

READY FOR THE TESTIMONY

Jury in the Morgan Murder Case is Selected.

WORK COMPLETED YESTERDAY NOON

Great Care Used in the Questioning of Every Man Called—First of the Witnesses Will Be Heard Monday.

In the criminal court the entire morning was consumed in completing the work of securing the jury in the Morgan murder trial. The examination of each juror was long and extended until almost up to noon when there were still three challenges remaining for the defense and two for the state.

At 1 o'clock in the afternoon the twelve jurors in whose hands will rest the fate of George Morgan, charged with the murder of little Ida Gaskill, were secured and the court took a recess until Monday morning.

Morgan occupied the same position as he took Friday. He listened intently to the questions put to the jurors and their answers. Occasionally his attorneys engaged him in close conversation when they were selecting the juror whom they intended to challenge.

Morgan, however, apparently had little to say. Mrs. Gaskill, accompanied by one of her children and a friend, was present during the proceedings and took a chair close to the jury box. She was dressed in a black mourning costume. Once or twice she spoke to the court attorney, but during the greater part of the proceedings she was engaged in listening to the questions and answers which passed between the attorneys and the jurymen.

At the opening of court the defense exhausted its eighth peremptory challenge, A. C. Booding being excused.

Louis Littlefield, a milk dealer, and R. E. Livsey, a brick contractor, were called to fill the panel. The jury box contained only eleven men on adjournment Friday night.

Both the jurors went through the examination of both attorneys, having no prejudices against the state and having no objection to capital punishment.

On its ninth peremptory challenge the defense excused John E. Davidson.

John Grant was the next juror called. He had formed an opinion in the case from what he had read and heard. He was consequently challenged. In answer to questions from the court he stated that this opinion would not affect him in rendering a verdict and the challenge was overruled. The defense also challenged the juror on his statements that he was engaged in a reporter who will be a witness a sketch of the building where the murder occurred. The challenge was overruled.

The state used its third peremptory against C. W. Larsen.

KNEW TOO LITTLE ENGLISH.

The next juror called was Lawrence Keller. He was a German and appeared to have a slight understanding of the English language. He was challenged by the state on the ground that he did not understand the English language.

"Do you understand the English language?" "No, sir."

"Since you have come to this country have you mixed with English-speaking people or with your own kind?"

"Well, I try to learn English," answered the witness.

"You don't seem to be getting along very well with the court, and a laugh rose. 'Do you think you could understand what the witness will say?'"

"No, sir."

The next juror, Theodore Starks, was a prepossessing and intelligent appearing man, but he was excused because he had formed an opinion in the case from newspaper accounts.

The next juror, Fred Kelley, a stableman, knew Morgan. He was the first juror who had been at all intimate with the accused.

"How long have you known Morgan?" "About a year and a half. He boarded at the same place I do, and I met him usually two or three times a day."

"Have you formed an opinion of his guilt?" "Yes, sir."

"Would it take evidence to remove that opinion?" "Yes, sir."

"During his examination Kelley was very nervous. His hands and frame trembled and drops of cold sweat appeared on his forehead."

R. H. Church, a married man, 50 years of age, and the father of a boy and a girl, was the next juror called. He had formed no opinion from reading newspaper accounts of the crime and was not opposed to capital punishment. He consequently held his seat.

The defense used its tenth peremptory challenge against John Grant.

Thomas Kinsman had read the account in the Bee and had formed an impression as to the guilt or innocence of the defendant at the time, but he did not retain the impression and would not allow it, if recalled, to influence him.

THEY CONSULTED MORGAN.

On the call for the defendant's eleventh peremptory challenge the attorneys consulted Morgan. The accused glanced over the jury and when he saw that the defendant at the time, but he did not retain the impression and would not allow it, if recalled, to influence him.

H. L. Lingenfeld, a mail carrier, had formed an opinion on the case, but did not have it then. In answer to a question he said that his opinion had been formed by circumstances, but he was not allowed by the court to relate this circumstance. The juror had no objection to capital punishment regarding the infliction of the death penalty. He is a married man and has three children.

After again consulting Morgan the attorneys for the state called upon John Rice on the twelfth peremptory. This created some surprise, as Rice had been considered an ideal juror. On his examination he said that he had never read anything of the case, knew nothing about it, had consequently formed no opinion as to the guilt or innocence of the accused and had no objection to the infliction of the death penalty. He lives at Valley.

W. R. Wyman, a Union Pacific employe at South Omaha, was the next juror called.

"Have you any connections or relations as to the infliction of the death penalty?" "No, sir."

"If you have, if the evidence is circumstantial, if the evidence connecting the accused with the crime is purely circumstantial, I could not bring in a verdict of guilty of murder in the first degree against him."

The juror persisted in this view and he was excused for cause.

Mathias King, the next juror called, was a short, fat man on the English language. He could not understand the questions put to him. When asked if he had an opinion as to the guilt or innocence of Morgan he said he did not know what an opinion was. He was the court put in a number of questions.

"Do you understand the English language?" "No, sir."

"How long have you been in this country?" "Thirteen years."

"How long have you voted?" "Since 1886."

The court took occasion to deliver a little lecture on the beauties of American citizenship.

STRUCK FROM THE PANEL.

"It is pretty nearly time, Mr. Juror," he said, "that you learned the English language and learned that the American citizen has more rights and duties than to vote. You must take on your shoulders the duties, one of which is service as a juror, and you cannot do this unless you learn the English language."

Peter Gibson, the next juror, passed the examination of the county attorney, by

stumbled on the first question asked by the defense.

"Have you your second papers?" asked the attorney.

"No, sir," answered Gibson.

"What do you think of the second papers in surprise. You haven't got your second papers? How long have you been in this country?"

"The years," was the answer.

Judge Scott stopped a moment and then continued with some bunches of disgust in his remarks.

"Well, I think this is the greatest country on the face of the earth. Here is a man who has been voting for ten years and is not a citizen. Mr. Clerk, strike his name permanently from the jury list."

Thomas Rance did not last long. He said emphatically that he had an opinion as to the guilt of Morgan and that it would require evidence to remove the same. He was consequently excused.

John H. Hoehler, a married man, was satisfactory to both counsel and he retained his seat.

The state peremptorily excused Charles Sherman on its fourth challenge.

The clerk called Levy Hooton, a married man, whose residence is at 1420 North Twenty-second street. He had read accounts of an opinion, but kept track of opinion as to Morgan's guilt or innocence.

The thirteenth peremptory challenge by the defense excused Thomas Kinsman.

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HE MAKES GENERAL DENIAL TO ALLEGATIONS OF JACOBSEN.

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INTENDS TO BE A COUNTY COMMISSIONER

Declares that if Mistakes were Made in the County They Were in Favor of His Competitor.

Halfdan Jacobsen could not get much comfort out of the answer of William I. Kierstead to his complaint contesting Kierstead's election to the county commission-ship of the Fourth district, which was filed yesterday in the county court. For in it Kierstead admits that he claims that he was elected to the office, and admits that he intends to enter upon it. Furthermore, he says that when he gets in he intends to stay in, and he does not intend to allow Jacobsen or any one else to usurp the office of the great nation of the earth. He is represented by attorneys, George G. Gilmer, and the meanwhile he states that he is willing for Jacobsen to go ahead with the contest, as he wants the matter settled, and incidentally wants Jacobsen to pay over the costs of the action.

Jacobsen began the contest several days ago, chiefly the instigation of his prejudiced friends, who want to get him into the office more than he wants to get there himself. In his complaint he alleged that Kierstead was elected in twenty-four out of the twenty-five precincts in the three wards, the Third, Eighth and Ninth, represented in the district. There were mistakes made in the election, but he would elect him instead of Kierstead. In the other precinct, the Sixth of the Eighth ward, it was alleged that no electors voted, although the returns show that Kierstead received 121 ballots and Jacobsen eighty-four.

In general, Jacobsen's claim to the office amounts to nothing more than the bare statement that in each of the precincts ten or fifteen votes were counted by mistake which should have been counted for himself. On this basis he calculates that he was elected by a vote of 1,277, instead of being defeated by a vote of 2,215 to 2,154.

Jacobsen has so far made no attempt to show that in any of the precincts ten or fifteen votes were counted by mistake, but he simply makes the bare statement that the judges and clerks of election are so hurried in their work that they frequently make mistakes. He does not see how it was that the entire republican ticket was elected with the exception of himself. This makes him pause and think that there is something rotten in Denmark.

In his answer Kierstead denies in general that there were any more votes counted for him than there were for Kierstead. He denies that more votes were cast for Jacobsen than were counted. He says that if any mistakes were made in the count by the judges and clerks of election, they were to the benefit of the mistakes. The allegation that no electors voted in the Sixth precinct of the Eighth ward is dubbed a falsehood. This allegation was made by the state, but the judges and clerks had not been legally sworn in, and that therefore all votes cast in the precinct were illegal and should be thrown out.

The defense has received a certificate of election from the county clerk and his filed with the county judge an official bond for \$15,000.

CUBAN LIBERTY MEETING.

Gonzalo de Quesada Will Be One of the Speakers.

A meeting to express sympathy for the cause of Cuban liberty to be held at Creighton hall Monday evening, December 3, promises to be largely attended.

A large number of the most prominent citizens of Omaha, such as Lincoln and other cities, have signified their intention of being present.

The local speakers of the evening will be John L. Webster and ex-Governor W. J. Bryan, who will be followed by the Hon. Gonzalo de Quesada, secretary of the Cuban revolutionary clubs of the United States, a polished orator who has delivered numerous addresses in Omaha on sympathetic meetings in the eastern cities.

Mr. Quesada is personally acquainted with the prominent actors in the Cuban struggle, is well informed as to the progress of the war, and will inform the audience as to the exact state of affairs in Cuba at the present time, the prospects of the success of the revolution, and will describe the manner and customs of the inhabitants.

Mr. Quesada will be accompanied by Mr. Pierra, his present secretary.

The Society of the Colonial Wars and Sons of the American Revolution have rendered valuable assistance in the way of making the Cuban meetings a success in other cities.

The members of these organizations in Omaha will assist.

FIVE THOUSAND FROM EACH.

Herman Timme Sues Five Men for Handbill.

To judge by the petitions which were filed by him with the clerk of the district court yesterday, Herman Timme intends to make a desperate attempt to obtain satisfaction for the defeat which he sustained at the polls on last election day. He wants in cash \$25,000 from five parties.

Timme ran for justice of the peace of Bennington on an independent ticket, and he was defeated by his opponent on the republican ticket by two votes. For some time he has been endeavoring to bring up a handbill, to which Timme attributes his defeat more than anything else. Besides that, however, Timme claims that the handbill caused damage to his character to the amount of the salary of a justice of the peace and \$25,000. The handbill, he has reason to believe, was written by Henry Gran, the successful candidate for the office; Otto Hansen, H. B. Waldron, Joseph Boyer and John H. Klinker, and he has therefore sued them for \$5,000 apiece.

The handbill charged Timme with the collection of various amounts while a justice of the peace which he had not received, and also charges that during his eighteen-year term of office his records show that he had only five cases and that he failed to turn over the record as provided for by law, and that by urging voters not to vote for Timme.

How to Prevent Croup.

Some reading will prove interesting to young mothers. How to guard against the disease.

Croup is a terror to young mothers and to post them concerned with the health of their children and treatment is the object of this item. The origin of croup is a common cold. Children who are subject to take cold very early in life are liable to contract it.

The first symptom is hoarseness; this is soon followed by a peculiar rough cough, which is easily recognized and will be forgotten by one of the parents. The time to act is when the child first becomes hoarse. If Chamberlain's Cough Remedy is freely given all tendency to croup will soon disappear. Even after the croupy cough has developed it will prevent the attack. There is no danger in giving this remedy, for it contains nothing injurious.

Discussing Plays of Moliere.

Moliere's celebrated comedy, "The Bourgeois Gentleman," was discussed by the literary section of the Unity club last evening. There was a very small attendance on account of the disagreeable mist that hovered outside, but this did not prevent a profitable discussion of one of the most interesting works of the great French dramatist, which was by Frank Richardson.

Mr. Richardson on account of the absence of the author, and briefly outlined the principal facts relative to the production of the comedy. The remainder of the evening was taken up with the discussion of a portion of the play, the various characters being personated by members of the club.

Good advice. Never leave home on a journey without a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy.

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OPEN EVENINGS UNTIL CHRISTMAS—

Which enables you, if busy during the day, to make your holiday selections. I have the most complete and latest line in diamonds, watches, jewelry, silverware, cut glass, opera glasses, purses, canteens, umbrellas, etc., in the city. All goods marked in plain figures. One price to all—no old stock at reduced prices, but new goods at prices to suit the times.

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