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10 PAGES—LAST EDITION.

J. W. N. WHITECOTTON BEFORE COMMITTEE

Testified There Was No Effort Made by "Mormon" Church to Restrict People's Liberties.

RIGHT TO OFFICERS' TIME.

He Had Never Seen Any Difference in Business Between "Mormons" and Gentiles.

ADHERENCE TO PARTY LINES.

"Mormons" Stick to Them Better Than Gentiles Do—Sentiment of People Hostile to Polygamy.

(Special to the "News.")

Washington, D. C., Jan. 13.—A bright morning brought out a crowd to the Smoot hearing. Fully 30 women crowded one side of the committee room, and almost as many members were attracted to the hearing, but no sensational evidence reached them for their trouble. Senators Hopkins, Foraker and Beveridge appeared in their respective seats, which swelled the total attendance of members of the committee to seven. Senator Dewey, Clarke and Bailey have not attended a single session of the committee since the defense began, but it is said that Bailey reads the evidence brought out very carefully every day, and that he has expressed himself as being greatly impressed with the evidence testified to by conditions in Idaho. Although Mr. Taylor was yesterday confirmed as judge of the federal district of Northern Ohio, he has not yet decided when he will begin his new duties; he awaits advice from the department of justice and will govern his actions by the desire of the department. It is scarcely likely that he will be able to prepare and deliver an oral argument in report to the committee of the protestants although he is anxious to do so. His clients are still unable to name his successor, but it is learned that former Senator Edmunds has decided that his age and physical condition preclude the possibility of his connection with the case. The only witness during the morning session today was Judge Whitecotton who continued his testimony, begun late yesterday afternoon.

(By Associated Press.)

Washington, Jan. 13.—J. W. N. Whitecotton, an attorney of Provo, Utah, resumed his review of political affairs in Utah, when the Smoot investigation. No effort was made by the church, he said, to restrict the political liberties of the people generally or of any individuals, but it claimed the right to receive the time and energies of men who have been elected to important church offices. The deduction he drew was that the church did not try to prevent its members from engaging in politics without the consent of the church, but that when certain members accepted important church offices the church had a right to prevent such members from accepting other offices which would take their time. Mr. Whitecotton said he never had seen any difference in business between "Mormons" and Gentiles, but he thought "Mormons" voters adhered more closely than the Gentiles to their party affiliations. It was shown by the witness that Gentile state officers and that Gentile judges who had been active in sentencing "Mormons" for polygamous cohabitation received as large a vote as other candidates when they came up for re-election. "The Gentile sentiment of the 'Mormon' people in Utah is hostile to polygamy," said Mr. Whitecotton.

As to the sentiment in the state in regard to the restrictions for polygamy, Mr. Whitecotton said there had been a great deal said of an understanding that there should be no prosecution, but that he had never heard of such a thing and did not believe it existed.

Continuing, he said: "But I believe the people generally do not want to stir things up and start it smelling again—it has not a good odor. Women went into polygamy as a devotion, probably because they thought plural marriage a religious duty. The church prescribes that if a plural wife gets a divorce she cannot be married to another husband, and the people realize that if she is cut off by prosecutions from her only protector, she and her children are in a precarious condition. The sympathy of Gentiles and young 'Mormons' opposed to polygamy is all for the women. I never heard of any sympathy for a male polygamist, and I do not believe there ever has been such sympathy for one unless perhaps he should happen to be married to three or four virgins."

Speaking of the character of state officers, Mr. Whitecotton said there had been a polygamist elected since statehood.

"What would be the effect socially and politically on an official who instituted proceedings in prosecution of a polygamist?" asked Attorney Van Cott.

"It would make to difference in his standing in the community."

"What would be the effect if he came in for office?"

"It probably would help him in his vote. It would be felt that he had man of courage and had nerve to go ahead and do his duty," replied Mr. Whitecotton.

Chairman Burrows asked why it required "nerve" for an official to do his duty, and the witness explained this by saying the condition in which such prosecutions would leave women and innocent children.

"What is the sentiment in regard to the polygamist families?" asked the chairman.

"That it was an awful condition."

"A awful condition, you say?" interrupted the chairman.

"No; an awful condition. One that

we wish we were out of, and we do not know how to get out," said Mr. Whitecotton.

"Then these people—these polygamists—are left without interference," remarked the chairman.

Mr. Van Cott asked when Senator Smoot first took an active part in politics in Utah.

"He was in politics when I went to Utah. He was in the People's party."

"After the division came what part did he take?"

"Well, he had some Republican heresies and he joined that party. He was in the woolen mill business," said the witness.

"What other heresies did Mr. Smoot show?" asked Senator Foraker.

"Well, he developed a habit of always voting the Republican ticket and it was unpleasant to us Democrats to have too many of those fellows around."

"Along the line of Mr. Smoot's early heresies, did he oppose polygamy?" asked Mr. Van Cott.

"Yes, sir," he was looked upon as the young man in Utah to redeem Israel."

In regard to the political aspirations and the attitude of the people, both "Mormons" and Gentiles, Mr. Whitecotton said that "four years ago Mr. Smoot was talked of for governor and when he abandoned the race for that office it was understood that he had his eye on the senatorship. He was the logical and in my judgment the inevitable candidate. Before he became an apostle he was talked of as a candidate for senator. After he was elected an apostle and became a candidate for senator, a campaign was waged in which the issue was 'Smoot or not Smoot.'"

"Do you think his apostleship assisted or hurt him in his canvass for the senatorship?"

"I do not know as to that. I know there are a great many 'Mormons' who opposed him because he was an official in the church, and I suppose there are a great many who did not take his position into consideration at all. Then there may have been some who worked for his election because he was an official."

A NEW SENSATION IN TALBOTT-IRVINE CASE.

Reading, Pa., Jan. 13.—Something of a sensation has been created by the publication of the letter from Rev. Dr. Talbott to Bishop Tuttle to the board of inquiry named by Bishop Tuttle to consider the presentment filed against Bishop Talbott, of the diocese of central Pennsylvania. None of the members of the board saw the letter until they read it in the newspapers. Some of the men who are charged by Dr. Irvine with being prejudiced against him, namely, that I am opposed to the publication of the letter, however, declare the attack upon them to be entirely unjustified. William Butler, one of the members of the board, said:

"Dr. Irvine's proposition to waive the canonical restriction and have a public meeting of the board of inquiry is absurd. Neither he, the board, nor Bishop Tuttle would have authority to do that. The canon requires that the board must meet in executive session and the only thing for the board to do is to obey the canon. Personally, I can only reiterate what I said last night, namely, that I am opposed to anything that savors of a 'star chamber' proceeding and if I had my way even the meetings of the house of bishops would be public."

Capt. P. R. Stetson, treasurer of the diocese of central Pennsylvania, said today:

"When I said that Dr. Irvine has cost the diocese too much money I meant just what I said. I have never met the gentleman personally and know nothing of him except what I have read and heard. But in the trials in which he has already participated the diocese of central Pennsylvania has had to foot the bill. That is my grievance against him and I wish the whole matter was ended."

GROSS POSTAL RECEIPTS.

Those of Fifty Largest Postoffices Show an Increase.

Washington, Jan. 13.—The gross postal receipts for the 50 largest postoffices in the country for December 1904 as compared with December 1903 show a net increase of about 9 per cent. The highest increase was 22 per cent at Peoria, Ill. The only decreases were 4 per cent at Portland, Me., and 13-100 of per cent at St. Louis, Mo. The receipts at New York increased almost 6 per cent and Chicago almost 14 per cent.

Mascagni to Write New Opera.

New York, Jan. 13.—It is announced, cables the Herald's Rome correspondent, that a new opera is to be written by Mascagni. Signor Mascagni will write the libretto, the theme being the story of Beatrice Cenci.

NO MASSACRE OF WHITES.

Congo Free State Authorities Deny Them.

Brussels, Jan. 13.—The authorities of the Congo Independent state deny the report circulated Wednesday by the Tagliche Rundschau of Berlin of the massacre of whites in the upper reaches of the Congo river. They suggest that the rumors arose from troubles in the neighborhood of Lubero, where missionaries and traders were threatened as a result of the agitation of fetish priests.

Montana Ore Co. Sued.

Butte, Mont., Jan. 13.—Complaints have been filed in the United States federal court by Lawyers Kelley and Forbis and Evans against the Montana Ore Purchasing company and others, for appropriating ore sales to belong to the plaintiff, the Butte and Boston Consolidated Mining company.

One of the complaints alleges that the defendant entered upon the combined mining and ore sales in the underground workings, and extracted ore said to be valued at \$300,000. The plaintiff demands remuneration to the extent of \$240,000 as the owner of four-fifths of the mine.

The other complaint alleges that the defendants on or about Aug. 15, 1902, entered and extracted ore from the Michael Devitt claim amounting to \$1,000,000, for which sum the plaintiff asks judgment including costs and such other relief as the court may see fit to grant.

Those who are named as defendants in connection with the Montana Ore Purchasing company are: E. Augustus Heinze, Minnie Healy company, Hypoeka company, Basin Reduction Works, John MacGinnis, Alfred Franks and W. A. Kidney.

Russian Squadron Sails South.

Suez, Egypt, Jan. 13.—The division of the Russian Second Pacific squadron commanded by Rear Admiral Botrovsky sailed southwest, the admiral presumably for Jibuti, French Somaliland.

Has E. H. Harriman Bought Moffat Line?

He is Said to Have Paid \$7,000,000 and That the Denver Northwestern and Pacific Will be Turned Over to the Union Pacific January 31—Will Give Connection for Salt Lake Route.

(Special to the "News.")

New York, Jan. 13.—Seven million dollars is mentioned as the price E. H. Harriman has agreed to pay D. H. Moffat of Denver for the Denver, Northwestern and Pacific, or Moffat road, which is to be turned over to the Union Pacific Jan. 31.

The Moffat road will give the Union Pacific a connection for the San Pedro, Los Angeles and Salt Lake railroad, of which Harriman is said to own 10 per cent, and will shorten the distance between Denver and the Pacific coast at least 500 miles. The Burlington and Union Pacific have been trying to buy the Moffat line for some time. The estimated cost of completing the line from Denver to Salt Lake, including a \$5,000,000 tunnel, is \$25,000,000.

The above dispatch, if true, explains the interest in the Moffat line by the railroad world. It explains why Mr. Harriman's team was shipped to Colorado last summer and Chief Engineer Berry of the Union Pacific and Chief Engineer Ashton of the Oregon Short

SOLUTION OF CANCER PROBLEM IS NEAR

It Is Parasitic Disease, Infectious in Type, and Has Been Transplanted and Reproduced.

IT PROBABLY CAN BE CURED.

Healthy Animals Have Been Inoculated, and They Have Been Cured.

Buffalo, N. Y., Jan. 13.—Scientists who since 1899 have been studying cancer at the Gratiwick pathological laboratory of the University of Buffalo, New York, are said to be preparing a report which indicates that they are nearing the solution of a great problem. According to those who have taken part in the work, it has been proved that cancer is a parasitic disease, infectious in type; it has been transplanted and reproduced in perfectly healthy animals; that the reproduction has been through cancer as it exists in the human, and that the disease in animals has been cured by the administration of a serum prepared in the laboratory. What remains now is the application of the results of animal experimentation to the cure of the disease as it exists in the human being.

Much work remains to be done before Dr. Rossell Park, director of the laboratory, will be prepared to make the final announcement of a serum suitable for use in the alleviation and cure of cancer in human beings, but that this will be forthcoming in due time is declared to be an almost assured fact.

Additional interest is given to the matter because of the conclusions reached recently by the cancer committee of Harvard Medical college, when that body gave up all further consideration of the subject and announced that the disease was not contagious nor hereditary; that the only cure for the disease was early operation at the hands of the surgeon and that no discovery had been made which offered any hope for a cure.

The white mice used for the experiments in the Buffalo laboratory were obtained from Prof. Jensen of Copenhagen about a year ago. Although the animals died between New York and Buffalo, inoculations from one were successful in several mice, and by repeated transplantation a large number of mice with cancer had been available for experimentation. The occurrence which led to the discovery of the serum in question was the spontaneous recovery of several mice which had been inoculated with cancer.

Possibility of the animals overcoming the cancer led the experimenters to investigate the conditions under which this occurred, and, having for some time had in mind the possibility of a serum treatment for cancer, they conducted a series of experiments which, they declare, have proved beyond question that the blood of mice which recover from cancer possesses an anti-toxic quality, and when injected into mice suffering with cancer stops the growth, and when the tumors are not too large causes their disappearance, and leaves the mouse so protected that the tumors do not return.

Further experiments then showed that the mice cured in this manner likewise possess in their blood an anti-toxic quality, and in a similar way, showing that the cure is the result of the development of a special immunity from cancer.

The field which is opened by these preliminary experiments is apparently a difficult one, but the scientists are fully confident that they prove in principle that not only is cancer curable, but extend the hope that some means may be found to develop a similar human serum which can be applied to human beings.

MIRSKY'S RESIGNATION.

Rumored that Czar Nicholas Has Accepted It.

St. Petersburg, Jan. 13.—There is an unconfirmed report that Emperor Nicholas accepted Interior Minister Sviatopolk-Mirsky's resignation yesterday, and at 11 o'clock last night appointed M. Witte, president of the committee of ministers, to succeed him.

According to another version of the report, Prince Cholsensky, governor-general of Finland, will succeed Prince Sviatopolk-Mirsky.

J. W. Hess Executed.

Lexington, Ky., Jan. 13.—J. W. Hess, who murdered Mrs. Mary McQuinn, two years ago, was hanged here today. Shortly before the execution the condemned man confessed that he intended to commit suicide with a knife blade which he had carried concealed in his mouth, but upon hearing a sacred song sung by children near the jail had changed his mind. He said he intended to cover his head with the bed clothing, pretending to the death watch that he was asleep, then open a vein and bleed to death. At the gallows he said he had prepared a statement to be published later by the local papers.

IDAHO LEGISLATURE RESENTS EX-GOV. MCCONNELL'S TESTIMONY

(Special to the "News.")

Boise, Idaho, Jan. 13.—The testimony of ex-Gov. McConnell before the Smoot investigation committee at Washington, reflecting on the morals of the members of the Idaho legislature is bitterly denounced here by all citizens. The following resolution was passed by both branches of the legislature this morning:

"Resolved, That we, the members of the Eighty-third Idaho legislature now in session, regardless of political belief or religious creed, denounce the statements as reported in the press of ex-Gov. W. J. McConnell before the senate investigating committee reflecting on the morals of the Idaho legislature as unjust, uncalled for, and untrue, and be it further

"Resolved, That a copy of this resolution be wired to the chairman of said privileges and election committee at Washington, D. C."

RECIPROCITY WITH CANADA.

Edward Foss of Boston Makes a Strong Plea for It.

Toronto, Ont., Jan. 13.—Eugene Foss of Boston, in an address to the members of the Empire club, made a strong plea for reciprocity between the United States and Canada. Protection, he said, was not meant as a permanent trade policy for any country, but rather as a temporary expedient to build up infant industries until they were in a position to meet world-wide competition. It did not contemplate the supporting of pauper industries, industries foreign to a country's social and climate resources, nor did it contemplate the building up of industries to a point where they became monopolistic. This latter stage in the development of a country was, in his opinion, not only not desirable, but was a long and costly process.

CRITICISM OF STOESEL.

Japanese Are Discouraging It as Much as Possible.

Tokio, Jan. 13, Evening.—There is a growing sentiment here to discourage further criticism of Gen. Stoesel's action in damaging the ships and fortifications at Port Arthur after his letter looking to the opening of negotiations for capitulation was sent to Gen. Nogai.

The Nishi Nishi today authoritatively said that there is no question as to the rights of the Russians to blow up their warships and damage their guns while negotiations were pending, and it points out that the Japanese had no right to attempt the destruction of property immediately after the capitulation compact was signed.

SEARCH FOR GOLD.

Expedition Going to Cocos Islands To Find Buccaneers' Treasure.

San Francisco, Jan. 13.—When the City of Panama arrived here today at Punta Arenas, Costa Rica, the English steam yacht Rose Marie was in the harbor, bound for Cocos island to search for the gold that legends say was buried there by ancient buccaners. The expedition was in charge of the party. Its purpose in putting in to Punta Arenas, it was reported, was to endeavor to obtain concessions for excavations on Cocos island, the place being under the jurisdiction of Costa Rica.

Another British steam yacht, known as the Veronique and bearing Earl Fitzwilliams and 10 associates, was at Panama when the City of Panama left there, and was also bound for Cocos on a search for the neglected coin and plate of the buccaners. This expedition was only a few days ago mentioned in the dispatches as having failed to find any trace of the wealth after making extensive excavations. The Veronique, it is said, will soon come to San Francisco.

CALL ON NATIONAL BANKS.

Comptroller Wants to Know Their Condition Jan. 11.

Washington, Jan. 13.—The comptroller of the currency today issued a call for reports of the condition of national banks at the close of business on Wednesday, Jan. 11.

BADGES FOR THE MILITARY

Those Having Certificate of Merit Will Get Them.

Washington, Jan. 13.—General orders issued by the war department announce that by authority of the president, a badge with ribbon will be issued to each officer and enlisted man in the service to whom a certificate of merit was won or hereafter may be issued, and that campaign badges with ribbons will be issued as articles of the uniform to officers and enlisted men in the service entitled thereto.

REPORTS ON PLAN OF REORGANIZATION

That of Majority Recommends That Only Livestock Men be Admitted to Membership.

MEETING NOT A CONVENTION.

Hagenbarth So Declared—Officials Too Much Mixed in a Parliamentary Way to Organize.

Denver, Jan. 13.—At the opening of the convention of the National Livestock association this morning, Nuoro Mackenzie of Trinidad, asked for the floor on a question of personal privilege. He declared that he had been frequently mentioned as a successor to President Hagenbarth, but his business interests were such that he could not accept the position.

Secy. Johnson, of the association, made an extended statement of the origin of the reorganization plan, saying that part of it would do justice to President Hagenbarth.

"As a question of personal privilege," said the president, "I don't wish any friend done."

There were calls of "Go on" from the delegates and Mr. Johnson proceeded to read a number of letters from stockmen supporting the plan of reorganization as proposed by President Hagenbarth.

Majority and minority reports on the plan of reorganization from the committee appointed yesterday were then read. The former report, by the delegates, read by S. H. Cowan, recommended that only livestock men proper be admitted to membership, and that all visiting stockmen be allowed to vote on the plan of reorganization. It declared against a combination with stock yards, packers and railroads.

The minority report for the wool growers was read by E. R. Gosney, of Arizona. It was in favor of allowing such delegates as were members of the livestock association to vote on the question of reorganization.

A motion was made by H. A. Jastro to lay both reports on the table, and a long argument resulted on points of parliamentary procedure. The motion to lay on the table was lost, and the majority reports submitted by Mr. Cowan was adopted.

President Hagenbarth then declared that the meeting was of a general character and not a convention of the National Livestock association. The courier of the association, to visiting stockmen were about to cease, he declared, and a meeting of the livestock association would be held. Mr. Cowan called for the report of the conference committee and was ruled out of order. The president claimed that the conference committee had been appointed by the executive committee of the livestock association, and should not report to the general meeting.

An attempt was made to organize the convention of the livestock association, but the officials were in such a state of parliamentary confusion that it was difficult to call the roll to determine what members of the association were present.

W. E. Hughes of Colorado moved that all stockmen who had been invited to the convention be allowed to vote. They had been invited to participate in the proceedings, he said, and yet when questions of importance came up for disposition they were denied any vote. He was ruled out of order, and Mr. Cowan appealed from the decision of the chair.

The chair did not order the roll call and the committee on reorganization reported. It recommended that the following be entitled to membership: Cattle, sheep, horse and swine growers, stock feeders, pure breed record associations, stock exchanges, stock yards, packers and such other branches as may be approved by the central committee.

STOESEL TO HIS TROOPS.

Takes All the Blame for Premature Surrender of Fortress.

Tokio, Jan. 13.—It is announced here that Gen. Stoesel in bidding farewell to the Russian troops at Port Arthur thanked the officers and men for the valor they displayed and said he considered that the Japanese terms were the best it was possible to have offered. He added that he would take all the blame for the premature surrender of the fortress.

RUSSIAN CAVALRY RAIDERS.

Are Trying to Harass Japanese Railroad Communication.

Tokio, Jan. 13.—The bodies of Russian cavalry raiders actively operating southwest of Liao Yang are evidently desirous of harassing Japanese railroad communication and interrupting the transportation of gun. Now's army to reinforce Field Marshal Oyama at Liao Yang.

The Japanese army headquarters reporting Thursday says: "Wednesday 10 in the morning a Japanese cavalry detachment encountered four companies of Russian cavalry west of Tangmashan, southwest of Liao Yang, and there they engaged them. The Russian cavalry was repulsed with heavy losses. Subsequently they were re-inforced by sev-

RUSSIA'S CHARGES AGAINST CHINA.

Islands of Miaotao, in Straits of Pechili Have Been Used by Japs Without Interference

WERE A STRATEGICAL BASE.

Chinese Army on the Border Has Accepted Command of Japanese Officers.

FURNISHED JAPS WITH SUPPLIES.

No Satisfactory Explanation of These Breaches of Neutrality Has Been Given.

Paris, Jan. 13.—The Associated Press learns authoritatively that Russia's note addressed to the powers relative to China's breaking neutrality gives what Russia claims to be absolute proof of Chinese breaches. The three main complaints are:

First, that the islands of Miaotao, in the straits of Pechili, opposite Port Arthur, have been constantly used by the Japanese without Chinese interference as a strategical base and as a harbor for Japanese torpedo boats.

Second, that the Chinese army on the border has accepted the command of Japanese officers.

Third, that Chinese firms have been constantly working in behalf of the Japanese, supplying them with arms, military accoutrements and general war stores.

The note lengthily sets forth the details and complains that China has not given satisfactory explanation of the breaches of neutrality, and that therefore Russia advises the powers that she intends to use complete liberty of action in regard to future abuse of neutrality.

NEVADA NAT'L BANK.

It Has Been Absorbed by the Wells Fargo Bank.

San Francisco, Jan. 13.—The Chronicle says today, "The Nevada National bank of the Wells-Fargo bank are not mere rumors, but that the deal is an accomplished fact. It is stated with positiveness by persons in a position to know all the relations of the two institutions that President Hellman of the Nevada National bank, who is now in the east, has partially closed the transaction, and that details have been approved by the directors of his bank. No details of the transaction have as yet been given."

NEW DIVIDEND PAYER.

Freemont County Sugar Company Enters the Local List.

The stockholders of the Freemont County Sugar company, who have been anxiously awaiting the report of the result of the company's first year's operations, will be pleased to know that the board of directors met this morning and decided to place the company on the same basis as the Idaho Sugar company with regard to dividends, the first disbursement of 15 per cent on the capital stock, being made to the stockholders on Feb. 1, the same date that the Idaho Sugar company pays its dividend for the same amount.

Nanager Cutler reported to the board that the indications were excellent for an increased average next year, due to the fact that the farmers had realized so much better results from their best crops than in any other year, and the fact that the railroad spurs would open up new beet districts for both factories. The official notices of both companies' dividends appear in tonight's "News."

TOOK IN THE TOWN.

Then Denizens of Victoria Alley Took Him In for \$135.

Beatrice Carlisle and Stella Starling, two women of the town, are in the city jail on the charge of robbery.

The women were arrested at the instance of M. T. Trevis, who alleges that the women robbed him of \$135 at 57 Victoria alley last night. They deny the charge and declare that the man was drunk and that they were in the place and did not know how much money he had.

SOMMERS GOT 30 DAYS.

Robbery Charge Was Reduced to One Of Petit Larceny.

John Sommers was arraigned in Judge Diehl's court today on the charge of robbery. The complaint was reduced to petit larceny to which he entered a plea of guilty. The court fined him \$30, a default of which he will be committed to the county jail.

MAY PROSECUTE.

County Attorney's Office Making Investigation To That End.

It is more than probable that some action will be taken in a few days in the way of criminal prosecution against B. H. Schettler, the insolvent banker. While the County Attorney has not yet completed his investigations of the matter, he is inclined to the belief that according to statements made to him by some of the creditors Mr. Schettler is reprehensible under the law for certain acts of his, and on information may be filed against him today.

The first information will charge the ex-banker with receiving deposits when he knew that he was insolvent. Several parties are ready to testify in this direction. Others are anxious to push a charge against him of making an overdraft, or embezzling the funds of the bank.

Mrs. Tillie Sutherland, who arrived in this city in October, and soon afterwards deposited \$50 with Mr. Schettler, is very determined, according to the county officials, in the declaration that unless Mr. Schettler makes a settlement with her without delay, she will prosecute him to the hilt of the law.

Acting Ass't County Atty. Lyon yesterday asked permission to examine the books and papers of the defunct bank, and Judge Zane, attorney for the receiver, advised that they might temporarily be turned over to the office of the county attorney. The latter is of the opinion that he may be compelled to institute criminal proceedings.

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