

SLAYER OF FARM HAND MUST PAY WITH LIFE

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Immediate Members Of Family Hold Last Visit With Blackburn And Leave At 9 P.M.

READY TO DIE

Condemned Man Still Hopeful At Midnight, But Willing To "Take It Like A Man"

Charles J. Blackburn, convicted murderer of Miguel C. Bernal, his business partner, will hang at 5 o'clock this morning behind the brick walls of the death house at the state prison, Florence. In the face of crucial suspense, with his life hanging to the last minute on an unspoken word from the state board of pardons and paroles at Phoenix, he faced his fate with unbroken composure.

The board was in session yesterday afternoon until 5 o'clock, but the last chance of human intervention seemed to have vanished when the members hurriedly left the capitol in different directions. With no statement to make.

The sun will not rise for Charles J. Blackburn on the day of his death. Sunrise is not due until 25 minutes after the zero hour when the trap door in the hidden gallows scaffold is due to swing from under his feet.

Having failed to induce the United States Supreme court to review the case, and failed twice to persuade the state board to commute to life imprisonment the death sentence pronounced by Superior Judge chambers of Graham county, February 20, 1926, a last attempt was made yesterday by Blackburn's attorney's relatives and friends, to obtain a 30-day reprieve, on the strength of alleged new evidence.

Board Remains Firm

But after the board dispersed late yesterday the only developments were purely negative. No word to countermand the hanging had been received by prison authorities at midnight. C. O. Case, state superintendent of education and a member of the board, was understood to have left for the Grand Canyon and neither of the other two members could be found.

Joe Maier and Bill Brundage, brothers-in-law of Blackburn and the latter's wife, mother and two young sons entered the death house at 6 o'clock last night.

Family Says Good-Bye

The mother and wife, bringing with them the two small sons, left the cell at 9 o'clock, both women badly shaken. The mother had to be assisted from the prison yard. Both paused outside the wall for a few moments, making a visible effort to regain their composure, and a short time later left the vicinity of the prison. It was understood they had returned to their home in Mesa.

Of the seven persons in the cell during the early part of the evening, Blackburn was reported by guards to be the most confident and calm.

The three men-Blackburn and his two brothers-in-law were still in the death cell at 10:30 p.m. at that time, a guard reported, Blackburn expressed confidence that he still had "a chance." Though he said "if it finally is necessary, I can take it like a man."

Blackburn last night was housed in death cell No. 1 – one of the four into which the small, grim building in the center of the prison yard is divided. Cell No. 1 is just at the foot of the 13 steps which lead to the upper story of the building and the chamber which houses the gallows.

Seven Others Wait

Seven other prisoners under death sentence were in the penitentiary last night. Those who had been in the death house were removed early yesterday morning and lodged in regular prison cells. Blackburn and his relatives, with the quiet, shadowy figures of the guards always hovering nearby, were the only occupants of the death house as midnight passed and Blackburn's chaplain, last night volunteered himself as counselor and confidant of Blackburn's last few hours, should the condemned man desire what comfort he might give. At 1:30 o'clock this morning, no reply had come from Blackburn to Hoffman's proffer.

At the same time, Blackburn's two brothers-in-law were still conversing with him in his cell, their low tones echoing slightly in the small, solidly-built building.

Warden Scott White announced at one o'clock Blackburn would be accompanied on his walk up to the 13 fateful steps, by four prison guards who would, in effect, enfold him in their midst.

Other guards will be stationed at the vantage points through the lower floor, with its four cells which at that time will be empty – their doors swinging open as their last possession, Blackburn, walks out to enter eternity.

As midnight passed, and the hands on the clock in the Warden's office went around to 1, and passed, strange silence lay heavy over the prison yard.

There was only one guard at that time in the death house. Silent, immobile, he stood with folded arms before the barred door behind which Blackburn talked softly, and in firm tones, with his relatives.

They were joined early this morning by Mr. Lillywhite of Mesa, an old friend of Blackburn, who it is expected, will be with him until the end.

Blackburn had evidenced no desire to sleep as the minute hand of the clock started climbing toward 2 o'clock and there was left to him only three hours of life.

At this hour, his mother, wife and children were presumed to be enroute by automobile to their home in Mesa. Lovell, 18, and Charles, 17, Blackburn's sons and his two eldest children, were riding with their mother and grandmother. Creta, 11 and Beverly Ann, 3, had been at the prison all day yesterday, from early morning, but were believed early this morning to be in the care of friends.