## THE DESERET EVENING NEWS. 171024 PART 3. TRUTH AND LIBERTY. NUMBER 53

### FIFTIETH YEAR

### SATURDAY, JANUARY 20, 1900, SALT LAKE CITY, UTAH.

their trial, as it is seldom justifiable announce announc

## 

WAR HAS ESTABLISHED LAWS. Bound To Be Respected By Belligerent Nations-Poison and Assassination Are Strictly Prohibited-Prisoners Must Not Be Punished For Trying To Escape-Under

Certain Circumstances a Paroled Officer Must Return and Give Himself Up.

annon manna manna manna manna manna

duration that it scarcely gave the ublic time to become acted with the rules of civilized war-Therefore the questions which sgitated during the Transvaal ning the "legality" of the use seizure of grain cargoes, hospital trains, etc., understood here, says Enquirer. Perhaps there aplete understanding of ver there, for the dispatches say Gen. Cronje has found reason to

war with Spain was of such | goods. Russians were allowed during the Crimean war to live quietly both in England and France, but in 1870 hostile strangers were ordered out of France at a few day's notice.

### WAR'S PRIME OBJECT.

But war is not a relation of man to man, but of state to state, and its object, politically speaking, is the redress by force of a national injury, while from a military point of view, it is to procure the complete submission of the enemy as quickly and as cheaply as possible. There are certain laws of the game, the general principle being that in the mode of carrying on the war ne

·····

# SENATOR MASON,

the Illinois Republican the is trying to get the United States to show their sympathy with the Been by senatorial reso-B BH B LA SHOT



#### 

greater harm shall be done to the ento hold any further communicaemy than necessity requires for the purpose of bringing him to terms. This principle excludes gratuitous barbarities and every description of crucity and insult that serves only to with Gen. Methuen, but it is nevertrue that warfare between civilations has its accepted and inble rules, the infraction of which exasperate the sufferings or to increase ther beligerent is sufficient cause

enemy are to be cared for second only to caring for one's own wounded. Prisoners may not be compelled to aid their captors in military operations, but they may be employed in any other manner suitable to their condition. PRISONERS MAY TRY TO ESCAPE. Unless they have given a promise not to attempt to escape they are justified

in making the attempt. In the act of escaping they may be shot or otherwise killed, but, if retaken, are not liable to any punishment for the attempt. On the other hand, a rising among prisoners in order to effect 

for a combatant to take the law into his own hands against an unresisting enemy. Of course, the wounded of the

Sir Harry George wakeryn Sinth, Bart., who gave the name to the town of Harrismith in the Orange Free State, was descended from an old Cambridge-Sir Harry, less badly wounded, watched the doctor and the bouquetshire family residing at Whittlesey, in Which ever and anon

THE FOUNDER OF LADYSMITH

SIR HARRY GEORGE W. SMITH

annous manus manus manusman manusma

Sir Harry George Wakelyn Smith, | tention, With one hand the doctor un-

the Isle of Ely, some six miles from He gave his nose, and took't away Peterborough. His father, a surgeon, again,

LADYSMITH CAMP-IS IT DOOMED TO FALL?



The Boers around Ladysmith are gathering for another fierce assault on this bravely defended town. General White managed to beat them off once, but England fears that the weakened garrison will be unable to withstand the second attack which is about to be made. If Ladysmith falls about 8,000 prisoners and a vast quantity of military stores will come into the possession of the Boers.

#### 

a general escape may be rigorously punished, even with death. A nation is not guilty of any breach of the customs of war if it refuses to exchange its sons, three of whom were soldiers and the fourth a doctor. The three soldier sons went through

the Peninsular war, and were at Waterrisoners, but detains them until the loo and returned safely, says the Chiclose of the war. Prisoners who are released on parole cago Times Herald. Sir Harry was the

generally pledge themselves against active service against the enemy during eldest, Captain Charles Smith was the

And as the soldiers bore dead bodies by He called them untaught knaves, un-

mannerly, To bring a slovenly unhandsome corse Betwixt the wind and his nobility. Sir Harry (like Hotspur)-

Then all smarting with his wounds ing cold

# **RACE OF PEOPLE BEFORE** THE CLIFF DWELLERS

Important Scientific Discoveries Made in Southwestern Colorado, Where Mounds Indicate that Millions of People Once Lived.

annous muunumana muunuman muunu

Thomas H, Wigglesworth, the veteran ship I ever saw. The vase was black with age, and as the workmen of that region, especially the Indians, are sucivil engineer who has assisted in the construction of a score of railways in the West, is in the city from his ranch in southwestern Colorado, says the Denver News. Rumors of railway construction brought the veteran from his seclusion, but while he has been absent from his former haunts, he has not been entirely idle. He has built several irrigation canals for the govern-

perstitious in such matters, they threw the vase over the dump and I had quite a task finding it again. The Indians will handle nothing that comes from the ruins, as they believe the relics are hoo-dooed. They claim that the older ruins are the remains of former Mo-qui or Zuni life, but it is rare that a white man can induce a Ute Indian to express an opinion on the subject. Mr. Wigglesworth-other observers to



CONGRESSMAN BOUTELLE.

Although every effort has been made to keep the true condition of the Maine representative from becoming public, it is known that he is in the McLean hospital for the insane at Boston and he is reported to be in the last stages of Bright's disease.

#### 

ance.

the contrary notwithstanding-declares that no expert will pretend to say there are any evidences of ancient irrigation canals in the valleys of the region. He says he has examined every depression for miles, and the in-dentations which have in some in-stances been pointed out as the bed of an ancient canal are really the cel-lars of the old adobe houses. His ex-

planation of agriculture under such circumstances is that weather condi-tions have changed in modern times in the region, and formerly the district

was blessed with abundant rains. Many interesting observations have

been made by the former Denver man.

One of the most remarkable is that in his opinion the Indians of the region

his opinion the Indians of the region are descendants of Asiatic nations. He has assisted in scientific measurements of Indians of southwestern Colorado and morthern New Mexico, and it is his belief that the Navajoes are the di-rect descendants of the Japanese. He says if an Apache is dressed in the style of the real native of Japan a keen eye will be obliged to look twice in or-der to detect the difference in annear-

der to detect the difference in appear-

INHABITATED BY MILLIONS.

Mr. Wigglesworth estimates that the

number of former inhabitants of the valleys leading to the San Juan river is

not to be estimated in thousands, but in millions. The field is of such ab-

sorbing interest that last summer the museum of natural history of New

York sent a scientist of world-wide re-

pute, who spent the summer near the Wigglesworth ranch making investiga-

tions on surface indications and meas-uring Indians so as to compare the measurements with those of modern' people of Asia. It is the opinion of Mr. Wigglesworth that discoveries will be announced from the southwestern Colorade at an early day which will

Colorado at an early day which will

startle the scientific world.

rvention by neutral powers. EMINENT AUTHORITIES.

he following summary of Lord ing's treatise in the "Manual of tary law" expresses the opinion of complier as drawn from the authorcompiler as drawn from the author-sided namely Vattel, "Le Droit des a," Paris 1835; Kent, "Commentar-on American Law," sixth edition; Droit International de l'Europe," A. G. Heffter, traduit par Jules rson, 1873; Halleck, "International "," by Sir Cherston Baker; Philli-e, "International Law," first edi-; and "Instructions for the gov-ment of armies of the United States he field," a copy of which is printed falleck, II., 36, and is regarded as a guized authority. at. properly so called, is an armed

is properly so called, is an armed less between independent nations, ican only be made by the sovereign of a state. When there is war ween two nations every subject of Instion becomes in the eye of the an enemy to every subject of the an enemy to every subject of the an enemy to every subject of the ation. This principle, carried Nº nation. ntion, as prisoners of war, of all bots of one of the hostile parties wing or resident in the country of other at the time of the outbreak war and the confiscation of their ds, an extreme course adopted by foleon, who in 1803 detained 10,000 ish in prison until the peace of 1814. one which is contrary to the pracf modern warfare. as been usual to "commandeer"

the hatred of the enemy without weak-ening his strength or tending to procure his submission

Naturally the use of poison is pro-hibited; so is assassination; with re-gard to this latter point, a small force may penetrate into the enemy's camp, and take the general prisoner, or even kill him, without infringing any of the customs of war, or subjecting them-selves, if taken, to be treated otherwise than as prisoners of war. The enemy may be destrowed by all legitimate means, and the users of high explosives are as much entitled

NO RULE FOR NONCOMBATANTS

A humane commander will endeavor not to hurt noncombantants, but no rule can be laid down on the subject. The United States instructions say that it is lawful, though an extreme measure, to turn back noncombatants, in order to expedite a surrender, when the com-mander has expelled them in order to have the less mouths to fill.

'The enemy consist of first, armed forces; second, unarmed population. The former may be destroyed as long as they resist; the latter are immune, unless they divest themselves of their noncombatant character. Quarter should never be refused to men who surrender, unless they have been guil-ty of such violation of the customs of war as would of itself expose them to the nearly of death; and expose them to the penalty of death; and, even when so guilty, the should, whenever practi-cable, be taken prisoners, and put on

WAR THAT CLOSELY RESEMBLES MURDER.



this photograph of a British trooper of General French's army taking a hot at an unsuspecting Boer illustrates the nature of much of the fight-South Africa. The scout remains concealed until he sees something to and then quietly picks off his man, who dies not knowing from whence bullet came. This kind of fighting, though it is perfectly fair, closely



to quarter as anybody else.

the existing war, but they may drill recruits, quell disturbances, or fight being the youngest. At the battle of 

AMBASSADOR CHOATE.



Our representative in London is in constant cable communication with Washington concerning the seizure of American foodstuffs by \* British warships at the Cape. The British backdown on Ambassador Choate's firm representations was a qualified one and further seizures may at any time reopen the question in a way that will strain the tension to the breaking point. The skilful handling of this delicatae matter by Mr. Choate has so far prevented any actual display of warlike feeling between America and England, but much depends upon our ambassador's diplomacy in the future.

#### 

belligerents who are unconnected with the paroling enemy. Paroling is a vol-untary contract; the captor is not were wounded though the former's untary contract; the captor is not obliged to offer to parole a prisoner of war, and a prisoner may, if he choose, remain in captivity. A prisoner who gives his parole has no authority to pledge himself never to serve against a particular enemy. The pledge must be confined to a limited time, and the laws were wounded, though the former's wound was not a severe one. They of the prisoner's own country may make further restrictions. ages were not then in existence.

PAROLES ARE INVIOLABLE.

If a prisoner makes an engagement which is not approved of by his own government he is bound to return and surrender himself to the enemy. A soldier cannot, 'according to the English practice, give his parole except through a commissioned officer. As a general rule a commanding officer has an implied authority to give his parole on behalf of himself and the officers and men under his command, but an inferior officer ought not to give parole either for himself or his men without interior other ought not to give parole either for himself or his men without the authority of a superior officer, if such an officer be within reach. A state has no power to force its subjects to set contrary to their parole, but it may punish those who have given their paroles contrary to the law of their contrary to the law of their country. A recaptured prisoner who has violated his parole may be punished

has violated his parole may be punished with doath. Such a course is unusual except in an aggravated case. The noncombatant population of the enemy's country cannot be made to join the ranks; but it has been the practice of war, sanctioned by necessity, on making reasonable payment, to compet their services as guides, drivers and workmen.

To be so pestered with a popinjay,

jumped out of bed and kicked the young doctor down the stairs. This was a breach of military discipline for which he was brought before the duke and admonished, but the duke secretly laughed at the circumstance. Sir Har-ry was at the siege of Badajos; here a very interesting incident occurred. He was standing with the general and staff when a Spanish countess and her young distor care to the general distor protocol sister came to the general for protec-tion. Sir Harry was smitten by the charms of the younger of the fair petitioners: this ripened into love, and she eventually became his wife-Lady Smith, from whom comes the name of the town of "Ladysmith," now so fa-

At Waterloo Sir Harry Smith was brigade major; his brother Thomas was adjutant of the Rifle brigade.

Sir Harry was a good soldier, and showed great skill and bravery in the Sikh wars. At the battle of Aliwal (which was entirely his battle, and for which he was created a baronet, with a pension to Lady Smith), he defeated the Sikhs with great slaughter. Wher-ever he went there was fighting to be

Lady Smith accompanied him wher ever he went. She was at the battle of Chillianwallah, and received a medal, which is still in the possession of the family. Lady Gough was also at this

On his return from his victories against the Sikhs a banquet was given him at his native place-Whittlesey. When returning thanks he quoted the well-known lines:

Who never to himself hath said,

burned. As home his footsteps he hath turned.

After that he went to South Africa. From 1847 to 1854 he was governor of the Cape, and did great service in the fights against the Kaffirs, He died with-out children, and the baronetcy (which might have been granted for continu-ation through Colonel Thomas Smith, had he not declined it) became extinct.

In the army and one in the navy, and all but one pre-deceased him. His widow is still living and in good health. Sir Harry was educated at a school which formed originally an eastern chapel of the south aisle of the beauti-ful Church of St. Mary, Whittlesey, This chapel, now called the Smith Chapel, was restored in honor of the hero of Aliwal, and what was the school is now again part of the church and adorned by three painted windows. Within this church rest many members of the old family, ancestors of the hero of forty battles.

many miles down a rough country in a shaky cart, and their suffering was intense. The present ambulance advant-The two brothers were placed in the smith and Aliwal, will perpetuate the fame of the brave soldier and his good same hospital, and a young doctor came

CSOR HUAR RYSMITH

after studying the conditions for many months, that the cliff dwellers were not

novel and interesting.

stone. Evidences of such structures are distributed through scores of valleys and wide mountain canyon

have dug through mounds seventy-five feet long and thirty feet wide, which

TWO-STORIED BUILDINGS.

done, and he almost died in harness.

severe fight,

Breathes there the man with soul so dead,

"This is my own, my native land!" Whose heart hath ne'er within him

From wandering on a foreign strand?

Colonel Thomas Smith had six sons

were brought from the scene of battle Many people still live who remember Sir Harry, his brothers and father, and cherish the memory of the kindliness of the three sons who served their country so well. The rames of the three South African towns. Harrismith, Ladyto dress their wounds, which were in a frightful condition for want of at- period of life, are reproduced herewith.

the only race inhabitating Montezuma and other countles of southwestern Colorado previous to the advent of the Indian. He has discovered what to him is indisputable evidence of an older hu-man life. It is his opinion that the forerunners of the cliff dwellers lived in the fertile valleys and inhabited adobe houses instead of houses of

ment in the newly opened Indian reser- !

vation. In the course of his work the

interest of the civil engineer was

aroused by the numerous ruins of a

former race of men in the valleys, and

he made observations which are both

Wigglesworth is of th

"The mud houses," said Mr. Wiggles-worth, at the Albany Hotel yesterday, "occupied sites on the level ground and were surrounded by fields of grain. I

represent the remains of one of the large adobe structures.

"In carrying forward the work on the large canal recently ordered by the government for the Utes we uncovered the foundation of a circular structure which had one story under ground. It is my opinion that the principal houses is my opinion that the principal houses of these unknown people were two stories in height—one story above ground and one story below. The ruins which we excavated are perfectly round, and the foundation is as solid as the day it was completed. It was ap-parently built tens of thousands of theory are the perfection.

years ago. I can point out hundreds of mounds of a nature similar to the one we opened. We uncovered the most

beautiful vase of antique workman-

MAJOR ARMES BEING WATCHED.



Major Arm. the former United States cavalry officer photographed above, is said o >> organizing a large filibustering expedition in aid of the Boers. Major Armes, who lives in Washington, says he will go to the Trans-vaal at the head of a force of 20,000 men, many of them veterans of the civil war. The British government will request the United States authorities to prevent the expedition starting.



C LADY SMITH )