TO SUMMON JURORS IN THE RUEF CASE

Does Disqualification of Sheriff As to Custody of Defendant Extend to Other Duties?

PRESENT PANEL EXHAUSTED.

Special Prosecutor Johnson Gives Notice of Motion for Redisqualification And Appointment of an Elisor.

San Francisco, April 11.-One of the most interesting questions-from a material as well as a purely legal standpoint-to be evolved out of the Ruef trial was projected today by the prosecution, and will be determined tomorrow by Judge Dunne. It is, briefly stated, whether the act of the court in disqualifying the sheriff from having the custody of Ruef had and has the effect of disabling the sheriff from now summoning a fresh venire from the regular jury list of 2,400 names and thereby necessitate the appointment of an elisor to summon special venire from the body of the

The present panel of talesmen hav-

special venire from the body of the county.

The present panel of talesmen having been exhausted today, with no juror as yet shally chosen to try the case, a new panel must be drawn or summoned before the proceedings can go on. Sheriff O'Neil having been disqualified, on motion of the prosecution. for personal bias in favor of Ruef, the state is not willing that O'Neil shall have the summoning of a new ranel from the regular jury list. Consequently Special Prosecutor Johnson shortly before today's adjournment gave notice of a motion for the re-disqualification of the sheriff and the appointment of an elisor to summon a special venire of 100.

This is the anticipated move against which the defense has been silently contending and carefully preparing for weeks. Outside of the courtroom Ruef's counsel have made no secret of their streat desire to have a new venire, (when the time for it should arrive) from the jury list instead of a specially supmoned, or of their strong objection to the veniremen being haled into court by Elisor Biggy or any other cliaor instead of by the sheriff.

Judge Dunne himself recognized the nicety of the point involved when he said, in response to Johnson's motion and to Ach's emphatic objection, that it was his purpose to "proceed in the orderly and usual way," unless convinced that justice demanded the summoning of a special venire. It is stated that if the latter course is followed and an elisor appointed to summon the talesmen and have charge of the jury when it has been selected, the proceeding will have the support of recent decisions to the effect that a sheriff cannot be disqualified from certain of his swern duties and allowed to perform certain of his other natural functions in one and the same case. In other words, that his disqualification by a court is complete instead of partial as far as the case on trial is concerned.

O'Neil, however, was disqualified by Judge Dunne on a motion by the proceedien which covered custodial

BABY WASTED TO

In Torments a Year and a Half with Terrible Sores on Face and Body - Hands Tied to Stop Scratching and Tearing at Flesh - But

CURE BY CUTICURA COMPLETE AND SPEEDY

"My little son, when about a year and a half old began to have sores come out on his face. I had a physician treat him, but the sores grew worse. Then they began to come on his arms, then on other parts of his body, and then one came on his chest, worse than the others. Then I called another physician. Still he grew worse. At the end of about a year and a half of suffering he grew so bad I had to tie his hands in cloths at night to keep him from scratching the sores and tearing the fiesh. He got to be a mere skeleton, and was hardly able to walk. My auta advised me to try Cuticura Soap and Gintment. So great was her faith in it that she gave me a small piece of Cuticura Soap to try and a little Cuticura Gintment. I took it home without any faith, but to please her I tried it, and it seemed to dry up the sores a little. I sent to the drug store and got a cake of Cuticura Soap and a box of Cuticura Gintment and followed the directions, and at the end of about two months the sores were all well. He has never had any sores of any kind since. He is now strong and healthy, and I can sincerely say that only for your most wonderful remedies my precious child would have died from those terrible sores. I used only one cake of Soap and about three bores of Ointment. Mrs. Egbert Shelden, R. F. D., No. 1, Woodville, Conn., April 22, 1905."

ITCHING PIMPLES

Cured by Cuticura in Nebraska. "I had suffered with itching pimples for years. At last a friend told me to get Cuticura Scap and Ointment. I did so and in three weeks my face was entirely cured. I am so pleased with Cuticura Remedies that I will recommend them to other sufferers. Mrs. Fiorence Delayergne, R. F. D. No. 2, Auburn, Neb., Aug. 28, 1906."

Complete External and Internal Treatment for North Humor of Infants, Children, and Adults consists of Catatara Soap (25c) to Cleanes the Skin, Calciura Chintenent Soap (25c) to Cleanes the Skin, and attents Resolvent Sole), for in the form of Choorsell Children Soad throughout the form of Choorsell County Philip 25c, par vial of Sol to Furly the first Soap Children Sold throughout the world Fotter Drug h Chem Soop, Sole Foots, Bodon, Mass.

he had been approached as a juror, by a man he did not know. Ach sug-gested that Johnson might be able to tell this person's name. Johnson re-turned the compliment in kind, and

turned the compliment in kind, and a wordy war ensued.

The prosecution will tomorrow file affidavits in support of its motion for the re-disqualification of an ellsor to summon a special venire. Arguments will follow and the defense may ask and obtain leave to prepare and file counteraffidavits in support of its contention that the sheriff should be ordered to summon an ordinary venire from the regular list.

MAJ. FREMONT'S CASE.

Declares He Secured the Sums Referred to in Good Faith.

New York April II.—Maj. Francis IV. Francis IV. Francis is own story of the various trans-ctions which led to charges of borrow-ng money on false representations as to its financial responsibility, was today placed before the court-martial which is refine him bears. Maced before the court-market which have reving him here. It was in the form of a statement made to Maj. Parker W. West, who, as assistant inspector-general, had been assigned to special duty relating to an investigation of the charges against Maj.

restigation of the charges against Maj-Fremont.
Maj. Fremont declares he secured the various sums referred to in the specifi-rations in good faith and not by reason of his position as an efficer of the United States. Plannelal entanglements brought by the divorce suit instituted by Maj. Fremont's wife, the payment of all-neby and the binging of the suit by the Plattsburg bank, forced him to the wall tecording to the statement.
Regarding the San Francisco property, which he is alleged to have told about a order to secure a loan, the statement leclares Maj. Fremont claimed to have mly a contingent interest and that he did not claim that he owned it outright.

THE SANTA FE LOSES.

Its Motion to Quash Indictments for Rebating Denied.

Rebating Denied.

Los Angeles April II.—Motions to quash the Indictments for rebating returned against the Santa Fe railroad by the federal grand tury Feb 9 were denied today by Judge Olin Wellborn in the federal tourt. The motions to quash the indictments against John L. Schirm and the Grand Canyon Lime & Coal company of Arizona, to whom, it is alleged, the rebates were given, were also denied. This is a distinct victory for the government, the attorneys for the railroad having made the most extended pleas in support of their motion.

INCITING TO REBELLION.

Abbe Jouin Charged With Offense in A Paris Police Court.

A Paris Police Court.

Paris, April 11.—The Abbe Jouin, rector of the church of St. Augustine, was brought up in a police court today to answer the charge of inciting to rebellion from the pulpit in connection with the taking of church inventories. The court was crowded in consequence of the public expectation that revelations were contained in the documents seized at the papal nunciature and that the prosecuting attorney probably would read them. The abbe declared that he had never transgressed the laws; the prosecutor read letters of Mgr. Montagnin which he declared demonstrated that the former secretary of the nunciature was continually intriguing in order to hinder the French clergy from obeying the church and state separation laws and that he acted as real head of the church in France. The court will render judgment April 13.

ARMY VETERANS.

Commander-in-Chief Brown, G. A. R.,

Instead of partial as far as the case on trial is concerned.

O'Neil, however, was disqualified by Judge Dunne on a motion by the prosecution which covered custodial duties only. Hence Johnson will ask for a re-disqualification and the formal respontanent, it is understood, of Piggy as elisor.

Three probationary furors were accepted during the day, increasing the number in the box to 10, all of whom are subject to peremptory challenges. They are Theodore Cohen, a dry goods merchant; John J. Duffy, drayman, and Bartholomew O'Regan, retired hurcher. One talesman, Max Gans, retired liquor dealer, was challenged for his bias in favor of Ruef and dismissed. Another, T. E. Herlihy, falled to answer to his name. A search disclosed that he was not in the city, and he was excused by the court ever the objection of the defense.

A lively encounter between Attys. Ach and Johnson occurred early in the afternoon session over a voluntary statement from Juror Cohen, made by permission of the court, that

Washington, April 11.-In an opinion Washington, April II.—In an opinion by the interestate commerce commission the principle was laid down that a radiroad company cannot arbitrarily determine that a particular establishment shall compete in a certain market with other localities and that other similar establishments on its lines shall. ket with other localities and that other similar establishments on its lines shall not so compete, particularly where the discrimination is not justified by operating conditions. The decision was applied to the case of the Texas Cement Plaster company against the St. Louis & San Francisco Railroad company, involving a complaint of untawful discrimination in rates on cement plaster in carload lots.

The defendants were ordered to adjust their tariffs accordingly and to pay the complainant reparation in the amount of excess charges with interest.

J. H. BRAYTON COMMITS SUICIDE. Chicago, April 11.—James H. Brayton, 61 years of age, principal of the Raymond school, committed suicide today by shooting. Ill health is believed to have been the cause.

CARNEGIE PRIZES AWARDED TO PAINTERS.

Pittsburg, April 11.—The formal redecication exercises of the enlarged Carnegie institute of Pittsburg were brought to a close for the day with the announcement of the prize winners in the international art exhibition.

Following are the successful painters: First prize, gold medal and \$1.500, Gaston La Touche, Paris, France, "The Bath."

Bath."
Second prize, silver medal and \$1,000,
Thomas Eakins, Phitadelphia, "Professor Leslie W. Miller."
Third prize, bronze medal and \$500,
Olga De Boznauska, Paris; portrait of

The following received honorable

mention:
Lawton S. Parker, Chicago, portrait
of an English girl.
W. Granville-Smith, New York, "The
Old Mill."

Maurice Greiffenhagen, London, England, portrait of his wife.
At today's ceremonies addresses of international importance were delivered by Theodore von Moeller, minister of state, Germany; Paul Doumer, formerly speaker of the chamber of deputies, Paris; Andrew Carnegie, Baron d'Estournelles de Constant, member of the senate, Paris, and Dr. John Rhys, principal of Jesus college, University of Oxford.

A letter of regret from President

cipal of Jesus college, University of Oxford.

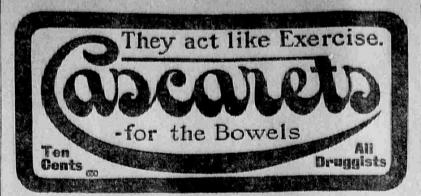
Cutionra Scapand Clatment. I did and in three weeks my face was arely cured. I am so pleased with leura Remedies that I will recommed them to other sufferers. Mrs. rence Delayergne. R. F. D. No. 2, burn, Neb., Aug. 25, 1906."

During the exercises the president was referred to as "The great peacemaker." and vociferous applause greetwars conditions in the form of choors of claimer story to them the Sim. and are Resolvent foot. for in the form of choors of the provided the world foot form of them to of the great peacemaker." and vociferous applause greetwars foot. for in the form of choors of infants, children, and Adult conditions foot form. Minister of State von Moeller in his address said his presence here was as a message of good will from the German emperor, German subjects and himself. Minister von Moeller said the institute was one of the most wonderful build-wings he had ever seen.

The notable feature of the exercises the president was referred to as "The great peacemaker." and vociferous applause greetwars for the great peacemaker." and vociferous applause greetwars for the great peacemaker. The great peacemaker. The great peacemaker. The great peacemaker. The great peacemaker was referred to as "The great peacemaker." and vociferous applause greetwars for the great peacemaker. The great peacemaker was referred to as "The great peacemaker." and vociferous applause greetwars for the great peacemaker. The great peacemaker was referred to as "The great peacemaker." and vociferous applause greetwars for the great gift to science and education.

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and Saturday. On tomorrow the for-eign and American guests will discuss international peace. In the evening a banquet will be given by the trustees in honor of Mr. and Mrs. Carnegie.

LORD CROMER, BRITISH AGENT IN EGYPT, RESIGNS.

London, April II.—Lord Cromer, the British agent and consul general, in Egypt, has resigned, and Sir Eldon Gorst has been appointed to succeed him. In his letter of resignation Lord Cro-

In his letter of resignation Lord Cromer says;
"It is with extreme regret that I break my official connection with the present government. After spending, however, 49 years in the government service, I am thoroughly worn out and really unable to support any longer the excessive strain which my work here entails. I feel also that I do not possess the health or strength necessary to do justice to all the very important interests involved."

SMUGGLED JAPS CAUGHT.

El Paso, Tex., April 11,-Inspector T. El Paso, Tex. April II.—Inspector T. F. Schumacker, in charge of the immigration office here, received a telegram today, telling of the capture of eight smuggled Japanese. Five were caught at Fort Worth, one at Pecos and two at Albuquerque. They had escaped across the border east and west of the station.

OMAHA LAND FRAUD TRIALS.

Omana, April 11.—The land fraud dilais in the federal court continue this morning with testimony in the Richards-Comstock-Janison case which contained the same charges, being read to hite jury in the present case. There are 3,000 type written pages of this testimony to be read. To relieve the monotony of the reading, the attor-

neys have agreed to alternate with new testimony from live witnesses when tired reading from the old testimony.

THE GRAVES INCIDENT.

Prest. Roosevelt Declines to Make Any Comment Upon It.

Washington, April 11.—President Roosevelt today declined all the many requests to make some comment for publication upon the declaration made by John Temple Graves of Georgia, at the Bryan anniversary club banquet at Chattanooga last night, that Mr. Bryan should at the forthcoming Democratic national convention nominate Passidant

TO INSPECT STOCKYARDS.

Glasgow, April II.—The corporation of Glasgow has accepted an invitation of the American consul to send a deputa-tion to Chicago for the purpose of his specting the sanitary conditions of the packing rouser and stockyards.

Portland, Or., April II.—Mrs, Ignatz Lowengart, wife of a prominent merchant of this city, committed suicide at a hearly hour this morning by jumping from the Ford street bridge, a steel structure which spans Jefferson street, The bridge is 60 feet high at the point where Mrs. Lowengart jumped. The body was found shortly after by a passing policeman. Mrs. Lowengart had been a sufferer from nervous prostration for almost a year.

was received in a private telegram from President Welborn, who is in New York. Mr. Beaman has been connected with the Colorado Fuel and Iron com-pany almost since its organization and is its general counsel,

STRIKE IN PARIS.

Bicycle Policemen Patrolled Principal Thoroughfares.

Paris, April 11.—There was but little indication today that a strike movement had been begun, but bicycle policemen patrolled the principal thoroughfares and the public buildings generally were guarded by troops.

At the barracks in the vicinity of the labor exchange a battalion of infantry was kept under arms.

Detachments of cavalry patrolled the Place de la Republique and the vicinity of the labor exchange where 2,000 bakers including many out of work, had gathered. Red flags were displayed upon the platform, revolutionary songs were sung and the leaders recapitulated the grievances of the bakers, which are principally connected with the non-application of the day of rest law.

Telegrams from the provinces indicate that the strike movement up to the present has resulted in a flasco.

NON-UNION MAN SHOT.

Elizabeth, N. J., April 11. - Jonathan Langston, a non-union forensia, was shot and seriously wounded in a clash between striking Italians and negro-hod carriers and non-union men here

AMERICAN TYPEWRITERS.

Motion Introduced in Reichstag to Ex-

clude Them From Germany. Berlin, April 11.—During the discussion in the budget committee of the reichstag today of an appropriation to purchase typewriting machines for the military authorities, Dr. Sudetum, Socialist, introduced a motion providing for the exclusion of American machines, "because of the prohibitive effect of the American customs duties on German goods." the American customs under an arman goods."

Herr Paasche, National Liberal, first vice president of the reichstag, support-

Bilious? Feel heavy after dinner? Tongue coated? Bitter taste, Complexion sailow? Liver needs waking up. Doan's Regulets cure bilious attacks.

Our Grill Room at the Royal Cafe is open daily from 4 to 12 p. m.

50 cents at any drug store.

The Best Scouring Soap Made

A Scouring Soap A Metal Polish A Glass Cleaner

WALL PAPER AND PAINTS. 217 SO. STATE ST. Phones % ***************

20 Pounds Sugar \$1.00 6 Pkgs, Blue Tip Matches. . . 25c High Patent Flour 6 Pkgs, Bille Tip Materies. 25c 5 Pound Box Soda Crackers 40c 5 Pound Pkg, Soda Crackers 25c 2 Pkgs, Graham Crackers 25c 5 Pounds Ginger Snaps 25c 2 Pounds Fancy Mixed Cakes 25c 3 Cans Corn 25c Straight Grade ... 6 Pounds Navy Beans 3 16 Pounds Rice 3 Pounds Macaroni25c 3 Cans Corn Woods Cross Tomatoes... 2 Large Veal Loafs.... 7 Pounds Rolled Oats Gal. Cans Woods Cross Catsup

74 W. FIRST SOUTH.

Second and last day of the

monster shirt sale.

One more day to choose from our ENTIRE STOCK of

Every shirt reduced. The only exception is the white negli-

BELL PHONE, 2800.

Phones, Independent, 227; Bell, EXCHANGE 22. Call All Departments

Valker's

Saturday Bulletin.

"Oxford money" well spent here.

bought so much Ox-

before.

button or Blucher effect. Actual worth of these exfords up to

A pretty slipper for housewear at \$1.45

usually low figure—they are very dainty effects in one strap style-

Misses' and children's school shoes.

peer of any in the city-made with greatest care and of fine materials.

they are just as stylish and even better wearing than the "grown ups,"

We specialize one line for Saturday-a fine dongola, patent tip, extension

Sizes 6 to 8-worth \$1.35 the pair-Saturday \$1.00

Sizes 81 to 11-worth \$1.65 the pair-Saturday \$1.25

Sizes II to 2-worth \$2.00 the pair-Saturday \$1.45

Our "Army Oak School Shoes" for boys are winning an en-

viable reputation in this city. They are made over lasts especially

constructed to conform to the requirements of growing feet. They

fit the foot. The foot is not distorted to fit the shoe. You see the

For wearing qualities and stylish appearance our school shoes are the

About three hundred pairs of these we offer Saturday at this un-

Another line of house slippers in new nobby styles for your se-

The line we are offering at this price comprises a splendid assort-

ment of women's patent and fine

dongola oxfords in extension sole and turned styles. Either in the

\$3.50 the pair, and you select Saturday at \$2.05.

headed very low-Cuban heels-very stylish.

sole Blucher or button style at the reductions.

lection Saturday at \$2.35 the pair.

advantage at once.

gee line. All others at compelling price cuts. All new stock, all old stock, and in fact all the shirts we have are included. Shirt-needing men, come. Saturday your last chance.

men's shirts at generous mark-downs.

An announcement to set every housekeeper in Salt Lake in a flurry. Closing out our entire stock

of crockery ware. Every piece to go-We are going to cease handling this line -Here are reductions you'll never see equalled. All dinner sets, all open stock dinner ware, all glass ware and fancy China at

wonderful reductions-Sale starts Saturday morning at 8 o'clock-We'il see you here-surely The most interesting feature will be seven sale tables.

Representative lines have been selected from the entire stock and placed on bargain tables at unprecedented mark downs.

A few examples of what you'll find on these tables mentioned here. In dinner ware: bakers, platters, plates, cups and saucers, sugars and creamers, berry bowls, butter dishes, jugs, gravy boats, etc. In glassware: Salt and pepper shakers, vases, flower stands, finger bowls, sugars and creamers, sweet pea dishes, salad dishes, candle sticks, etc. In fancy china: Cups and saucers, individual creamers, salad bowls, berry sets, plates, cake dishes, etc., then there are nice water pitchers, tea pots in heavier ware. An assortment embracing nearly every kind of articles carried in the crockery section and at these reductions.

Table No. 1-Articles valued up to 25c each

Closing out crockery department price 5C

Table No. 2-Articles valued up to 50c each Closing out crockery department price

Table No. 3-Articles valued up to 75c each

Closing out crockery department price

Table No. 4-Articles valued up to \$1.00 Closing out crockery department price

Table No. 5-Articles valued up to \$1.25 each

Closing out crockery department price

Table No. 6-Articles valued up to \$1.50 each

Closing out crockery department price

Table No. 7-Articles valued up to \$2.00 each

Closing out crockery department price

Linens and white goods for Saturday shoppers.

Linea hemstitched back towels—a hundred dozen in the lot. Win the lot. Worth 35c each. 22c All linen bleached napkins-about hundred dozen of them-a splendid quality at \$1.50 the \$1.05 the dozen. Saturday special Irish batiste lawns in dots, stripes and floral de-gns—worth 15c the yard. Embroidered Swisses in colored dots on white grounds. Only fifteen pieces of this, so hurry; worth 25c the yard—while it lasts Shadow silk mulls in all size dots. Worth 75c the yard. Saturday 39c

A few lines of draperies and rugs to close Saturday.

Ruffled net curtains A very splendid value—One hundred pairs in the lot—all of one pattern. Very fine values at \$2.25 the pair—Saturday, one day, you take them at, Grenadine portieres Handsome cross tripe effects—in dark red. at \$2.00 and \$2.25 the pair—Saturday you choose at this price \$1.19

Granite art squares to close.

These great reductions on our entire stock of granite art squares—re-ery one must go to make room for new arrivals.

Size 9 by 9, worth \$3.50 each-Choice, \$1.88. Size 9 by 7-6, worth \$4.25 each - Choice, \$2,35. Size 9 by 9, worth \$5.00 each—Choice, \$2.80. Size 9 by 10-6, worth \$6.00 each. Choice, \$3.40.

Remarkable black silk petticoat sale

Very handsome petricoats made very handsome pleated flounce and ruffle. Values recognized at \$16.00 \$ 9.95 Very handsome petticoats made very full, with deep accordeon

A very neat corset cover at 65c.

This pretty garment is a strong drawing card very dainty and neatmade with four rows of lace and insertion. Trimmed with ribbon-usually hese would bring much more-but Saturday you choose at \$5c. First floor Annex.

Stylish covert jackets worth \$7.50 each for \$5.45

Handsomely tailored with straps and lap seams. Single breasted and fitted back styles. Very splendid offer for Saturday only.

Walking skirts special A handsome line of these made up in plaids and checks, light and medium shudes. Side pleated and all wool materials. Worth \$9.00 to \$6.95 Tailored suits special

Some very pretty tailored suits in the Eton, Pony and semi-fitted styles. Made of chiffon Pananas and fancy worsteds. Light and medium shades—two prices—special— \$25.00 and \$30.00 S26.00 and \$30.00