(Continued from Page One.)

STILL STRUGGLING.

[illegible] the selection of Judge Powers. He further said he knew the law that had been interpreted by the Supreme Court in Clothier's case and Mr. Parkes.

The fifty cents were returned to whoever paid, who said that so far as he could see they were now in the same condition that we were in the evening of election day. The black tally lists were taken from the polls and distributed out.

"Have you any reason to believe that these tally sheets on file in the territorial office contain a false statement of the number of votes that were cast in Salt Lake City on the last election day?"

"I have not to our knowledge. The same figures appear to be in Liberty."

"Is it a fact that you organized the Democratic ballot into piles, and the straight Democratic tickets into another pile?"

"Yes, we did."

Judge Powers then examined the witness, who said there was only one tally sheet kept at poll 1. While the votes were being counted, Tom Weir became unruly and made very free with the ballots. Witness had to remove them from the table, and Mr. Weir, the Republican judge, left the room. There was some more in the room of the Territorial [illegible].

"Was the dispute with regard to the way in which Goodwin says the vote was?"

Witness said it was. Poland and others came to the table at the window at all, and he had to keep them in any way. Witness counted the ballots at the polling place in the presence of the three judges. Whoever was at the table at the time helped to count the votes. Witness was not in the room all the time, but was in and out. Weir was there when the ballots were counted. Witness was kept busy all the time. There was quite a lot of people in the room. Mr. Hayes, Mr. Thomas, a judge of poll 3, Mr. Thomas, a judge of poll 2, Mr. Weir, Mr. Hayes, Mr. C. L. Hogenson to the Tribune were in the room, as near as I can remember. After the ballots were counted and taken down by witness. They remained in the room on the window sill overhead to be copied in triplicate. Witness was sitting at a table, and could see Mr. Hayes from his left in the adjoining room.

"Did you leave Hayes there?"

"No; Weir or Parkes or some one else was there."

"Did you see, at any time, the ballots in question? Was anyone in the room to permit them to be opened for the purpose of adding to or taking out ballots?"

"No."

Judge Powers objected to the question, on the objection that it was irrelevant. Among Hilton's rebuttal testimony, Mr. Weir was alleged to have stated that he was a judge of the election, and that he was [illegible] the ballots.

Witness then answered—it was supposed to be a big joke—that he was a judge for a minute or three. He was [illegible] the ballots.

"Do you remember anything that was said by Mr. Weir when he was in the room?"

"Yes, he said he was a judge."

"Do you remember anything else?"

"No, I don't remember anything else."

Mr. Weir was then called, and testified that he was not a judge of the election, and was not in the room when the ballots were counted. He was in the room when the ballots were counted, but was not in the room when they were copied. He was not in the room when the ballots were counted, but was in and out. He was not in the room when the ballots were counted, but was in and out. He was not in the room when the ballots were counted, but was in and out