TRUTH AND LIBERTY.

RAHAM GUILTY SAYS THE JURY.

emed a Verdict in Judge Norrell's Court This Afternoon.

INTENCED ON JUNE 11TH.

seedings in the Case Today Were of an Interesting Character-The Testimony of Witnesses. , ne Graham unlawful cohabitation

went to the jury at 12:20 today, at 1:30 this afternoon a verdict milty as charged," was returned. panying the same was a recomtation to merey. is understood that about twenty

gin all were taken, but the jurors non-committal as to how they three witnesses were examined

State today, Amasa Potter, fa-Sarah Potter, and Mrs. Lavina half sister to the defendant's second wife, and F. M. Bishop, The latter was the only own both from his questionless and his remarks to

did to make it appear that had gone out of his way know that the defendant wife residing in Waterhe was otherwise "in-ne prosecution. The wit-emphatically denied the nd said he was not a man and always strove to said he knew his daughter

but could not say who by; attended her wedding, and to whom sne was married. told of her half sister a haby and said Mr. is reputed father. offered no testimony, but

tself with objecting to the repounded by the prosecutits arguments to the jury. HOUS WITNESSES TESTIFY. the "News" report closed yesthe following witnesses were ex-di Mrs. Mary E. Woodmansec, Woodmansee, husband of the last s: L. Evans, Mr. and Mrs. W. E.

Mary Ellsworth, Mr. and Mrs. chop. The testimony given by messes went to show that Sa-er Graham was the reputed John C. Graham; that the de was a frequent visitor to Mrs. is house in Waterloo; that Sathe street car together; that raham was delivered of a child a last September, and that one Mary Elisworth, had nurs rahem during her sickness; that Graham had left, but it was where she had gone; that the at had introduced Sarah Grato F. M. Bishop as his wife. ort adjourned until 9:30 roday.

A TYPOGRAPHICAL ERROR.

s upes yesterday made the "News" hat six of the jurors were "Mor-and two non-"Mormons." This mistake, the reverse of this being with. In answer to the question Mr. Putnam, "Are you a member Church of Jesus Christ of Latter-Saints?" those who answered in firmative were John M. Redmond ohn D. Owen. The negative re-D. Owen. The negative re-Henry Brough, L. F. Harr, M. lps. and Joseph E. Edmonds. Gotham and Harr said they not identified with any religious distion. Mr. Brouse. "Mormon" belonged to the "Mormon" rek but left it several years ago. Edmonds said he was a Unitarian, of that his parents were "Mormons." MRAH POTTER'S HALF SISTER.

The first witness called this morning Mrs. Levina Wilson, a resident of Men. Witness said Amasa Potter her father and Sarah Potter was you visit your half sister. Sarah

city during the year iquired Attorney Putnam.

Do you know what name she went ensior Brown objected to the queswhen Mr. Putnam withdrew Putnam-How long were you vis-

What time in '87 was 1t?" During the jubilee." Do you know what the general rep-tion is in her family as to her being

Mater Brown objected to this as stray testimony. The court over-nied the objection. Mr. Putnam (to witness)—You may

Witness-That she was married, I

Freport was John C. Graham." After seeing here in 1897, when did to next see her?" year ago."

How long did she live there?" From May until October, 1897." "Do you know that a baby was born to her while living in Payson?"

About when was the child born?" 'ul the 1st of September, 1899." Does your sister live in Payson

Do you know when she left there?"

'in October of fast year."
Who composed her family?"
"Her and her children."

PATHER OF SARAH POTTER. Amasa Potter, father of Sarah Potis, or Graham, said he lived in Payson. His daughter Sarah lived in Matrico in the fall of 1897. Did not know where she resided in 1898. In Mr. Purson he sawsher in Payson

Putnam-Who was living with is your daughter, Sarah, a married

Well, I can't say as to that; she has Were you ever present at the wedo sir, I hever was.

Did she have any children when you may her in '87 at Waterloo?"
Think so. Yes, I saw them there."
They were her children, weren't

T can't say that."
When had you seen her prior to France," not seen her for fourteen

"How old was her oldest child when you saw her in 1897?"
"Her oldest child is 15 now."

"Did you see her when she was liv-ing in Payson last year?" "Yea sir."
"How often?"

"About three times."
"Do you know whether she gave birth
to a child in Payson?"
"I do not. No sir, I don't know it."

"Is she living in Payson now?" "No sir."

"Do you know where she is?"
"I do not."
"Where did she go to from Payson?"
"I don't know."

Who was living with her in Pay-

"Herself and children."
"No husband that you know of?"
"No sir."

"No husband living with her in Wat-

'No sir; not that I know of." BOTH SIDES REST.

. The witness, like the majority of those examined, was not subjected to any cross-examination, and the prose-cution here rested. The defense called Mr. Bishop for further cross-examina-tion. The witness had stated in giving his direct testimony Friday that he visited Mrs. Graham's house at water-loo in February, 1899 and be now veri-fied it by a letter he had written on the same date. He denied that he had gone out among the neighbors of Mrs. Sarah Potter Graham and talked about the case. He was not a man of that kind.

ARGUMENT TO JURY.

The defense rested with the excusing of Mr. Bishop, when Mr. Putnam pro-ceeded with his argument on behalf of the State. He said the prosecution had proved its case and could do no more. It had been shown that he had a wife in Provo, and that he visited another wife Provo, and that be visited another wife in this city at least once a week for a period of eighteen months. The prosecution had endeavored to produce Sarah Potter Graham, but had falled. She had left the State with her children and no one knew where she was. The jury would either have to say that Sarah Potter is a notorious prostitute or that she is the wire of John C. Graham. The law against unlawful cohabitation was a righteous one. The polygamous system of marriages would have to be put a stop to in Utah. It had been a blot upon Utah in the past and it was for the jury to say whether it should continue to be a blot.

JUDGE BURTON FOLLOWS.

Judge Burton, for the defense followed Mr. Putnam. He said the law against unlawful cohabitation had been against unlawful consolitation has been so stretched and strained so as to include nearly everything. No criminal statute in the whole of the United States, he ventured to say, had received so much misconstruction. The presumption of innocence was with the defendant. He had not to prove his innocence; it devolved upon the prosecution to establish his guilt beyond at nocence; it devolved upon the prosecution to establish his guilt beyond all question of doubt. A suspicion should not convict him. The evidence should that Mary A. Graham resided it Provo with her family as the plural wife of the defendant. She refused to say whether she had lived with the defendant between Japuary, '98 and May '92. None of the witnesses could say that Mr. Greham for the past three years had held out to the world Mary A. Graham as his wife, and the prosecution had failed to make out its case.

SENATOR BROWN Senator Brown followed Judge Burton. He said that the date was the essential element of this case. A period had to exist for conabitation. The proof offered by the State had gone back thirty-five years, and to '97 and '98. To determine the defendant's guilt it was nccessary to prove that he consisted with those women during the time stated in the information. He praised the prosecutor for his fairness in con-ducting the case. He thanked him for bringing the case into a legal compass. He might criticise Mr. Putnam on some He night criticise Mr. Putnam on some of the details; but on the whole he desired to say that the prosecutor had acted fairly, squarely and honestly. The statute was passed to meet a peculiar condition. It was passed to prevent the figuriting to the world of polygamous relations. Why the State should have passed such a law counsel did not know. The State adopted the same language, but he questioned that it was intended to give it the same meaning. Polygamous marriages have ceased. No one could deny that, Sexuai intercouse had nothing to do with this case. A man nothing to do with this case. A man could go from one bad house to another; but the prosecutor would not think of prosecuting that individual for unlaw. ful cohabitation. It was unfair for the prosecutor to say Sarah Potter was either a profligate or the wife of John C. Grabam. Sarah Potter was not on trial. Counsel was prepared to resent any attack upon her, by stating that he believed her to be as pure and noble a woman as ever lived. There was not a particle of evidence to show that John C. Graham had flaunted to the world Mary A. Graham and Sarah Potter as his wives. The statement that Mary A. Graham was the reputed wife of John C. Graham had not been proven. These polygamous wives were dependent upon their husbands. That could and should not be made an offense. To prove unlawful cohabitation it must be proved that the relations between the

parties were continuous.

The prosecution had failed to prove this, and he asked for a dismissal of the case and the discharge of the de-

GOES TO JURY.

Mr. Putnam closed for the State and Judge Norrel charged the jury, which retired at 12:20 to consider its verdict.

Three Years for Matthews.

Samuel Mathews, convicted on Tuesday last of burglary, and whose varied court experience has been chronicled in court experience has been chronicled in these columns, was sentenced by Judge Norrell today to three years in the State prison. His attorney made quite a fight for another new trial, on the ground of newly discovered evidence, but the court denied the motion and Mathews left the court room protesting his innocence. While nearly everytable believes Muthews to be a "hard body believes Mathews to be a "hard case," quite a few think he was inno-cent of the crime for which he was to-

MORAN GETS OFF LIGHT. Man With a Bad Record Gets Five Months in County Jail.

Months in County Jail.

Tim Moran, whose true name—the records say—is Thomas Moran, but whose real name is Thomas Durkin, and who is supposed to have spent more than one-half of his life in fail, played into luck today. He was charged with attempting to burglarize the residence of H. J. Foulger in the Twenty-first ward, but the prosecution dismissed in charge and substituted the offense of petit larceny. Moran pleaded guilty to that charge and was sentenced to five months in the county jail. The manner in which the defendant took his sentence lead the court speciators to manner in which the defendant took his sentence lead the court speciators to believe that he expected to get more.

Morar gave some valuable information to the sheriff's office lately, by which it quantity of jewelry was discovered.

It is believed this had something to do with feasy's affair.

ROBERTS' REPORT MYSTERIOUS

British Do Not Comprehend His Latest Message,

10,000 BOERS AT PRETORIA.

Discussing the Payment of War Expenses-People's Congress Favors Hoer Independence.

London, June 2.-Lord Roberts' last report of the movement of the British troops in the Transvaal is somewhat mysterious. From the fact that Gen. French's report took two days to reach the commander-in-chief at Johannesburg, it is believed that either French must be many miles north of that city or that he is having troubles with his communications. The former is generally accepted as the most probable and it is surmised that Lord Roberts' vague phrase setting forth that "French is now holding the place which I directed him to do, north of Johannesburg' means that his position is quite close to Pretoria.

WONDERING WHAT IS THE MAT-

The additional fact that Lord Roberts' dispatch, published today, is dated four hours earlier than the one given out hours earlier than the one given out yesterday, and that it takes the proceedings no further than May 31, leads to the conclusion that some important movement is on foot or that Lord Roberts himself has not been able to keep his lines clear behind him. Possibly the next place Lord Roberts will be heard from will be Pretoria. It seems that French should certainly be within striking distance of the camps today. Gen. Rundle appears to have returned to Senekal after fighting eastward, and contemplates an early forward, and contemplates an early forward movement.

Boer prisoners say that fifty men were killed and many wounded in their

PAYING THE PIPER.

The Cologne Gazette publishes a let-er from State Secretary Reliz, dated

April 26, saying:

"The British government promised the British nation that the cost of the war will be defrayed by the Boers. But as the latter will not be in a position to Great Britain must obtain the ey from the gold mines, which will gators of the war, Rhodes, Wernher.

Belt and others will suffer most. In addition the Psitish will have to maintain a garrison of 50,000 men, the cost of all encouragement and support in his of which the mines will also have to power, whereat the Wongs in Honolulu ony. As soon as the Eritish troops are withdrawn, wars and rebellions will cak out, not for years but for cen-ries. For England this means a constant source of trouble, annoyance and

THIS SHOWS FIGHTING.

The war office has received the following dispatch from Lord Roberts, at 2:34 p. in.

Johannesburg, June 1, 9:25 p. m -Sir Henry Colville in reporting the arrival of the Highland brigale at Helibran, May 25, states that he was opposed more or less the whole way from Ventersburg. Eight men were killed and four officers and thirty-two men were

Colville says the Lancashire battery of field artitlery did excellent work.

Grant's naval guns were most valuable and the troops behaved in a most seldierly manner throughout the trying

"Rundle telegraphs that his casual-ties were 32 killed and 150 men wound-

MANY BOERS AT PRETORIA.

Lourenzo Marques, June 2 .- President Kruger vesterday was still at Machado-dorp, (about half way between Pretoris and the Portuguese frontier on the rail-Delagoa bay). Hoer commands, to-talling about 10,000 men, held, Thurs-day, all the positions and hills around Pretoria. Another large command was at Bronkhurstsspruit (about forty miles rom Pretoria) on the railroad leading

to Defagoa bay. Telegraphic communication with the Transvaal is closed to the public. Feverish excitement prevails here ow-ing to the almost total absence of news

The object of the trip here of Friechie Eloff, President Kruger's sen-in-law, and Dr. Heyman, the president's physician, appears to have been to place a large amount of gold in safety.

BOERS ARE SURROUNDED. Mazeru, Basutoland, Jane 2.-Gen. Brabant has practically surrounded the Boers five miles outside of Ficksburg. The only side open for the retreat is the Basutoland border, where thou-sands of Basutos, under Chief Jona-than, are awaiting events.

The grenadier guards were the heavi-est sufferers during Gen. Rundle's fighting. They lost thirty men killed fighting. They lost thirty men and had eighty-eight wounded.

PEOPLE'S CONCRESS.

Graadreinet, Cape Colony, Thursday, May 31,-The people's congress opened here today. Of those present many here today. Of those present many were Dutch clergymen, commoners and bondites. Mr. Devilliers, brother of Chief Justice Devillers, presided. Mr. Pritorius, a member of the legisla-tive assembly, offered a resolution declaring that in the opinion of a ma-jority of Cape Colonists the chief imnediate cause of the war was the unwarranted intolerable interference of the ministry in London in the internal affairs of the South Airican republics. A member speaking in support of the resolution, said it would be impossible to hold out the hand of friendship after the war, and asked: "Can we take the English hand that perhaps is stained

with the blood of my brother?"

The chairman advised moderation in

The resolution was adopted unani-

AGAINST ANNEXATION. Other resolutions presented affirmed that if the republics were annexed the peace and prosperity of the country would be irretrievably wrecked, and that in order to insure lasting friendship and prosperity the settlement must include the restoration of an unating the recessity for keeping a standing army, as the republicans would be prepared to assist the colonists to repel any foreign inroads in South Africa, unity would be insured and loyalty to Great Britain cemented.

A delegation was appointed to visit Great Britain, Canada and Australasia to explain the views of those represented at the congress

PREDICTS BOER INDEPENDENCE.

Before the close of the people's congress, Olive Schreiner (Mrs. Cronwright) made an impassioned speech, in which she predicted that the South African republics would regain their Independence

WHO TOLD HIM? Capetown, June 2.-A dispatch to the Argus of this city from Delagoa Bay

says: "Pretoria will surrender. President Kruger, according to this correspondent, is said to be at Middleburg and, he adds, the last stand of the Boers will be made at Machadodorp."

CHINESE RULER IS TAKING RISKS

Shanghal, June 2 .- The empress dowager has ordered the governor of ShanSi to arrest Lin, the Chinese manager of the Pekin syndicate; Kia, chief of the Shan Si commercial bureau, and Fan, a leading banker, on the grounds that they are dangerous characters, but in reality because they are connected with British enterprises.

Tien Tsin, June 2.—The foreigners who escaped from Pas Ting Fu are fen miles from here. Four of the party have been killed and four wounded. An expedition is proceeding to their

Pekin, Friday, June 1 .- American and other foreign guards, numbering 349, arrived here in the midst of the dragon Iestival. The streets were un-usually crowded, and though the people were greatly interested in the annual spectacle, no manifestation of hos-

tility was made.

The presence of the guards has already had a marked effect upon the bearing of the Chinese toward foreigners. The excitement in the adjacent country has been much allayed, but many Christian refugees are still flock-into the city. The "Boxers" are evi-dently moving afield. Unfortunately no leaders of the "Boxers" have been arrested, though their capture would have been easy. All the government has done has been to occupy the scenes of disturbances and no real repressive measures have been taken.

San Francisco, June 2.—Advices from Honolulu state that Li. Hung Chang has written a lengthy letter to the Bow Wong adherents in Honolulu, endorsing their cause and expressing a hope for the ultimate success of the Bow Wong reform movement, it is also stated that the Bow Wong sympathizers in China have forwarded several thousand dol-lars to be distributed useful the Chinese sufferers of the plague fires in Honolulu, Long Year Mann, a promireby be multied of half the net non merchant in Honolalo, in an in-dia, whereas the Transvani never terview, stated that I ling thang is express themselves as greatly encouraged and say they will carry out the

OFFICERS PLAY TO BAD LUCK.

Bandits Get Their Horses and Hoboes Their Blankets.

A POSSE AT THOMPSON'S.

Sheriff Beeler of Arizona Expects to Catch the Robbers If it Takes All Summer.

[SPECIAL TO THE "NEWS."] Thompsons, Utah, June 2 .- Five of the posse that left here with Sheriffs Howells and Preece and came back on account of their horses giving out, arrived here last night. They reported that they failed to see anythong of the outlaws when coming back. There was an impression that some of them had doubled back this way. Sheriff Ed. Beeler, of Arizona, and posse, who expected to go north from Grand Junction to try to connect with Sheriff Preece, will arrive here this afternoon. He expects to remain here until something definite is heard relative to Sher-

iff Preece's location.

As yet nothing has been heard from As yet nothing has been heard from him at this place. The five men that returned here are still here and will accompany Sheriff Beeler when he starts out. Sheriff Beeler has been on the trail of the murderers for six weeks and expects to land his men if it takes

all summer.

The five men that returned here are in bad luck again, having had their blankets stolen from them last night

THE SCOFIELD DISASTER. State Coal Mine Inspector Thomas Files His Report With Gov. Wells.

State Coal Mine Inspector Gomer Thomas late today submitted to Governor Wells a statement of the conditions surrounding the explosion which occurred at the Winter Quarters mineon May 1st, together with a list of the killed and injured.

Mr. Thomas flads that the explosion was caused through the accidental igniting of a keg of black powder, by means of which the dust exploded. The total number of killed is placed at 199, and the number of injured at 7.

SCOFIELD FUND INCREASED. Philanthropic Ladies Raise Nearly One Thousand Dollars More.

There was an interesting meeting of work of the organization at the risk of | the ladies Scoffeld relief fund committee at the residence of Mrs. O. J. Salts-

APPEAL TO THE CITIZENS OF UTAH

Governor Wells Calls Upon Them to Contribute to the Relief Fund of India's Famine Victims - Thousands Die Daily.

Lake City, June 2, 1900. To the people | with abundance shall each give a little, of Utah: A great charitable movement | the aggregate may save hundreds of man life in India, has been started in resentative of the United States comthe United States. Large sums of money and a ship load of grain have already been forwarded from this country. Other civilized nations have contributed largely, yet the unfortunate people of India are still dying by thousands. It is claimed that notwithstanding all the efforts of all the world to prevent it, 12,000 people die there every plenty which abounds in our State, a day from starvation and disease. The situation is one that appeals with terrible earnestness to every generous heart.

State of Utah, Executive office, Salt | If the people of Utah who are blessed having for its object the saving of hu- lives. Rev. G. L. Hosford, western rep. mission has designated Hon. W. S. Mc-Cornick of Salt Lake City to be the treasurer for the India Relief commis-sion of Utah, and all contributions should be sent to him.

It is realized that the recent lamentable diraster at Scoffeld has made liberal demands upon the charity of our people, yet in the name of humanity, it is earnestly to be hoped that from the generous response will be given to the cries of a perishin rishing people for food. HEBER M. WELLS.

Governor.

POSTAL TELEGRAPH IS VICTOR.

Wins in Its Suit Against the Oregon Short Line for Right of way - Damages Assessed at One Hundred Dollars.

against the Oregon Short Line Railroad company, a case brought to condemn ah | sufficient, in substance:

"This is a suit for the condemnation "This is a suit for the condemnation | used, the facts show that it is, Besides of an easement over the defendant's | the plaintiff, by its pleadings, puts it right of way. The derendant objects to the plaintiff's right to maintain this action.

"Ist: For the reason that this court has not jurisdiction outside of the counof Salt Lake. This question was fully argued upon the demurrer to the complaint, and the court adheres to its decision made at that time, and holds that in this class

of cases it has the jurisdiction contend-ed for by the plaintiff.

2nd: It is argued that plaintiff is bona fide corporation in this State, that it was not organized for the purposes of building a telegraph line, but for the purpose of exercising the right of eminent domain in behalf of the Postal Telegraph-Cable company of New York. No question is made as to the incorporation of the plaintiff, and the point raised as to its being an agent qualified freedom and independence to
the republics, and the colonists he allowed a fice in the appointment of
this way. That is something which
the governor of Cape Calony, thus obviconcerns the State in a direct pro-

In deciding the case of the Postal ceeding, and it will not now be con-Telegraph-Cable company of Utah sidered by the court. It is also contended that the description of the real estate sought to be condemned is not company, a case brought to condemn an sufficient. That question was passed easement over the defendant railroad upon by this court when it decided the company's property from Salt Lake demurrer, and the court holds now as it held then, that the description is sufficient. As to the question as to the Third district court today, said, whether the right of way sought to be condemned is for a more necessar, public use than that for which it is now self subject to the control of the de-fendant, and it can in no way interfere with defendant's conduct of its business. The court, therefore, is of the opinion that plaintiff be allowed to condemn the right of way sought, under the restrictions set forth in its com-plaint. As to the damages that are to be assessed, in the opinion of the court, many of those damages sought to be proven are prospective and specu lative; the damages are simply nomi nal, and they are assessed by the court in the sum of \$100. Counsel for plaintiff will draw up a decree in accordance

with these suggestions."

Judge Powers, as counsel for the telegraph company, has other such issues to see through the courts. As a rule.

the judgments in other States have been about as above given.

The Postal Telegraph company will spread a network of telegraph lines

bury this afternoon. Mrs. George Y. Wallace presided and Mrs. Salisbury acted as secretary. The first business transacted was that of the receipt and consideration of reports of money collected since the committee met last time. The following collections were

April Seals

 Mrs. Grant H. Smith
 2 50

 Mrs. Adelade Nason
 68 00

 Mrs. L. C. Miller
 10 00

 Mrs. Thomas Kearns
 33 00

 Mrs. O. J. Sallsbury
 132 00

 Mrs. E. L. Carpenter
 22 60

 Mrs. J. E. Bamberger
 A 60 69

 Mrs. Simon Bamberger
 80 00

 Mrs. Jeanette Ferguson
 54 25

 Mrs. Hort Sherman
 50 55

the governor's committee as to the dis-position of the funds. At the meeting position of the funds. At the meeting this morning it was also reported that Mrs. Nelden had collected \$25 worth of material, principally infants' clothing which was shipped to the local relief committee immediately after the disaster. Mrs. A. F. Holden, Mrs. Geo. Y. Wallace and Mrs. W. H. Bancroft also sent about \$25 worth of other bundles to the committee at the same

FINAL ORATORIAL CONTEST Five Young Men Will Compete on June 11 in Assembly Hall.

The final Y. M. M. I. A. oratorical contest will be held in the Assembly Hall on the evening of Monday, June 11,

at 8 o'lcock.

The "Deseret News" prize gold medal for the winner will be awarded by President Lorenzo Snow. There will be a prize for the man who achieves the second honor, consisting of three ele-gantly bound volumes of the Improve-ment Era. They will be presented by Apostle Heber J. Grant.

Apostle Heber J. Grant.

The judges on thought and composition are Dr. James E. Talmage, Prof.

N. L. Nelson, of the B. Y. Academy of Provo, and Edward H. Anderson of Ogden, The judges on delivery are B. H. Kobests, O. F. Whitney and Prof. George H. Brimhall of the Provo Academy

The contestants are: Walter J. Sloan, Alma Taylor, C. H. Carlquist, Mark Brown, and T. J. Howells, M'DONALD CANDY COMPANY. Consolidated Organizations File Ars ticles of Incorporation Today.

The J. G. McDonald Candy company filed articles of incorporation with the county clerk today. The capitalization is \$100,000, divided into 10,000 shares of the par value of \$100, each fully paid and non-assessable. The company succeeds James G. McDonald of this city and the Ogden Candy company and the Paysley Confection company. and the Order Cabay Company, also of that place. The officers of the company are: James G. McDonald, president; D. W. Shupe, vice-president; Harry W. Brown, secretary; W. H. Williams, assistant secretary; W. C. McDonald, transurer; John Pawlas, superintendent of the Order Actions with George L.

of the Ogden factory, with George L.

Nye. constitute the directorate.

The headquarters of the new consolidated company will be in Salt Luke
City, although the Pawlas plant at
Ogden will continue in business. The consolidation was effected for the purtheir interests. It is also claimed that considerable saving will be made in the management of the affairs of the various companies under one head and by one set of officers.

ONE MORE JUROR.

Nine Men Secured for the Trial of Haworth.

ISPECIAL TO THE "NEWS."1 Farmington, Jun 2.- In the Haworth murder trial, the special ventre for 40 jurors was returned this morning, and the work of examining them was proceeded with. Up to 2 p. m., but one additional had been secured. Richard Sedgwick, of this place, making 'a all nine men sworn to try the case. From present indications it is likely that the necessary jurors will be secured and the taking of testimony cornmenced on Tuesday. Hawerth is becoming very nervous. He sleeps but little, and spends his nights in pacing his cell.

A STORY CONTEST.

Miss Lou Lewis Will Represent Third Year Normal Class.

Yesterday afternoon the third year formal class of the University met to listen to the recital of three original stories by young ladles of the class, who were competing for the honor of representing their class at the debate and story-telling contest between the second and third year classes next

The contestants were Miss Lou Lewis, Miss Jane Pixton, and Miss Ivy Dix.
Miss Lewis received the honor, and was
showered with congratulations. The
title of her story is "After the Pullness
of Days" and her waterfalls. of Days." and is a splendid effort. In the evening the ladies of the class tendered a reception to the men. lively time was had until midnight, the order of the evening being candy pulling, music and games.

MORREY CASE.

The Doctor Was Found Guilty at Manti Today.

[SPECIAL TO THE "NEWS."] Manti, June 2.-The jury who tried the rape case against Dr. H. P. Morrey, county quarantine physician for

placed at \$1,000. CRITICALLY ILL.

W. H. Perkes, his friends will regret to learn, is lying critically iil at his home in the Nineteenth ward.

TO REPRESENT THE STATE.

The supreme court made an order today appointing Attorney-General Bishop, F. S. Richards and Judge Howat to represent the State in the Evans-Rogers disbarment proceedings, which is set for 10 o'clock Monday morning.

DURKEE FRAUD IS THROWN OUT

Suit on Behalf of Utah's Ex-Governor Has No Basis in Law.

\$64,623,512 THE SUM ASKED.

Claim Was for Railroad Bonds-Suit Was Used as a Scheme to Get Money from the Uninformed.

Washington, June 2 .- One of the largest suits ever instituted against the government has been dismissed by the United States court of claims. It was known as the Blisdel case and involved \$64,623,512 alleged to be due to the heirs of Charles Durkee, of Kenosho, Wis., for certain first mortgage Pacific railroad bonds which it was alleged came into Durkee's possession while governor of Utah in 1865. It was alleged these bonds subsequently were deposited in the treasury of the United States in trust for the owner, and that the government collected the principal and interest thereon, but never accounted to Durkee or his heirs for any part of the

In view of the fact that the case has been pending in the court for a number of years without any competent evidence to support it, Assistant Attorney General Pratt decided to push it to a conclusion with the result that it was dismissed. It is claimed the case was being used to get money from persons throughout the country who were not in a position to know the facts for the alleged purpose of carrying on the

alleged purpose of carrying on the prosecution of it.

In one case it is said the promoters agreed to give \$1,000,000 in the claim for \$500, and in another case an agreement was filed for \$8,000,000, the consideration being \$4,000. The officials of the department of justice declare there never was the least basis in law for the claim.

NEW HAWAIIAN OFFICIALS.

President Names Three Men for Positions in the New Territory.

Estee of California and Haird of Wyoming-Army and Navy Promotions.

Washington, June 2.—The President today sent the following nominations to Appointment in the volunteer army,

Col. Jacob H. Smith, Seventeenth infan-try, U. S. A., to brigadier general;

Luther R. Hare, Thirty-third in-Promotions in the army-Major H. C. Potter, Fourteenth infantry, to be neu-tenant colonel; Captain Henry A. Gregg, Twentieth infantry, to be ma-Justice-Morris M. Estee of Califor-

nia, to be U. S. district judge of the Territory of Hawaii. John C. Baird, of Wyoming, to be U. district attorney of Hawall.
Daniel A. Ray of Illinois, to be U. S.

marshal of Hawaii. Navy promotions-Lieut, Albert Gleaves, to be a lieutenant commander; Lieutenant Junior Grade Waldo Evans,

to be a lleutenant.
Ensigns, to be lleutenants, junior grade, F. H. Brumby, T. M. Dick, C. K. Malloy, F. P. Baldwin, W. C. Davidson, Newton Mansfield, Harris Lanning, J. P. Morton, D. M. Garrison, E. D. Kearns, D. W. Todds, J. V. Klemann, W. R. Cushman, H. V. Butler, Jr., W. E. Gherardi, J. J. Raby, K. E. Walker, F. N. Freeman, W. H. Standley, A. T. Chaster, C. P. Raynes, A. J. Wadhams, Chester, C. B. Barnes, A. J. Wadhams, K. M. Bennett, F. H. Watson, O. S. Knepper, M. J. McCormick, J. F. Mar-shall, Jr., R. Z. Johnson, Jr., E. F. Eck-hardt and E. H. Dunn.

With the Transatlantic Liners. New York, June 2 .- Arrived: St. Paul,

from Southampton; Pretoria, from Hamburg; Bovic, from Liverpool, Liverpool—Arrived: Georgic, from New York. Hamburg—Arrived; Auguste Vic-toria, from New York.

THE NEW SUGAR COMBINE. It is Organized in New Jersey, With Twenty

All Plants to Start Up-Arrangement With the Other Combine for No Bate War.

Millions Capital.

New York, June 2.-The organization of the National Sugar Refinery company of New Jersey was completed today in Jersey City. The new company is a combination of the National, Mollenhauer, Doescher companies. The stock is divided into \$10,000,000 of common and \$10,000,000 of preferred shares. The assets comprise all the plants of the three companies in the combination and several million dollars in cash. The articles of incorporation will be filed immediately in the office of the secretary of state, Jss. H. Post, of B. H. How-cilson & Co., who is to be at the cilson & Co, who is to be at the head of the new company presided at The following board of directors was

James H. Post, F. D. Mollenhauer, Chus Doescher, Geo. Arbuckle, F. H. Holland, Herbert Cory and Henry F. in the verdict "Guilty of adultery." The case was given to the jury yesterday noon. The doctor will be sentenced Monday at 2 o'clock. His bonds are Mollenhauer. The following officers were elected: President, James H. Post; vice pres

President James H. Post; vice president and treasurer, Frederick D. Mollenhauer; secretary, Herbert Cory.
It was announced that all the plants owned by the company will start up at once at their full capacity.
It is stated that there is an understanding, although no definite compact, between the new concern and the American Sugar Refining company, and that no rate war will result from the organization of the new company.

Dreyfus Amnesty Adopted. Paris, June 2.—In the Senate today the Dreyfus case amnosty bill was adopted by 238 to 24 votes.