

THE SEMI-WEEKLY NUGGET.

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WILL HANG OCTOBER 2D

Alexander King Convicted by Jury and Sentenced by Judge Yesterday

FOR THE MURDER OF HERBERT DAVENPORT ON JULY 14TH.

An Account of One of the Most Unprovoked Atrocities in Criminal History.

Prisoner's Self-Convicting Account of His Crime—"Send Me Out to Be Shot Through the Head in the Morning," Said King, When Sentence Was Passed—Overcome by Emotion, the Judge Wept for the Lost Plan—Dramatic Scene in the Courtroom—Attorney for Defense Makes Strong But Groundless Plea—The Law Vindicated.

From Wednesday's Daily.
Alexander King has been adjudged guilty of the murder of Herbert Davenport and sentenced to be hanged October 2d.
Possibly, when the world has reached a high enough standard of civilization, some cycles of time hence, scenes like that witnessed in the territorial court room last evening during the closing moments of King's trial might be seen. It is more than probable there was not a man present who could remember having witnessed a more cold-blooded acknowledgment of unprovoked murder than that made by the monster in the prisoner's dock, and at the same time a scene more dramatically impressive. All the elements were there for the making of one of the grandest productions of dramatic art if only witnessed by a capable author.
The jurors who decided the case were J. P. McLennan, Henry Piggott, P. R.

Ritchie, H. J. Bannerman, Robert Craig and R. M. Eckhardt.

The evidence given by the two principal witnesses, Charles Everett and Lester Knouff was substantially the same as that given by them at the preliminary hearing in the lower court. The story of the killing of Davenport and the events which led to it are as follows:

Davenport was engaged in piloting a scow from Whitehorse to Dawson for Racine, who was in the freighting business. His crew was composed of King, Everett and Knouff. More or less difficulty was encountered, in common with nearly all craft in navigating the river, by reason of the many bars. The scow navigated by Davenport got hung up on several bars, and this fact irritated King greatly and led to more or less complaining on his part, and attempts at quarreling with Davenport, who refused to quarrel. Finally when the scow stuck fast on a bar about ten miles above White river, Everett and Davenport took a canoe and went to locate the channel, leaving King and Knouff on the scow. During their absence King told Knouff that if Davenport didn't quit doing as he had been doing he would lay him out. During the absence of the two men King fired a shot

from the rifle, while Knouff was preparing a meal the two returned. When the canoe came alongside King pointed the rifle at Davenport and said: "You have bumfuzzled us long enough on this trip."

Davenport replied: "Why, Dad, what do you mean? I could not help getting stuck on this bar. Dad, don't shoot," and had his hands up, when King took aim and fired the murderous shot which entered just above the heart and caused almost, if not, instant death, the murdered man crying out as he went down in the bottom of the canoe. "My God, I'm shot!"

Davenport made no offer to resist, and was believed to have been unarmed.

Everett jumped aboard the scow, but immediately found himself confronted with the death-dealing rifle and was forced to agree to tell a story to the authorities which would show that the act of King was justified. Knouff was compelled in the same way to declare that he would do as directed. Then the body of the dead man was taken from the canoe and placed on the scow, but not before King had ordered it thrown into the river, and Everett had persuaded him to allow it put on the scow. King had dumped the body head first into the pump-hole of the scow, using a vile epithet as he did so. Everett again persuaded him to move it and it was laid upon the sacks of oats which comprised the load of the scow. It was laid face up, but King turned it over again, cursing it.

Then followed the trip to Dawson. When Stewart river was reached Everett and Knouff had sought to persuade King to give himself up, but he replied that he preferred to come to Dawson where he had some mining friends who would be of assistance to him in getting off.

After this what occurred down to what took place in the courtroom yesterday has already been fully published in the Nugget.

All through the short but eventful trial Attorney Davie's conscientious work in behalf of his client was manifest. He set up the plea of insanity and stuck manfully to his guns till the very last moment, though long before the end it was very evident to all that nothing short of new and overwhelming evidence could change the end for King. To further advance the insanity idea, and also learn something of the antecedents of King, Chris Sonnickson was called to the witness stand and testified that he had known King in '87, when both were prospecting in the country tributary to the Yukon below here. Only two or three incidents could be related which by any possible stretch of the imagination could have any bearing upon King's mental condition at the time of the recent murder. At one time King had said to the witness, when the two happened to be camped together, that he would show him the arctic circle, and when in a few minutes the northern lights had appeared, he had referred to them as the arctic circle. At another time when they had both wintered, with 12 or 15 others, at a point far down the river, the prisoner had been commonly spoken of as "Crazy King."

Dr. Thompson and Good gave evidence as to their professional opinion of King's sanity, and declared without hesitancy that the man was in full possession of his mental faculties.

Dr. Thompson, the police surgeon, testified as to the superficial examination he had made of the body after it had been brought to Dawson, and to the nature of the wound. Regarding King's mental condition he said he had had a number of conversations with him with a view to ascertaining his mental standing, and had observed nothing which led him to believe the man was insane.

Dr. Good had seen nothing which led him to differ in the opinion of his colleague.

During the taking of the testimony of the various witnesses King had looked interested, bored and sarcastically amused by turns, and when he took the stand in his own defense he gave his testimony in a quiet, straightforward manner, the only things noticeable about him being that his voice was husky, and his manner, as throughout the proceedings, betrayed extreme nervousness. He is a man who would be noticeable anywhere and under less striking circumstances. His features are for the most part thickly covered with a long and heavy gray beard, unkempt, matted and near the end slightly stained with tobacco juice. His gray-blue eyes are bright and penetrat-

ing, and his hands move constantly, though, aside from this and the expression of his eyes there is nothing to indicate the man's nervousness. He was dressed in a pair of new blue overalls, and a mackinaw coat of the same color, somewhat worn and patched at the elbows. He testified that he was 54 years of age and a miner and prospector, which he had been for many years, traveling always alone over many thousands of miles of this country. He had made the trip from the Skagit river to Skagway in a dory, and had made many other similar trips, always in the same solitary way. He had five brothers in Ohio, but it had been 23 years since he had heard from any of them. He had mined and prospected in California before coming to this country in '87, and had never had a partner. In answer to a question from his counsel as to whether he had ever met with an accident or not, he stated that when a child he had received a fright which had made him nervous all his life.

Speaking of his trip on the scow with Davenport and the two witnesses whose testimony he had heard he said: "They wanted to sleep, sleep, sleep. That was the whole order of the day." He knew something of the river, having made the trip before, and had instructed Davenport as to the piloting of the scow, but had not been heeded.

"You fired a gun at the deceased?"
"Certainly."
"Why did you do this?"
"He took it out of me. He was risking my life, and causing me lots of unnecessary work."

Then followed numerous questions by the defense tending to show that there was a possibility of the prisoner's mind being deranged to some extent during the trip and at the time of the shooting. However, all the questions were answered in a way which gave no reason to suppose that such was the case, and when the witness returned to the prisoner's box there was little doubt as to what the jury's verdict would be.

Mr. Davie's argument to the court and jury was, as has been pronounced by many since, who heard it, extremely able and complete. He dwelt with great minuteness upon all the points which could be of any benefit to his client, citing the fact that the police had failed to have any post mortem performed on the body of Davenport, and contending stoutly that there was nothing to prove conclusively that the cause of death had been the result of the shot fired by his client. Before the argument commenced he had asked the court to discharge the prisoner on the same ground. Then he argued from the fact of the prisoner's having led a solitary life, filled with all the privations, dangers and hardships incident to the career of a lone prospector, that there was reason to doubt the entire soundness of his client's mind.

It was a gallant fight and one worthy of a far better cause, but that and the fact that the young attorney had had so little time in which to prepare his case, will only add to the mead of credit which is his due.

Crown Prosecutor Wade followed in his usual able way, but there was little need of argument on the part of the prosecution.

Judge Craig delivered his charge to the jury in a thoroughly clear, concise and impartial way, and the jury retired to the rooms above in charge of the court officer.

During the absence of the jury Attorney Davie appealed to the court to call the jury back and instruct them to take into account the possible hallucination in the mind of King at the time of the shooting, that he was justified in what he did—that is, that he may have been convinced that he was justified.

Prosecutor Wade contended the point, but Judge Craig, as if disposed to overlook no possible opportunity of being absolutely just, to say the least, so instructed the jury after its return, which was very soon, as it had to return up

(Continued on Page 4.)

RECEIVED BY WIRE.

SPARRING FOR TIME

Is What China's Actions Indicate She Is Now Doing.

IN ORDER TO MOBILIZE HER TROOPS.

Has Made Separate Appeals to All the Powers to Mediate for Her.

SALISBURY IS VERY RETICENT

And Says Nothing Can Be Done Until Peking Reports—Skagway Sings Tale of Woe.

Washington, July 27, via Skagway, Aug. 1.—During the past three days there has been no startling news from China and very little of any nature. The officials here are rapidly losing faith in the Chinese government and England entertains the same views as America. It has been learned here that the request made of President McKinley that he mediate the present troubles for China has also been made to England, France, Germany, and, in fact, to all the powers. This is taken as an indication that China is not serious in her request for mediation, but that it is a play for time in which to arrange for better mobilization of her forces.

Salisbury Reticent.

London, July 27, via Skagway, Aug. 1.—When Lord Salisbury received from the Chinese government the request that he act as mediator in the troubles he merely acknowledged its receipt and said nothing can be done until definite news is received from Peking.

Skagway's Grievance.

Skagway, Aug. 1.—Acting Secretary of the Treasury O. L. Spaulding arrived here yesterday on a tour of southeastern Alaska which he is making on the U. S. revenue cutter Grant. Last evening he was waited upon by a special committee from the local board of trade which made a strong and well-prepared effort to impress upon him the importance to Skagway and American interests in general that the privilege now extended to Canada of bonding her goods through that port to Dawson and all interior Canadian points be rescinded or that Skagway be closed as a point of entry. The secretary did not commit himself as to his view of the question.

Change in Travel.

Mine Host Flannery has changed the departing time of his stage to Dominion from 8 o'clock at night to 8 in the morning. The change is due to the chilly weather which assails the traveler on the ridge as well perhaps as the disappearance of several overcoats which the obliging proprietor has felt compelled to loan and which have failed to find their way back to his hostelry.

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