

SLOW WORK GETTING JURORS FOR DURRANT.

Forty - Odd Veniremen Examined Without Success.

NOT ONE WAS QUALIFIED.

One Man Discovered Who Had Never Heard of the Case Before.

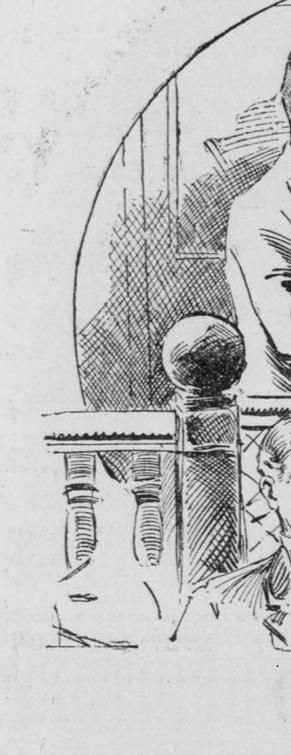
JUDGE MURPHY QUITE SICK.

He Was Compelled to Adjourn Court Until Friday In Order to Get a Rest.

THE DURRANT CASE IN A MINUTE—BRIEF REVIEW OF THE PROCEEDINGS.

Forty-four veniremen were examined in the Durrant case yesterday without securing one additional juror. The proceedings were more matter-of-fact than on any day since the trial began, but the courtroom was jammed from morning till adjournment.

On several occasions during the day it seemed as if qualified jurors were about to be secured, but the hopes of the audience were dashed on each occasion for one reason or another.



GALLANT DEPUTY HUGHES TAKES CARE OF THE BELLES. (Sketches by a "Call" artist.)

other. One gentleman, otherwise competent to act, was found not to be on the assessment roll; another, to whom no challenge for cause would seem to lie, was excused by consent, his wife having expressed a very strong opinion on the case, which, however, he said would not affect him in the least. Two more were excused on peremptory challenge by the defense, and still another who had answered satisfactorily was found to have taken the place in the box that should have been his father's.

Judge Murphy showed the effects of a severe cold and was present on the bench against the protest of his physicians; the strain was too much for him, however, and at the close of the day's work, the venire being exhausted, his Honor announced an adjournment until Friday morning.

NOTE TO THE READER.—If you wish only to know what was actually accomplished in the Durrant case yesterday the foregoing summary will give you that information. If, however, it is your desire to learn the particulars of the interesting trial you will find subjoined a clear, succinct, impartial account of all important matters. Under no circumstances will the offensive details be admitted. They are not essential to an intelligent understanding of the progress of the case, and will be accorded no place in these columns.

The second hundred citizens on the last venire were called in Judge Murphy's court shortly after 10 o'clock, his Honor on the bench despite his fear of the day before that he would be unable to attend court. When it was found that the great majority of those summoned were present, the court's announcement that he was ready to hear excuses brought over half of them to their feet. The usual excuses were as plenty as ever, and some of them found favor in the eyes of the court, while many more did not. One in particular, the \$50 military exemption certificate, met with a frown from the judicial countenance.

"It's bad policy," he said, "to allow men to buy exemption from jury duty. It is a piece of legislation that should be wiped from the statute-books at the next Legislature, and if I am alive then I shall call the attention of the Legislature to it."

It was on the statute-books, however, and his Honor excused the holder of the certificate with a regretful sigh.

Forty-five names remained in the box after the general excuses had been heard and passed upon, and the beating of the drum was called to the jurybox and sworn.

D. E. McGraw, a builder residing at 2818 1/2 Pine street, stated that he would not join in a verdict of guilty on circumstantial evidence where the penalty would be death.

though deficient in hearing, but was excused by the defense on the ground of having an opinion.

Charles Adams stated that he had an opinion, and was excused by the defense. John Bennett said he had acted as a juror in the case of the People vs. Jane Shattuck, who was sentenced to prison for life for the killing of Harry Poole. He was passed temporarily by both sides.

E. A. Engelberg was excused by the prosecution for his opinion.

Mr. Grant was excused by consent because his absence from his business would work a hardship.

On peremptory privilege the prosecution expressed satisfaction with John Bennett. Defendant's counsel asked the privilege of further examination. The prosecution withdrew consent to Mr. Bennett, and the court permitted both sides to further examine him.

Mr. Barnes again expressed satisfaction with competency of the venireman, but he fell before the peremptory challenge of the defense.

C. S. Capp expressed his belief in his own competency to sit as a juror.

"Have you ever sat as a juror in a case where the penalty was capital punishment?" asked Mr. Deuprey.

"In 1850 I sat in a case in the trial of a horse thief. The penalty at that time was death."

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A. W. Wilson was excused by consent because he was a client of General Dickinson.

John Chelino, a fruit-dealer, was excused to prevent injury to his business consequent upon his absence.

William Walker said it would be impossible for him to reconcile a death verdict with circumstantial evidence.

"There is one gentleman in the box—Mr. Capp," said the court. "What do you say to him, gentlemen? It is the people's challenge if you so desire."

"The State is satisfied," said Mr. Barnes. "Excuse Mr. Capp," said Mr. Deuprey, and the court ordered the box filled once more.

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I am very well acquainted with the gentlemen mentioned as having been at the head of the movement which resulted in the erection of the monument. Their action all the way through the strike showed that they were not in sympathy with the strikers; in fact, they were looked upon as favoring the railroad, so their action is not a surprise to us. I don't believe that the strikers would have anything to do with the monument. The Citizens' Protective Association is made up of men connected with the corporation, and clearly shown at the Woodland trial by the testimony of its members, and they certainly, therefore, cannot speak for the mass of the people of Sacramento.

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"This is a matter in which I am sure we will have the sympathy and support of all fair-minded citizens. It is the duty of the local government in all respects, certainly has no right to set his own standard, and to adopt and enforce a verdict of a court of justice and presume to attach the stigma of the foul crime of murder to a body of men who were engaged in a lawful means within their power to preserve their rights and the rights of their co-workers. We do not propose to rest quietly under this insult. A committee has been formed to make arrangements for a monster indignation meeting at which appropriate resolutions shall be adopted and articles read taken in the matter. We shall try to get General Graham to have this inscription erased, and if he declines, we will probably be carried to the Secretary of War if we cannot secure redress in any other way."

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WILL FIGHT IN MEXICO.

The Corbett - Fitzsimmons Contest to Be Held in Monterey.

SOUTH OF THE RIO GRANDE.

Southern Pacific and Mexican International Lines Arrange for the Event.

The Monterey Mercury, a weekly newspaper published in English in the city of Monterey, Mexico, has made the statement that the Corbett-Fitzsimmons fight will take place in that city. This news, coming from the scene of the proposed prize-fight, will be received with surprise to the many votaries of pugilism in San Francisco, and notably to those who have in contemplation a journey to the place where the two great fighters are to meet.

Two towns in Texas have been offering all manner of inducements to the principals and managers of the contest, but doubts as to what the State of Texas might do have proved difficult to overcome. Laredo, Texas, has advertised its claims far and near until every body interested in the prospective duel for the championship of America began to believe that it would be the town of destiny. It appears, however, that the Southern Pacific and its first cousin, the Mexican International Railway, have taken a hand in the matter with the result that Monterey is the final choice, as announced in the following article from the Monterey Mercury.

MONTEREY THE CHOICE.

THE CORBETT-FITZSIMMONS MILL TO TAKE PLACE HERE.

Arrangements are in progress to secure the Corbett-Fitzsimmons fight in Monterey. The Pullman Palace Car Company and the agents of the Mexican International and the Southern Pacific companies are earnestly working to this end, and the Pullman Company is making preparations for bringing to Texas sufficient sleeping-cars to accommodate the crowd and help the hotels out, by placing the cars at the disposition of the excursionists during their stay in Monterey. Both Port