland's clever traveler, and William B, owned by Mr. Smith of Oregon were also in the race.

In the first heat Electrophone led to the quarter, which was made in 4 flat, with Duke and Danford trailing right at the leader's wheel and Wil liam B two lengths behind. They were in practically the same position at the half, 1:18 2-5, but at the three-quarter pole, which was made in 1:561/2, they were in a bunch and wheeled into the stretch together. Electrophone pulle away 25 yards behind the distance pol and they strung out with Duke and Danford struggling for second place Duke broke and they passed under the wire led by Electrophone, with Dan-

ford second. Time, 2:35 1-5. The driving of Smith, behind Danford, did not seem to please the judges for some unaccountable reason, as the best time on the track in a trot had been made in this heat. So Smith was taken down and Peter Webber put u behind Danford for the second hear This heat was a very poor one, Danfor losing it by frequent breaking. Duke surprised everybody but his owner. who knows just the kind of stuff there is in the animal, by taking the heat, with Danford second, Electrophone third and William B last. Time, 2:39. While the heat was being run Miller filed a protest with the judges for taking his driver down, and the judges, when they saw how badly Danford broke behind a man who had never

driven him before, reinstated Smith. In the third heat Danford went around the track without a break, Smith driving one of the prettiest races of the meet. Stevens was doing his best to force Electrophone ahead, but Smith kept Danford down to business and won by half a length in splendid

form. Time, 2:411/2. As matters then stood Electrophone. Duke and Danford each had a heat to his credit, and as it was getting late the judges postponed the final heat until Monday.

DEFEAT FOR DINGLEY.

Dingley, mounted on McPryor, lost the best running race of the day, the mile and repeat. McCaugh, on Linville, wore him out by taking the second heat by a supreme effort and force ing another run. McPryor had a good deal of run in him yet, but the two heats had told on him and his custom ary spurt on the stretch was not forthcoming, and the colors of the three time winner were dragged in the dirt. There were five starters, Hyman, Linville, McPryor, Cogent and J M B. They got away well and made the quarter in a bunch in 2614. McPryor pulled out and led at the half in :52. He held the lead until well down the stretch, with Cogent [second; but Hyman moved up to second place and they passed under the wire in this order.

In the second heat Linville had his running togs on and at the far turn he went after McPryor's scalp and got it, winning by half a length, with Hyman second and McPryor third. Time, 1:48.

In the third heat there were but two starters, Linville and McPryor. blanket would have covered them all the way around the track, and they came down the stretch like the wind with Linville leading by a head. Dingley urged his nag for the accustomed spurt, but it was not in him and Linville won. Time, 1:48 4-5

THE COWBOY RACE

There were five entries in the cowboy race as follows: Jack Dolan of Cassia, J. E. Horn of Ontario, Or., Joe Black of Owyhee, Fred Bennett of Soda Springs and William Turner of Owyhee. Each man was to rope five given a start of 50 yards before the roper left the score. The rules required that the animal be roped and thrown from horseback, the rider then to dismount and tie three feet of the prostrate animal. The time was taken from the time the steer crossed the 50yard handicap line until the tie was

Dolan had the first run, but he had to make three throws before he downed the steer. His time was 2:43½.

Horn followed, but after roping the steer the second time, the rope having slipped off after the first throw, the animal got away with the lariat and Horn had quite a time before he downed the brute. His time was 6:27, putting him out of it.

Black next went after a steer. He roped him the first throw, but his horse stopped too suddenly and horse and rider fell in a heap, Black being thrown 15 feet. This seemed to delight the crowd and they yelled lustily. Black's time was 1:50.

Bennett threw his steer the first twist, but after a long run, in 1:22. Turner missed the animal slick and clean but finally threw him in a mud hole. The animal fell on its head, and many thought its neck was broken. But it was a very lively steer after it was untied. Bennett's time was

1:183/4, the best in the series of five. The list was again gone through with, beginning with Dolan. Both horses and riders were by this time getting down to work. The horses exhibited the most remarkable cleverness! in handling the thrown steers, and this feature of the contest delighted the crowd fully as much as the performances of the cowboys. The crowd was kept alternately in uproars of cheers and convulsions of laughter by some specially meritorious work or ludicrous positions assumed by the cowboys in handling the steers. The steers showed remarable shrewdness. some jumping through the rope, and others, after being thrown, lying with their legs doubled under them so as to prevent a tie until turned a back somer-

In the third series Horn's steer broke through the fence and when a couple of cowboys on the outside attempted to chase it through the hole the steer leaped back at another point like a deer. When Horn threw the animal it broke down another section of fence and had to be dragged inside. In this series Bennett flopped one in the mud and tied him in 1:18½, the crowd cheering him vigorously.

THE RECORD BROKEN. Dolan came out with blood in his eye at the opening of the fourth series. "I'll shore toss him close jedges," said the tall cowboy before he

rode from the judges' stand to his place to open the fourth. And he did.

Before the steer had gone 50 yards from the handicap line Dolan had turned him a complete somersault. In a twinkling he was off his horse. which held the struggling steer firmly, and had him tied in exactly 32 seconds. The crowd did not wait for the time

to be posted. They knew it was a markable exhibition and momentarily pandemonium reigned. Jack was thought to be a sure winner then, but he fell down and finished

a poor third. In this series Hern's horse went down and was severely injured. Horn withdrew.

Bennett did not make any sensational time in any one of the events, but his steady work won.

SUMMARY FOR THE DAY. Three-quarter mile dash, purse \$150-King Faustus (McCaugh 122) won, Tammany (Wilson 119) second, Hones Dick (Dingley 119) third, Warwick (Hawkins 122) fourth. Time, 1:17. Mile and repeat running, purse \$350-Linville (McCaugh 1171/2) won, Mc-Pryor (Dingley 114) second, Hyman (Wilson 116) third. Cogent and J M B also ran. Time: First heat, 1:46 2.5; second heat, 1:48; third heat, 1:48 4-5. Mile trot, best two in three, purse \$200—Postponed after third heat, with Electrophone, Duke Temple and Danford each with a heat. Time, 2:35 1-5,

2:39, 2:41%. Cowboy roping contest, purse \$200 to first, \$50 to second and saddle horse to third; each rope five steers—Fred Bennett of Soda Springs won, Joe Black of Owyhee second, Jack Dolan of Cassia third. Time by series:

 NAME
 1st.
 2nd.
 3rd.
 4th.
 5th.
 Time

 Dolan...2:48¾
 1:38¼
 1:38½
 :32
 3:17
 9:41½

 Horn...6:27
 1:38
 2:22

 Black...1:50
 2:06
 1:46
 3:03
 :44
 9:29

 Bennett 1:22
 1:29½
 1:18½
 2:34½
 2:26
 9:10½

 Turner..1:18¾
 1;28□
 2:08½
 2:08½
 3:40
 10:29¾



Sweepstakes Prizes.

As predicted by The Times some time since, the blooded cattle sent to the Boise fair by John Sparks, of the Sparks-Harrell company, took all the prizes in a walk. Following we give a list of the premiums as they appeared in Sunday's Statesman:

Sweepstakes—Three cows and two bulls, John Sparks, Reno, Nevada. Bull, any age, Hereford, John parks; second premium, John Sparks. Cow, any age, Hereford, John Sparks; second premium, John Sparks. Class 2-Jersey bull, F. C. Morgan,

Besides the awards scheduled in the permium list, the judges pinned a blue ribbon on a yearling Hereford bull of John Sparks' herd, for grand sweepstakes. Yellow ribbons were given to a two-year-old bull and a sixyear-old cow in the same herd. Blue ribbons were awarded to a yearling heifer, a two-year-old heifer, a heifer alf and a bull calf.—Albion Times.

### AT A COWBOY DANCE.

Git yo' little sage bens ready Trot 'em out upon the floor— Line up there, you cusses! Steady; Lively now! One couple more! horty, shed that ol' sombrero; Bronco, douse that cigarette! Stop yer cussin' Casimero 'Fore the ladies. Now, all set!.

S'lute per ladies all together! Ladies opposite the same; Hit the lumber with yer leather! Swing her round an' off you go!

First four forward! Back to places! Second foller! Shuffle back! Now you've got it down to cases!... Swing 'em till their trotters crack! Gents all right a heel an' toein Swing 'em; kiss 'em if you kin! On to next: an' keep a-goin, Till yo' hit yer pards agin!

Gents to center; ladies round 'em! Whirl yo' gals to where yo' found 'em[ Promenade around the hall! Balance to yer pards, an' trot em
Round the circle double quick!
Grab an' kiss 'em while you've got 'em;
Hold 'em to it if they kick!

Ladies, left hand to yer sonnies!
Aleman! Grand right and left;
Balance all, an' swing yer honies—
Pick 'em up an' feel their heft!
Promenade like skeery cattle! Balance all, an' swing yer swents!
Shake yer spurs an' make 'em rattlef
Keno! Promenade to seats. - Denver Post

### DON'T CHEER.

or off toward the shore, acked, shivered and shat stood the squadron of Spa Black, beaten and battered. th, God! what a sight for a sailor to see Whose heart has a touch sweet charity—
ne deck running red valor. I know e is not a brave heart ould weep for the Spaniard stood strong and true flag of his country In defense of their country and flag Oh, the deeds which will stand Bright on history's page, On, on in the annals And age after age,

ness of heart

# AND CALIFORNIA FRUIT BULLETIN.

Vol. LIV. No. 13.

SAN FRANCISCO, SATURDAY, SEPTEMBER 25, 1897.

Office, 530 Market Street.

### Another Clean Sweep for the Alamo Herefords.

offered for Herefords and, in addition, captured the ing a great sire. gold medal for the most meritorious exhibit in the The females of the herd are strong in "Anxiety" over; 1st premium in herd (graded) sweepstakes beef breeds.

her sire Anxiety 4th, 9904. Last, but not least, Mr. old; also, 1st premium as best bull one year old in the grand sweepstakes beef breeds. Sparks has added to the herd the noted bull Wilton Jack Hayes 68810, 2nd premium as best bull one year old. Readers of the Rural will remember the appear- Grove No. 50255. The sire of Wilton Grove was a Anxiety Alamo (calf), 2nd premium as best bull calf; 1st Readers of the KURAL will remember the appear- of the ance at the California State Fair last year of the prize winner and a son of the renowned Lord Wilton Major Alamo (calf), 1st premium as head of calf herd.

Major Alamo (calf), 1st premium as head of calf herd.

Major Alamo (calf), 1st premium as head of calf herd.

Major Alamo (calf), 1st premium as best bull calf; 1st premium as best bull calf in grand sweepstakes beef breeds. Nevada, and the signal victory they won in the show had for her sire the famous "The Grove 3rd," 2490. Lady Mattie 61222, 2nd premium as best cow three years ring at Sacramento. The same herd beat its own Thus combining the blood of the two greatest of The same herd beat its own Thus combining the blood of the two greatest of The same herd beat its own Thus combining the blood of the two greatest of The same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus combining the same herd beat its own Thus combining the blood of the two greatest of the same herd beat its own Thus co ring at Sacramento. The same herd beat its own linus combining the blood of the two greatest of Tottie 37020, 1st premium as best cow three years old and record this year, for last year it won all but one of Hereford sires, he is pronounced by all who see him over; 1st premium in herd two years old and over; also, 1st the awards, while this year it won every award to be almost perfection as an individual and is prov- premium in grand sweepstakes beef breeds as best cow three

World's Fair). Roseland's dam Rosette 3rd has for Shadeland's Alamo 68844, 1st premium as best bull one year

Miss Wilton 41463, 1st premium in herd two years old and



GROUP OF YOUNG STOCK FROM THE ALAMO HEREFORD CATTLE FARM, EXHIBITED AT SACRAMENTO FAIR.

ute of its most prominent recognition in the form of strain.

300 head of registered Herefords. In addition to for the Nevada State Fair. the many good females Mr. Sparks has bred, he has We give below the names of the cattle shown and added from time to time the best individuals he could | the winnings of each: breeding. The noted bull Earl of Shadeland 30th, No. 30725, sire Garfield 7015, dam Flossie, No. 10915

Wilton Grove 50255, 1st premium in sweepstakes class sisted by Lord Fulton 61225, a son of the "Earl," breeds; also, 1st premium in grand sweepstakes beef breeds as best bull three years and over.

Roseland 4th 61592, 1st premium as best bull two years old; show animal and sire. He is very rich in color and 2nd premium as best bull any age (sweepstakes); also, 1st 61592, sire Lamplighter 51834 (a Columbian winner) Armour's Neptune 13th 65071, 2nd premium as best bull two by Don Carlos 33734 (also a first prize animal at the years old.

to pay again to these distinguished animals the trib- 46428 and some are strong in the "Lord Wilton"

creditable to this coast to have such animals to dis- State Fair this year a draft of twenty five head, fillplay and to Mr. Sparks for having, by intelligent | ing all the classes of the premium list, and he won, | Pet (yearling heifer), first premium as best cow one year breeding and investment, secured such excellence. | as stated above, over all competitors every prize | old.

by Anxiety 3rd, 4466, at head of herd, is now as- bull any age; 1st premium in class herd sweepstakes beef

cattle department. These facts induce the RURAL | blood. Some cows and heifers are by St. Louis | Saint Bess 63747, first premium in herd (graded) sweepstakes beef breeds.

Madam Twinrose, 1st premium as best cow two years old; first premium in herd (graded) sweepstakes beef breeds; a group picture upon this page. It is exceedingly Mr. Sparks had on exhibition at the California also, 1st premium in grand sweepstakes beef breeds as best cow two years old.

Madam Belle, 2nd premium as best cow two years old.

Babe of Alamo 68789, 2nd premium as best cow one year old; The Alamo Stock Farm at Reno, Nevada, has now shown for. These cattle will return to Reno in time 1st premium in herd under two years; 1st premium in herd (graded) sweepstakes beef breeds, and 1st premium in grand

sweepstakes beef breeds as best cow one year old. Queen of Alamo 68835, 2nd premium as best cow one year

select, considering both individual merit and choice | Lord Fulton 61225, 1st premium as best bull three years | Shaggn Nell (calf), 2nd premium as best heifer calf; 1st premium in herd under two years old; 1st premium in calf herd, and 1st premium as best heifer calf in grand sweep-

Model Dane (calf), 1st premium in class heifer calves. Majors' Maid, 1st premium in herd under two years old. Lady Imogene, 1st premium in calf herd. Sunset 5th, 1st premium in calf herd.

The Alamo Hereford cattle farm of Mr. Sparks is a good handler. Another male is Roseland 4th, No. premium as best bull two years old, and grand sweepstakes located about three miles from the city of Reno, and for beef breeds. is worth a visit from all who are seeking fine beef

