

GUILTY OF MURDER.

Czolgosz, The Assassin, Convicted in Short Order.

JURY WAS NOT LONG IN AGREEING.

The Trial Was Brief But Fair, and the Verdict Was Inevitable—Will Be Sentenced Soon.

Buffalo, Special.—Leon F. Czolgosz, alias Fred Nieman, was found guilty Tuesday of murder in the first degree by a jury in Part III of the Supreme Court, in having, on the 6th day of September, shot President William McKinley, the wounds inflicted afterwards resulting in the death of the President.

The wheels of justice moved swiftly and covered a period of only two days. Practically all of this time was occupied by the prosecution presenting a case so clear, so conclusive that even had the prisoner entered a plea of insanity, the jury would not have returned a verdict different from the one rendered today.

The announcement made in the afternoon by the attorneys for Czolgosz that the eminent alienists summoned by the Erie County Bar Association and by the district attorney to examine Czolgosz and to determine his exact mental condition had declared him to be perfectly sane, destroying the only vestige of a defense that Judges Lewis and Titus could have put together. Before adjournment Justice White announced that he would pronounce sentence upon the prisoner on Thursday afternoon at 2 o'clock. He was taken at once through the tunnel under Delaware avenue to the jail. To all appearances he was in no way affected by the result of the trial.

The crowd gathered at the city hall was the largest which has been seen since his arraignment. People were lined up on both sides of the big rotunda on the second floor when court convened and fringed the stairs leading from the floor above. There was no demonstration except that of curiosity. A large number of women witnessed the proceedings.

At 2:44 in the afternoon District Attorney Penny abruptly announced that the case of the prosecution was ended. Judge Lewis arose slowly and, addressing the court, said that the sudden close of the case against Czolgosz was a surprise to him and his colleague. They had no witness to call for the defense. He asked the court that he be allowed to address the jury at once. The court consented and the venerable jurist began an address that will long be remembered by those who heard it.

The jury retired at 3:51 to consider the evidence. The scene in the court room then became dramatic in the extreme. Decorum was somewhat forgotten and the spectators stood up and many walked about the room and engaged in conversation. The guards about the assassin, who still sat in his seat, before the bench, were doubled. Chief of Detectives Cusack and two of his men taking positions just back of Czolgosz's chair. Others took seats to the left and right and many "plain among the crowd surging about the clothes" men were seen mingling room closely watching every one whose face was not familiar to them. There was no disposition to crowd about the prisoner, although the object of every one seemed to be to get in a position where he could have a full view of his face.

Czolgosz had been seated in his chair all afternoon, his hands clasped on the arms of the chair and his head bent forward. The room was not warm but he frequently took his handkerchief from his pocket and mopped the perspiration from his forehead and cheeks. At one time during the absence of the jury did he raise his eyes or lift his head or seem to know that he was the object of interest to several hundred men and women. Every time the door was opened all eyes were turned in that direction, the evident thought in every mind being that the jury would take only a few minutes to agree on a verdict.

It was 4:30 when the crier rapped for order and the jury filed into the room. The clerk called their names, each juror responding present as his name was called. No time was wasted. The jurors did not sit down.

Judge White said: "Gentlemen, have you agreed upon a verdict?"

"We have," responded foreman Wendt.

"What is your verdict?"

"That the verdict is guilty of murder in the first degree."

There was a moment of silence and then a murmur arose from the lips of the crowd. It ended there. There was no handclapping; no cheers. Justice White's voice could be clearly heard in every part of the room when he thanked the jurors for their work and allowed them to go until 11 o'clock tomorrow morning. Court was at once adjourned. Czolgosz was immediately handcuffed to his guards and hurried from the court room down-stairs to the basement and through the tunnel under Delaware avenue to the jail.

SENTENCED TO ELECTROCUTION.

President McKinley's Murderer Must Pay the Penalty—Date Fixed For Week Beginning October 27.

Buffalo, Special.—Leon F. Czolgosz, the assassin of President McKinley, was Thursday afternoon sentenced to be electrocuted in the Auburn State prison during the week beginning October 28, 1901.

Before sentence was passed the assassin evinced desire to speak, but he could not get his voice above a whisper and his words were repeated to the court by his counsel. "There was no one else but me," the prisoner said in a whisper. "No one else told me to do it and no one paid me to do it. I was not told anything about the crime and I never thought anything about that until a couple of days before I committed the crime."

Czolgosz sat down. He was quite calm but it was evident that his mind was flooded with thoughts of his own distress. His eyes were dilated, making them heavy and bright, and his cheeks were a trifle pale. The guards put the handcuffs on his wrists. He looked at one of the officers. There was an expression of the profoundest fear and helplessness in his eyes. He glanced about at the people who crowded together in efforts to get a look at him. The prisoner's eyelids rose and fell and then he fixed his gaze upon the floor in front of him.



LEON F. CZOLGOSZ.

At this point Judge Titus came over to the prisoner and bade him good-bye. Czolgosz replied very faintly, letting his eye rest upon the man who had been his counsel. "Good-bye," he said weakly. Czolgosz was then hurried downstairs and through "the Tunnel of Sobs" to the jail, where he will remain until removed to Auburn to pay the penalty for his crime.

Although the time announced for the convening of court was 2 o'clock every seat and every foot of standing room were occupied before 1:30 and scores were clamoring outside for admission. The doors were locked and no more were admitted to the room. The prisoner was brought into the room at 5 minutes to 2. Five minutes later Justice White took his place upon the bench.

As soon as Justice White assumed the bench, Crier Hess said: "Pursuant to a recess, this trial term of the Supreme Court is now open for the transaction of business."

District Attorney Penny said: "If your honor please, I move sentence in the case of People vs. Leon Czolgosz. Stand up, Czolgosz."

Clerk Fisher swore the prisoner and his record was taken by the district attorney as follows: "Age 28 years; nativity, Detroit; residence, Broadway, Nowak, Buffalo; occupation, laborer; married or single, single; degrees of education, common school and parochial; religious instruction, Catholic; parents, father living, mother dead; temperate or intemperate, temperate; former conviction of crime, none."

Then Justice White passed sentence as follows: "In taking the life of our beloved President you committed a crime which shocked and outraged the moral sense of the civilized world. You have confessed that guilt, and after learning all that at this time can be learned from the facts and circumstances of the case, twelve good jurors have pronounced you guilty and have found you guilty of murder in the first degree."

"You have said, according to the testimony of creditable witnesses and yourself, that no other person aided or abetted you in the commission of this terrible act. God grant it may be so. The penalty for the crime for which you stand convicted is fixed by this statute and it now becomes my duty to pronounce this judgment against you: The sentence of this court is that in the week beginning October 28, 1901, at the place, in the manner and means prescribed by law, you suffer the punishment of death. Remove the prisoner."

The crowd slowly filed out of the room and court adjourned at 2:26.

Bryan Favors Free Speech.

Lincoln, Neb., Special.—W. J. Bryan is opposed to any limitation upon the freedom of speech, which he says has been suggested as a cure for anarchy. Mr. Bryan believes the evils of restriction are greater than the evils of freedom and further declares the death of President McKinley cannot be traced to anything said or written against him. The warfare, he says, must be against anarchy, not against freedom of speech. Anarchy, he insists, is a European product, and thrives most there, where there is the least freedom of speech and the press.

SITTINGS RESUMED.

The Schley Court of Investigation in Session Again.

TWO WITNESSES WERE EXAMINED

Nothing Startling Has Been Brought Forward Thus Far By the Witnesses Against Schley.

Washington, D. C., Special.—Two witnesses were introduced in the Schley court Wednesday. They were Admiral Cotton, who as captain commanded the auxiliary cruiser Harvard, and Captain Wise, who commanded the auxiliary cruiser Yale during the Spanish war. Both these vessels were used as scouts and both came up with the flying squadron off Santiago on the 27th of May, before the retrograde movement to Key West began. Admiral Cotton testified that he had gone aboard Admiral Schley's flagship, the Brooklyn, on that date to take dispatches to him and he said at first that he gave him four or five dispatches addressed to the commander of the squadron. He afterwards modified this statement, saying that probably all but two of these dispatches were addressed to himself (Admiral Cotton) but that they contained information which he thought should be in Admiral Schley's possession. One of these was a copy of a dispatch from Admiral Sampson which had not been printed in the official records, stating that the Spanish fleet was at Santiago. He also said that coal could have been taken from the Merrimac on the 27th of May, the day on which the retrograde movement to Key West was begun for the purpose of coaling. Captain Wise testified that on the 27th day of May he had signaled Captain Phillip, of the Texas, his opinion that Cervera was inside the harbor at Santiago, but the testimony was ruled out.

The first witness called was A. B. Claxton, the machinist on board the Texas who had begun his testimony when the settings of the court were so abruptly terminated Tuesday morning by the death of Judge Wilson. Mr. Claxton said on July 3, 1898, he had been on duty in the engine room of the Texas. The engine indicator had called for full speed ahead early in the morning, which had, within an hour after the beginning of the action been changed to "full speed astern." To his knowledge there had been no signal for the reversal of the engine. He said that he had been excused from service in the engine room, but still he knew that the engines were reversed for about two minutes.

Rear Admiral Cotton, now commandant of the Norfolk navy yard, who commanded the auxiliary cruiser Harvard during the Spanish war, was the next witness. He said that on May 27, 1898, he had delivered dispatches to Commodore Schley from Admiral Sampson and the Navy Department. He had, he said, boarded the Brooklyn about 10:30 o'clock. The weather was then moderate and he had had no difficulty in going aboard the Brooklyn.

"What was said about the dispatches?"

"I delivered to Commodore Schley the original ciphers in which the dispatches had been received by me at St. Nicholas Mole, together with translation of those dispatches made by Lieutenant Beall, of the Harvard. I handed them personally to him in his cabin in the order of their date. He received them, read them and commented in a general way upon their purport; spoke of the difficulty he had in getting coal on board his ships while at Cienfuegos and subsequently to the date of which I am speaking, May 27, and said it had been an almost impossibility to get coal on board on account of the weather. He questioned me relative to the practicability of coaling ship at St. Nicholas Mole and Gonave's Channel. As to St. Nicholas Mole, I said: 'There is no question the small ships can coal there. As to Gonave's channel, I know of no reason why you should not be able to coal there.' The commodore made remarks upon my statements, the language of which I do not recall, but he asked me, 'How about the large ships at St. Nicholas Mole?' I said: 'You can't coal your big ships there.' I had special reference in my reply to the battleships and protected cruisers of the Brooklyn and New York class. I said, thinking of the fact that my own ship had been there and was of some 12,000 tons displacement and nearly 600 feet in length, 'possibly under favorable conditions, you might be able to coal the large ships there, one at a time.' But the area of deep water for the anchorage of large ships is so little there it was not practicable to coal at the very utmost more than one large ship at a time and in case the weather became bad she would immediately have to go to sea."

Mrs. Roosevelt at the White House.

Washington, D. C., Special.—Mrs. The Roosevelt, the wife of the President, took up her permanent residence in Washington Wednesday night when as mistress of the White House, she occupied apartments for the first time. She reached the city about 9:30 o'clock, bringing with her two of the Roosevelt children, a governess and a housekeeper. President Roosevelt met Mrs. Roosevelt and the children at the portcochere of the White House. Apartments in the southwestern part of the building have been specially fitted up for the new presidential party. For two hours late in the afternoon the President enjoyed a horseback ride accompanied by Col. Sanger, the Assistant Secretary of War.

PENITENTIARY REPORT.

Report to Governor Aycock is Made Public.

The following is the report on the penitentiary, made Thursday evening to the governor:

We, the finance committee of the State's prison, to whom was referred your request by J. S. Mann, superintendent, for a full investigation of the receipts and disbursements of the said prison from January 1st, 1899, to January 1st, 1901, and from the latter date to April 3, 1901, (this last date being the date on which the present administration assumed charge), beg leave to report that we have examined the books, vouchers and pay rolls of the prison up to and inclusive of December 31st, 1900, and find the following assets and liabilities:

Assets January 31st, 1901.	
Balance on hand	\$ 4,959 24
Proceeds from 878 bales cotton	34,121 97
Proceeds from 55,255 1-5 bu. peanuts	31,601 93
Proceeds from 359,370 brick	1,796 85
Proceeds from cotton seed	492 03
Proceeds from cattle	267 58
Proceeds from mattresses	600 00
Bills receivable	13,192 65
Permanent improvements	18,347 33
Liabilities	22,476 58
Balance	\$ 82,903 10

Appropriations for 1899-1900. . . \$105,414 10
By mules, horses, farming implements, sold from Halifax, Northampton, Anson and Castle Hayne Farms. . . \$12,084 82—\$117,498 92
Leaving a deficiency in earnings of \$85,495.82.

The former superintendent claimed and credited his statement with \$32,141.78 as having been expended for permanent improvements. We examined, in detail the invoices supporting this account and found of this amount \$14,257.14 that was expended for fertilizers, horses, mules, wagons, carts and farming implements. This amount, in the judgment of this committee, should have been charged to the expense account. We, therefore, credit the permanent improvements account with the difference between \$32,141.78 and \$14,257.14, which is \$17,884.64.

Your excellency will note an item of \$12,084.82, which we charged to the State's prison. The amount was receipts from the sale of horses, mules, wagons, carts and farming implements from Castle Hayne, Halifax and Northampton farms. The past administration having discontinued the working of these farms, sold all the stock and farming implements. As they found these farms in full operation and stocked when they came in, we did not think it proper for them to take the receipts from the sale of this material and apply it as their earnings; hence, the charge.

Your excellency will note that instead of the State's prison earning \$34,456.73 in excess of the cost of the maintenance, as claimed by them, there was really a deficit of \$35,495.82. There is on the books of this institution \$11,906.15, which we have not been able to collect. A great many of these accounts have been brought forward from year to year. There are others against parties we cannot find, and others against parties who say they do not owe them. We think it proper to place such of these accounts as may be considered worth anything in the hands of the Attorney General, with instructions from you to bring suit on them and credit the proceeds, if any, to the former administration.

There are now several claims against the prison, aggregating \$1,200 to \$1,500, which the board of directors are investigating. Should they be allowed they should be charged to the former administration.

Below you will find a statement showing the financial condition of the State's prison on April 3rd, 1901; also on September 7th, 1901.

April 3, 1901, cash in drawer	\$ 130 66
Cash in treasury	12,017 52
Bills receivable	10,711 05
Cash received from Martin's shortage	16,060 40
144,759 brick	611 90
55,255 bushels peanuts	31,601 93
399 mattresses	3 99 00
Two bales cotton	78 10
6,300 pounds damaged cotton	200 00
Beef cattle	267 58
Cotton seed	282 20—\$ 72,360 58
Liabilities	43,133 93
	\$ 29,226 65

\$9,016.89 of the Martin shortage occurred prior to the Day administration.

April 3rd to September 7th.	
April 3, 1901, cash on hand	\$ 28,208 58
Receipts from April 3, to September 7th	53,105 32
7th	53,105 32

Total receipts	\$ 81,313 90
Disbursements	
April 3rd to Sept. 7th	79,485 75
Balance	\$ 1,828 15
Damaged cotton	200 00
Bills receivable	8,244 67
1,528,289 brick	6,495 26
417 mattresses	417 00—17,185 03

Total assets September 7th	\$ 17,185 03
Liabilities: September 7th: Old debts prior to April 3	7,013 92
New debts since April 3d	1,125 00
Balance	9,046 16
Deducting old debts and amounts expended for permanent improvements, there was expended \$385,801.12, from January 1st, 1899, to December 31st, 1900, or an average of \$16,079.17 per month. From April 3d to September 7th there was expended \$51,954.34, or an average of \$10,390.86 per month.	
All of which we respectively submit.	

(Signed) Nathan O'Berry, J. A. Brown, Finance Committee.

State News.

A petition is being circulated in Rowan county for the pardon of James Howell, who was sent up for three years for house burning.

Asheville is now connected by long-distance telephone with all the large northern and western cities. The line was completed Tuesday.

Telegraphic Briefs.

Failure of the airbrakes caused a collision on the Northern Pacific Railroad, near Lake, Wash., injuring a number of persons.

The police at Memphis, Tenn., have caught Garrett Nugent, of New York, charged with embezzlement of \$10,000.

The trial of Mrs. Bonine for killing Census Clerk Ayres in Washington, D. C., will be called in November.

The Marcus Daly estate has paid the government \$131,407 inheritance tax.

The National Conference of Unitarian Churches assemblies at Saratoga, N. Y.

Drowned in Reservoir.

Lima, O., Special.—Frank Hague, better known as Zero, an aeronaut, was drowned in the city water-works reservoir Tuesday afternoon. Hague was in a parachute and balloon race with C. M. Hawley, at the county fair grounds and was 1,200 feet in the air, when they cut loose. Hawley landed in a private yard near the reservoir, while Hague landed in the middle of the big reservoir and was drowned, by becoming entangled in the ropes of the parachute.

Notes of Progress.

Representatives of thirty leading compresses have organized a State association with avowed object of securing uniformity and increased density, so as to enable it to compete with any other package on the market.

The Bowling Green, (S. C.) Knitting Mills, recently reported, has organized, with J. T. Patrick, president, and R. M. Dulin, secretary-treasurer. Directors have also been chosen. The other facts as to this \$15,000 plant have been previously announced.

The Dulin (Ga.) Cotton Mills, reported last week as to issue \$50,000 of bonds, does not contemplate any improvements. The plant has just been completed, and is now preparing to commence operations. About eighty hands will be employed, 5,000 spindles, and 160 looms operated, and sheeting and shirtings manufactured.

It is reported that Messrs. J. T. Holmes, E. Nolte & Sons and others of Seguin, Texas, have purchased for \$8,000 the Erskine Falls, intending to develop the water-power and erect a cotton factory to utilize the energy obtainable.

Walthour Defeated.

New York, Special.—Jimmy Michael of Wales defeated Bobby Walthour of Atlanta in two straight heats at Madison Square garden. The men were matched to ride heats of five miles each behind motor pace, best two in three. In the second heat Walthour established a new in-door record for one and two miles, covering the first mile in 1:32 3-5 and the second in 3:06.

Embezzler Caught.

New York, Special.—Garrett Nugent, 19 years of age, who is alleged to have embezzled about \$10,000 from his employers, Townsend and McIlvaine, lawyers of this city, by means of false entries in the firm bank book, has been arrested at Memphis, Tenn., according to information received here from the police authorities of that city. Nugent disappeared last March and has been traced all over the country until he was apprehended at Memphis.

Brief Mention.

Boers captured a company of British mounted infantry and two guns at Vlakfontein, in the Transvaal.

The Duke and Duchess of Cornwall and York were welcomed at Ottawa.

The Czar and Czarina spent a quiet day at Compeigne, France.

The Russian press has been forbidden to mention plaudits for Count Tolstoy bestowed by his admirers.

King Edward and Queen Alexandra arrived at Helsingore, Sweden, on a visit to King Oscar.