

BRITISH REPLY TO AMERICAN NOTE.

How and When Foodstuffs Will be Called Contraband of War.

SITUATION IN SOUTH AFRICA

All Looking to Roberts and Kitchener—Stopping Recruits for the Transvaal.

Washington, Jan. 11.—The answer of the British government to Mr. Choate's representations respecting the seizure of American flour and other goods on the three vessels, Beatrice, Mashona and Maria, has been received. Just as the officials of the state department expected, it amounted to a partial answer, very satisfactory as far as it goes, disposing of the character of some of the goods seized, but not finally deciding broadly whether or not foodstuffs are to be regarded as contraband.

The British government adopts precisely the point of view regarding the seized goods that was assumed by the state department and embodied by Mr. Choate in his note on the subject, addressed to the British foreign office.

In brief, Mr. Choate's arguments are as follows: That the answer is highly satisfactory; that it is in broad and liberal terms.

The position assumed by the British government is that foodstuffs in transit to a hostile destination are to be regarded as contraband of war only when they are supplies for the enemy's forces. It is not sufficient that they are capable of being used for the benefit of the enemy. It must be shown that they are so in fact, by their destination at the time of seizure.

The British government does not claim that any of the American goods on the German bark Maria and the British bark Mashona were contraband of war. The British government is investigating the facts in connection with the goods seized on the third vessel, the Beatrice.

Mr. Choate's message embodied succinctly the authorities relied upon by the British government to sustain its position, and as this position, as already stated is one of those already assumed by the state department, of course they are regarded as convincing. For this reason Mr. Choate's message is long and it was nearly noon before it could be deciphered and placed in Secretary Hay's hands. It so happened that Lord Pauncefote, the British ambassador, was with the secretary shortly after he received his message, and probably the subject was discussed by them. It is certain that both the secretary and Lord Pauncefote appeared to be gratified at the progress being made toward a settlement of the cases. Nothing was said directly in Mr. Choate's original message nor in a supplementary message which came later, touching a release of the seized goods, but of course a fair inference from the statement that the goods on two of the vessels had been found to be not contraband, is that they are or will be released. If any question arises as to compensation to the owners on account of these seizures, that can be adjusted later on. It is probable, however, that the British government will not want for any further hint, but will voluntarily make such amends as seems to be fair.

It is believed the uncertainty as to the character of the Beatrice's cargo is based on imperfect knowledge of the ownership of the goods. The American consignor, however, evidently apprehending that the goods might exist at that point have come forward with the positive statement that they have not been paid for the goods shipped and that the drafts drawn by the consignees in South Africa were not collected until the goods were safely delivered at their destination.

Mr. Hopkins, the legal representative here of one of the largest firms concerned in the ownership of the goods, was on account of the state department this morning to discuss the case with the officials.

The next step will be the collection of data by the state department and by the British foreign office to fully establish the character of the goods on the Beatrice, and it is not expected that there will in the meantime be any further deliveries by the British government upon the general subject of the contraband character of foodstuffs.

London, Jan. 11, 2:40 p. m.—Even the announcement of the arrival of Field Marshal Lord Roberts and Gen. Lord Kitchener at Capetown has failed to stem the growing inactivity in the country at the prolonged inactivity in the main British camps and the entire absence of news giving an adequate insight to the local situation. The public and press being unable to form any just judgment as to the actual position of affairs, stories are rife that in action is forced on Gen. Buller owing to the exhaustion of the reserves of ammunition, and there are even wild rumors of a shell famine at home. But not much importance need be attached to these rumors.

It is almost universally assumed that with the landing of Gens. Roberts and Kitchener a prompt return will be made to the original plan of campaign, namely, a great central advance on Bloemfontein, but the most impatient of the enthusiasts admit that Gen. Roberts will be unable to move before the end of the month.

There was a rumor current in the clubs today that a battle was progressing at the Tugela river but nothing could be obtained in corroboration of the report.

The war office here denied the report published in the United States that General Methuen had been recalled.

Southampton, Eng., Jan. 11.—The Cunard line steamer Umbria, which has been chartered as a transport by the British government, went out from Southampton this afternoon with 2,300 soldiers bound for South Africa.

Lorenzo Marquez, Jan. 11.—Several Portuguese who went on the way to join the Boers have been intercepted by the frontier police. Nobody in future will be allowed to pass the border without a permit from the governor.

St. Paul, Minn., Jan. 11.—A Winnipeg special to the Despatch says: The mounted police for South Africa had a great send-off at Regina last night. Lieut. Geo. Forget, who is a French-Canadian, and the men of his race were as loyal to the queen as those born at the foot of the throne. The men leave on Monday.

Steamship Stranded. Cape Henry, Va., Jan. 11.—Captain O'Neal of False Cape Life Saving station, reports an unknown steamship stranded opposite his station, a mile and a half off shore. Cape O'Neal and crew have launched the life boat and are on their way to the vessel.

To be Blackburn's Son-in-Law. Cincinnati, Jan. 11.—A Lexington, Ky., special says: Senator William Goebel, who is contesting the seat of Gov. W. S. Taylor, is

MASON ABBOTT FOUND GUILTY.

Is Fined \$300 and Costs—Begs Mercy of Court.

GIVES THANKS TO JUDGE.

He Says That He Stopped the Manufacture of Forbidden Articles when He Discovered It Was Illegal.

The sentence of H. Mason Abbott, the man who was pronounced guilty of the criminal use of the mails by the jury in the Federal court last night, is a \$300 fine and all costs.

At 10 o'clock this morning Mr. Abbott appeared in the court room according to order to hear the terms of his penalty from Judge Riner.

Before the sentence was pronounced the convicted man's attorney, A. V. Taylor, begged leave to say a few words in behalf of his client which were granted. "I have known Abbott," said Attorney Taylor, "for a number of years, as a man of integrity and honesty, who had held many responsible positions."

Mr. Taylor affirmed that he believed on his conscience that Abbott never intended to violate any law. "He is a poor man, your honor, and has a large family," continued the lawyer, "moreover he has ceased manufacturing the troublesome articles since the day he learned that he was violating the law. In view of these circumstances we would beg the leniency of the court."

The court asked District Attorney Whittemore what he knew in regard to Abbott having ceased the manufacture of the articles in question.

Mr. Whittemore replied that there was no evidence to show that he had ceased, and he was inclined to the belief that the business had stopped.

Mr. Abbott was requested to stand up and to answer if he had anything to say why sentence should not be pronounced upon him, he said he thought not. The judge then proceeded to say that he was of the firm belief that the condemned man had received a fair and impartial trial, and that he (the judge) was satisfied in his own mind that Abbott was guilty.

At this juncture Mr. Abbott interrupted the court and said that as quickly as he saw the position he was in that he at once ceased the making of the offensive articles.

The judge resumed said, that under the statute the penalty for the crime of which Abbott was guilty was a fine of \$100 and costs, or imprisonment for not to exceed five years, or both, it being left to the discretion of the court. But the court was not disposed to imprison him, because of his family which was dependent upon him for support. However, if he persisted in the carrying on of the business, he would not be dealt with so leniently again. "The sentence of the court is," said Judge Riner, "that you be fined \$300 and the costs of this action."

Brotherly Love. W. A. Moreton, a well known Salt Lake printer employed at George Q. Cannon & Sons Co., has a brother who is enlisted in the cause of the Queen in South Africa. The young man, Solomon Moreton, while only twenty-seven years of age, has seen eight years of military service, the greater part of which was performed in India. On returning from that country to Great Britain a few months ago he promptly enlisted for the British four campaign and went directly to the front. He had an active and painful experience in the battle of Colenso on December 15th.

Accompanying the letter was a copy of the Belfast Evening Telegram of December 16th, containing the names of 110 men and officers who had been wounded in the terrible sanguinary contest. This was aside from those whose lives were sacrificed for the cause represented by the Union Jack. The names of the wounded heroes covered the greater part of one page of the Telegram, which is a large daily newspaper. The grief of the British people was also set forth in terms that had but too well the misconception the English government had had of the enemy's strength, courage and determination.

PUBLIC MEETING.

One Has Been Called for Saturday to Discuss Vaccination.

A committee of gentlemen called at the "News" office this afternoon and requested that the announcement be made for them that they were arranging for a public meeting to be held at the A. O. U. W. hall, No. 165 South Temple street, on Saturday evening next, beginning at eight o'clock, to discuss and protest against the compulsory vaccination of school children as sought to be enforced by the Salt Lake City board of health.

APPROVED BY MAYOR.

Mayor Thompson today approved the resolution of Dr. Beatty's, providing for vaccination of children and adults passed at Tuesday evening's session of the City Council; also Canning's resolution inviting the stock men of the West to hold their next convention in this city.

NEW POSTOFFICES.

[SPECIAL TO THE "NEWS."] Washington, D. C., Jan. 11.—Post-offices have been established as follows: Magnolia, Nez Perces county, Idaho, and Geo. Green has been appointed postmaster.

Eldorado, Uinta county, Wyoming, and Edwin V. Kerr has been appointed postmaster.

LATE LOCAL NEWS.

There was a pretty lively interest manifested this morning from an electric wire stretching across the street from the Good-Pitts corner west. The wire was sizzling hot and burned off the insulation; and later a fire was started on the west side pole, and soon after the wire melted and parted and fell to the street. This was the signal for considerable alarm and a general scampering of pedestrians followed. Wagons, street cars and traffic were temporarily delayed.

JURY SECURED AND TRIAL COMMENCED.

(Continued from page one.)

VERDICT FOR \$1.

Finding of Jury in Case of Engstrom vs. Salt Lake City.

The jury in the \$10,000 damage suit of Berent Engstrom vs. Salt Lake City came into court this afternoon, finding the issues in favor of plaintiff, and assessing his damages at \$1.

Plaintiff sued the city to recover damages for alleged injury to his property by reason of the discharge of sewage from the Jordan.

Mr. Kelly Sues for Divorce. Jennie Kelly filed a divorce suit against Samuel Kelly in the district court this afternoon. Plaintiff alleges that she married the defendant at Butte in January, 1888, and that for four years he failed to provide for her. The last time she heard from Kelly was four years ago. At that time he was in California. There are no children.

TO CURE A COLD IN ONE DAY. Take Laxative Bromo Quinine Tablets. All druggists refund the money if it fails to cure. E. W. Grove's signature is on each box. 25c.

AMUSEMENTS.

The Black Path company, whose last appearance here left so pleasant an impression, appears again at the Theater tonight. The advance sale indicates good business.

At the Grand Murray and Mack continue to crash the house nightly with their lively rendition of Pinagun's Ball. The present indications are that the week will be one of the biggest in the recent history of the Grand.

The Theater management is clearing its decks for a big rush tomorrow when the sale of seats for the Bostonians opens. The stay will be limited to but two performances, the new opera of the Smugglers of Hadayez. Monday, and the "Savannah" on Tuesday. There is much regret that the favorite "Robin Hood" is not to be heard, and no doubt if the company chose to sing it at a matinee Tuesday afternoon to dollar rates, it could do so to a full house.

A UTAH COUNTY CASE.

Alfred Johnson of Santaquin has Contract Smallpox—Citizens Excited. [SPECIAL TO THE "NEWS."] Provo, Jan. 11.—County Physician Robinson today received a telephone message from Doctors Wade and Henry, of Payson stating that Albert Johnson, of Santaquin had a very bad case of confluent smallpox. He took sick December 15th with typhoid fever and over a week ago broke out with pustules.

The majority of Santaquin citizens as well as Provo people have been exposed. County Treasurer Mahburg visited with Johnson a week ago for some time and has exposed all the county officers since his return. There is a great deal of excitement here.

POLICE POINTERS.

Last evening Officer Sperry made the arrest of Daniel Keith, a lad only 12 years of age, on the charge of stealing iron from the Oregon Short Line depot. An employee of the Short Line saw young Keith take the iron and reported to Officer Sperry. Daniel was booked for petit larceny. Recently he was before the judge on the charge of stealing but was released on promise of good behavior.

HOTEL AND PERSONAL.

A. Hooker, of Peabody, Kansas, is a guest of the Cullen.

J. W. Clyde came up from Heber this morning and registered at the Cullen.

R. W. Crockett, of Price, is at the Cullen.

The White House today registered the following guests: Mr. W. B. Coleman, wife and Geo. De La Mar, Nevada; and West Jordan; H. C. Aylett, West Jordan.

ROBINSON.

Mr. and Mrs. Lorenzo Snyder Lose a Babe through Death.

[SPECIAL TO THE "NEWS."] Robinson, Jan. 9.—The infant son of Mr. and Mrs. Lorenzo Snyder died yesterday. Funeral services were conducted at the family residence today and interment took place at the Eureka cemetery.

DIED.

PITT.—In this city, January 11, 1900, of Bright's disease, Etta May Sears Pitt, wife of William H. Pitt, Jr., and daughter of Isaac and Sarah Jane Galtby Sears, aged 22 years, 1 month and 10 days.

Funeral services will be held Friday, at 2 p. m., from the Eleventh ward meeting house. Friends are respectfully invited to attend, and can view the remains from 12:15 to 1:30 p. m. on day of funeral at 756 east Second South street.

Interment in city cemetery.

MUIR.—In Salt Lake City, Utah, January 10, 1900, Isabella Muir, daughter of James and Ann Sansome, born at Perthshire, Scotland, in November, 1825.

Funeral notice later.

SENATE SOLONS HARD AT WORK

Upper Branch of Congress is a Veritable Hive of Industry.

LEGISLATION DISCUSSED.

Financial Bill Will be First Considered—Making Campaign Literature—Joe Blackburn's Return.

Washington, January 8.—The Senate shows a determination to get down to hard work since it convened after the holiday recess. It began business "right off the bat," as the baseball enthusiasts would say. There was good reason, too, why this industry should be shown, for there is enough business before the Senate to keep it busy for a long time. The financial bill is "booked for long run" apparently, for there are many senators who believe that this is one of the last silver debates in which they will take part. For this reason they wish to make their speeches as comprehensive and erudite as possible. There is also the further fact that in this presidential year there is a desire to manufacture campaign literature, which must be commenced against it. Besides the financial bill there seems to be a desire to legislate for both Hawaii and Porto Rico. This legislation will involve a complete discussion of the Philippine policy. Then there are all the reciprocity treaties which are being carried forward by those who are anxious to have them adopted.

SOME MANEUVERING. Considerable difficulty has been found in getting a satisfactory bill prepared for either Hawaii or Porto Rico. Our old familiar friend, the tariff, is one of the most difficult to handle. There are those who, considering the fact that Hawaii and Porto Rico are now United States territory, think there should be the same freedom of trade between them. There is also the question of the tariff. This is not because there is much fear that the products of Hawaii and Porto Rico would be a detriment to the United States, but because of the competition between the islands and other territories. This is not because there is much fear that the products of Hawaii and Porto Rico would be a detriment to the United States, but because of the competition between the islands and other territories.

It was learned upon good authority this afternoon that should the board of education refuse to admit unvaccinated children to the schools next Monday in connection with the vaccination process will immediately be commenced against it.

A well known law firm, in anticipation of the board carrying out its resolution, has the papers ready to be filed just as soon as admittance is denied. A number of influential citizens it is said, is at the back of the movement and intend to test the question in the courts.

Up to 3 o'clock this afternoon 14 children were vaccinated today. Quite a crowd of youngsters were waiting their turn at that hour. One little one fainted this morning upon seeing the blood on his arm. Much better progress was made by City Physician King and aids today for the reason that each child's arm was washed with medicated soap before the vaccination process was attended to.

STOCKS, INVESTMENTS AND BONDS.

Utah Bank and Commercial Stocks and other high grade investment securities bought and sold. Loans on Stocks. Dividend paying stocks bought and sold. Investment orders from institutions, trustees of estates and capitalists will receive the most prompt attention. JOHN C. CUTLER, JR., Tel. 127. 36 Main Street.

FOR RENT.

FURNISHED ROOMS, GROUND FLOOR, electric light, 335 E. 1st St. Private family.

BOOKS 10c.

"Robert Hardy's Seven Days," Sheldon, "The Crucifixion of Missouri," Sheldon, "The Little Minister," Barrie, "Cyrano de Bergerac," Rostand, "The Three Musketeers," Dumas. L. F. HAMMEL, Bookseller and Stationer, 49 W. 2nd St.

CAREFULNESS.

We've had carefulness so thoroughly drilled into us when studying the compounding of Physicians' Prescriptions, that it's got to be such a hobby with us we carry it into every little part of our business—for instance, in our cigar department—we're careful that none but the good and tried brands come here—we're careful that they get here that they shall be kept just so kept so they will retain all their flavor and goodness—we've Domestic, Key West, and Imported Cigars—as you want them—one or a box.

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We Invite You

to call and examine our well selected stock of Watches, Jewelry, Clocks and Silverware. Large assortment of ladies' gold finger rings from \$1.00 up. American watch movements in filled cases from \$5.00 up. Silver watches for less. Spectacles scientifically fitted to the eyes. Prices always reasonable. JOHN DAYNES & SONS, Jewelers and Opticians, 28 Main Street, Opposite Z. C. M. I.

1900 HAS ARRIVED

And we desire to remind our friends when they are making good resolutions, not to forget one of the best, and that is to always use Three Crown Baking Powder—Three Crown tripple flavoring extracts—Three Crown pure home ground spices. Why?

HEWLETT BROS. CO.

SCHOOL BOARD TO BE ENJOINED.

Should Unvaccinated Pupils be Denied Admission on Monday.

PAPERS ALREADY PREPARED

Will be Served Immediately on Information that an Unvaccinated Child Has Been Excluded.

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