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CHURCH CE UEQUE OHRIST OF LATTER DAY SAINTS DESERET EVENING NEWS. TRUTH AND LIBERTY.

10 PAGE -LAST EDITION



That Process Describes Selecting and Challenging Talesmen In the Haywood Case.

SOME SLIGHT PROGRESS MADE

Both Sides Profess to Believe Jury Will be Secured Before Adjournment Saturday.

Examination of Veniremen Causes Quite a Little Merriment, Answers Being Very Amusing.

Boise, Idaho, May 15 .- With 10 men in the box who have been passed for cause by both the prosecution and the defense, the trial of William D. Haywood, secretary and treasurer of the Western Federation of Miners, charged with the murder of former Cov. Frank Steunenberg of Idaho, opens this morning at 10 o'clock for the fourth day. The morning session will be taken up with the qualification of the two men necessary before the work of examination preliminary to peremptory challenging begins. It is thought probable that the box will be filled during the morning session, but as a matter of fact it is not likely that more than two or three of the present occupants will be retained by both sides as jurymen. This means that the monotonous work of questioning talesmen will have to be continued for some days. Counsel on both sides profess to be confident that a jury will have been secured before edjournment next Saturday, but necessarily this is entirely speculative, as it is impossible to say to what exas it is impossible to say to what ex-tent the remaining talesmen will be able to qualify. The scope of the questions seems to increase as the hearing continues. Notwithstanding this there is not the slightest evi-dence of a desire on the part of Judge Fremont Wood to curtail the latitude of either side. He has con-sistently carried out the statement he made at the opening of the case, that he proposed to give to both sides the widest latitude in their examinations. FEW WILL BE RETAINED

FEW WILL BE RETAINED.

Counsel for the defense and prose-ation in this celebrated case admitted whe Associated Press this morning that the chances for retaining more than three or four of the talesmen so ar examined and passed for cause was extremely small. In fact, one of the counsel says that at the outside extremely small. In fact, one of the f the counsel says that at the outside expects not more than three of the resent occupants of the box to pass be peremptory challenge. Under the less of practise in the Idaho courts hen a seat is vacated for cause or nder peremptory challenge exercised y either side, the seat is filled by a desman who has not been examined for cause and he must fully qualify before the next seat in the box is beached.

tonized by the ravages of consumption, he watches every more and scans the face of every juror with eyes that look big from the disease-worn face. Not once has he spoken to a member of the array of counsel for the prisoner or offered a suggestion. He is there as an outsider, but is evidently intense in his interest. NO DRAMATIC FEATURE

NO DRAMATIC FEATURE. Up to the present the hearing of the case has been wanting absolutely in anything of dramatic feature. There have been touches of humor and of pleasant persifiage between counsel, but a complete lack of anything to act as a reminder of the tremendous tragedy upon which the curtain is about to rise. The proceedings are commonplace and the whole scene nothing more than might be expected at an ordinary mur-der trial. In the alertness of counsel and the close attention of judge and counsel on both sides to the slightest in-eident and to every word spoken there is to be found, however, a sagestion of something to come when all the pre-liminary sparring is at an end, the great case commences in earnest. COURT OPENS.

COURT OPENS. Court in the trial of William D. Hay-wood opened this morning at 10 o'clock for the fourth day of the trial. Ou agreement between counsel, two mem-bers of the federal grand jury were excused for the term. When the Haywood trial was resumed this morning Judge Wood with the

When the Halvwood that was testined this morning. Judge Wood, with the consent of counsel, excused two tales-men who are members of the federal grand jury. The members of the Hay-wood family were not in court when the proceedings opened.

QUESTIONING BEGINS.

QUESTIONING BEGINS. Atty. E. F. Richardson of the defense assumed the work of questioning the prospective jucors. He began with Sam-uel Wingate, an irrigator who had been in seat No. II since last Thursday. The first 10 men of the panel had been passed yesterday by both sides without challenge for cause. Mr. Richardson took Wingate back to the labor troubles of the Couer d'Alene district in 1852 and 1859 and asked him if any prejudice had grown in his mind against the Western Fed-eration of Miners as a result of the troubles in northern Idaho. Wingate said he partly upheld and partly blamed the Western Federation of Min-ers in the Couer d'Alene matter. Asked blamed the Western Federation of Min-ers in the Couer d'Alene matter. Asked if he connected Gov. Steunenberg's death with he troubles in the mines, Wingate replied that he thought that the governor's death was "a very bad thing." The incident, he added, did not excite him "a great sight" after the first interest had died down. He form-ed an opinion which was weakened, however, as time went on. "Did you read several alleged inter-views with Detective McParland accus-ing these men of the governor's death?" asked Mr. Richardson. "Yes."

"Yes." "Did you come to any opinion from reading them?"

"No." "Why not?"

"There were so many of them and they were all circumstantial." "Did you read about an alleged con-fession of Harry Orchard?"

"Reach any opinion in regard to

"Y as."

"Yes." "As to what?" "As to Orehard's guilt." "You could not sit as a juror at his trial then?" "No." Is your opinion so strong that it touches the guilt or innocence of Harwood?"

"'In a way." "But you could give him a fair and impartial trial?" "Yes."

Wingate declared he would be pre-judiced against Orchard as a witness. "What are your politics?" asked Mr. Richardson.

Republican. "Are you opposed to Democrats?" "No." "Or Socialists?"



INVESTIGATION

WILLIAM D. HAYWOOD.

HARRIMAN ROADS

Kellogg and Severance Very

Drastic Indeed

Say Competition Has Been Sup-

pressed in an Area Equal to

One-third of the U.S.

Contracts Alleged to be in Violation of

Sherman Anti-Trust Law-Would

Institute Proceedings.

Who is on Trial at Boise for the Murder of Ex-Governor Steunenberg.

prevent his giving the defendant a fair trial. Burns said he had read of Orchard's confession. "Has it prejudiced you against Or-chard as a witness?" queried Senator Rorah

Borah. "Well, I think it has." "Wouldn't you believe him?" "I wouldn't give his evidence the same weight I would some other witnesser"

witnesses 'Possibly not," commented Senator Borah. Messrs, Darrow and Richardson, of

the defense, laughed loudly at this. Burns was passed by the state without challenge for cause, and his examination taken up by Mr. Richardson

Did you read what Senator Borah "Did you read what senator horan said in an interview some time ago regarding the method of bringing these men here, saying that if they had not been brought here as they were, they never would have been here at all?" questioned Mr. Richard-son

son. "It's an axiomatic matter," inter-rupted Senator Borah. "It would be axiomatic if there was law," retorted Mr. Darrow. "Oh, well, we took the matter to the supreme court of the United States," remarked Senator Boran. "Yes and all the court said was that it would not take jurisdiction," shouted Mr. Richardson. "Gentlemen," said Judge Wood, "kindly proceed with the examina-tion."

"kindly proceed with the examina-tion." There was a good natured laugh all around and Mr. Richardson resumed his allotted task. Burns said he read about the bring-ing of the prisoners from Colorado. but he came to no conclusion as to whether the method was right or wrong. Asked as to his politics, the proposed juror said he had been a Republican ever since he was old enough to be anything. "Then I presume that generally speaking you are opposed to Demo-orats," remarked Mr. Richardson. "Oh, no," said the talesman. "Suppose it should develop that the defendant here is an advanced and pronounced socialist, would that affect your judgment as to his guilt or in-nocence."

nocence 'No.

<text><text><text><text> Recommendations of Attorneys HAVEN'T BEEN ACCEPTED YET.

SMALLPOX IN IOWA

Sidney, Iowa, May 15.-Smatpox has broken out in numerous places in southwestern Iowa and quarantines are being established at different towns. At New York, May 15 .- A portion of the recommendations of Attys, Frank B. being established at different towns. At Riverton none are permitted to enter or leave the town. Armed guards are in charge of every road leading into the place and a number of traveling men are cooped up in the hotel. Sindey is patrolled by guards and none from the newly infected towns are permitted to enter. Hamburg is exercising a strict watch over all antering there and Kellogg and Charles Severance to the nterstate commerce commission conerning the Harriman railroad invesigation has been published here. It reriews the testimony and holds that railroad competition has been supstrict watch over all entering there and yesterday four persons who had es-caped from Riverton were arrested and ressed in an area equal to one-third f the United States; that the contracts stween the Union Pacific and Rock returned to that town.



FIFTY-SIXTH YEAR STRIKE GALM

preson of common understanding to know what is meant." "In the light of the foregoing controll-ing and reasonable rules it would seem that if a president of a corporation whose duty it was as chief executive to know what kind of agreements his company had made should, pursuant to a law requiring him to do so, make an affidavit that his company was not on a given day a parity to any agreement with any other company to fix the price or limit the production of an article of manufacture, the affinint could hardly say, when charged with failse swearing in that particular that he could not un-derstand the mature of the charge; that it was only the expression of an opholon without knowledge of its meaning derstand the nature of the charge; that it was only the expression of an opinion without knowledge of its meaning when taken in connection with the law governing the same. "The indictment in the particulars just discussed in my opinion states the substance of an offense within the meaning of the extendition laws of the

HISTORIAN'S OFFICE.

ining of the extradition laws of the ofted States,

meaning of the extradition laws of the United States. "It is argued that because the in-dictment was not found withan the year after the commission of the offense, prosecution for it is barred by the sta-tue of limitations. That argument is without merit. It may turn out to be true that the petitioner has been absent from the state of Texas during a part of the time shore 1960. If so, the duration of such absence would not be included in the period of limitation. "After a careful consideration of the argument of counsel for both sides, the conclusion is irresistible that the sub-stance of an offense is found in the in-dictment and that jurisdiction rests alone with the courts of the demand-ing states to pass upon any question which may arise in its consideration and trial. The prisoner musc be re-manded, and it is so ordered."

COL. KINGSBURY RETURNS.

San. Francisco, May 15.—The Fighth U. S. cavalry regiment, Col. H. P. Kingsbury comanding, which has been on duty in the Philippines for the last two years, returned unday on the army transport Thomas. The headquarters, band and two squadrons will go to Fort Robinson at once, and one squadron will go to Fort D. A. Russell, Wyo. The other squadrons will remain perma-neutly at the Presidio.

MASS. TECH.

Benj, Ide Wheeler of California Offered the Presidency.

Boston, May 15 .- Benjamin Boston, May i.o.--Benjamin 100 Wheeler, president of the University of California, has been offered the presidency of the Massachusetts in-stitute of technology to succeed Presi-dent Henry S. Protchett, who an-nounced his resignation last Decomber to devote his attention to the Carnegie Fund. fund

The information was given in a statement by a prominent member of the institute corporation made public the institute corporation made public today. The election is subject to cou-firmation by the vote of the entire corporation which will meet upon the last Wednesday of this month, but it is thought that they will approve of the executive committee's choice of Pres-ident Wheeler. President Wheeler is a native of this state, having been born in Randolph in 1854.



Judge Dunne Denies Ach's Motion For a Change of Venue.

For a Change of Venue. San Francisco, May 15.—When the Ruef trial opened this morning Atty. Ach renewed his motion for a change of wenue and insisted that in support of that the bulky volume of newspaper clippings collected by the defense as evidence that the mind of the community is prejudiced against Ruef. He argued that it was the allegations made in these clippings of our for several days in order to do it. Atty. Shortridge argued along the same line and was followed by Asst. Dist. Atty. Hancy, who declared that the defense had dominited that the court was unbiased, that the fury was properly chosen and composed of fair-minded men, and that the delared men, and that the delared was ridiculous. At the close of Hency's argument Judge me said in a quiet volce: "The motion is denied." Bortridge then asked for a recess un fil 2 o'clock in order that the autorneys inght confer with Ruef "on a matter of considerable importance." Judge Dunne granted a recess until here.

The sheriff's office is provided with a supply of Krag-Jorgensen rifles for use

as to offer guards to protect the plant from fire, and firemen to keep such fut naces at work as would cripple the plant should they be shut down. CHANGE MAY COME. The company officials are waiting for further action late this afternoon, when it is time to change shifts, and their tope is that a large portion of the men will go back to work at that time. They think that yest alay afternoon.

Some one is writing an ad. today of

next forty-eight hours!

something you will buy within the

AT U. S. SMELTER

One of the Most Orderly Labor

Demonstrations in History

Of the State.

WAITING FOR SETTLEMENT.

While Result is Awaited Men Of-

fer to Protect Plant and Keep

The Fires Burning.

The Change of Shifts Late This After-

noon May Bring About a Solu-

tion of Trouble.

There are no new developments in

the Bingham Junction situation today.

The big smelting plant is still closed

down, while the company is clinging

to the hope that the men struck

through a misunderstanding, and are

not serious in their intention to reject

the new wage scale and remain away

The strike is the most peaceable o

record, for it seems to be accompanied

by no show of hostility or attempt at

violence, the strikers even going so far

from work.

when it was decided to close down the copper furnaces in order to make repairs, the lead men, seeing them go out of commission, mistook this for a lock-

out, and left their positions. Company representatives went among them this morning, explaining the real facts that the copper furnaces closed for repairs in order to satisfy the de-mands of the men that they be given better unables according to sates maids or the men that they be given better working conditions in cases where there were smoky furnaces. These agents found many of the men willing to work, and they are looking for them to make good their promises this afternoon.

ARBITRATION COMMITTEE.

This morning an arbitration commit-tee was uamed by the men to find out if an understanding cao be arrived at, and this committee is expected to se-cure results during the day, whatever the outcome of the situation in regard to going to work at the regular change of shifts.

The demand of the men was for a flat raise of 50 cents a day, and the new wage scale posted yesterday noon provided approximately an increase of 25

SHRINERS RETURNING.

New York Party Now in Salt Lake En

Route Home From California.

The town is again filled with Shri

the great feast days and convention a

the great feast days and convention at Los Angeles. At the Kenyon for the day are located 152 people, compris-ing the membership of Mecca Temple, or Albany and Salaam Temple of New York. This happy lot of Shriners are in charge of Potentate Frank Don-natin of Mecca Temple, and Joseph E, Miller, Wm, J, Matthews and Wm. E. Duncan, representing the various temples. Mr. Miller said that the Mecca was the mother temple of North America, having been brought over and translated from the Egyptian in

and translated from the Egyptian in

ers, now on their return home front

in assistants if they are needed.

In case of rioting during the strike, or an attempt to destroy company proper-ty. A number of deputies are at the plant keeping in touch with the situation, and they are empowered

show that they really can "handle the situation." The United railroads officials make no secret of their intention to re-arm their operatives if the lives of any of them are sacrificed. Asst. Prest. Mul-lally says that if it comes to this he will possibly take charge of the first armed car and see it through.

LITTLE INTEREST IN BOISE.

Under the circumstances it is Under the circumstances it is re-markable to find that interest in the proceedings in this one of the most remarkable cases ever tried in this country, so far as Boise is concerned, does not increase. The attendance in the courtroom today was even smaller than that of yesterday. Because of the presence of about 70 or 80 talesmen the room which ands about 950 nec. the room, which seats about 250 peo the room, which seats about 250 peo-ple, is comfortably filled, but so far there has always been room for one more except for a few hours on the opening day when the "standing room only" sign was hung out and the doors were closed to newcomes until a seat was vacated. It is also probable that about 100 of these called as witnesses was vacated. It is also probable that about 100 of those called as witnesses are present in the courtroom. At no time has the slightest evidence of ex-traordinary interest been exhibited by the people of Boise. There is no crowd outside on the lawns to see jury or prisoner as they pass from or to the courtroom. Apparently there is not the slightest curiosity, but on the con-trary, as was noticeable before the case opened, almost apathy and a com-plete disregard of the important event here transpiring. On no day since the case opened, almost apathy and a com-plete disregard of the important event here transpiring. On no day since the hearing commenced has there been seen in the courtroom a single really prominent merchant or citizen of Boise or of the state, other than as jurymen or witnesses. These seats are seldom filled and each day there have been at least 15 or 20 vacant seats inside the bar. It would be hard to explain this apparent lack of interest upon any other hypothesis than that there is a strong desire to avoid any-thing that would tend to arouse the public to a discussion of the case until after a jury has been selected. The special venire summoned by the sher-iff from the assessor's roll includes few of what might be called the bet-ter class of people in the city of Boise. This may be accounted for on the sround the sheriff with a personal knowledge of the people of this com-munity has carefull yavoided calling men to serve who are known to have discussed or to be deeply interested in the outcome of the case in order to avoid waste of time. DEFENDANT INTERESTED,

DEFENDANT INTERESTED.

Haywood, the defendant, the first of he four men charged with the murder, be placed on trial, takes a keen interthe set in the work of selecting the jury. He sits within six feet of the chair oc-cupied by juror No. 6 and immediate-ly behind E. F. Richardson, who acts as leading counsel, though all counsel for the defense assert that all stand on an equal footing and that there is no such thing as a leading counsel in the an equal footing and that there is no such thing as a leading counsol in the case. Haywood makes a suggestion and ronverses carnestly with, Mr.Richradson Mr. Darrow or other counsel who may address him. His youngest daughter, who sits in the chair to his right and between him and his wife who every, morning and afternoon is wheeled into the courtroom in an invalid chair, is constant in her call for attention from her father. If he consults too long with the attorneys she phyches his big fingers or lays her hand on his shoulder. To-day she was dressed in a short while frock and wore blue ribbons in her red-dish hair. Mrs. Haywood, evidently a dish hair. Mrs. Haywood, evidently a very sick woman, pays close attention to the proceedings. When Haywood enters the courtroom in the morning he gives a pleasant nod to his family but the child is the only one with whom he speaks during the hearing.

A PATHETIC FIGURE.

A pathetic figure, attracting little at-tenifon, is that of John Murphy of Denver, general counsel for the West-ern Federation of Miners, who sits in-side the raffing close to counsel for the defendent. Remainder the defendent defendant, Emanciated, almost skelv-

"No." "If it should develop during the trial that Haywood is a quasi-Demo-crat and a quasi-Socialist, would that make any difference to you? I'll tell you first what quasi means. It means a sort of a Democrat and a sort of a Socilist." "It wouldn't make no difference to

me. declared the talesman. Asked if he were a member of any secret society, Wingate said he was a Woodman of the World and an Odd Fellow

Fellow "Did you read what President

Roosevelt said about these men being undesirable citizens?" "Yes, sir." "Yes, sir." "And you are a Republican?" "Yes, sir." "And he is your president?"

"Yes, sir." "Has what he said influenced you in any way?" "No, sir."

"Notwithstanding your admiration for Mr. Roosevelt, you think he ought to have kept his hands off this matter?

"Yes, sir." "And let this man be tried by the ourt and a jury? Yes, sir.

"Yes, str." "We pass the juror," said Mr. Rich-ardson, sitting down. Senator Borah, for the prosecution, asked permission further to question

"Do I understand you to say you would be prejudiced against Harry Orchard as a witness?

"Yes sir; I certainly would." "And you would give his testimony no weight?"

'I couldn't."

state

"And if the state came to rely very largely upon Orchard's testimony you would have a prejudice against the couldn't help but have."

"Your blas against Orchard is an abiding conviction?"

"Yes, sir." "We challenge the juror for cause-for actual blas," said Senator Borah. The defense resisted, saying the jur-or had a right to put his own weight upon the testimony to be adduced. Judge Wood allowed the challenge and the defense noted an exception. S. M. Kepner, a farmer, called to re-place Wingate at No. 11, said he had both formed and expressed an opinion. He was immediately challenged by Sen-ator Borah, the defense juning. Judge Wood in allowing the challenge, said, however, that he did not think the at-torneys had taken the examination of Mr. Kepner far enough to actually dis-qualify him. He gave this warning for the future guidance of counsel.

the future guidance of counsel. Henry Ott, former county commis-sioner of Ada county, followed Mr. Kep-ner in seat No. 11. Mr. Ott said he had read the case extensively, but had no feeling or prejudice against the de-fendant. He formed an opinion of what he read, but not as to the guilt or in-nocence of the accused. Asked if he had any prejudice against labor unions, Mr. Ott said not so long as they are or-derly unions. derly unions.

Passed by the state and turned over to the defense, Ott said it would require some evidence to remove the opinion he had formed from reading the news-papers. He was challenged forthwith by the defense and Judge Wood ex-cused him. cused him.

A. P. Burns, a retired business man, was the fourth occupant of chair No. 11, at the morning session. He sold he had been a member of the Carpenters' union when he lived in Nebraska years ago, but the would not prejudice until a against the state in the trial of a union man. Burns declared he had an opin-ion, the result of reading the papers, but it was not fixed and would not

"Suppose he turns out to be an un-qualified socialist, would you give him the same fair trial you would give an unqualified Democrat—or let's say an unterrified Democrat." "I can't understand all that," protested the juror.

"Oh, well, never mind, you would give the defendant a fair trial wouldn't 'I would."

"Did you read what the governor said about the burning of the univer-sity of Moscow and connecting social-ists with responsibility therefor?"

sity of Moscow and connecting social-ists with responsibility therefor?" asked Mr. Richardson. "Moscow, Idaho, or Russia?" inter-posed Mr. Darrow of the defense. "Idaho." said Mr. Richardson. Burns said he had not read of the incident. He was accepted by the de-fense without challenge. Mr. Richardson then took up the ex-amination of Samuel F. Hissel, a farmer, with an immense beard, who had been No. 12 on the first panel se-lected, ever since last Thursday. Rus-sell said he lived at one time in Illi-nois.

nois 'What did you do there?" asked Mr.

laughter. "Did you raise a family?" Small one "How many?"

"Three," "Did you come to any conclusion from what you read of this case?" "I call 'em opinions," said the juror. "How recently have you read the pa-

"Up to the time I went in the jurybox." "Then I suppose you stopped?" "You bet; I stopped short." Asked if his opinion could be changed. Russell said: "I wish it might he " box.

"I wish it might be." "Could it be changed by the evidence

"No. sir. "Then I take it your opinion has not anything to do with the evidence?" That's true.

"Do you know Senator Borah?" "What are your politics?" "I am a Prohibitionist."

Then you didn't vote for Senator Borah

"No, sir." Asked if he had ever had any ex-perience as a law officer, Russell said he was a justice of the peace for several years.

"Then you had some experience"" "Yes, I had one case." "Did you hang him"" "No, just bound him over, that's

all.

all." Russell said he heard Secy. Taft when he spoka in Bolse last fall; but his views had no influence upon the juror's mind. He had not allowed anything the governor or president said to influence him in any way.

"We pass the juror," said Mr. Rich-ardson, who a moment later reserved the right to put a few questions after recess. With the passing of Russell there were 12 men in the box sub-ject only to peremptory challenge.

In ordering a recess at 12 o'clock until 2 p.m., Judge Wood Instructed the balliffs to remember that no com-munication was to be had with any juror except in the presence of the court

strol of the Illinois Central and the San Pedro road, are all in violation of the Sherman anti-trust act. It recom mends that the attorney-general institute proceedings to annul these agree ments. It also recommends that there should be new and effective laws to

Island for the control of the Alton rail-

vay, as well as the contracts between

the Union and Southern Pacific and the

prevent inflation of securities and declares that the profits of the great railoads of the far west are being used to buy stocks and control systems in the east instead of bulleing more roads for the development of the west as they should be.

NOT YET ACCETED.

Washington, May 15 .- The recom mendations of Messrs, Kellogg and Severance in regard to the Harriman ralloads are not yet accepted and confirmed by the interstate commerce commission, so that they stand at present merely as recommendations to the commission and not the report of the

"What did you do there?" asked Mr. Richardson. "I split ralls." "With Abraham Lincoln?" "No, by myself, and I could beat him, anyway." A gale of laughter swept the room. "After you got through splitting rails what did you do?" "Well, my wife taught school and I lived on the money." Again there was an outburst of laughter. and Severance had been made public, and then authorized the following statement:

"The commission has not prepared a report in the so-called Harriman case, nor has it yet decided any of the questions involved in the inquiry. The whole matter is still under investigation.

"It may be that the briefs or mem oranda submitted by counsel have become known in some quarters, and the mistaken inference drawn therefrom that the commission has agreed upon a report.

U. P. STORM CENTER.

New York, May 15 .- Union Pacific was the storin center of an attack by traders upon thy slock exchange today upon the appearance of the report of counsel for the interstate commerce commission. Union Pacific stock fell nearly 4 points before support was forthcoming, and the whole list became weak and unsettled upon the news, and declined a point. Southern Pacific rell off a point, but steadied with good buying. All railroads holding stock control of other lines were adversely affected by the news, principally Penn-

Martin and a grant of

IS REMANDED

Application for Writ of Habeas Corpus Denied by U. S. Circuit Judge Adams.

St. Louis, Mo., May 15 .--- H. Clay Pierce, chairman of the board of the Waters-Pierce Oil company, was tolay remanded to the custody of Sherff Mathews of Texas to answer to an indictment charging perjury, by a decision rendered this morning by Judge Adams in the United States circuit court.

Judge Adams today denied the application of Mr. Pierce for a writ of habeas corpus.

WANTED IN TEXAS.

Mr. Pierce is wanted in Texas to answer to an indictment charging perjury in an affidavit made by him in May, 1900, to the effect that the Waters-Pierce Oil company was not a

A DESPERATE MAN. A DESPERATE MAN. Los Angeles, May li-J. D. Fleenor, he negro burglar, is one of the most re-markable criminals ever captured in this city. He is known as a thoroughly des-structest surveillance by the officers while m custody here. He made an effort to work the woo other prisoners, he assaulted work armed with window weights, but you allers in the courty juil. The men work the fillenon, Fleenor than gave up and returned to his cell. There was convicted of burglary and fiven 16 years. When arrested he was onducting a real estate business in this confessed to being one of a stage of 1 month, according to Fleenor. The menth of the burglaries himself, but a "gene" through which the loot was dis point action of the burglar area of a stage of 1 month, according to Fleenor. The should be a month, according to Fleenor. The origing the first of the first of the stand of the Netwessian point and the scould be a student. The origing the burglar is and the stage of the same of a stage of 1 the stage of the burglaries business heat was a month, according to Fleenor. The origing the burglar is a stage of the point dester and they all escaped point desters and they all escaped is confederates and they all escaped is confederates and they all escaped is confederate and they all escaped is confederate and a student. Dist.-Atty, and he had ever procedure. ers-Pierce Oil company was not a party to any pool, trust, confederation or combination in restraint of trade. After Judge Adams had read his decision, Atty. Priest immediately asked that the execution of the court's order be delayed till 2 o'clock this afternoon to enable him to de-cide whether to make an appeal to the United States court of appeals or directly to the state supreme court. Judge Adams granted the request. Atty. Barclay, representing the

Atty. Barclay, representing the state of Texas, asked that the court increase the bond of \$10,000 under which Plarce was released from cusody when he surrendered on May S. ut Judge Adams stated that the bond yould remain at that amount until o'clock this afternoon. Mr. Plarce ad little to say us he left the court com with his attorney. He spoke to everal friends who crowded forward , shake his hand, but made no com-

In his decision Judge Adams reviewed the Texas indictment and the grounds upon which it was based, and cited a number of supreme court expressions concerning the framing of indictments. The decision continued:

COURT'S DECISION.

COURT'S DECISION. "Such are the more recent expres-cions of the supreme court of the Unit-ed States on this question. They amount to this, that while every pre-caution must be taken to fairly and fully apprise the accused of the nature and cause of the accusation against him, so as to enable him to make his defense and plend the judgment which may be rendered in the case for his pro-tection against another charge for the same offense, and thereby protect him to the full in his constitutional right to a fair and impartial trial, no impractic-able or useless standards of technicality or refinement, which tend to defeat affected by the news, principally Penn-sylvania, which bocame weak. After the first shock had passed, the market became steady.
CARS AGAIN RUNNING INSAN FRANCISCO.
Ban Francisco, May 15.-One hundred and twenty-six cars of the United in this constitutional right to the full in his constitutional right to the full in his constitutional right to the full in his constitutional right to the full in the case for his process standards of technicality or refinement, which tend to defeat the datase and plead the subscription of the same offense, and thereby protect him to the full in his constitutional right to the full met the full has been been provided to the full in his constitutional right to the full in his constite to the full in his constitutional right to t

CONVICT FLEENOR

MAKES HIS ESCAPE.

San Francisco, May 15.-J. D. Eleenor, under sentence from Los Angeles for 15 years for burglary, escaped last night from the harbor police station, where he had been imprisoned by Deputy Sherih Woods to await transportation to San

Woods to await transportation to sail Quentia. . There is considerable mystery as to how Fieenor got out of the prison. When his absence was discovered at 1:40 this morning the door of his cell was locked and there was nothing to indicate how he had made his escape. Lieut. of Police O'Day and Pairoimen Welch. Fontana and Stroup were on duty at the station all night and are completely mystified over the affair. So investigation has been ordered. Local detectives have been put upon the fugitive's trail in the hope of effecting his capture, but if he received the aid of confederates his secape may have been made easy. A DESPERATE MAN.

A DESPERATE MAN.

SHRINER FUNERAL

TRAIN TRAVELING EAST.

San Francisco, May, 15 .- The special

and translated from the Egyptian in 1873. The party comprises 51 ladies and the balance nobles. The trip from the coast was made without accident. The train on which this party travelled, pulled out 7 minutes ahead of the train that was wrecked, and Mr. Mil-ler suid he had just received a dis-patch saying that the number of dead in the disaster numbered 40. The party will leave tonight over the Rio Grande for Denver, where the next stop will be made.

KNIGHTS SELECT OFFICERS.

Convention at Ogden Re-elects Old Officials-Burglary.

Ogden, Utah, May 15 .- Delegates to the Knights of Columbus convention assent bled at 9 o'clock this morning and renained in session until after 1 o'clock his afternoon before completing their onshees. The most important matters andled were the election of officers and iternates to the national convention. Set

ake was chosen as the next place neeting. The following officers were W. L. Maginais, Ogden, state deputy John B. Cosgriff, Sait Lake, state ther

Ters, Jesse B. Hawley, Boise, Idaho, state as

R. A. Maginnis, Ogden, state secretary Richard J. Hoggin, Pocutatio, state war

Richard J. Hogge, Pocadence, Fisch and den. Rev. Thomas W. Horgan, Sparks, Nevr-da, state chapian. Alternates to the national convention are as follows: Jesse B. Hawley, Boles, and T. J. Riley, Goldfield It was deckled to segregate the differ-ent states included in this grand council into a separate council when a member-ship of 400 or more was secured. Utab has had that number for some time, and it is expected that facho will have in the more future. BURGLARS AT WORK.

BURGLARS AT WORK. Burglars entered the Huss blacksmith shop hear Twenty-fourth attest some un-during last right and secured a hacksaw which they used to saw out a bar in the rear of the Proudint Sporting goods story from which they stole about \$20 worth of plunder. The stuff taken consists of about 20 pocket knives, 20 razors and a hart dozen cheap watches. The police are working on the case, but have no clue as yet to the perpetrators. The district court link morthing Judge Maughan of Logan granted a continuence then of the devise Richards against case of Alice Lowis Richards against on a Phonishing company and

Witham Glasmann, Fuching company any This afternaon counsel are arguing motion for a new trial in the case of Viola Lewis against the same defendants in which judgment was rendered some time ago for \$1,000.