

PRESIDENT "STANDS PAT" IN TYNER CASE

The Department of Justice Report Makes It Impossible to Withdraw His Expressions.

FACTS CONFIRM HIS VIEWS.

He Shrinks From Saying Anything That Will Diminish Comfort Given By Jury's Verdict.

Washington, Oct. 27.—The letter which was sent to Judge James N. Tyner, assistant attorney-general for the post-office department, on behalf of the president in answer to one sent by the judge to the president June 31, 1904, asking him to "right the great wrong," which he declared the president had unwittingly done him in using certain statements reflecting upon his official conduct in transmitting papers to Congress in connection with matters disclosed in Mr. Hirstow's report, was made public today by Mr. Holmes, chief of the so-called frauds in the post-office department. The letter is as follows:

"White House, Washington, June 21, 1904.—Sir—I am directed by the president to say that your letter of the 11th inst., addressed to him, was received and referred to the department of justice for inquiry into the statements made therein, and for such report as the department might appear to require.

"A report has been received from the department of justice and considered by the president, who further directs me to inform you that the facts disclosed in such report abundantly confirm heretofore expressed by him in his message to Congress, prepared after three indictments had been presented against you by a grand jury and warrant the action in your removal from office and do not allow him to retract the expressions or annul the action.

"The president naturally shrinks from saying anything that will diminish any comfort you may have derived from the verdict of the jury, but he is advised that you were not tried for the wrong doing to which he referred, but for conspiracy with Barrett to do the wrong, which he is advised is a wholly different matter, as one may be guilty of wrong and not guilty of conspiring to do so. Yours respectfully,

"WILLIAM LOVELL TYNER, Secretary to the President."

Washington, Oct. 27.—James N. Tyner, formerly assistant attorney-general for the post-office department, who was removed from office by the president and later tried and acquitted on charges in connection with alleged postal frauds, tonight made public a letter sent by him to the president, dated Oct. 8, in which he takes issue with the statement in the letter of the president's secretary dated June 24, Mr. Tyner says:

"Your unqualified statement that I was guilty of 'gross corruption' and of accepting bribes, etc., while assistant attorney-general for the post-office department was not made in a message to Congress as you now assert. Congress was not even in session. For obvious reasons, it was made in a 'promotional' letter to the public with the usual light accessories.

"If your statements had been made to Congress in the course of and as part of your official duties—though no such duty could devolve under our Constitution on our president, as you well know—then I should have no objection to your making them. But as you went outside your rights and duties as chief magistrate and in defiance of every established principle of law and even without a hearing or without evidence, rashly and impetuously pronounced me guilty of these crimes, and to these charges lent the weight of your great office, I feel that you should be given the opportunity to justify yourself or retract.

"Your accusations are false, and have been proven false, but I have no further means of establishing those except by halting you into the courts, and I have too much respect for the high office you occupy to do this. My object in writing you was to give you the opportunity to do a just and manly act and to vindicate yourself, not me. I do not need your vindication. I can face my eternal judge with entire peace of mind.

"Your effort to override the verdict of court and jury by a specious distinction between the crimes you say you referred to in your 'promotional' and consensory letter, and the crimes which might be less contemptible if its unfairness and its intent were not so obvious.

My Life

Hung On a Single Thread With Heart Disease.

You should never wait until your life hangs in the balance before you give the necessary aid to your sick heart.

A weak heart is always serious, for it affects every organ of your body through its inability to purify and keep the system supplied with pure, rich, life-giving blood.

Any indication of heart trouble, such as shortness of breath after exercise, redness of face, weak, fluttering, feeling in chest, weak, hungry spells, palpitation, dizziness, sudden starting in sleep, irregular pulse, is serious, and should be cured at once.

The safest and surest treatment is Dr. Miles Heart Cure, a nerve and muscle builder, a blood tonic. It acts directly on the heart nerves and muscles, giving them strength and vigor, and relieves every symptom of a sick heart. Your life depends upon your heart, and a weak, diseased heart, like a single thread, can endure but little.

"I suffered for years with my heart. At times my life hung by a single thread. A number of physicians and an eminent specialist treated me. Without the knowledge of my doctor I took Dr. Miles Heart Cure. It lifted the pain from my chest, and I was able to attend to my affairs. Something I had never hoped to do again."—MR. JOHN ROEBIG, 148 Clinton St., Cleveland, Ohio.

If first bottle does not benefit, your money back.

FREE Write to us for Free Trial Package of Dr. Miles' Anti-Pain Pills, the New Scientific Remedy for Pain. Also Symptom Blank. Our Specialist will diagnose your case, tell you what is wrong and how to right it. Free. DR. MILES' MEDICAL CO., LABORATORIES, ELKHART, IND.

SCIATIC TORTURE.

PAIN SUFFERED BY MR. MARSTON AS GREAT AS MORTAL CAN STAND.

For Six Months He Could Not Turn in Bed—He Tells of a Remedy Which Has Given Perfect Relief.

Most sufferers from the acute and persistent tortures of sciatica regard themselves as prisoners to pain for life. The case of Mr. Marston shows that sciatica can be cured, and no one afflicted by it should allow himself to be discouraged. He was first attacked about a year ago for six months he suffered pain, which he thinks the most intense that any man could possibly stand.

Asked about the details of his remarkable recovery Mr. Marston gave the following account: "I was attacked by a numbness or dull feeling just back of my right hip, and every step I took after that caused me pain. I didn't know what the matter was, but I thought it was simply a stiffness that would wear away in a short time. It didn't, however, and soon the pain became so very bad that every step was torture for me. When I finally succeeded in getting home, it was just as much as I could do to reach my room and get to bed.

"The doctor was sent for, and when he had examined me he said I had sciatica. He prescribed for me and advised me not to try to leave my bed. The advice was unnecessary for I couldn't get out of bed if I wanted to. It was even impossible for me to turn from one side to the other. The moment I attempted to move any part of my body, the pain became so excruciating that I would have to stop and lie perfectly motionless.

"I suffered this torture for six months without getting any relief. Then I discharged the doctor, and on the advice of a friend I bought a box of Dr. Williams' Pink Pills and began to take them, three at a dose, three times a day. I was determined to give them a thorough trial.

"Two months after I began to use them I was able to leave my bed and walk about the house, and a month later I was entirely cured and able to do about my work as usual. I honestly believe that if I had used them at first I would have been cured still more quickly. I think Dr. Williams' Pink Pills are the best medicine I ever used, and I heartily recommend them to anyone who suffers from sciatica."

Mr. Marston is a prosperous farmer and may be reached by all who desire further particulars, by mail addressed to Charles P. Marston, Hampton P. O., New Hampshire.

Dr. Williams' Pink Pills are equally successful in curing other painful nervous disorders such as neuralgia, neural paralytic and locomotor ataxia, and diseases of the blood such as rheumatism. They are sold by all druggists.

every act and if you did not know that every act referred to in the Hirstow report was fully before the jury on the charge of 'corruption, bribery' and 'misconduct in office.' But there being no evidence of wrong-doing it would have been offered and admitted, but there was none, and you know it.

"In my letter to you of Dec. 2, 1903, protesting against your unwarranted 'promotional,' I defied you to produce a single act of evidence to support your accusations and prayed that my life might be spared to face these charges, and now, after I have gone to trial and every act of my private and official life has been laid bare and not a particle of evidence has been produced against me, you seek to shield yourself by saying that I was not tried for what you accused me of, but for something else. That this is false the records show, and you know it.

"If I am guilty of crimes other than those charged in the indictments found against me, then why was I not indicted and tried for them? And as my life is still spared I am ready now, groundless and unjust as I know your charges are, to stand trial. Executive pressure secured three indictments against me; maybe it can procure others. No technicalities nor pleas of limitation will prevent me from proving your serious charges. Naturally, at my age and in my condition I have no desire to be again haled into the criminal court, but in order to preserve my record of 40 years of public service untarnished, I am willing to undergo, if necessary, any trial. I know I am innocent, and you know there is no truthful evidence against me. And your statements ought not to stand.

"In my several letters addressed to you I merely demanded what I conceived to be my rights as an American citizen. I am taking no favors, and I want your sympathy nor that of a jury; but as for 30 years of life I tried to do right unto others, so I hoped that you might do right unto me. If any citizen of our republic can stand convicted by presidential proclamation, then I am a false and no man's reputation is safe. You preached, 'A square deal to every man,' who 'practise deceit'."

BENBOW'S AIRSHIP PROVES A BIG SUCCESS.

St. Louis, Mo., Oct. 27.—Floating gracefully in the air at an average height of 30 feet above the heads of several thousand spectators, the airship designed and built by T. C. Benbow of Columbus, Mont., made what the inventor declares was a successful trial flight in the aeronautic concourse at the world's fair today.

The big cigar-shaped balloon, bearing its burden of car, motor, machinery and operator, rose from the ground at 5 p. m., and after navigating the air for 15 minutes, during which time Benbow directed the prow of his vessel toward all points of the compass, slowly descended to the ground, near the starting place, and was secured by the attendants, without a break having marred the success of the flight.

While Benbow appeared to have absolute control over the machine, an anchor rope about 50 feet long was used, one end of which was held by an assistant during the entire flight.

To the Associated Press Benbow made the following statement: "This trial was made to determine the feasibility of my airship. I had intended making a trip over the mountains, but found that the rapid condensation of gas was fast reducing the lifting power, and in order to maintain altitude I threw out all my ballast."

"During the 15 minutes I was up, my airship lost 40 pounds of lifting power, and I realized that I could not make an extended trip. The airship was completely under my control, and responded nicely. The start was made at five o'clock in the afternoon, that fact alone prevented a long trip, the cold atmosphere causing the condensation of gas."

"I intend, if the weather permits, to make a practical demonstration of the dirigibility of my airship tomorrow, and will make the start in the middle of the day, when the atmosphere is warmer."

The Benbow airship weighs about 600 pounds, without an operator. The gas bag, which is cylindrical in shape, is 15 feet long and about 20 feet wide at the center, tapering at the ends.

TEA

Buy Schilling's Best; it isn't buying; it's trying.

Your grocer returns your money if you don't like it.

The bag contains 16,000 cubic feet of gas when inflated, and upon this the ship depends for maintenance of equilibrium. The frame of the ship is of aluminum and wood, and the power is derived from a 10-horsepower gasoline motor. Momentum is given to the airship by means of two large side wheels or fans, each consisting of four blades so constructed that they automatically fold after completing the stroke against the air and do not expand until again in position to force the airship ahead.

DYNAMITE EXPLOSION.

Two Men Fatally, Seven Seriously Injured.

Seattle, Wash., Oct. 27.—By the accidental explosion of 400 pounds of dynamite in a blacksmith shop at Council City, Alaska, on Oct. 7 last, two men were fatally injured, seven others were seriously hurt and a large amount of valuable property was destroyed. News of the explosion was brought to this city by Robert Vickers, a mining man of Council City, who arrived on the steamer Victoria. Mr. Vickers was in the explosion and narrowly escaped losing his life.

Charles Sellers, chief of the volunteer fire department, was crushed under falling debris, and when Mr. Vickers left Alaska was in the hospital in a dying condition. Fritz Peterson, a young man who had been in the city only a short time, had a portion of his head blown away and was dying. Seven others were taken from the scene of the explosion to the hospital suffering from broken legs and arms and other injuries.

The blacksmith shop of the Wild Goose Mining company, in which the explosion occurred, was partially destroyed by fire by the explosion. The big barn of the same company and the remains of the shop were blown into splinters, and the glass windows in almost every house in the city were blown to atoms.

A Deliberate Suicide.

San Francisco, Oct. 27.—Young W. Casteel, a man of refinement and some means, well connected in the east, has committed suicide at the St. Katherine hospital by taking carbolic acid. He left a note addressed to his brother, W. G. Casteel of Meriden, Miss., telling of his intention to end his life, but assigning no cause.

His mother and sister reside in Knoxville, Tenn. Some time ago he was arrested for shooting at R. L. Durham, president of the California Business college, on account of alleged wrongs, and the case is still pending. He was about 35 years old and came to California for the benefit of his health.

The case against Casteel for shooting Durham was to have been heard in Judge Mogan's court today. It was continued until Saturday that an official record of the death might be obtained for entry in the minutes of the court.

CAPTURE OF A SCHOONER.

An American Boy Tells of His Experiences With Russians.

Victoria, B. C., Oct. 28.—In a letter received by Mrs. McNeill, of this city from her son Edward, details are given of the capture by a Russian transport of the Japanese sailing schooner Koichi Maru, on which he and a number of other white men were working. The Russians caught the Koichi poaching off the Rubia Islands about the middle of August, removed her crew and passengers and sent her to the bottom. McNeill's boat and three others were off sailing, and the Russians sailed after them, took them on board and carried all hands to Nikolook, Kamchatka. Thence they were sent up the Amur river to Khabarovsk for examination.

Late in August they were taken before a commission and closely questioned, after which they were forwarded to Yokohama. McNeill says the Russians treated them with marked kindness, giving each a comfortable state room aboard the transport, abundance of food, tobacco and other comforts. The released sailors are now homeward bound.

War between England and Russia, Baron Hayashi frankly admitted, would be greatly to Japan's advantage; yet, as a friend of England he would be sorry to see it come, though such a war could hardly consist of more than one naval engagement, the result of which would be a foregone conclusion.

Exactly what method can be taken to investigate Vice Admiral Rojestvensky's statements does not clearly appear. The Russian embassy here can throw no light upon the alleged presence of torpedo boats in the North sea. The British admiralty has no information, and fresh inquiry among the travelers elicits no new facts. The Russian embassy thinks that the further and more elaborate inquiry is proceeding at Vico, where the testimony of the officers participating in the affair is being minutely recorded.

No representations have been made either by the Japanese or by the British government regarding the action of the Spanish authorities in connection with the Baltic fleet, both governments being perfectly satisfied with the correctness of the Spanish attitude.

So far as is known here, the United States is not moving in the present dispute, statements alleging expressions of accord with the British attitude on the part of the United States being emphatically denied by Charge White, in the absence of Ambassador Choate, who is in the country.

Cures Chills and Fever.

G. W. Wirt, Nacogdoches, Texas, says: "His daughter had chills and fever for three days; he could not find anything that would help her till he used Wright's Health Underwear. He sold by Z. C. M. I. Drug Dept."

WRIGHT'S Health Underwear

is constructed upon a distinctively different plan—it is constructed to comply with the natural laws of health. Upon the foundation fabric is woven a myriad of tiny loops of wool, forming a fleecy lining to the garment.

This open woven fleece keeps a permanent air space between skin and outer fabric. This means a warmer underwear, freedom from colds and a healthier condition of the skin and body generally.

The fleece in Wright's Health Underwear does not mat from wear or washing, but retains its properties until worn out. In spite of its many advantages Wright's Health Underwear costs no more than ordinary kinds. At dealers.

"Dressing for Health," a valuable book, sent free.

WRIGHT'S HEALTH UNDERWEAR CO., 75 Franklin St., New York.

FRANCE HOLDS KEY TO THE SITUATION.

Could Her Neutrality Be Depended on Great Britain Would Almost Certainly Declare War.

POSSIBILITIES DANGEROUS.

North Sea Incident Creates One of Most Complicated Diplomatic Situations of Recent History.

London, Oct. 27.—One of the most complicated diplomatic situations in recent history, and one that is attended with the most dangerous possibilities for the peace of the whole of Europe, exists tonight, with no sign of immediate solution. The tension that arose when the dispute between Great Britain and Russia resolved itself into the simple question whether Russia would or would not guarantee in advance that some punishment should be administered to the offending officer of the Baltic squadron has been modified by the introduction of an entirely new set of complications contained in Vice Admiral Rojestvensky's report, sent even the astute diplomats who recognize a temporary improvement in conditions, are puzzled by the complications that so curiously surround it. However, there is still a feeling that the powers not concerned in the dispute, a very strong conviction that a way out will be found other than a recourse to war.

The foreign office, apparently as puzzled as the bankers, pursues the policy of silence, and the British press is almost unanimously of the opinion that the statement that Russia has been received adding to the impression that Russia is ignoring the British negotiations. It is this misconception which is chiefly responsible for the stirring up of a popular agitation against which the government may find it hard to stand out in the possible event of a Russian Minister Lansdowne withdrawing the demand that Russia guarantee punishment before inquiry is instituted.

Had Admiral Rojestvensky's dispute not arrived it is probable the reports would have been settled one way or the other tonight. Its terms, however, are generally held to prevent the possibility of its attaining which Great Britain undoubtedly intended to send. Although Lord Lansdowne has frankly said that the circumstances reported by Admiral Rojestvensky are to him inconceivable, the foreign minister is not prevented from seeing that new light has been thrown on the "situation," and that diplomatic action now complete less urgent action than the British government at first contemplated.

In the present temper of the British nation it is not at all likely that preparations for hostilities will be relaxed or that the popular outcry will be diminished by Admiral Rojestvensky's report, but it is understood that Great Britain will run the risk of forfeiting in some degree the good will of France, and certainly that of Germany, if she proceeded to substitute war for diplomatic action, which intention, it is said at the Russian embassy tonight, there is no indication in Lord Lansdowne's communication.

The attitude of France is held to be of the first importance. It was said today by the representative of another great power that if France had given definite assurances that any Japanese suggestion Russia in the event of war growing out of the North sea incident, a hostile issue would be almost inevitable, as the temptation to crush the Russian naval power after such provocation could scarcely have been refused by Great Britain. It is pointed out that it is greatly to France's interest that any Japanese suggestion in that direction obviously will be strengthened by not committing herself except at the last moment.

So long as Great Britain is not sure whether France will help Russia she will not be likely to engage in war; while Russia, with France neutral, would, it is thought at most of the embassies here, scarcely invite defeat. The most probable solution of the rumors regarding France's position is said by a high authority to be that she is waiting for the opportunity to understand that she does not desire to become involved, but has reserved her final decision.

Amassive Canadian vessel was unnecessarily active throughout the day, not only visiting Foreign Minister Lansdowne and Ambassador Benbow, but others of his diplomatic colleagues.

Baron Hayashi, the Japanese minister, after reading Admiral Rojestvensky's report, again reiterated his statement that it was impossible that any Japanese torpedo boat could have been near the Russian admiral's thought. He declared that Rojestvensky's own statement of indiscriminate firing after such attack investigation proved that the Russian fleet was likely to move the safety of all neutral seas and make international law merely a farce.

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SATURDAY SPECIALS.

Big ones. Page 4. Z. C. M. I.

Don't Throw them away. We will repair them.

JOHN DAYNES & SONS, JEWELERS AND OPTICIANS, 26 MAIN STREET.

THE ST. NICHOLAS HOTEL is Now Open. Rates from 75c.

Cor. W. 2nd St. and E. West Temple. Tel. W. 2d St. Over E. 3rd Hill Drug Co.

Sale Ten Million Boxes a Year.

Cascarets

CANDY CATHARTIC

THEY WORK WHILE YOU SLEEP

PREVENT ALL BOWEL TROUBLES

Keith-O'Brien Co.

SATURDAY SHOE SPECIAL

FOR BOYS AND GIRLS.

All solid Box Calf Lace Shoes for Boys. Sizes 13 to 5 1/2.

All solid Vici Kid Lace Shoes for Girls. Neat patent leather tips. Medium heavy extension soles. Sizes 8 1/2 to 2.

Wear guaranteed. Any pair—

\$1.25

The favorite order for breakfast or to finish supper, is a plate of nicely browned, deliciously buttered cakes of

Falcon Self-Rising Pancake Flour

Such a satisfactory flour because cakes are so simply prepared and you know the cakes will always be right. Self-Rising is the reason anyone can make fine cakes with this Recipe:

To two cups Falcon Pancake Flour add enough milk or water to make a comparatively thin batter, or use two cups pancake flour, two cups milk, one tablespoonful sugar or syrup, one egg; have griddle hot, bake most after turning.

Falcon Pancake Flour at the best grocers'

SHANNON & MOTT CO., Millers of Falcon Pure Foods, Des Moines, Ia.

Francis G. Luke.

THE MONEY THAT YOU WANT

And find it hard to get can be had by turning in your bad debts to us for collection. We collect regardless of lodge, politics or religion. It's no idle issue with us. Many are enjoying pleasures they could not have afforded had they not received the money from their old bills. One man went to the world's fair last week with money we collected for him from an old claim 12 years old, and other went to the fair, but before he went he turned in all his bills for collection. We collected \$300 for him while he was away. Does anybody owe you? Do you need the money? If so, write or call on us.

MERCHANTS' PROTECTIVE ASSOCIATION.

Scientific Collectors of Bad Debts for Everybody.

Francis G. Luke, General Manager. Established 11 1/2 years. Offices top floor Commercial National Bank Building.

Some People Don't Like Us.

After the Ship Is Wrecked

Everybody can tell you how she might have been saved. After your house is in ashes many a wiseacre knows how the fire could have been put out—but it wasn't. There's just one—and only one—safe way to save yourself against the ravages of fire, namely: insure in our company. The only local company.

Home Fire Insurance Co. of Utah, BOTH PHONES 600. 26 SOUTH MAIN STREET.

Time Table

From Ogden, Omaha, Chicago, St. Louis, Kansas City, Denver, and intermediate points. In effect June 15, 1904.

ARRIVE

From Ogden, Omaha, Chicago, St. Louis, Kansas City, Denver, and intermediate points. In effect June 15, 1904.

DEPART

For Ogden, Omaha, Chicago, St. Louis, Kansas City, Denver, and intermediate points. In effect June 15, 1904.

City Ticket Office, 20 Main Street, Salt Lake City.

DENVER & RIO GRANDE AND THE RIO GRANDE WESTERN

Current Time Table. In effect Oct. 31, 1904.

LEAVE SALT LAKE CITY

No. 10—For Heber, Provo, and Marysville. In effect Oct. 31, 1904.

ARRIVE SALT LAKE CITY

No. 10—From Ogden and local points. In effect Oct. 31, 1904.

Gen. Aft. Pass. Dept.

SALT LAKE ROUTE

San Pedro, Los Angeles, and Salt Lake R. R. Co.

DEPART

From Ogden, Salt Lake City, and intermediate points. In effect Oct. 31, 1904.

ARRIVE

From Ogden, Salt Lake City, and intermediate points. In effect Oct. 31, 1904.

City Ticket Office, 20 Main Street, Salt Lake City.

"The Lagoon Road"

Salt Lake and Ogden Railway.

Time Table in effect, Sept. 6, 1904.

Leave Salt Lake, 6:00 and 9 a. m., 3:00 and 6:30 p. m.

Extra trains at 11 a. m. and 1:30 p. m. on Sundays and holidays.

COLORADO-UTAH

WORLD'S FAIR ROUTE

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ST. LOUIS 1904

SHORT LINE. TO ST. LOUIS.

Through car Salt Lake City to St. Louis, via Kansas City. Only one change to New York, Buffalo and principal points east—low rates for summer travel. Special attention to ladies and children.

Tourist sleepers through to Chicago, Boston and other points, without change.

TWO TRAINS DAILY.

Inquire at ticket office, 20 Main Street, Salt Lake City. Any information cheerfully given.

H. C. TOWNSEND, Gen'l Agent, St. Louis, Mo.

SEE CALIFORNIA

Greatest Play Ground on Earth. Famous Places Which Every one Wants to See.

Invest in a Secure CALIFORNIA Ticket to CALIFORNIA. Invest in HEALTH, PLEASURE AND WEALTH.

Mountain, Valley, Rivers, Lakes and Ocean Reached by the Southern Pacific Company's Lines.

For descriptive and illustrative literature call at No. 20, Main Street, Salt Lake City.

D. R. GRAY, General Agent.