# THE DESERET EVENING NEWS.

TRUTH AND LIBERTY.

## FIFTIETH YEAR.

# **BENBROOK NOW ON** TRIAL FOR HIS LIFE

### Yearly All of the Day Spent in Preliminary Skirmishing-Judge Powers Challenges the Entire Panel of Jurors.

a Also Objects to the Jurisdiction of the Court-Is Overruled by Judge Hiles-The Struggle for a Jury Well Under Way -The Defendant is Accompanied in Court by His Wife and Two Brothers-A Big Crowd of Spectators in Attendance Throughout the Day-Leda Stromberg Remains in the County Attorney's Office-Benbrook Plays With His Baby While the Jurors are Being Examined-Slow Progress Made Thus Far.

before a court room crowded with | amination of jurors was taken up by amination of jurois was taken up of Judge Powers.
W. L. Tuiner, a young farmer of Murray, was discualified. He had read the reports of the shooting of Burton C. Morris by Benbrook on the even-ing of July 17th, in the Deseret News, and other papers, had followed the tes-time relation at the conditionary hear. eators, the case of John H. Ben-

was taken up in the district n this morning. arty every seat in the big lobby scupied when the session comed several ladies being, noticed the bar.

to groups were formed as soon as manays on either side entered. Senator Arthur prosecutors, . County Attorney Putnam and int County Attorney Van Cott, positions in a line close to the tive, as the juror seemed to fill the re-guirements. Mr. Jacklin, who is a farmer, married, and 39 years of age, had heard of the case, and read of it, but had no fixed opinion. He would give ber. Victor Morris, a brother of ton C. Morris, and S. I. Clawson, ather-in-law, sat some distance on the prosecutors and were by representatives of the Morris

the defendant the benefit of all reasonin attendance at the opening able doubte. Would the fact that the defendant is er Powers, Judge Zane and L. R. matterneys for the defense, were a gambler affect your judgment?" apposite side of the table, close group formed by Benbrook, his asked Judge Powers. "No. I would decide it upon the law and the evidence." other and sister. "Would the fact that the defendant is

BENBROOK ENTERS. us a little before 10 o'clock when at entered the court room,

"None." by Sheriff Howell. Benbrook "Are you acquainted with Senator ale, the result, no doubt, of his Arthur Brown?" "Simply know who he is." withs confinement. He was aved, and looked as though just

"Would the fact that a very powerful person desires the conviction of this the barber's hands. He was be dark business sult, and as

weight with you?"

"I would not.

ion as to the guilt or innocence of the

defendant. The challenge to this juror was allowed.

W. T. O'Brian had formed an opinion of the case that would require strong

testimony to remove. He was excused.

Judge Powers' examination of E. N. Jacklin, of Murray, was most exhaus-

not a member of any church have any

C. B. Durst, the mining man, was in

was present at the afternoon

Mr. Mayo was the son of the late

Mr.' Mayo and his wife were stopping

before a doctor who was called

The news of Edwin Mayo's death was

received with universal regret in this

city. Especially was it a matter of deep concern and sorrow to Melbourne

MacDowall, to whom the sad tidings

were communicated by a representative of the "News." Associated with the

communication was a mistake on the

part of the newspaperman that resulted

from a momentary confusion of the names of Mr. Mayo and Mr. MacDowall.

The interviewer, who had sent his card

to Mr. MacDowall's room, sat in one of the big leather chairs of the hotel

wating for the actor to put in an ap-pearance. Meantime he was thinking

of the unexpected deaths of father and

son, the great delineations of Puddin

head Wilson, and being suddenly con

fronted by Mr. MacDowall, explained

as he arouse and extended his hand:

"Why, how do you do, Mr. Mayo, I'm

"Why, I'm not Mr. Mayo, my dear

"Melbourne MacDowell." concluded

could get to the hotel.

Would you be in any way prejudice in the case should it appear that the deceased was a prominent young busi ness man, belonging to a most excellen family, while the defendant, at the time shooting, was a professional of the

gambler?" "No sir." The juror had an impression which amounted to an opinion, however, and it would require evidence to remove the

Judge Powers challenged Mr. Lam-bert for actual bias and also for im-plied bias. The prosecution relisted this and Mr. Putnam took a hand in the examination to show that there was no

In passing upon the matter JudgeHiles said there was no bias manifest, and the challenge was overruled.

MERCHANTS' CAFE LOOTED.

Most Valuable Part of the Fixtures Carried Off.

The Merchants' Cafe, which closed its loors last November, owing to lack of patronage, has been the scene of a bur-glary. Just when the crime was committed is altogether uncertain, as the place has been abandoned now for over three months, with all the fixtures and stock remaining as when Matt Collin-son gave up the attempt to make the place pay as it did before the Benbrook

tragedy. • The thieves have carried off the most valuable of the stock, including a lot of nickle tea pots, two nickle coffee urns, brass hat rack, sets of consomme cups and the copper from the range which

alone cost \$300. A complete list of the articles taken cannot be made out for some time, but it is evident that the thleves have very materially cut down the value of the restaurant contents. The entire stock and fixtures are to be sold tomorrow to the highest bidder to satisfy the claim of the Bank of Commerce, amounting to \$8.000

The recent hold-up at Benbrook's "Sheep Banch" gambling house and this bu glary at the restaurant are men-tioned as coincidences. timony given at the preliminary hear-ing, and had formed an abiding opin-

#### The Jurors Called Today.

The jurors called today, nearly every-one of them being present and with the exceptions noted possessing the statuexceptions noted possessing the statu-tory qualifications were Peter Elliot. Francis N. Shelton, William P. Nebeker, Henry B. Beckstead, Enos N. Jacklin. Charles B. Durst, Thomas Mullholland, William Green, Adthur H. Parsons, Jos-eph Evans, Walter Calton. Thomas McEnvoy, Julius Cook, Lorenzo D. Young, Winthorp Buck, George E. Lee, Ernest H. Rich, Joseph Hobbs, John T. Beckstead, William L. Turner, Levi Hardcastle, W. T. O'Erien, Robert Ell-wood, J. C. Lambert, Daniel F. Elton, Rudolph Knuńsen, Joseph C. Leyon, George E. Ellerbeck, John H. Osgu-thorpe, Reynolds Cahoon, William Mc-nard, George W. Proctor, William Mc-nard, George W. Proctor, William Mcminutes before and broke her ankle and will remain in the hospital for six or seven weeks at least. Richards & Pringle's-Rusco & Hol-land's big minstrei festival of sixty peo-ple will appear at New, Grand, com-mencing Feb. 26, with matinees daily. rard, George W. Proctor, William Me-Millan, Jared B. Graham, A. P. Hulse, Charles M. Hammond, Samuel Alien, Jr., Olans Johnson, Ralph R. Sherkey, Thomas Jones, David McCleary, Albert H. Nash Colin E. Stokes, John T. Thorup, P. Van Houten, Jr., John Hol-SEQUEL TO A

verson, Joseph Knight, Robert Graham, John F. Edwards, William M. Waddell, W. F. Hills, A. L. Simondi, Robert H, Hödge, William Hart, Jr., J. R. Griffin, Charles H. Jenkins, C. J. Higson, Wilman have any effect on your dict?" liam M. Risley, John T. Thorn, Joseph "None, whatever." Whittaker. "Would you yield at all to any propu-lar clamor either for the defendant's SCHOOL SALARY CASE. acquittal or conviction?"



[Afternoon Dispatches.]

duced in all its original glitter and show. The achievement was little short of marvelous." When Mr. Mac-Washington, Feb. 19 .- Senator Clark, f Montana, gave place at the beginning Dowell appears on the stage tonight it will be with a halt in his gait, as he has of today's gession of the Senate commit. tee in elections to Dr. William Tracey. a very badly sprained ankle. He has not played with the company for over The change was made in order to pera week on that account. He met with the accident on Sunday night, the lith, when he was to have played at Lead. In the Justices of the supreme court of Montana, to be present, while Dr. ville. "It would," said he, "have been the fourth time in my life that I had played on Sunday. But I got hurt, and hurt hard. The moral is: Don't play on Sunday. I never liked to do it, Treacey was testifying, as his testimony was expected to deal largely with the interview between himself and Justice Hunt and Attorney General Nonor did my wife, who only played twice on the Sabbath day during her entire Before Dr. Treacey proceeded Chair-

Mr. MacDowall's accident came from a fall on a slippery sidewalk. Mrs. Henry Reeves, Miss Davenport's and Miss Walsh's maid, had a fall fifteen caucus, and was as follows:

"Helena, Mont., Jan. 16, 1899 .-- Hon. "Heiena, Mont., Jan. 16, 1899.-Hon. S. S. Hobson-Dear Sir-In reply to your valued favor of this date, request-ing me to define my position on the tar-iff question. I beg to state that I am in favor of a high protective duty on wool, hidrs, and on every other prod-uct of this State in order that produc-its of new material shall get an eoutin. The show promises to be a very good one and will doubtless play to good ers of raw material shall get an equita-

ers of taw material shift get an equila-ble advantage in the distribution of tarif, duties. It is manifest that the present schedule is inadequate to dis-charge the expenses of the government and there will necessarily have to be an increase and readiustment

BELATED TRAIN. Increase and readjustment. "The manufacturing interests are en-titled to shough to protect them against

expected a more indignant pro the first interview than he had n Asked what "party" he had mean to refer to when he had told Judg Hunt that he could get \$50,000 or \$100. 600 out of the case, the witness said he "did not mean any head of " "did not mean anybody." "Then you told him what was not true?

true?" "I did. I might as well have told him that he could get a million." The witness said he knew of the pres-ence in Helena of the special train from Butte which had brought Mr. Corbett. Mr. C. W. Clark and others from Butte on the day he first spoke to Judge Hunt and had heard the gossip that the supreme court was to be bought. He had also heard that at time Mar-cus Daly's private car was there to cus Daly's private car was th take Judge Hunt's children away lic gossip was, he said, constantly as-sociating Justice Hunt's name with that of Marcus Daly, and there was much talk that he was to be corrupted. He could not, however, give the name of any one person from whom he had based the intimation heard the intimation. Dr. Treacey said that while a Re-publican in politics he had favored Mr Clark's election to the Sénate.

#### LIVES LOST IN STORM.

Twenty - four Seamen Drowned Three Vessels Wrecked.

Santander, Spain, Feb. 9 .--- Gales ar causing a number of shipping disaste on the north coast of Spain. Thre small vessels have been wrecked hea here and twenty-four seamen dr Eight other vessels are missing oasting ships with crews forty-eight men, are reported to have foundered off Gijon.

ADVERSE TO THE ASSOCIATED PRESS

Springfield, Ills., Feb. 19 .- In the appeal of the Interocean Publishing company against the Associated Press, the supreme court today rendered an opinion reversing the decree entered by the Cook county circuit court and the appellate court for the first district, and remanded the case to the circuit court with directions to enter a decree as yard, assaulted and took the southern prayed for in the original bill filed by the Interocean Publishing company, to restrain the Associated Press from suspending or expelling the petitioner from its membership and from refusing to furnish it news according to its contract.

This bill sets up the fact that the Associated Press has been able to control the business of buying and ac-cumulating news in Chicago and selling the same and hav-ing thus created for itself an exclusive monopoly, and to preserve such mono-poly, had declared the Sun Printing and Publishing association a rival or

penalty of suspension or expuision. It was also alleged that the appe

of the Sun Printing and Publi

court dismissed the bill for want

charged its business with a public in-

"It has devoted its property to a pub-

lic use and has in effect granted to the public such an interest in its use that

public for the common good to the ex-

tent of the interest it has thus created

in the public in its private property.

The sole purposes for which news was

sold, and all newspaper publishers de

siring to purchase such news for pub-

same without discrimination against

"The clause of the contract which

lication are entitled to purchas

special or other news or receiving

news from any person declared by hostile, is not required for corpor purposes nor included within the p

poses of the creation of the corpor-To enforce this by-law and cont

made under it would "enable the pellee to designate the character news to be published and whether

or false there could be no check

by publishing news from other so

To Reorganize the Army.

Investigating Idaho.

Washington, Feb. 19 .- The investiga

tion of charges as to the conduct of United States military forces un

mining troubles last summer began !

day before the House committee

eign, of the Knights of Labor, E

Flanigan of the Idaho legislature

the Coeur d'Alene district were pre-

Presidential Nominations.

Davenport to be commander, Medic Inspector J. C. Wise to be medical d rector; Surgeon E. Z. Derr to be a med

To be second lieutenants in the

cal inspector.

Brig.-Gen. Merriam during the

Washington, Feb. 19.-Chairman I

should be

it must submit to be controlled

gathered was that the same

equity, and on appeal to the

decree and remands the case

The

terest.

court this decree was affirmed.

# **BULLER HURLS BACK THE BOERS**

NUMBER 78.

British Troops Assault and Carry the Southern End of Monte Christo, South of the Tugela River.

Boer Laagers Captured-Munitions of War and Prisoners Taken -Attacked Boers on Flank and Rear-They are Driven Across the Tugela-British Loss Not Heavy-Boers Retreat from Dordrecht-Exchange of Prisoners-War Experts Discussing Cronje's Whereabouts-Where is His Artillery?-May Not be in the Free State, but to the North-French May be Chasing Prinstoo-Difficult to Measure Buller's Success-Brabant's Move-Brave Bugler Meets the Queen.

[Afternoon Dispatches.] London, Feb. 19, 7:02 p. m.—It is said hat the war office "has received good news from Gen. French with reference [Afternoon Dispatches.] to Gen. Cronje."

London, Feb. 19, 3:20 p. m .- The war

office has received the following dispatch from Gen. Buller: Chieveley Camp, February 19: I yes-

terday moved around the enemy's flank, The queen's guard, who had bivouacked on the uorthern slope of Cingolo, crossed the nek and, supported by the rest of the second brigade under Hildend of Monte Christo.

"The fourth brigade on the left or western slope, and the Welsh fusileers, supported by the rest of the sixth bri gade, assaulted the eastern flank of the enemy's position, while the second brigade, cavalry, on the extreme right watched the eastern slopes of Monte Christo, and drove back those of the enemy who attempted to escape there from our artillery fire. Assaulted by heavy artillery fire on their front and flank, and attacked on their flank and rear, the enemy made but slight resis-

Roberts would not have mentioned a detail of such importance. Again, the statement that a large Boer force was massing northward of Kimberley once more relaes in the minds of some ex-perts the question whether Gen. Cronie is really with the force retreating on is really with the force retreating on Bloemfontein. It is suggested that the latter is really the Free State main army under Gen. Prinstoo, supplemented by a portion of the Magersfontein command, while the main body of the latter, under Gen. Cronje, is trying to secure the Vaal bridge at Fourteen Streams, thus barring the way to Mafeking.

#### BULLER AND BRABANT.

It is difficult to measure the full imortance of Gen. Buller's movements. If he manages to seize Hiangwana hill, the way may be cleared for another crossing of the Tugela and another attempt to reach Ladysmith via the dieet road north.

In Cape Colony Gen. Brabant seems to be successfully clearing the road for the advance of Gen. Gatacre. The only official news up to 2:45 p. m.

a dispatch from Lord Roberts dated Jacobsdal 11:40 p. m. Sunday, confir ing the press announcements regarding. Gen. Brabant's movements. Bugher Dunn, the 15-year-old me

of the first royal Dublin fusileers, who was the first theories the Tunets first,

while running with the soldiers and

sounding the advance, saw the queen at

Osborne this morning. Her majesty presented him with a handsome silver

mounted bugle suitably inscribed. The queen gave the lad a motherly welcome

have a successful career in the army.

BOERS CALL OUT ALL MEN.

Mazeru say that large forces are being sent from the Transvaal to the Free

State under prominent generals. It is also said the Free State is making des-

perate efforts to collect an army to face

An official proclamation orders out all

male inhabitants between the ages of 13 and 60, and enthusiasts declare that

everyone up to the age of 100 must go.

Typhold fever is said to be playing havoc among the Boers at Colesburg.

At Kimberley, a report is current that Mafeking has been relieved, but that

the Boers are trying to conceal the in-

the British at Koffvfontein.

Capetown, Feb. 19,- Dispatches from

and expressed her hopes that he would

was shot in the right arm

and who

han Chandler produced a copy of the letter sent by Mr. Clark to the Republi-can daucus of the Montana legislature. It was addressed to the chairman of the CLARK ON TARIFF.

mais chair, looked like a sucusiness or professional man. a Judge Powers came in a few alater, Businelly, and alim cordially, and bothers. later, Benbrook shook hands with The and Bebrooks the med a group, which was af-mis sugmented by the arirval of s shrook and her baby, and the the case, read of it and talked about it, but the accounts he had heard were min's slater-in-law. They took es at the recent trial, nearly

the jury box iant took his child upon his and entertained the little fellow public clamor. Throughout the day and watched the proceedings s, sudying the face of each juror about the same frame of mind as Mr. Hammond, and both were passed for My and giving strict attention to the time. laswer made.

THE START MADE. LEDA STROMBERG PRESENT.

rusexicity 10 o'clock when Judge asignaled the bailiff to open court, Leda Stromberg, the "woman in the i moment later the trial was besession, but did not come into court, she sat in County Attorney Putnam's facuse set for trial this morning. oom adjoining, and passed the time honor, 'is the State of Utah John H. Benbrook. Are you reading a book. Steve Keene also came in during the

trial' defense is ready," replied Judge promptly

winam did not seem to be so replying, "I think so, your ful a glance at the crowd of resent satisfied him and he yes, we are ready."

EXAMINING JURORS. preliminary examination

- of was then proceeded with, three hausting the supply. ian Cott rapidly went through set examining them simply as to atutory qualifications. t them stood the test, although ACTOR EDWIN MAYO DROPS DEAD. escaped,

examination of A, H. Nash. postmaster, was quite amusing. sh, who is now chief clerk in the a of the supervisor, was evidently funious to get off, and lost no time atoming the attorneys that his ing was defective. Prosecutor Van test his hearing, asked questions rather low tone of voice, but Mr. allin't hear him and finally was and B. Graham, editor of the Bing-

in, belonged to the fortunate sempted from jury service by Ellerbeck pleaded his pro-

dd was excused. Eltwood, Wm. Green and Pudd'nhead Wilson company, dropped dead in the Chateau Frontenac at 2 aus Brinton were excused for phyo'clock.

WERS SPRINGS A SURPRISE. Frank Mayo for whom the play "Pudthis preliminary examination eded out a few jurars, Judge d'nhead Wilson" was written. m sprung a surprise, which, had anied, would have ended the trial at the Frontenac. Mayo was chatting the time and resulted in another with Edwin Varney, manager of the

and children to the jurisdiction of and on the ground that the de-Academy of Music, until about 2 o'clock. When Mr. Varney started to take his | upon his knees and remained silent for at and hever been indicted by a leave, Mr. Mayo arose to see him out ury. This, he contended, was in and suddenly fell back in his chair. He d the defendant's constitubled profusely from the mouth and was ghts. dead

Riles-The objection is overthe court will give you the an exception.

lodge Powers entered a chal-the whole panel of jurors. In a st this, he claimed that twenmes of the jurors to serve for drawn and used in a case trial. That the jury box for depeted to that extent; that and prior to the existence an exigency as contemplated by additional names were drawn, ly proper notice

this statement Judge Powers Clerk Little sworn, and to offer evidence in support of when a brief consultation attorneys on each side remially as stated by Judge Pow-

Brown, in opposing the chalald that the more fact that the an iter was depleted as claimed could this case in the least. If the jurars were improperly some other case, the objection split to that case, and the irboy," calling the writer by name. "but I know him like a book-good fellow and an ideal Pudden'head Wilson. As to me I am-" It any, could not be made apply to the dase on trial. Apply Hes overruled the challenge, and to acception being noted, the ex-

Mayo and his company played "Pud-ation "Right you are. But, however did den'head Wilson' in Salt Lake for three cargo. the

clad to see you

#### Arguments Are Made Before the Sa Charles M. Hammond had heard of preme Court and Matter Submitted.

case of Mattle E. McKay vs The so conflicting that he had not made up his mind as to the guilt or inno-Josiah Barnett, as treasurer of the board of education, came up before the cence of the accused. The fact that the defendant was a gambler would not, of Supreme court today on the order to show cause and after arguments was itself, affect the juror's judgment in the case, nor would he be swayed by taken under advisement. Plaintiff in this case was permitted

file an affidavit for a writ of mandate in the Supreme court. In the affidavit it was alleged that plaintiff was a teacher in the public schools of this city, that school was temporarily suspended for sixteen days on account of smallpox; that the clerk of the board issued a warrant to plaintiff for the sixteen days, but defendant refused payment, claiming plaintiff was not entitled to her salary for the time she did not actually teach. The contract between the board and plaintiff con-The contract tained certain provisions, but an epi-

demic of smallpox was not among afternoon and occupied a seat in the Resuming his examination of jurors. Plaintiff was represented today by Judge Powers questioned Thomas Mc-Evoy, manager of McCoy's livery sta-Waldemar Van Cott and George Sutherland and Richards & Varian ap-peared for the defendant board. who answered that he had heard and read of the case but had not Other cases were argued and submit-

ted as follows: J. J. Greiner, appellant, vs Ogden formed any fixed opinion as to the case. J. C. Lambert had read about the case generally, but believed that he could City Street Electric Light company and Roland R. Conklin. enter upon the trial impartially and

Center Creek Water and Irrigation give a verdict in accordance with the company vs James Lindsay, appellant. law and the evidence in the case.

Mayo?" asked Mr. MacDowell.

explained the "News" man.

"An Associated Press dispatch re-

ceived a few minutes ago announces his

death, and I was just thinking of it,"

"No, no; my God, you don't mean that; you mean his father, who died

suddenly two or three years ago, do you

A detailed statement of the telegram

was then made to Mr. MacDowell, who, after listening to it, burled his face in

his hands, while he rested his elbow

ment. When he spoke he suid:

big heart. I knew him profession

hardly seems possible that he is gone. The last time I saw him, a few months

ago, we took dinner together in Detroit. We often dined together in the earlier

of another actor, who can guite take his place in the play as it is such a distinctive role; still there are men in

the profession who could doubtless

make a success of it, but I cannot recall

And, then, in answer to questions Mr.

MacDowell talked freely of the suc-

cess he was meeting with in his pres-

one at this moment."

had upon him.

Sudden End of the Popular Successor to Frank Mayo, of "Davy

Crockett" and "Pudd'nhead Wilson"-Death Came

in Quebec, Canada.

Quebec, Feb. 19 .- Edwin Mayo, of the | you come to mention the name of Mr.

Pons obtained a deeree of divorce from David Pons on the grounds of descr-tion and failure to provide. Mrs. Pons was also awarded half of her husband's property, consisting of a homestead in Brigham City, and a team and wagon. "Yours sincerely.

ofessional careeer.

The defendant was not present when the case was called, but a note was received from B. H. Jones, his attorney, in which it was stated that he (Jones). had withdrawn from the case. This was supposed to mean that Pons did not inend to contest the suit, and accordingly judgment was entered against him. Today Mr. Pons came into court with an affidavit in which he sets forth that 5, the date of his first interview with he was detained on the road here and he Justice Hubt, referred to his associaasks to have the judgment entered against him vacated and set aside, and new trial granted.

In his affidavit Pons says he lives at Roweville, Boxelder county, and on the 13th of February he received word from his attorney, B. H. Jones, stating that his case had been set down for trial. He immediately proceeded from Roweville to Brigham City on horse-back, a distance of twenty-sev-en miles, and found Mr. Jones Jones engaged in the trial of a murder case, making it impossible for him to leave and come to Salt Lake. Pons proceeds to say that on the morning f Feb. 15, he left Brigham City, expecting to be here on time for the trial. The train was three hours late, however, and when he reached the court room, the decree had been granted. On new trial Pons says he can prove by Mrs. Jane Buchanan that his wife de serted him, sold parts of the household furniture and came to Salt Lake; that she heard his wife tell the ohildren that he (Pons) was not their father, and that she would not live with him any longer

Pons also says that Mrs. Emma Rice Ogden will testify that he always furnished his home with ample provi-sions and that his wife deserted him while he was away at work. Defend-ant also offers to prove by Joseph M. Harris that he provided his wife not only with provisions, but money, as

Pons then accuses his wife of deserting him, selling the furniture and committing acts unbecoming a wife. He further says, in July, 1892, he came to this city, and tried to induce his wife to return with him to their home in Brigham City; but she would not listen to him and absolutely refused to live with him. In July, 1892, defendant says, his

wife applied to the district court at Ogden for a divorce. The case, he says, never came to trial, and the action is still pending.

### Railway Buildings Burned.

New York, Feb. 19 .- Fire today destroyed one of the buildings occupied by the Metropolitan Street Railway Company. Three cars were destroyed and forty damaged. Loss \$75,000. "Poor Eddle: I have known him from his boyhood, and his father before him. He had his weaknesses, but he had a

### Indignant at Reports of Revolution,

too, at his home, known as Crockett Lodge. It is just next door to the Davenport Homestead, which is owned by the parents of my wife, Famile Davenport. Then just across the little values which is across the Caracas, Venozuela, Feb. 19, via Haytien cable .-- The government and press protest against reports published an the United States asserting that a new little valley, within speaking distance, was Fanny's own house, near which we have often gone hunting together. It revolution has broken out in Venezuela, An indignation meeting was held here

yesterday.

Another Seized Steamer. London, Feb. 19 .- No details have yet days, played hooky, ball and other things together, and always had a royal good time. Poor, dear Eddle, and now he has gone. I am afraid 'Puddin'-head' will go with him as I don't know ben received by the British government in reference to the seizure of the British steamer Sabinet from New York January 14th, with a miscellaneous cargo which, as reported from Port Elizabeth yesterday, was captured by the British gunboat Thrush and brought to Delagon Bay on suspicion of having contraband of war on board. The Associated Press is officially informed that if she carries an American cargo she will probably have to under-go the same process to whilh the steam. er Mashona was subjected by the prize ent season's work, but ever and anon, as a member of his company passed he would halt and inform them of Mayo's death, showing the profound effect it had upon him. court, and if no contraband of war is found on her she will be handed back to her owners. The foreign office offi-cials say that in the event of American interests being involved every consider-ation will be shown the owners of the

proreign labor, and they should be satisp d allow the producers of raw satisfy a so allow the producers of tax rest, all to have an equal advantage. If maintain that ho representative of this State in the national Congress should allow himself to be committed A faw days ago Esther Cutmer Rice by caucus or otherwise to any policy that would be in conflict with or be pre-

"Yours sincerely, "W. A. CLARK."

#### TREACEY AND HIS "JOKE." Dr. Treacey was questioned by Sena-

tor Chandler. He testified that after ar-riving in Washington Saturday last had met Senator Faulkner, counsel for Senator Clark. The first question asked 'referring to the incident of Aug. on on that day with Mr. Corbett, J. M. Neill, Mr. Clark and Judge Hunt. e said he had seen Justice Hunt that day, but none of the others mentioned, Dr. Treacey related all his interviews with Justice Hunt and also with Attorney General Nolan. He began with his first interview with Mr. Hunt on Aug. 5, last, and his report was a practical repetition of Justice Hunt's testimony except as to the amount named. He said that at the first interview he had invited the judge to his office and had taken him into his operating room,

where the interview occurred. "I told the judge," said the witness them. "that I had a funny kind of proposi-tion to make to him." The witness sought to restrict the appellant from obtaining news from other sources than then went on to say that he had told the justice of the arrival in Helena of from appellee is an attempt at restric tion upon the trade and business among a special train and said he told the judge that there was a party there that the citizens of a common country, Competition can never be held hostile ald give \$50,000 if he would dismiss public interests and efforts to prevent the Wellcome disbarment case. competition by contract or otherwis-can never be looked upon with favo The judge promptly said that he could not consider such a proposition, and left. He had also seen Justice Hunt later by the courts." The court finds that the by-law of the in the afternoon at the latter's own home, and had renewed the suggesappellee corporation which seeks to prevent its members from publishing

of the foreno He said he had told the judge of the rumors that he was under Mr. Daly's influence and that the latter would insure his re-election. The witness then said he had told the judge that if he could decently do so he would like to see him get the money to be had out of the case. The judge had refused at both times to entertain the proposi-

tion, as he had at a subsequent interview three or four weeks later OFFERED \$50,000.

Appellee would be powerful in the crution of a monopoly in its favor a could designate the character of news would furnish and could prejudice Dr. Treacey said he had never had any authority from any one to make a proposition of bribery to Mr. Hunt, interests of the public. Such a powe was never contemplated in its crand is hostile to public interests. The clear effect of this by-law is to create but he had not told the judge of this circumstance until he was notified that Judge Hunt was to be summoned to a monopoly which renders it will Washington. He had then told the judge that he had no \$50,000 or \$100,000 to offer him, and no authority from any

one to make such an offer. of the House committee on milita: Referring to his interviews with At. fairs today introduced a bill preorney-General Nolan, the witness said by the war department authorities ( improve the efficiency of the army. ] that when he spoke to that gentleman about the Wellcome case the latter repractically re-organizes the army. plied

"Tve got 'em over a barrel." "I told him," said the witness, "that he'd better get \$100,000 out of the pusiness, destroy his stenographic notes and get out of the business. He seemed o feel pretty good over it," continued the witness, "and I took it that he thought it a good idea. It was all pure 'josh,' and he knew it was,"

Idaho, State Auditor Sinclair, Go Merriara, ex-Master Workman Sov After a second interview the attorney general had given him half a dozer lucks, and the next day had sent him piece of venison. a magistrate at Mullan, Idaho, and considerable delegation of miners fro

Asked from whom the suggestions came that he should approach Judge Hunt as he had done, Dr. Treacey re-

They came from no person. I had known him for ten years and admired him more than any other man in the State. My only motive was to test his official integrity and to find out whether he was all right. I had heard rumors that he was identified with th Daly people, and there were many ru-mors unpleasantly involving his name I wanted to know abuot that."

ONLY TO TEST THE JUDGE.

"Then," suggested Senator Chandler, "you went deliberately to work to test the virtue of your friend as a judge?" "I did," was the reply, "and I am very sorry for it."

rine corps, Wm. C. Harle, of Florida: Richard S. Hooker, Nevada; Hugh L. Matthews, of Tennessee, Postmaster, California, A. C. Cooke, Continuing he explained that he had Truckee.

tance, and abandoning their positions were driven across the Tugela. I have taken several camps, a wagon load of ammunition, several wagons of stores mpetitor in business and antag and supplies and a few prisoners. to it, and sought to prohibit its bets from buying news therefrom

and the ground traversed was exceed-ingly difficult. But the energy and dash of the troops have been very pleasant to see. They have all done splendidly. The work of the irregular had compelled some of its members by threats to cease buying the special news cavalry, the queen's, the Scots fusileers association, under its contract with its members, including the appellant. and the rifle brigade was, perhaps, most noticeable, while the excellent practice The appellee filed an answer to the of the artillery and naval guns and the steadiness of the gunners under, at times, very accurate fire, was remark-able. The accurate fire of the naval bill and a hearing was had, the circuit appellate guns from Chieveley was of great as-The supreme court now reverses this

sitance "Our casualties are not, I think opinion written by Justice Phillips, holds that the manner in which the corporation has used its franchise has many.

Durban, Feb. 19 .- The bombardment the Boer position on Hlangwana hill

vas continuous vesterday. The fighting still proceeding at 6 o'clock It is said that the British evening. have captured a hundred prisoners.

RETREATING FROM CAPE COLONY

Sterkstroem Camp. Sunday, Feb. 15 .-The Boers are retiring and Gen. bant's forces are now entering Dord-

WHERE IS GEN. CRONJE?

CALLED FOR HOME DEFENSE. Arundel, Sunday, Feb. 18.-Command-rt Pretorius, who was captured by the London, Feb. 19 .- An army order issued tonight invites the reservists to rejoin the colors for a year for home British at Elandslaagte and three other Boer prisoners were handed over to the Boers from Arundel today. A mesdefense, and offers £22 bounty to those senger under a flag of truce had previ-ously arranged the program. The pris-John O'Donnell and Maj. John Mc-

formation.

Bride, the latter commanding the Irish brigade in South Africa, were today ers had a cordial interview with Gen. nominated to fill the vacancy in the lements, and were then taken in an House of Commons for South Mayo, caused by the resignation October 26, ambulance half way to the Boer camp. 1899, of Michael Davitt, Irish nationalist, as a protest against the Boer war. London, Feb. 19 .- Practically nothing The Globe this afternoon declares that if Maj. McBride is qualified for known of the progress of Lord Roberts' column during the last day or election to Parliament, he is also liable two and speculation as to the ultimate to be shot as a traitor as soon as capgain from the recent movements is necessarily unsatisfactory when based tured, as only the British subjects are

on belated telegrams evidently vigor-ously censored. Many important points Commons. **CONGRESS WILL ADJOURN JUNE 1.** 

Authoritative Announcement Made by Representative Cannon Today-May Mean the Failure of the Nicaragua Caual Bill.

WORKING SEE-SAW.

Their Child's Play Sessions. Frankfort, Ky., Feb. 19 .- The Demorats held a session of the senate with President pro tem Carter presiding this morning and adjourned to meet

at 10:20. The Republicans had adjourned Saturday to meet at 10:30 today. When the sonate convened both Carter and Matshall presided.

Washington, Feb. 19 .-- The President today sent the following nominations to The Republicans, recognizing Marthe Senate: John F. Mulkey, of Alabama, to be consul at Tuxpan, Mexico. shall, adjourned after prayer, and led by Licut, Gov. Marshall, the Republi-Navy, Commander William C. Gibson to be captain; Lieut, Commander R. G can senators left the hall. The Democratic senators recognizing President pro tem Carter, paid no attention to the Republican proceedings and continued

in session. The Democratic senate then adopted motion, introduced by Mr. Allen of exington, to reaffirm the former ac-

declared governor. This prevailed on Ti a vive voce vote. Senator Triplett, an up.

speaks of adjournment by authority. If the date he mentions is adhered to, it means that neither the subsidy nor the Nicaraguan canal bills will be

anti-Goebel Democrat, voted with the Democrats for the purpose of making a quorum. The Democratic senators adjourned after adopting the Allen resolution. Both Democrats and Re-publicens adjourned to meet in the same hall tomorrow. The Democrats

same hall tomorrow. will meet at 10:30 a. m. and the Republicans at noon

Marshall contests.

lature sitting at Louisville, was read, Mr. Hickman (Dem.) demanded a roll call to ascertain the presence of a

their names, and only fifty three of the sixty Democrats were present.

and to place the State capitol

tion of the senate, in which Goebel was declared governor. This prevailed on The contest matter was not taken

Mr. Cannon is chairman of the appro-ISPECIAL TO THE "NEWS."] priations committee, and therefore Washington, D. C., Feb. 19 .- Repre-

## would adjourn on or about June 1st. passed at this session.

### sentative Cannon of Illinois, after an incerview with President McKinley this morning, announced that Congress

Kentucky Legislators Proceed with

The house Democrats will follow the ation of the senate Democrats, ratify-ing the former proceedings in the Goebei and Taylor and the Beckham

The house convened at noon, Speaker

Trimble presiding. The journal of the Democratic legis-

The Republicans did not answer to

The house adopted a resolution di-recting the custodian of public buildings to drape the legislative halls and State house with emblems of mourning,

half mast on account of the death of

