

NEGRO'S COUNSEL QUIZZES BOY ON PHASES OF STORY

Told Father First Because "He Knew More Than I," Witness Says.

"I wanted to talk to my father first because he knew more what to do than I did," James T. Sullivan, escort of the 18-year-old girl alleged to have been assaulted June 14 by six or seven negro circus hands, testified yesterday in district court in answer to a question by Attorney Charles W. Scrutchin of Bemidji, counsel for William Miller, defendant.

Series of Questions.

Sullivan's answer followed a series of questions in which Attorney Scrutchin sought to bring out the fact that the witness was within three blocks of the West Duluth police station and passed right by the circus grounds after the alleged assault without telling anyone about the affair. The girl and the boy's father were the other witnesses yesterday.

The jury chosen for this trial, the second of seven, consists of J. C. Fisher, 1927½ East Fifth street; John E. MacGregor, 1518½ Jefferson street; Eben S. Spencer, 2105 East Second street; J. S. Lent, 1810 Piedmont avenue; J. G. Luxon, 1600 Woodland avenue; Harold Wold, 1025 East Eighth street; George Sternal, 2891 Wellington street; Carroll F. Graff, 1601 East First street; Paul C. Filbert, 5812 Cody street; Benjamin Sher, 311 East First street; P. J. Mulohand of Hibbing, and Emil C. Strauss of Virginia.

Identity Claimed.

Miller, the negro now on trial, is identified by the boy and the girl as the last negro who started to attack the unconscious girl but was forced away when she regained her senses. Whether Miller actually assaulted the girl or not, he was a party to the alleged attack and therefore guilty of the crime charged. County Attorney Warren E. Greene claimed in his opening statement to the jury.

In questioning the prospective jurors, Attorney Greene asked everyone if he had read the story in the Sunday News Tribune about the jury's verdict of guilty in the Mason case and the comments upon that verdict by the counsel for the defense. The prosecuting attorney sought to find out whether the veniremen had allowed themselves to be influenced by the story. The jurors invariably answered "No," but one or two were excused because there seemed to be some doubt in their minds as to whether they might be influenced by the newspaper story.

Attorney F. L. Barnett of Chicago, who conducted the trial for Mason last week, will return to Duluth today from Chicago where he was called on a motion for continuance in the trials of seven defendants, four of whom are charged with murder in the first degree in connection with the Abyssinian riots in Chicago last summer.