

FIFTIETH YEAR.

## LADYSMITH HAS BEEN RELIEVED.

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

Accurate Accuracy of the Statement, in Advance of the War Office Bulletin—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 Failure at Arundel—Defeat of Col. Plumer—Gen. Cronje Acknowledges He Was Beaten—Chief Commandant Ferrereira Killed—Gen. Knox Wounded—Canadian Losses.

[Afternoon Dispatches.]

London, Feb. 21.—At the meeting of the war council at Windsor this morning it was announced that news had been received from Ladysmith that the relief had been effected.

The announcement was received with great relief. The relief of Ladysmith was the first step towards the relief of the British in the Transvaal.

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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 is 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 Kitchener.

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

SATISFACTION IS KEEN.

Regarding military conditions, the military critics in the afternoon newspapers express the keenest satisfaction at the phase of the campaign as revealed by the latest news, drawing attention to the fact that when the relief of Ladysmith is effected, the Boers will be forced to release their grip on Ladysmith, Kimberley, 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 troops.

Cecil Rhodes is expected to arrive in Cape Town Feb. 24.

Further details of the attack made by Col. Plumer's force on the Boer positions defended by a 12-pounder near Crocodile Pools, not far from Gaborone, show that the British were struggling up the hill in the dark through a net of barbed wire which 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 DEFEAT.

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 amputated, and while he is making a fight for life, the chances are against recovery.

2:21 p. m.—A more detailed account of the accident was given in this morning's press dispatches, and appears on another page of the "News."

## WOUNDED MAN IS FROM BEAVER.

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

WYOMING, Feb. 21.—By the explosion of dynamite, which was being used to blast a tunnel at Sherman, Wyoming, last evening, John Parker, of Beaver, Utah, and several others were seriously injured.

The fight lasted until 7:30 in the evening.

"Although on the whole the British were driven back, they each time resumed the attack. The loss to the British 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 Pretoria, dated Tuesday, Feb. 20, announces that Commandant Ferrereira was killed Feb. 19, adding that his death was believed to be the result of an accident.

GEN. KNOX WOUNDED.

London, Feb. 21, 5:47 p. m.—The following dispatch has been received at the war office from Lord Roberts: "Paardeburg, Tuesday, Feb. 20.—Between 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. These casualties occurred in fighting near Paardeburg."

HEAVY CANADIAN LOSS.

Toronto, Feb. 21.—A special cable to the Globe says: "The first Canadian contingent was engaged 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 forced the Modder after a night's march."

HOLLIS TO INVESTIGATE.

Lorenzo Marques, Feb. 21.—United States Consul W. Stanley Hollis, has

## SECRETARY HAY ANSWERS MACRUM

Ex-Consul Never Reported Violation of His Official Mail.

THERE WAS DELAY ONCE.

This Was Remedied and Route Changed—No Complaint of Interference—No Secret Alliance.

[Afternoon Dispatches.]

Washington, Feb. 21.—The answer of the state department to the House resolution, calling for information regarding certain charges made by the late Consul Macrum was transmitted to the House today by the President. It is signed by Secretary Hay, and after reciting the resolution, says:

"Answering the first part of the resolution: '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 Lourenco Marques, and have during that time been regularly received.'

"The only instance of complaint in respect to the transit of the mails for Lourenco 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 Lourenco Marques protested. Arrangements were made for the prompt delivery of the consular mails to the United States consul at Cape Town, by whom the mail for Mr. Hollis and Mr. Macrum was forwarded to Lourenco Marques. The delay lasted but a few days, and has not returned so far as the department is advised. After that time the department's mail for Lourenco Marques and Pretoria was sent by neutral routes, which it appears was known and open to Mr. Macrum and Mr. Hollis as early as November 8 last. No obstacle, therefore, is here known to have existed, since then to Mr. Macrum's unimpeded correspondence 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 elsewhere. Neither has he reported since he left Pretoria, although having the amplest opportunity to do so in mail while on the way home and in person 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 nation."

JOHN HAY, Department of State, February 20, 1900.

## DAVIES' VERY GOOD 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. P. Panton'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 Panton who is out of town.

This afternoon Davies swore to a complaint charging Williams with housebreaking. He was arraigned before Justice Timmony and entered a plea of not guilty. The court was about to set the time for hearing when Williams said:

"I will just waive preliminary examination." His bond was placed at \$500, in default of which he was locked up.

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 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 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. Westhugues, a specialist in heart diseases, was called, however, but before he reached the Keeley residence, Mr. Keeley had had a second attack and died.

Mr. Keeley was 68 years of age. He leaves a wife, but no children. The only heir 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 made. Mr. Keeley has been in southern California two winters.

NONE OF THE FORMS OF LAW

Testimony Regarding Procedure at the Idaho Miners' Riots.

What Attorney for the Miners Says—Claims the Military Was Used Wrongfully.

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 affairs.

Frederick C. Robertson resumed his narrative, 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 protested to the attorney general that the miners were being denied the right of counsel. Throughout these proceedings the witness said the military authorities 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-cars 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 authorities, 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 detectives who acted under the State officials and the military authorities. The witness will proceed with his statement tomorrow.

Messrs. Morrow and Farnsworth 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. 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 denial, and these were unexpectedly curtailed, and the witness was turned over to the prosecution at an early hour in the day.

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 Tribune," asked the Judge. "In which that paper furnished the evidence, tried the case, found the defendant guilty of murder and practically passed sentence?"

Mr. Beckstead had not read this article, 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 faction 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."

"What is your business?"

"I was employed by the City Railroad company, but am now working for the city as a laborer."

"Under whom are you working for the city?"

"J. T. Raleigh."

"Brother of Private Detective George Raleigh?"

The court, however, denied the challenge, and an exception was noted. The jurors being passed for cause, the defense excused on peremptory challenge Messrs. Beckstead, Thorn, Graham and Edwards. Mr. Jenkins was accepted by both sides and sworn.

## 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 defense.

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 obtained until Saturday, and the taking of testimony may not commence until Monday morning.

Today's proceedings 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 in the same way as before, and along the same line as on the preceding days. Only an occasional 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. Baby Benbrook was left at home today, owing, doubtless, to his somewhat vociferous demonstrations yesterday.

Victor Morris was in attendance throughout the day, and Selden I. Clarkson sat by him a portion of the time. Albert C. Morris was present for a very short time.

EXERCISED FIVE PEREMPTORIES.

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 jailer, Reynolds Cahoon, a lumber dealer at Murray, A. H. Parsons, an accountant in the Oregon Short Line claim department, and Charles H. Jenkins, a farmer of this county.

It was generally believed that of these five at least two would be accepted, and Messrs. Shelton and Graham 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. Lyons 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 peremptory upon Jos. C. Lyons.

For the prosecution Mr. Putnam exercised his sixth peremptory challenge upon Mr. Hills.

"We are certain with the rest," said Judge Powers.

The challenge Mr. Cahoon," said Mr. Putnam, and there was a stir of surprise 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 Jackson, Gerrard, Walter Carlton and Julius Cook.

A NEW CALL.

The box was then filled up by calling the following gentlemen: H. B. Beckstead, Robert Graham, John H. Osguthorpe, Charles H. Jenkins, Levi Hardcastle, John H. Thorn, John F. 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.

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"Did you read an article in the Tribune," asked the Judge. "In which that paper furnished the evidence, tried the case, found the defendant guilty of murder and practically passed sentence?"

Mr. Beckstead had not read this article, 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.

"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 he 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, sir."

"Would you place your own 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 majorities 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 remarked, 'Am I speaking of a stranger to you?'"

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 "Osguthorpe." One being spelled with a "q" and the other with a "g."

The question was argued briefly and Judge Hills referred back to the original 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.

The defense took an exception to the ruling.

HAD A STRONG OPINION.

Mr. Osguthorpe, who is a farmer, married, and resides 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 remove. 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 223 Second East.

"Belong to any church?" inquired Judge Powers.

"I belong to the 'Mormon' Church."

The juror then stated that he had known Burton C. Morris and done business with him. He also knew the father of the deceased, Victor Morris, his brother and not a member of any religious organization have any weight with you?"

"No."

"Would you let any social or religious motives bias you at all?"

"I would not."

WAS DISQUALIFIED.

Levi Hardcastle, a farmer at Sandy, had read of the case, talked about it and formed an opinion, an opinion which he still held. This was as to the guilt or innocence of the accused. The gentleman was excused.

John T. Thorn, a confectioner, who has the refreshment privileges at Liberty park, had not heard much regarding the case.

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 resided at Sugar House where he was engaged 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 occurred and had not read much about the case. He had not formed any opinion as to the guilt or innocence of the defendant.

To Mr. Putnam, this juror stated that he had no conscientious scruples against capital punishment.

Messrs. Jenkins, Thorn, Graham and Beckstead all made satisfactory answers to the questions put by Mr. Putnam.

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 attached 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 implied bias and Mr. Putnam re-examined the juror, who said that notwithstanding the opinion he held, he could try the case impartially, basing his verdict solely upon the law and the evidence at the trial.

Mr. Rogers called attention to the fact that the juror's opinion was based upon a stenographic report of the testimony of witnesses at the preliminary hearing.

The court, however, denied the challenge, and an exception was noted. The jurors being passed for cause, the defense excused on peremptory challenge Messrs. Beckstead, Thorn, Graham and Edwards. Mr. Jenkins was accepted by both sides and sworn.