

FIFTIETH YEAR.

JURY FAILS TO AGREE IN THE ROBERTS CASE. AN ARMY OF MEN KILLED IN AN EXPLOSION.

Remained Out Over Seventeen Hours—Stood Six for Conviction and Two for Acquittal—At the Close John F. Edwards and William Hart, Jr., Formed the Minority—The Case to Be Tried Again This Term.

Fearful Accident at No. 4 Winter Quarters Mine—Superintendents Sharp and Welby Go Down on a Special—Many Men Injured—Great Excitement at the Mine—Some Provo Men Among the Employees.

The jury in the case of R. H. Roberts, charged with unlawful cohabitation, came into court at 10:40 this morning and announced a disagreement.

The jury were discharged and the case will come up for trial again later in the afternoon.

Judge Norrell did not appear to be in a hurry to call the jury in. His honor arrived at 10:40 and was advised that the agreement had not been reached. He remained in his chamber until the jury came in.

James H. Moyle, Mr. Roberts' attorney, was present, and waited patiently for the jury.

THE JURY SENT FOR.

When much routine business had been transacted and there was nothing further requiring the court's attention, Judge Norrell instructed the bailiff to call the jury.

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As the jury filed into the box, they looked greatly fatigued. They had been out since 4:30 yesterday morning, a matter of more than seven hours, and each one of the eight jurors had been long on the case.

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have been out all night, and as each juror says there is no chance of agreement, it is a case for the case and for this term.

This ended the proceedings, and the weary jurors filed into the clerk's office to draw their warrants.

DID NOT WANT TO TALK.

The jurors did not want to talk about the case, and each juror says there is no chance of agreement, it is a case for the case and for this term.

SIX FOR CONVICTION.

It was soon learned that at the close of the efforts to reach a verdict, they stood six for conviction and two for acquittal. The division was maintained nearly all the time.

HOW THE JURORS VOTED.

The jurors, it seems, had agreed among themselves that they would not tell their votes individually, and they stuck to that fairly well, although the majority of them did not hesitate to say "I am willing to tell you that I voted for conviction."

FOR CONVICTION.

Those voting for a conviction would be John F. Edwards, John H. Thompson, John Spencer, Samuel Allen, Jr., Collin E. Stokes.

THAT STATEMENT OF FACTS.

Several of the jurors who were met spoke strongly against the method of trying the case on an agreed statement of facts.

WE WERE AT A DISADVANTAGE.

Under the evidence, or what was given us, said another juror, "and the court's charge, I couldn't do anything but vote for a conviction."

HAD A HARD NIGHT.

"We had a hard night of it, on hard benches, too," said another juror, "but, of course, it could be helped. The jurors were conscientious in this matter, and while a material is to be regretted, still with the conditions they had, yielding on either side was out of the question."

THE ARGUMENTS.

After the agreed statement of facts, a synopsis of which appeared in last night's "News," had been read to the jury, Mr. Putnam made the opening argument for the State, speaking twenty minutes.

FOR THE DEFENSE.

James H. Moyle made a very strong argument for the defense. A review of the testimony showed that the defendant and Mr. Roberts had been seen together during three years only a few times, and at long intervals, and the association between them had not been shown to be such as would exist between man and wife.

THE COURT'S CHARGE.

Judge Norrell then charged the jury in the usual form, and at 4:30 they retired in charge of Bailiff Naylor.

TO BE TRIED AGAIN.

County Attorney Putnam was seen by a "News" representative late this afternoon and when asked what would be the next move in this case he replied, "It will be tried again."

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law, if there is a wicked intent in the mind or heart of an individual, his acts are to be construed in the light of that fact. If you convict the defendant of that offense, what under the law is it possible that a man can escape from who has ever borne that relationship unless he has a heart of stone?"

MR. PUTNAM'S CLOSE.

In closing the case, Mr. Putnam spoke five minutes. He called attention to the action of Dr. Roberts in changing the sign on her home from ship to ship, and claimed that this, with other acts, showed an intent on the part of the defendant to publish to the world that he was a polygamist, living in a polygamist relation, in violation of law, and that he intended to continue it.

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(SPECIAL TO THE "NEWS.")

Scotfield, Utah, May 1.—At present the mining camp at Scotfield is the scene of the greatest excitement on account of a terrific explosion at the Winter Quarters mine, which occurred about 10 o'clock this morning.

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The cause is attributed to the blowing up of a number of kegs of blasting powder, and the point at which the explosion took place is not as yet known.

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filled with smoke, dust and debris. The scene of the explosion is still going on. Miners from Clear Creek have been brought down and all possible assistance is being given. At this moment the special bearing W. H. Sharp, Superintendent of the coal company and A. E. Welby arrived from Salt Lake. The loss to the P. V. Coal Co. is great one and the extent will not be known for some time.

THE OFFICIALS OF THE COAL COMPANY.

The officials of the coal company are doing their best to decrease the loss of life. A few of those known to be dead are:

LIST OF THE DEAD.

Robert Davis, Jack Wilson, R. T. Evans, Pete Crockett, Anderson, James Wilson, Will Wilested, And. Haddow and son, Severely injured are: John Kerton, Thos. Tivney and son, Wm. Bower, Thos. Sellers, Thos. Brown and many others.

REPORT COMES THAT THOMAS HUNTER AND TWO SONS ARE AMONG THE DEAD BROUGHT OUT.

IN SALT LAKE.

News of a most startling character was received in Salt Lake this afternoon concerning a terrific explosion at Winter Quarters in Mine No. 4, owned

other without more stirring occurrences.

WATCHING BOER GUERRILLAS.

Gen. Brabant's column is expected to join Gen. French shortly. A number of Boers are reported to have been seen retreating north, but this is scarcely authoritative.

STRICT MEASURES ARE BEING ADOPTED TO PREVENT THE BOER GUERRILLAS FROM SECURING SUPPLIES FROM OTHER CENTERS.

THE LITTLE NEWS FROM THABU N'CHU IS ABSORBING ALL INTEREST.

THE COUNCIL PARLIAMENT HAS BEEN SUMMONED FOR JUNE 22.

GEN. WHITE DECORATED.

At the conclusion of Gen. Sir George White's visit to Windsor today, Queen Victoria decorated the defender of Ladysmith with the cross and star of the Royal Victorian order. Her majesty and the soldier had a lengthy conference.

IT IS LEARNED THAT THE QUEEN WOULD BE ANGRY FOR YEARS OVER THE PUBLICATION OF THE SPION KOP DISPATCH.

FIGHTING IN EARNEST.

7:15 p. m.—The war office has received the following dispatch from Gen. Roberts:

"Rosenfontein, May 1.—Jan Hamilton marched yesterday in a northerly direction from Thaba N'Chu with a body of mounted infantry and Smith-Dorrien's brigade of Genet's division. At Houtney he found himself opposed by a strong force commanded by Gen. Botha in person. Reinforcements reached this force during the day and I directed French to strengthen him during the night from Thaba N'Chu.

"This he was able to do, as the number of Boers in the neighborhood of Thaba N'Chu had considerably decreased.

ALL BUT FIGHTERS TO GO.

A special dispatch from Capetown under today's date says that Secretary Jellie, of the South African Republic, declared to a recent visitor at Pretoria, that not only would every Englishman be cleared out of the state, but also every American, German or any other man of other nationality who was not prepared to shoulder a Mauser and fight for his country.

PLIGHT OF PEOPLE IS TERRIBLE.

Marquette, Wis., May 1.—There is no communication with the burned district except by means of the Soo railroad telegraph line. There has been no rain and the fire cannot be checked. The passenger train which left here Sunday morning was hemmed in in the burned district and only got through to Fairport last night.

THE PLIGHT OF THE PEOPLE IN THE BURNED DISTRICT IS TERRIBLE, AS THE COUNTRY IS VERY DRY.

Many lumber camps have been destroyed and farmers have fought the fire to save their homes. The loss will probably reach several hundred thousand dollars, unless rain soon falls, of which there is no apparent prospect.

Fires are also burning along the Milwaukee and Soo roads and serious damage is feared there.

Along the Milwaukee road north to Ellis Junction passengers are unable to put their heads out of the windows as stifling is the smoke.

Middle Inlet and Cedarville have suffered from the devastating flames.

Menominee, Mich., May 1.—Great forest fires are still raging along the line of the Wisconsin and Michigan railroad north of Fisher with disastrous results. The logging camps of Wells, Ludington & Vanshach Company near Ames have been destroyed. In addition to those reported destroyed yesterday are the cedar product villages of Swanson and Garret, on the Wisconsin and Michigan railroad.

All incoming trains from the north and over the St. Paul report fires raging in all directions.

by the Pleasant Valley Coal company. At this hour details are not obtainable. Wild rumors are about concerning the loss of life and property. It seems to be quite certain that both are very great. It is estimated that not less than fifty men have been killed and not less than several hundred have been injured.

NEITHER MR. CARPENTER NOR MR. SHARP'S PRIVATE SECRETARY KNEW FROM WHOM THE TELEGRAM CONCERNING THE EXPLOSION CAME. THEY WERE AWARE THAT THE SUPERINTENDENT HAD BEEN CALLED TO THE MINE INSTANTLY AND THAT HE HAD SUMMONED AN ENGINE, WHICH WAS ATTACHED TO A SPECIAL CAR WITHOUT DELAY, AND STARTED FOR SCOTFIELD. DURING THE ENTIRE AFTERNOON, THE OFFICE WAITED IN VAIN FOR SOME REPORT FROM HIM. THE DISTANCE TO SCOTFIELD FROM SALT LAKE IS 112 miles, and it is estimated that it would take very nearly three hours to make the run, so that the afternoon would have been pretty well spent before Mr. Sharp reached there.

RECEIPT OF THE NEWS THAT CAUSES MUCH APPREHENSION.

(SPECIAL TO THE "NEWS.")

PROVO, May 1.—Several private telegrams were received in this city this afternoon by persons having relatives working in the mines at Winter Quarters. The news that came was such as to cause the wildest apprehension in the minds of those concerned. One telegram was received by Andrew Gatherrum. It came from a brother who stated that three other brothers, Thomas, James and William, were working in No. 4. It was not made clear whether they were among the injured, though it was believed that they escaped.

OTHER TELEGRAMS ANNOUNCED THE SAFETY OF CHARLES CONRAD AND HYUN MUEHLETTINE AND THE KANIER BROTHERS. ALL ARE PROVO BOYS AND THEIR FAMILIES ARE NATURALLY MUCH PLEASED OVER THE ANNOUNCEMENT OF THEIR SAFETY.

DETAILS NOT OBTAINABLE.

Details of the explosion were not obtainable. Whether it was great or small was not known. All that was certain was that there had been an explosion, neither was it known whether the trouble had occurred at Mine No. 2 or No. 4. Inquiry at the office of the Pleasant Valley Coal company, master carpenter was fairly besieged with questions by telephone and by persons coming in and out of his office, in quest of information. To one and all he simply replied:

"Beyond the fact that there has been an explosion we absolutely know nothing. We simply know that Mr. Sharp has been summoned to the mine. Further than that we are ignorant of what has transpired."

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