THE DESERET EVENING NEWS. TRUTH AND LIBERTY.

WEDNESDAY, FEBRUARY 21, 1900, SALT LAKE CITY, UTAH.

ANSWERS MACRUM

Ex-Consul Never Reported Viola-

tion of His Official Mail,

THERE WAS DELAY ONCE.

This Was Hemedied and Route Changed-No Complaint of Inter-

ference-No secret Alliance.

[Afternoon Dispatches.]

Washington, Feb. 21 .- The answer of

the state department to the House

resolution, calling for information re-

garding certain charges made by the

late Consul Macrum was transmitted

to the House today by the President.

It is signed by Secretary Hay, and af-

"Answering the first part of the

ter reciting the resolution, says:

SECRETARY HAY

FIFTIETH YEAR.

ADYSMITH HAS BEEN RELIEVED.

relegram Received at Windsor Castle, and News Given Out by the Queen This Morning.

sable Accuracy of the Ststement, in Advance of the War Office Balletin-Gen. Cronje Said to be in a Tight Place-Gen. Macdonald Severely Wounded-Gen. Buller Reports-Gen. Roberts Credited With Ladysmith's Relief-Cronje's Clever and Daring Work-Keen Satisfaction in England-Boer Failute at Arundel-Defeat of Col. Plumer-Gen. Cronje Acknowledges He Was Beaten-Chief Commandant Ferrereira Killed-Gen. Knox Wounded-Canadian Losses.

[Afternoon Dispatches.]

ists, Feb. 21.-At the meeting of an council at Windsor this mornit was announced that news had windsor Castle that Lady. a had been relieved.

wassouncement was received with of "Bravo Buller." ennor of the relief of Ladysmith

gain been current on the Berlin lasion bourses. There is no constint of the rumor.

grate telegram received here from a this afternoon declares that Gen. is is a bad position, bearing out day's Berlin rumor that Gen. g was surrounded and that a time hat been given him within which

wir office announces that Gen. " Macdonald, commander of the ant brigade, was severely wound-

Medonald and the Highlanders seming Gen, Cronje. EN BULLER'S REPORT.

an Feb. 21, 4:27 p. m.-The war s received the following from

The fight lasted until 7:30 in the evening. "Although on the whole the British were driven back, they each time re-sumed the attack. The loss to the Brit-ish must have been considerable. Thus far the Boer loss has been eight killed and twelve wounded. This morning the British shelled us with cannon. Chief Commandant Ferrereira's force was too small to stop the cavalry from entering Kimberley.

BOER COMMANDER KILLED. London, Feb. 21.-A: dispatch from Preticia dated Tuesday, Feb. 20, an-nounces that Commandant Ferrereira was killed Feb. 19, adding that his death was believed to be the result of an acci-dent.

GEN. KNOX WOUNDED. London, Feb. 21, 5:47 p. m .- The fol-London, Feb. 21, 5:47 p. m.-The fol-lowing dispatch has been received at the war office from Lord Roberts: "Paardeburg, Tuesday, Feb. 20.-Be-tween February 16 and Feb. 18 Maj Gen. Knox was wounded; Maj. Gen. Hector Macdonald severely wounded, and Lieut. Col. Aldworth killed." The war office adds that no details of the fighting have yet been received. the fighting have yet been received. These casualties occurred in fighting near Paardeberg.

HEAVY CANADIAN LOSS. Toronto, Feb. 21 .- A special cable to the filohe save:

The first Canadian contingent was en-gaged at Modder river all day Sunday; that eighteen men of the regiment were killed and sixty wounded. Among the wounded was Capt. Mason, of Toronto, The Canadians forded the Modder after a night's march.

HOLLIS TO INVESTIGATE. Lorenzo Marques, Feb. 21.-United States Consul W. Stanley Hollis, has

"The department of state has been in regular communication by mail and telegraph with Charles E. Macrum, late consul of the United States at Pretoria, South African Republic. since his entrance upon the duties of the office. Communications made to him have been answered and the execution of instructions sent had been reported by him. His dispatches to the department were forwarded through the consulate at Lourenzo Marques, and have during that time been regularly received.

resolution:

"The only instance of complaint in respect to the transit of the mails for Lourenzo Marques and Pretoria was in November last, when a temporary stoppage of the mails occurred at Cape-town, against which Mr. Macrum and the consul at Lourenzo Marques pro the consul at Lourenzo alarques pro-tested. Arrangements were made for the prompt delivery of the consular mails to the United States consul at Capetown, by whom the mail for Mr. Hollis and Mr. Macrum was forwarded to Lourenzo Marques. The delay last-ed but a few days, and has not recurred to for the days and has not recurred so far as the department is advised. After that time the department's mail for Lourenzo Marques and Pretoria was sent by neutral route, which it appears was know and open to Mr. Macrum and Mr. Hollis as early as November 6 last. No obstacle, therefore, is here known to have existed, since then to Mr. Macrum's unhampered correspon-dence with the department of state. 'At no time while at his post did Mr. Macrum report to the department any instance of violation by opening or otherwise of his official mail by the British censor at Durban, or by any person or persons whatsoever, there or isewhere. Neither has he so reported elsewhere. Neither has he so reported since he left Pretoria/ although having the amplest opportunity to do by mail while on the way home and in person affairs. when he reported to the department upon his return. 'Answering the second part of the aforesaid resolution, the undersigned, secretary of state, has the honor to say that there is no truth in the charge that a secret alliance exists between the Republic of the United States and the empire of Great Britain; that no form of secret alliance is possible under the Constitution of the United States, inasmuch as treaties require the advice and consent of the Senate; and finally that no secret alliance convention, arrangement or understanding exists between the United States and any other JOHN HAY, nation. Department of State, February, 20,

housebreaking. He was arraigned be-fore Justice Timmony and entered a pica of not guilty. The court was about to set the time for hearing when Williams said: "I will just walve preliminary ex-amination." His bond was placed at \$500, in default of which he was locked up.

Aqui Con

Promotion for Gen. Otis.

Washington, Feb. 21.-The President today sent the following nominations to the Senate

Volunteers-Brig. Gen. Harrison Gray Otis, to be major general by brevet. Colonels to be brigadier generals by Coloneis to be brigadier generals by brevet: Owen Summers, Harry C. Kessler, Wilder S. Metcalf. Captain J. F. Case to be major by brevet: Captain Luther D. Brady, Thirty-fifth infantry, to be surgeon with rank of major; first Lieutenant John A. Metzger, Thirty-fifth infantry, to be assistant surgeon with rank of estical with rank of captain.

Irish Bill Rejected.

London, Feb. 21 .- The house of commons has rejected at its second reading the Irish evicted tenants bill-232 to 136.

KEELEY IS DEAD.

Inventor of the Keeley Cure for Drunkenness Passes Away.

Los Angeles, Cal., Feb. 21 .- Leslie E. Keeley, inventor of the Keeley cure, died here today of heart disease.

Mr. Keeley had been ill with a severe cold for two days, but nothing serious was feared from it. Early this morning, while going to his bath room, he had an attack of heart failure, but recovered, and later said there was nothing serious the matter with him. Dr. Westhughes, a specialist in heart diseases, was called, however, but be-fore he reached the Keeley residence, Keeley had had a second attack died. There were with him his Mr. and dled. wife and Judge Ewing, the noted Christian Scientist, of Chicago, who has been stopping at the Keeley home for several day Mr. Keeley was 68 years of age. He

leaves a wife, but no children. The only hel to his estate, besides his wife, is his sister, who lives at Dwight, Ills., Keeley's former home. The estate is valued at one million. The body will ultimately be taken to

Dwight for interment, but as yet no arrangements for the funeral have been Mr Keeley has been in southmade ern California two winters.

NONE OF THE FORMS OF LAW

Testimony R garding Procedure at the Idaho Miners' Riots.

What Attorney for the Miners Says Claims the Milltary Was Used Wrongfully.

NUMBER 80,

THREE JURORS ARE EXCUSED BY STATE

Defense Exercised but One Peremptory Challenge in Benbrook Case This Morning-Frank Shelton a Juror.

Will be No Session of Court Tomorrow-Not So Many Jurors Obtained as Was Anticipated-State Has Now Used Eight of Its Fifteen Peremptory Challenges and the Defense Three -Several of Those Examined Disqualified by Reason of Having Formed Opinions-Now Looks as Though a Jury Could Not be Obtained Before the End of the Week-Line of Examination Followed by the Defense Varied Slightly-Case Will Probably Last Two Weeks More.

The feature of the morning's session ; of court in the Benbrook case was the exercise of three peremptory challenges by the State and one by the defense upon the jurors who had been passed Tuesday afternoon. This used eight of the fifteen challenges allotted to the State and three of the challenges of the

This left five jurors sworn when the routine work this morning commenced, and the failure to select more than one of the five who were eligible will delay the securing of twelve men longer than was anticipated.

Besides this, it has been decided to not hold a session of court tomorrow, Washington's birthday, which is a legal holiday. The situation is such that in all probability a jury cannot be ob-tained until Saturday, and the taking of testimony may not commence until Monday morning.

The attendance this morning was hardly as large as on previous days, but a few ladies were present. Today's proceedings were not of special interest. The examination of jurors was conducted with the same care as before, and along the same lines as on the preceding days. Only an oc-casional tilt between counsel or the

witty response from some juror varying the monotony, Benbrook was surrounded, as usual, by his wife, sister-in-law and brothers.

"Yes." The examination then proceeded along the usual lines, the juror stating that he had not formed any opinion as to the guilt or innocence of the accused.

"Suppose," asked Judge Powers, "that is should turn out in the evidence that the defendant is an irreligious man, a gambler by profession, while the deceased was a young business man of high standing, belonging to a most excellent family, influence your verdict?" 'No, Mr.'

"Would you have any thought that chance had placed you on the jury as an instrument of God's vengeance to avenge the death of a brother in religion

"I would not."

The juror stated that he believed ma-

The juror stated that he believed ma-jorities were generally right. "Do you think that the majority was right when they followed Christ and cried, 'Crucify Him?'" At this question, the attorneys for the State smiled, and Judge Powers re-marked, "Am I speaking of a stranger to you?"

to you?" "Evidently a stranger to you," said Senator Brown.

A SLIGHT ERROR.

When John H. Osguthorpe was reached, Judge Powers called attention to the fact that the name given on the jury slip was "Osquthorpe." One being spelled with a "q" and the other ith a "g."

The defense took an exception to the

HAD A STRONG OPINION.

Mr. Osguthorpe, who is a farmer,

married, and fesides at East Mill Creek, had read about the case in all the three

city papers, discussed it perhaps more than a score of times. From all of this,

he had formed an opinion, a strong one,

which would require evidence to re-move. He believed that this opinion

would remain with him. The gentleman was challenged and excused.

Charles H. Jenkins, dealer in harness, stated that he was 39 years of age, a

native of the city and resided at 333

"I belong to the 'Mormon' Church."

The juror then stated that he had known Burton C. Merris and done busi-

ness with him. He also knew the fa-ther of the deceased, Victor Morris, his

brother and other relatives. He had read about the case, discussed it, but

believed he could give Benbrook a fair trial, "although," he concluded. "it would require the weight of some evi-

dence to overcome what impressions I

longed to the same religious organiza-tion as yourself, that he was a friend of

yours, and that the defendant was a gambler and not a member of any re-

ligious organization have any weight

"Would you let any social or religious

WAS DISQUALIFIED.

In the Afternoon.

Mr. Thorn was passed for the present,

like the others and Mr. Rogers took up the examination of John F. Edwards, who stated that he was a native of

Utah, 47 years of age, married and re-sided at Sugar House where he was en-

gaged in farming. He was not at present a member in full standing in

any church. Mr. Edwards was absent

from the city when the shooting oc-curred and had not read much about

the case. He had not formed any opin-ion as to the guilt or innocence of the

To Mr. Putnam, this juror stated that

Messrs. Jenkins, Thorn, Graham and

he had no conscientious scrupies against capital punishment.

Beckstead all made satisfactory an-wers to the questions put by Mr. Put-

Before finally passing the five jurors for cause, Mr. Rogers examined Mr. Beckstead further with regard to what

he had read and the importance he al-tached to it. He had formed an opinion that Mr. Morris had been killed by

Benbrook. He would enter upon the trial with that opinion, and it would

take evidence to remove it. Mr. Beckstead was challenged for im-

plied bias and Mr. Putnam re-examined

the juror, who said that notwithstand-ing the opinion he held, he could try the case impartially, basing his verdict solely upon the law and the evidence at

Mr. Rogers called attention to the

fact that the juror's opinion was based upon a stenographic report of the tes-

imony of witnesses at the preliminary

The court, however, denied the chal-

lenge, and an exception was noted. The jurors being passed for cause, the

defense excused on peremptory chal-lenge Messrs. Beckstead, Thorn, Gra-ham and Edwards. Mr. Jenkins was accepted by both sides and sworn.

motives affect you at all?" "I would not."

Would the fact that the deceased be-

"Belong to any church?" inquired

Second East.

Judge Powers.

have

with you?

defendant

the trial

hearing.

setiey Camp, Feb. 21 .- The fifth rossed the Tugela today by and drove back the enemy's and our naval 12-pounder silenc-phe enemy's guns." THIEF IS PROBABLE.

in office deciares it is unable to te the reports of the relief of But this does not prevent mtalled the authorities at Pall at preferred to communicate the lirect to the public through any of Windsor, just as yesterde dramatically announced mits corps, the tidings of Gen rincess hours before the war suitable to relieve the impatient with United Kingdom. Neveras the queen's words are not ar quoted in today's announce-dial confirmation is eagerly ed epecially as Gen. Builter's dis If yesterday is very generally s foreshadowing a juncture n and Gen. White's forces some a bday. Public interest, expecta-and anxiety therefore sway unimpatiently, between mith and Bloemfontein.

ROBERTS DID IT.

a matical relief of the former as ngarded as due more to Field as lord Roberts' brilliant strate-imsing off the Boers than to Gen. in tumerous assaults, and news insult of the battle between Gen. that and Gen. Cronje reinforced blitte thus drawn off forum are thus drawn off from Lady lagrected to almost synchronize It incouncement that Gen. Bul-

rached his objective. Momplishment of the latter bawever, is regarded with greatdince than is the ability of Gen. Size to thoroughly cripple Gen. Is for the Boer general has proved the clever and daring in slipping the British lines that even if the British lines that even if there are many fears expressed Gen Cronje might still preserve Activeness of his mobile force.

war office this afternoon anand that it had no news from survey. There is yet nothing to

a gries. There is yet notating to a gries the main issue. The evidently believes the report is cronje is surrounded, as a forman buying occurred on the it unhange today. News has so Mached the continental capitals of England it is possible these ant true

DELUGE OF QUERIES.

Windsor report of the relief of th caused momentary jubiwhich was followed by a deluge thes at all the official points in favor to ascertain the truth, uncertainty was at its a detachment of yeomanry visittateion house and crowds gatha a report circulated in Fleet that a builetin announcing the

of ladysmith had been posted at insue house an hour previous to with of the yeomen. In a few is all traffic was almost blocked ids and a large body of athered at the spot. But when



MAJOR GENERAL HECTOR MACDONALD.

Gen. Macdonald, familiarly known in the British army as "Fighting Mac," has been severely wounded, while pursuing the Boer army under Gen. Cronje. He was in command of the famous Highland brigade, which, under command of Lord Wauchope, was badly cut up at Magersfontein. Gen. Macdonald has risen from the ranks. He was with the British force at Majuba Hill, and now has had another taste of the fighting qualities of the Boers. He is idolized by his men, and was one of the chief reliances of Generals Roberts and

SATISFACTION IS KEEN. Regarding military conditions, the military critics in the afternoon news-papers express the keenest satisfaction at the phase of the campaign as re-vealed by the latest news, drawing at-tention to the fact that whether or not Lord Roberts succeeds in effecting a decisive defeat, he has forced the Boers to release their grip on Ladysmith, Kim-berley, Zululand and Lower Natal,

Though admitting that the siege of Mafeking may be made more severe by the arrival of a portion of the Boer force driven off from Kimberley endeavoring to avenge itself on Col. Baden-Powell Arundel dispatches dated Tuesday,

Feb. 20, show that the Boers in force made a determined attempt to invest Arundel, but were baffled by the smart maneuvering of the British mounted cecil Rhodes is expected to arrive in

Capetown Feb. 24. Further details of the at-tack made by Col. Plumer's force on the Boer positions defended by a 12-

pounder near Crocodile Pools, not far from Gaberones, show that as the British were struggling up the hill in the dark through a net of barbed wire they alarmed the Boer watchdogs, who gave tongue. The Boers opened fire and the British charged, but the Boers exploded dynamite mines, doing much damage,

and the British retreated. CRONJE ACKNOWLEDGES DE-

FEAT. Pretoria, Monday, Feb. 19.-A portion of an official report from Gen. Cronje dated Sunday, Feb. 18, has been given

out as follows: Yesterday morning about 6 o'clock.

while removing the laager near Scholtz Nek, we were attacked by the British.

Parker's right leg has been ampu-

tated, and while he is making a fight

2:21 p. m .- A more detailed account

WURED MAN IS FROM BEAVER.

Parker, Blown Up by Dynamite at Sherman, Wyoming, Has His Leg Amputated-Brave Fight, with Chances Against Him-The Other Victims.

DETAL TO THE "NEWS."] the Wyo., Feb. 21.-By the exa d dynamite, which was being for life, the chances are against rean with hot water, at the Sher- covery. a nere pits last evening. John that and George Parfrey were

of the accident was given in this morna farker, of Beaver, Utah, and ing's press dispatches, and appears on A run were seriously injured. another page of the "News."



Kitchener.

it was learned that no bulletin had been issued the crowds dispersed.

stating that he is instructed to in-quire into the recent seizures of mer-chandise from New York. He requests information as to the actual ownership of the goods, the reasons given for the seizure, and other matters pertinent to the subject, and says that he is pared to receive the sworn declarations of the parties interested. BOERS REPORT FIGHTING.

Pretoria, Tuesday, Feb. 20,-Official reports have been received as follows: Commandant Steyn says that Satur-day, Feb. 17th, and Sunday, Feb. 18th, near Koodoosrand, he fought the British, who tried to encompass Gen. Cronje's laager, and drove them off. They

sent a circular letter to merchants here

fought until late Sunday evening. The Boers had one man killed and one wounded and captured booty and twenty-one horses and mules.

Gen. De Wet says that on Sunday afternoon he arrived before Pardetsburg and Koodoosrand, in which direction there has been heavy fighting since morning. He stormed several kopies which the British vacated, leaving their dead and wounded and forty prisoners in the hands of the Boers, who cap-

The Boer loss was two killed and four wounded. The fight lasted until late in the evening.

NEWS FROM MAFEKING.

Lourenzo Marques, Tuesday, Feb. 20 .--The official report received from Col. Baden-Powell of the occurrences in Mafeking up to Feb. 5th, concludes as

follows: "Gen. Snyman in reply to a letter complaining of the deliberate shelling of the women's and children's laager offered no excuse or apology, and by a transparent falsehood admits that he ordered the shelling. I have told him that I have now established temporary premises for Boer prisoners in the wo-men's laager and hospital in order to protect them from deliberate shelling." protect them from deliberate shelling.

BOERS LEAVING NATAL.

Berlin, Feb. 21 .- The Tageblatt pubishes special dispatches from Brussels which say the Transvaal legation there announces that all the Boers are evaccolony being no longer tenable. Gen. Joubert, it is added, has ordered

the concentration of all the available forces to oppose Lord Roberts. The slege of Ladysmith, it is said, will be raised and Gen. Buller will enter the town at the end of the week.

Stolen Hawkseley Letters.

London, Feb. 21 .- The St. James Gazette this afternoon says: The stolen Hawkseley letters which Mr. Chamberlain yesterday referred to in the house of commons as having been sold to Dr. of commons as having been sold to Dr. Leyds for £100, "were purchased from the thief, for what sum we do not know, by no less a personage than Dr. Clark, M. P." The St. James Gazette then says it presumes Dr. Clark transferred the let-ters to Dr. Leyds.

DAVIES' VERY COOD CATCH

Observes an "Ex-Con." Trying to Sell a Suit of Clothing.

Officer Arrests the Man, Who Proves to be George Williams - Accused of Housebreaking.

George Williams, an "ex-con," was meandering along Third South street yesterday afternoon with an \$80 full evening dress suit under his arm. Officer Davies happened along and, as nothing escapes his eagle eye, he observed Williams, likewise the suit.

Davies rubbed his eyes and took another good look arriving at the conclusion to watch the fellow. When Williams

"braced" two or three people for a sale Davies sprung a little joke and took the "ex-con" in. Today the officers made the discovery that S. F. Fenton's residence, No. 65 north Second West, had been broken into yesterday and a number of articles stolen.

Entrance was made by breaking open the rear door. The officers are certain that the dress suit belongs to Fenton who is out of town. This afternoon Davies swore to

complaint charging Williams with | day.



Attending Meeting of Governors on Celebration of District of Columbia Anniversary-Receptions-Senator Rawlins Pro-

[SPECIAL TO THE "NEWS."] Washington, D. C., Feb. 21 .- Senator Hansbrough called up in the Senate today the bill providing for selection of lands within Fort Pembina military reservation, North Dakota, by North of North Dakota.

Mr. Gallinger objected to its consider-

ation. Mr. Rawlins gave notice of amendment, granting the right to any State to locate and make selection of public lands within abandoned military or other reservations in such State, in the grants of land made thereto.

Governor Heber M. Wells of Utah arrived here today and is stopping at the days.

Washington, Feb. 21 .- The investigation of the mining troubles and the conduct of the United States forces in Idaho last summer, continued today before the House committee on military

Frederick C. Robertson resumed his natrative, begun yesterday, beginning with the legal proceedings he made in behalf of the imprisoned miners and the difficulties he claims to have encountered from the military authorities. State officials and the court. He said he was refused permission to be present at the inquest of those killed during the outbreak, and was unable to communicate with the accused miners as to their rights, although representatives of the mining company were present. He pro tested to the attorney general that the miners were being denied the right of counsel. Throughout these proceedings the witness said the military authori-tles were in control of affairs. United States soldiers guarded the imprisoned men, bringing them to and from the court. The witness said General Merriam was in charge of the "bull pen," which consisted of old buildings and box-care surrounded by a wire fence. Robertson expressed the opinion that the United States forces should have been used to preserve order and uphold the civil authorities, but in fact he declared they superseded the civil author-Itles, and in some instances, which were not detailed, arrested men in no way connected with the outbreak. He said there were no warrants and none of the usual forms of law, but when a man was wanted he was stopped on the street and sent to the "bull pen." This was done by deputies who acted under the State officials and the military authorities. The witness will proceed with

his statement tomorrow. Messrs. Morrow and Fursueth of the American Federation of Labor were present during the hearing today, and President Gompers is expected to attend when he arrives.

Wellcome Before Committee.

Washington, Feb. 21 .- John B. Wellcome continued his testimony in the Clark case today. 1 Mr. Faulkner resumed his questioning upon specific allegations by witnesses and for the prosecution involving the name of Wellcome. The first questions brought out, as they were intended to, only denials,

but these were unexpectedly curtalled, and the witness was turned over to the

prosecution at an early hour in the

had read.

poses Powers to States in Selecting Lands.

Arlington hotel. Governor Wells is here along with the governors of many other States, to attend the meeting of a committee which is to arrange a fitting celebration of the centennial anniversary of the founding of the District of Co-lumbia.

While here Governor Wells will be the guest of the city. A banquet will be given to the gov-ernors tonight by the Washington board

of trade. Tomorrow the governors will be re-ceived by President McKinley, and in

the afternoon they will be entertained at elaborate luncheon by the commissioners of the district. Other courtesies will also be extended. A great national celebration is to be arranged. Governor Wells will be here several

"J. T. Raleigh." "Brother of Private Deteotive George Raleigh?"

Baby Benbrook was left at home day, owing, doubtless, to his somewhat

The question was argued briefly and Judge Hiles referred back to the originvociferous demonstrations yesterday Victor Morris was in attendance throughout the day, and Selden I. Clawal jury list and found that the name there was spelled the same way as the juror spelled his name. His honor thereupon held that Mr.Osguthorpe was the person intended. son sat by him a portion of the time. Albert C. Morris was present for a very short time.

EXERCISED FIVE PEREMPTORIES. ruling. When court adjourned on Tuesday

night five new jurors had gone through the ordeal of a searching examination by the attorneys for the prosecution and defense and stood the test, being qualified in every particular, as shown by their answers, to try the case. They were W. F. Hills, former county jallor. Reynolds Cahoon, a lumber dealer at Murray, A. H. Parsons, an accountant in the Oregon Short Line claim department, Joseph C. Lyon, a clerk, and Frank N. Shelton, a farmer of this

It was generally believed that of these five at least two would be accepted, and Messrs. Shelton and Cahoon were popularly supposed to be booked to try the case. A. H. Parsons was looked upon as very likely to be chosen, while the opinion prevailed that Mr. Hills would be challenged by the prosecution and Mr. Lyon by the defense. The latter surmise was correct, as far as it went, but it didn't go far enough.

The challenge was with the defense, and Judge Powers exercised his third For the prosecution Mr. Putnam ex-

erclsed his sixth peremptory challenge upon Mr. Hfils. "We are certain with the rest," said

Judge Powers. "We challenge Mr. Cahoon." said Mr. Putnam, and there was a stir of sur-prise as the Murray man left the box. "We are content with the jurors," again said Judge Powers. Thereupon the prosecution exercised

its eighth peremptory by excusing A. H. Parsons.

This left only Frank N. Shelton of the five, and he was accepted by both sides, sworn, and joined Jurors Jack-lin, William Gerrard, Walter Carlton and Julius Cook.

A NEW CALL

Levi Hardcastle, a farmer at Sandy, had read of the case, talked about it and formed and expressed an opinion which he still held. This was as to the guilt or innocence of the accused. The continuum was accused. The box was then filled up by calling the following gentlemen: H. E. Beck-stend, Robert Graham, John H. Os-guthorpe, Charles H. Jenkins, Levi Hardcastle, John H. Thorn, John F. gentleman was excused. John T. Thorn, a confectioner, who has the refreshment privileges at Liberty park, had not heard much regarding the case. Edwards

Then examination was proceeded with by Judge Powers, who took Mr. Beckstead in hand. That gentleman said he was fifty years of age, resided at South Jordan, and was a farmer. He had heard of the case, read of it, and perhaps discussed it with his wife, but had not formed any fixed opinion regarding it. He could enter upon the trial of the case with a feeling of

entire impartiality. Judge Powers inquired particularly with regard to articles that the jurors

had read. "Did you read an article in the Trib-une," asked the Judge. "In which that paper furnished the evidence, tried the case, found the defendant guilty of murder and practically passed sen-Mr. Beckstead had not read this arti-

cle, and Judge Powers passed on to Robert Graham.

RALEIGH AGAIN.

After the preliminary questions, which developed the fact that Mr. Graham was 38 years of age, a Scotchman by birth, married, and a member of the "Mormon" Church, Judge Powers learned that the juror resided at 44 west Second North street, in the Third precinct.

"Do you know Private Detective George Raleigh?" asked the judge, 'Yes, I know him."

"Do you belong to the Raleigh fac-tion in the Third or the other?"

"The Raleigh faction, I guess." "Go to the caucus with George the other night?" "No; I was too busy."

"I was employed by the City Railroad

company, but am now working for the

city as a laborer. "Under whom are you working for

"What is your business?"

