TRUTH AND LIBERTY.

10 PACES-LAST EDITION.

FRIDAY, DECEMBER 3; 1904. SALT LAKE CITY, UTAH.

FIFTY-FOURTH YEAR.

## EXPULSION OF SENATOR TELLER

Colorado Legislature May Petition United States Senate to Expel Him.

#### A CAMPAIGN ACAINST ADAMS.

Republican Managers Seem Confident That Their Scheme Will Work.

#### WILL OVERCOME HIS PLURALITY.

Their Purpose is to Throw Out Enough Democratic Precincts of Denver to Do It.

Denver, Dec. 30 .- One of the first acts of the legislature, it is reported, may be the adoption of a memorial to the United States senate asking for the expulsion of Senator Teller on the ground that his election was accomplished by means of gross frauds at the polls in this city two years ago,

Senator Teller is now en route to record of the contempt cases before the supreme court here, also the necessary papers to sue out a writ of error and apply for a supersedeas before the United States supreme court in behalf of the imprisoned election officers who were convicted by the state supreme court of contempt. An application for a writ of habeas corpus will also be made in behalf of the prisoners. The record in the cases was an exceptionally voluminous one and required two

weeks to transcribe and get in shape.

Announcements of the managers of the Republican post election campaign indicate their confidence that the legislature, in which at the outset on joint ballot there will be 66 Republicans to 33 Democrats, will throw out enough Detrocratic precincts of Denver to ma Alva Adams 10.000 phyrallty spyernor and declaring James albody re-elected. These Republican leaders justify such action by claiming that in all Democratic precincts frauds as extensive as those shown in five precincts whose ballot boxes were opened in contempt proceedings before the supreme court were perpetrated. This is strenuously denied by the Democratic leaders and they assert that the ballot boxes opened in court may have been stuffed since the election in support of a corporation conspiracy to steal the governorship and senate and pack the supreme court, which is to be increased from three justices to seven on April 4 next.

On the day after election according to the returns the incoming senate consisted of 21 Democrats and 14 Republicans, Soon therafter Senator Buckley died, reducing the number of Democratic members to 20. Gov. Pea-body has neglected to call a special Senator Buckley's death, although the constitution contains a mandatory provision for such action. Through sub-sequent decisions of the supreme court state board of canvassers the standing of the parties in the senate has been changed until it now consists of 19 Republicans and 15 Democrats with one vacancy. The Republicans gained two senators in this city by the rejection of the entire vote of five precincts in which frauds were shown under order of the supreme court, no attempt being made to sift and count the legal ballots. In Pueblo official canvass showed a change of the reported vote in one precinct by which McCarthy, Republican, obtained a majority of four votes over Martin, Democrat, who had been reported elect-Finally contests were made before the state canvassing board against Sen-ator-elect Ward of Boulder and Senator-elect Beshoar of Las Animas county and the board threw out sufficient re-turns to overcome the majorities for these candidates and awarded the certificates of election to the Republican contestants. The supreme court refused o issu a mandamus requiring the board o accept the returns as received and forbade the lower courts to take any ac-tion in the matter,

nounce that the senate will probably unseat six more Democratic members, ncluding two seated by the Democratic majority two years ago in reprisal for the unseating of Democratic representatives by the Republican majority in the house in a futile endeavor to obtain a majority on joint ballot and defeat the election of United States Senator Teller. It is said the three Democratic senators elected in this county two years ago will be expelled on the ground that their election was accomplished by means of the same frauds whose exposure in the congressional contest induced Congressman John F. Shafroth to resign in favor of Shafroth to resign in favor of Robert W. Bonynge. The last senator to be unseated, it is said, will be W. H. Adams of Alamosa county, a brother of Gov.-elect Adams. Senator Adams' plurality was about 2,000, or three times the total vote of his opponent. Warrants have been issued from the

Now the Republican managers an-

supreme court for eight more persons in election contempt cases. It is under-stood that these arrests, when made, will bring at least three more contempt cases before the supreme court. The affidavits filed with the court upon which the new cases will be brought contain, in general, the same charges as made in cases hitherto prosecuted.
A general violation of the court's injunction through ballot box stuffing, repeating and intimidation on the part of nocratic election officials is charged. Hearings of contempt cases will be resumed next Tuesday.

## FRANCIS H. NICHOLS DEAD.

Had Started for Lhasa, Tibet. Long Before Younghusband Did. Chicago, Dec. 30.—Word has reached Chicago of he death of Francis H. Nichols of this city in Tibet. He was heading for Lhasa, the Forbidden City, and started on his trip long before the British expedition under Col. Younghushand was formed He was travel. husband was formed. He was traveling with a few Chinese. Details of his

death were meager. It is said a native

courser brought the news to a mission. I ary on the Chinese border. Nichols was a correspondent during the Spanish-American war. Returning from Cuba, he was selected to supervise the distribution of a famine fund colocted for sufferers in China. Afterward he Wroto "Through Hidden Shenshi," which was published by a magazine. As a result of his experiences in China Nichola determined to go overland through Tibet, and work his way to Lhasa. With money of his own and a fund furnished him by the American

Geographical society, he started on his expedition, leaving on March 27, 1903. He went to China first, and getting excellent credentials from the govern-ment, started overland toward the Tibetan border. It was his plan to live some time in the country, learning the language and getting points on the habits of the country before starting for the gates of Lhasa. It is regarded as probable that he died before reaching

#### THEODORE THOMAS.

Great Conductor is Confined to His Bed With a Cold.

Chicago, Dec. 30 .- For the first time in a public career, which covers a period of more than 50 years. Theodore Thomas today will miss conducting a con-cert of which he has been advertised as director. The leader is confined to his hed at his residence, and the public re-hearsal of the Chicago orchestra this afternoon in Orchestra hall, and the concert tomorrow night will be under the direction of the assistant conductor, Mr. Steck.

Thomas has been suffering from a cold ever since the new hall was opered. On Sunday he was obliged to yiell to his illness and since that time has been confined to his bed.

#### Matthew Jones Pardoned.

Sarnia, Ont., Dec. 30 .- Matthew Jones, aged 30, sent from Sarnia to the Kingston penitentiary for life, for ar-son 18 years ago, has been pardoned through the efforts of his daughter and Washington, carrying with him the the Salvation Army, and was enabled to return home to spend Christmas.

#### Tammany Hall Organ zed

New York, Dec. 30,—Tammany Hall has organized for 1905 by re-electing practically every one of its officers. J. Sergeant Cram was re-elected chairman of the general committee, and chairman of the executive committee.

#### PULMONARY DISEASES,

#### Are Causing Great Mortality in New York City.

New York, Dec. 30.—Reports to the health department show that pulmonary diseases are causing great mortality in

Pleurisy, bronchitis and colds of all degrees flourish. Officials of the department say the death rate from phthism has been steadily rising and that, since been reported in the city. those already known and allowing for unreported cases and for deaths during now between 25,000 and 28,000 cases. To prevent the spread of the disease and to cure or aid those suffering from it, the board of health has opened its free clinic and is trying to find a suitable suite for a sanitacium outside the city. where incipient cases may have a better chance for recovery.

## A UNIVERSAL ALPHABET.

#### Am. Modern Language Ass'n Wants One Adopted.

Chicago, Dec. 30 .- A universal alphabet, to be adopted by the dictionary publishers of every county, is the ob-ject of the central division of the Modern Language association of America whose members have discussed the subject at their minth annual meeting here.
After hearing the report of the joint committee on the subject of a phonetic English alphabet, the members, led by Prof. Francis A. Blackburn of the University of Chicago, engaged in a dis-

The proposed changes will necess tate a number of additions to the English alphabet. The system, if once introduced by dictionary makers, it was said, would in time lead to the employment of the phonetic spelling in all lit-

According to the plan advanced, all foreign words retaining the original pronunciation when incorporated into the English language, will be represented by phonetic spelling.

Attempts will be made to secure endorselent in foreign lands.

## FALL RIVER STRIKE.

## Majority of Unions Involved Vote

To Fontinue It. Fall River, Mass., Dec. 30 .- A majori-

ty of all the unions involved in the cot-ton mill strike voted today to continue the contest. Five textile unions met simultaneously in different halls in this city and voted upon the question.

The total vote of the unious on the question of continuing the strike was

1,401 in favor to 420 against.

# EAST BOSTON.

Sub-Marine Tunnel Connecting the It is Believed That Guard Jolly, I Two Opened to Public Travel Today.

## MILE AND FOUR TENTHS LONG. CAPT. MURPHYNOT BADLY HURT ATTY. A. S. WORTHINGTON HERE

Cost of Construction Was \$3,000,000-Took Four and a Half Years to Complete It.

Boston, Dec. 30 .- The submarine tunwas opened for public travel today. The morning after the sensational incidents dedication of the tunnel to public use of yesterday afternoon, when a number by the city of Boston which has leased the mutiny, passed a good night, withit for a term of 25 years, dating from out narcotics, and it was believed this 1807, to the Boston Elevated Railway morning that he will recover. company, which will use the tunnel exclusively for the passage of its electric cars between Boston and East Boston. About four and one-half years have been consumed in constructing the tunnel, in the accomplishment of which many difficult engineering problems had to be solved, chiefly on account of the maze of underground pipes, sewers and wires, and also because of the perilous nature of the work of digging the large passage way underneath the bed of the Boston harbor. The tunnel is built entirely of concerts and is the only tun-nel of that kind in the world. In arranging for the stations the builders made use of historic ground, for the en-trance near Washington street is directy under the old Massachusetts state louse, while the Scollay Square terminal lies underneath the old Boston courthouse.

#### Roumanian Cabinet Resigns.

Bucharest, Roumania, Dec. 30 .- At today's session of the senate, Premier Sturdza announced that the whole cabinet had resigned in consequence of the resignations of ministers of finance and

#### James S. Keerl Arraigned.

Butte, Mont., Dec. 30 .- A Great Palls special to the Miner says that James S. Keerl was araigned today before Judge lesile on the charge of killing Thomas Crystal, a bartender, in Helena several years ago and pleaded not guilty. This will be Keerl's third trial, the supreme stance, while in the second a disagree-ment resulted. Keerl was formerly one of the best known civil engineers in the

## Alvazar Again Menaced.

New York, Dec. 30.—The town of Alvazar is again menaced by a large number of moutnaineers belonging to the Kabyles tribe, according to a Herald dispatch from Tangler. They are the same tribasen the same tribesmen who recently beeged the town in consequence of a dispute between a Moor and a Span-lard. The money then paid has merely aroused their greed and they now demand a much larger sum. The town is not well prepared for defense.

## WRECK ON THE ROCK ISLAND

Engineer Killed And a Number Of Passengers Injured.

Kansas City, Dec. 30.—A special to the Star from Oklahoma City, Ok. says; Chicago, Rock Island & Pacific passenger train, westbound, which left here early teday, collided head-on with a heavy freight train, eastbound, on a sharp curve three miles from Oklahoma City. The englies and the mail car were demolished. Frank Curry of Shawnes, Ok. englineer of the passenger train, was killed and R. L. Butts, the passenger fireman, and several passengers were injured slightly.

## CRUISER ASKOLD.

#### Precautions Taken to Prevent Its Possible Escape.

Shanghal, Dec. 30.—The taotal continues to take strict precautions to prevent the possible escape of the Russian cruiser Askold and the torpedoboat destroyer Grozovol, which vessels, it has been reported, contemplated making an effort to join the Russian second Pacific squadron.

## Temperatures.

Chicago, Dec. 20.—7 a. m. temperatures; New York 25; Boston, 26; Philadelphia, 28; Washington, 26; Chicago, 28; Min-neapolis, 20; Cincinnati, 28; St. Louis, 20.

# **OUIET REIGNS AT** FOLSOM PRISON.

Shot Through the Neck, Will Recover.

Four Wounded Convicts Are Doing Chief Counsel for Senator Reed Smoot Well, Except Murderer Queda, Who Will Probably Die.

Sacramento, Cal., Dec. 30 .-- Absolute nel connecting Boston and East Boston quiet reigned at Folsom prison this was carried out without any formality. of prisoners at work at the reck crush-The tunnel is double tracked, 1.4 miles er on the quarry attempted to escape. long, 2,700 feet of which is under the | Guard Charles Jolly, who was shot harbor waters. The cost of construct in the neck by one of the bullets fired tion was \$3,000,000. The tunnel was built by a fellow guard in the effort to quell

> The condition of Capt, of the Guards R. J. Murphy, who was stabbed in the back two or three times by convicts and received a stray shot in the leg, is not serious.

In the case of Jolly, the element of danger still exists in possible blood poisoning, as the wound is an ugly one, extending from the back of the neck to the front of the jaw.

The four wounded convicts under treatment in the prison hospital are doing well with the exception of F. Queda, doing life for murder committed in Los Angeles. He was shot in the abdomen and will probably die.

Autopsies will be held by Coroner Gormley in the cases of W. Morales of three conspirators killed by the guards in the fight.

It is not yet known kow many conextent of the plan and fix the responsibility upon the originators.

WOMEN WERE HEROINES. Folsom, Cal., Dec. 20.-Two women nade records for heroism during the fatal fight with convicts pay the state prison. They are the wives of

Warden Yell and Guard folly, one the wounded men. When the was in her apartments, while her hus-band was in his office. The warden did not wait for anything but rushed out of the building before Mrs. Yell could restrain him or offer words of encour-

Although I have always lived in fear just such happenings ever since I have been living within these walls," said Mrs. Yell, "I was startled when the shots rang out. Though I knew the danger, I ran to the yard where I could see my husband. I suffered great suspense until I knew that the revolt had

Unnerved as she was, Mrs. Yell assisted in dressing the wounds of the injured guards.

Mrs. Chas Jolly had an experience somewhat similar. She ran out of the building into imminent danger to look building into imminent danger to look after the safety of her husband and was almost inconsolable when she learned that he had been shot, as it was the second time he had been wounded while attempting to prevent a break of convicts,

## IROQUOIS THEATER.

#### Anniversary of Fire Observed By Memorial Services.

Chicago, Dec. 30 .- Today, the first anniversary of the Iroquois theater fire in which 575 persons perished, a memorial meeting was held in Williard hall. While the memorial exercises were in progress the theater in which the disaster oc-

In connection with the day's observance announcement was made that President Reynolds, of the Iroquois Memorial association, expects to raise \$50,000 within sixty days with which to purchase the site for a proposed emergency hospital. Donations to the building fund of the hospital during the past year aggregate \$100,000.

## Drumelzier Total Loss.

New York, Dec. 30.-The British steamer Drumelzier, which went abround on the sand bar off Oak Island during the storm last Sunday, has broken in two amidships, and it is be-lleved much of her valuable cargo will

## Women Move for Peace.

St. Petersburg, Dec. 30.—It is reported from Moscow that some ladies in the highest society are proposing to form a Russian-Japanese league with the co-operation of ladies at Tokio to agitate for a termination of the war.

## LIVESTOCK CONVENTION.

eral Representation at It.

Denver, Dec. 20.—President J. F. Hagen-barth of the National Livestock associa-tion, has departed for Washington where he will call upon President Roosevelt and he will call upon President Roosevelt and Secy, of Agriculture Wilson and ask for federal representation at the stockmen's convention to be held in this city, Jan. 3 to 15. There promises to be a large attendance at the convention and much interest is manifested in the election of officers. W. A. Harris is mentioned as the probable successor of the late Charles F. Martin, as secretary of the association.

## PRICE OF SILVER.

#### Advance in it Calls Attention to Its Scarcity.

New York, Dec. 30.—The recent advance in the price of silver calls attention to the increasing scarcity of the floating supply of that metal. Bar silver was quoted today at 514 cents an ounce. While Mexican dollars ranged from 48 cents to 48%. These rates, it was said, were merely nominal, and any great demand for bars would cause an advance of the price. Conditions in the silver market are now such that the consumer waits on the producer. The war in the far east, the steady absurption by East Indian and this country, increasing trade with China are resionshile, experts say, for this very complete reversal of conditions.

# SUBPOENAS ARE NOW IN SALT LAKE

Will Probably be Served by Marshall Heywood on His Return Sunday.

Arrives in Salt Lake and Holds Consultation.

It is probable that the services of subpoenas for the defense in the Smoot nvestigation will begin Monday. The list of men wanted is now in the office. of the United States marshal, but will not be opened, according to the statement of Chief Deputy Smyth, until the arrival from the east of Marshal Heywood Sunday morning.

Who the men will be it being widely discussed on the streets today. Among those mentioned are O. J. Salisbury, Judge J. A. Miner, ex-Chief Justice Chas. S. Zane, Hugh Dougall, postmaster at Springville, A. A. Noon of Provo and Postmaster Arthur L. Thomas.

Chief counsel for Senator Smoot, A. S. Worthington, arrived in Salt Lake this morning. He was in consultation for several hours with Associate Counsel Van Cott. Senator Smoot, Hor. F. S. Richards, At the conclusion of the consultation he stated that he had nothing to give out for publication at present.

#### GRAPEVINE SPECIALS, "The paper that prints anything evi-

dently did it this morning," said a prominenent business man in discussing Mary county; J. Quinian of San Fran- the Tribune special from Washington, eisco, and H. C. Hill of Placer, the in which Governor Thomas was mentioned as a star witness who would save Smoot. "I do not believe the paper ever received the dispatch, and victs were party to the plot to break prison, but Warden Yell is conducting a rigid inquiry in order to determine the ton for them, is also paid for allowing his name to be used for fake dispatches of local manufacture. It is wellknown that Senator Kearns dislikes Postmaster Thomas, for the reason that he once tried to have him removed and failed, and later tried to have his cashier appointed and failed. At that time the local charge was made in the Tribune that Mr. Thomas had caused a petition in his behalf to be circulated through Pennsylvania. This same charge is reiterated in the dispatch this morning, which suggests its local origin. Associate Counsel Waldemar Van Cott, when shown the dispatch today, said: "The Tribune's Washington correspondent could not possibly have known the names of our witnesses. We furnished a partial list to Chairman Burrows, but I have every confidence that he would not make

public. He kept the list of witnesses list summoned by the prosecution, and we have every reason to believe that he will maintain the same silence in regard to the witnesses for the defense The dispatch is either a fake or a mere

## A. L. THOMAS DENIES STORY.

When shown the statement that he was to be the star witness to save Senator Smoot, Postmaster A. L. Thomas laughed and said: "I may be but if so it is news to me. I have not heard of it yet. The animus of the dispatch is seen in the statement that should I go east I could stop off in the Keystone state to help on a petition similar to another which it mentions. I never circulated a petition in my life in Pennsylvania, and I have never heard of being circulated for me. filled the offices of secretary of Utah, superintendent of census, member of the Utah Commission, governor of Utah Territory, and postmaster of Salt Lake, but never to secure any of these offices have I ever circulated a petition of any kind, or knew of one being circulated. Most of the men mentioned as pos sible witnesses are not members of the "Mormon" faith. James E. Talmage. named by a morning paper, said today that he had received no intimation that very much surprised to learn of it, as he knew of nothing he could tell. "However," he continued, 't'hese things, like the taxes and the measles, will somelimes hit us, when we least expect The hearing of the defense will begin in Washington, Jan. 10.

# DESPAIRS FOR RELIEF

Tokio, Dec. 30. evening .- The navy department published tonight a letter written by a man of the battleship Sevastopol which had fallen into the hands of the Japanese. The writer despairs of the fortress and tells of the destruction wrought by the Japanese shells. He says the Russians are resigned to their fate and are determined to fight to a finish rather than suffer Prest. Hagenbarth Wants Fedthe shame of surrender owing to starvation. Following is the text of the letterr

> "The fortress cannot resist after December. The progress of the enemy in reducing our principal line of outer defenses is not fully known, but it is

"We are sadly disappointed over the nonarrival of the second Pacific squadron and are daily nearing our miserable

"Gen. Stoessel's so-called impregnable line of outer defenses is now a myth. With Two Hundred and Three-Meter hill lost, the fall of Port Arthur cannot be avoided. Its capture by the Japanese means the fall of the town however strong the other defenses. "The new town is at the mercy of the nemy's fire. The old town alone is defendable, and here alone may resistance be prolonged. . Two-thirds of the defenders of Two

"The Sevastopol, which was exposed to the enemy's fire in the day time, on the night of Dec. 8, without being towed, left the harbor with only 111 | instead of her complement of 600 souls. | will be heard in the near future.

Hundred and Three-Meter hill were

When she went out she had her nets down, but was ctruck twice by the eneny's torpedoes and was beached, irreparably damaged. Gen. Stoessel highly praised the officers and crew of

"Fuel is almost unobtainable and it is npossible to keep our bodies warm.
"We no longer have a wireless telegraph system and have no means of communicating with the outside world. Our isolation is complete. There is no news and we have had no information

for a long time. "It is impossible to snuggle ammuni tion. The captain of the King Arthur brought only barley.

("The King Arthur, a British steam-er, was captured Dec. 19, while attempt-ing to leave Fort Arthur, by the Japmesa guardahip Asagari. She had on soard Itussian naval officers who were tiempting to join the Russian second acine squadron. She is now at Sasebo indergoing trial)
"There is a large hole in the hull of

the Sevastopol and she is completely disabled. All that remains for those on board here is to do their utmost in repulsing the enemy's attacks.

'The enemy's torpedo boat came

close to the Sevastopol and attacked her as if they were going through ordinary maneuvers. "Should the Sevastopol sink, we are to land at a place already decided upon

All are, however, prepared to fight to the very last. On us of the Sevastope depends the duty of retaining the hor or of the navy and avoiding the shame and humiliation of threatened starva-tion. We would rather die than be thus

"From Dec. 1 the enemy's 10-inch shells began to fall on the deck of the Sevastopol and some of them pierced through the decks to the bottom of the

"Who is responsible for the fate we Arthur Pratt, Judge G. W. Bartch, face? It is he who did not give in-Judge J. A. Miner, ex-Chief Justice structions for the prevention of a Japanese landing on the Liuo Tung penin-

"Among our officers there are very few who dare to brave death, the majority having no other desire than to termined to die fighting."

#### MAY IRWIN OFFERS TO GO NAN PATTERSON'S BOND.

New York, Dec. 30.—May Irwin, the actress, has offered to furnish bail in any amount up to \$50,000 for the release of Nan Patterson from the Tombs prison, where she is now held charged with the murder of Caesar Young, according to an almouncement made by Miss Patterson's counsel. Miss Irwin called personally at the Tombs prison today and left a letter acidressed to the former show girl, and the announcement followed a few minutes after Miss Irwin went away. When Distaktry Jerome's attention was called to the offer of ball he said he had no statement to make, and was not prepared to say what course the prosecution would take. Miss Patterson's ball before the recent mis-trial was \$20,000, but after the jury's disagreement she was remanded without ball. New York, Dec. 30 .- May Irwin, the

New York, Dec. 30.-Another man who claims to have witnessed the tragic death of Caesar Young, the bookmaker with whose murder Nan Patterson is charged, has been found in Jacksonville, Fla., according to information received in this city today. The saleged witness is W. B. Meyers, who is said to be a wenthy naval stores dealer in Jacksonville. According to the story, which came here-today in a letter from Judge H. D. Twiggs of Bavannah, Ga., to the counsel for the prisoner, Mr. Meyers claims to have seen Savannah, Ga., to the counsel for the prisoner, Mr. Meyers claims to have seen the tragedy in the cab, and declares that Young fired the shot which ended his life.

## Col. Leutwein in Hamburg.

Hamburg, Germany, Dec. 30 .- Col. Izutwein, formerly governor of Ger-man Southwest Africa, who resigned that post some time ago, arrived here

#### INTERNATIONAL FORGERS. Two Important Members of Gang

Arrested by Police. London, Dec. 30 .- The city police today arrested two important members of an international gang which for two or three yars is alleged to have been conducting extensive forgeries in five pound Bank of England notes. Large quantities of the notes, it is said, have been circulated in America and on the Continent. One of the men arrested is

an engraver. He is charged with being

police are shadowing a number of for-eigners who are believed to be in Lon-

don with the object of obtaining fresh

the manufacturer of the notes.

#### supplies of the counterfeits. BANKER McGREEVY. Sheriff Hall Lands Him in the

County Jail.

O'Nelli, Neb., Dec. 30.-Sheriff Hall reached here early today from Phoenix, Ariz., with President McGreevy, of the failed Elkhorn National bank of O'Nelli. A crowd had waited most of the night at the depot, but the anticipated lence did not materialize. Sheriff Hall took his prisoner at once to the coun and a guard placed about the jail. While the sheriff does not anticipate serious trouble he has taken steps to guard against such an emergency, and will do anything necessary to prevent violence to his prisoner,

## To Send Crew to England.

Philadelphia, Dec. 16.—Ten members of the Vesper Boat club to be known as the Henley committee, have formulated plans for sending a crew to Eng-land next July. Every member of the club whose eligibility meets with the committee's approval may try for a seat in the eight cared shell, which, t is hoped will bring the grand chal-

enge cup to America Already members of the crews who won in Paris in 1900 and at the world's fair have signified their intention of trying for places, in addition to a num-

## WANTS CASE REVIEWED.

#### Elsa Watson Applies for Writ of Cor tiorari Against Judge Tenner.

ber of ex-college oarsmen.

A petition for a writ of certiorari was filed in the district court yesterday by Elsa Watson against Judge H. S. Tan-ner of the civil division of the city court in which it is asked that the district court review the proceedings of the de-fendant court in a case wherein plaintiff was the plaintiff and F. W. Lewis

It is alleged that judgment was ren-dered by Judge Tanner in favor of this

plaintiff and against Lewis for \$6.35 and that on Oct. 17, 1904, Judge Tanner set aside said judgment without any motion being made by defendant Lewis asking that the same be set aside or without any motion for a new trial being made within 10 days from the date of judgment. Such order setting aside the judgment, plaintiff alleges is beyond the jurisdiction of said defendant and hence a review of said proceed ing is demanded. A writ of certiorari was issued in the case and the matter

## ALVA ADAMS' PETITION GRANTED

All of the Ballot Boxes Used in Denver at the Late Election To be Opened.

## WILL BE FULL INVESTIGATION.

Chief justice Gabbert of the Colorado Supreme Court Aunounces Decision to That Effect.

#### REASONS FOR THEIR ACTION

May Aid in Discovering Persons Responsible for the Gross Frauds That Have Been Revealed.

Denver, Dec. 30 .- Chief Justice Gabpert today announced the decision of the supreme court to grant the petiof all the ballot boxes used in Denver at the late election and to secure a legal determination of the question whether he or James H. Peabody is entitled to fill the office of gov-

ernor for the next two years. Chief Justice Gabbert said that while the petition did not state facts entitling the petitioner to such an investigation as proposed, the court had decided that a general investigation might aid in discovering the guilty persons who were responsible for the commission of the gross frauds that had been revealed in the contempt proceedings. There must have been some persons behind the election officers and others who committed frauds, the court believed, to prompt the commission of such frauds.

The court decided that the investigation shall go into all frauds of any kind which constitute a violation of the orders issued by the court prior to the election. All ballot hoves will be en ened at the county courthouse and the ballots and books be examined by two experts, one to be appointed by counsel for the petitioner and one by counsel for the people, in whose name the interference of the court was originally sought. The court will appoint a referee, not to take testimony, but to supervise the experts' examination and see that it is conducted in accordance

with the court's orders. The court decided that the registration lists and the allegation that they contain many fictitious names shall also investigated after the examination of the ballot hoxes. The court's investigation, it was announced, must not interfere in any manner with any investigation undertaken by the general assembly. The counsel were instructed o prepare an order covering the de tails of the investigation and present it to the court next Tuesday.

## Wife Alleges Cruelty.

Esther Wright filed suit for divorce in the district court today against John F. Wright on the grounds of cruelty and non-support. They were married in this city on Jan. 11, 1903, and have one child, of which plaintiff asks the cus-It is alleged that defendant has repeatedly used vile and abusive lan-guage towards plaintiff and has falled provide her with the common necessaries of life.

## TOWER AND McCORMICK.

#### Will Remain at Berlin and St. Petersburg Respectively. Washington, Dec. 20 .- It has been deided by President Roosevell that Ambassador Tower, at Berlin, and Ambassader

McCormick, at St. Petersburg, will be retained at these posts in the new adminis-David E. Thompson of Nebraska, now

David E. Thompson of Nebraska, now minister to Brazil, will, about Sept 1, be transferred as American ambassador to Mexico, succeeding Edwin H. Conger, who soon will go from China to Mexico. It is understood to be Mr. Conger's intention to resign after about six months' service at his new post and become a candidate for governor of Iowa.

Frank H. Mason, now counsel-general to Berifn, will succeed Jbhn W. Gowdy as consul-general at Paris, and John Lowis Griffiths of Indianapolis, Ind., will succeed Mr. Mason at Berlin.

## Weavy Gales in England.

London, Dec. 30.-A flerce gale from the Atlantic swept over the United Kingdom today. Mountainous meas were reported along the coasts at Stornsaway, ported along the coasts at Stornsaway, cuter Hebrides, the Danish steamer Alabama dragged her anchors and stranded on Peninsula Point. Her engine room and the stoke-held sections are flooded, she is leaking forward and has listed to starboard. A small vessel with a crew of 10 men foundered off Flamborough Head, Yorksh'e, on the North sea Several minor shipping accidents have also been reported. Much damage has been done inland. Telegraph and telephone wires are down. A number of accidents in Londen due to the flying debris have been reported.

## THAT RUSSIAN SAILOR.

Taotai Insists on Reply to Demand for His Surrender.

Shanghal, Dec. 30 .- The taotal has been instructed by the foreign board at Pekin to insist upon a reply from the Russlan consul to his demand for the surrender of the sailor belonging to the Russian cruiser Askold, who, on Dec. 15, mur-

dored a Chinaman on the Bund here as the result of a dispute over payment for the hire of a dinkriksha.

Should the cousal decline to comply with this demand, the Chinese authorities here say, it will be apparent that thusha contemplates a serious breach of the neutrality of China, and that henceforth China caunot undertake to protect kurslans in Chinese harbors grants to: Russians in Chinese harbors against ac-

Lead and Copper.

New York, Dec. 30.—Jond, quiet, 4.60@

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