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DESERET

TRUTH AND LIBERTY

TUESDAY, APRIL 28, 1903. SALT LAKE CITY, UTAH.

LAST EDITION.

Defense In empire, Ellison Case.

Judge King Makes Opening Statement in Which He Re-A MINER'S MYSTERIOUS DEATH. lates incidents Connected With the Alleged Illicit Relations. Between Mr. Watson and Mrs. Ellison-Suspicious Another Victim From the Haunts of the Odoriferous American Tup to the Hot Springs-Mrs. Payne on the Stand.

At the morning session of the Clyde | rangement for a meeting with Clyde, Ellison murder case the defense made its opening statement to the jury and nenced the taking of testimony. idge King made the statement and detalled in brief the evidence which will be introduced and the defense which sill be interposed. He told of the weak ndition of defendant's mind since idhood and of the taint of insanwhich had developed in several members of his mother's family and which, no doubt, effected defendant's

He related incidents connected with alleged lilicit relations between Watson and the defendant's wife, said that the evidence would sureprove that Clyde was insane when act was committed and that he

also justified under the statutes also justified with the statutes arge number of spectators were at in court this morning, the room in crowded. Quite a number dies were present, among them be-Mrs. Watson and several lady ds, and Mrs. Payne, the mother of lefendant. During most of the ses-Ellison sat with his head leaning his hands, his face being covered his hands.

OPENING STATEMENT.

Judge King said in part: "Before of-ering evidence in this case I will state ou, gentlemen of the jury, the facts ch we expect to prove. The evich we expect to prove. The evi-ce will show that the defendant is young man about 22 years of age. He of good character, kind and loving sposition. Witnesses will be sworn will testify to his good character the guestion of insanity we will w that a number of his relatives insane. His father was rather ec-ric to say the least. When an inlyde was subject to headaches ater these grew upon him more se-He had, in youth, an attack of riet fever and since that time his ables with his head have increased. eut three years ago he met and be-me engaged to Miss Maud Sampson. were married and he has been a nd and loving husband, and was ry affectionate

WATSON AND MRS. ELLISON. 'About a year ago the evidence will

we that he and his wife roomed at rs. Jeffrics' rooming house in the Ga-ra block. About that time they met

She said that her son was not in a con-dition to see Mr. Watson, that his mind C. R. West, a minor aged 35 years, | cause he was very friendly with West was in such a shape that he could not talk about the matter. However, she agreed to have a Mr. Yoeman arrange with Clyde for an interview. The meetwho came to Salt Lake on Sunday last, ing was held.

AN INCIDENT.

"At this point I will deviate a little and relate an incident which happened several days prior. Mr. Watson was seen driving toward the Hot Springs with a lady. They were seen to go into a room. Later they asked for bathing suits and went into the bath together. Adjoint the bath are small rooms Adjoining the bath are small rooms containing beds. The were seen to go nto one of these rooms together. Later

they went into the bath again and re-mained until about dark. The evidence will show that the woman with Mr. Watson was Mrs. Ellison, the wife of defendant. ON THE FATAL DAY.

"The day of the shooting Clyde went to see Mr. Watson and the latter asked him to leave town. Clyde refused to do so and said that he would not go without Maud anyway. Mr. Watson said, 'Well, she won't go with you.' Clyde asked him how he knew, the reply to which was that he had seen her and she had told him go. Clyde then in-duced Mr. Watson to confess the visit to the springs with Mrs. Ellison. The knowledge of the renewed infidelity of

his wife made the defendant irrational. While in this condition it is seen that he shot Mr. Watson. He did not know what he was doing and was irrational for some time after the shooting. "This, gentlemen of the jury, is the evidence which will be introduced in be-

half of the defendant. The evidence will clearly show that he was insane when the act was committed. In addi-tion to that, the defense will invoke the statute of justification in his behalf and will show that he was justified in com-mitting the act."

THE FIRST WITNESS.

Mrs. Payne, the mother of the defendant, was the first witness called to the stand for the defense. She testified as to his character and affectionate disposition. Also of the insanity which had run through her family. She told

of his aliments when a small boy and of the troubles he had with his head. She told of her son's visit to her the morn-ing that he discovered his wife's infidelity: He was pale and very excited and nervous. She related the conversa-tion which took place that afternoon between Clyde, Mr. Watson and herself, then Watson confessed his relations with Mrs. Ellison and esked her if she could not keep it quiet and keep it from his wife. Clyde was very nervous at that time and Mr. Watson tried to quiet him but could not do so. WATSON'S CONFESSION. The witness told of the meeting next day when Mr. Watson confessed to Mr. Payne that he had "ruined defendant's life and wrecked his home." She said that Cylde was still as frantic as ever and made several accusations which Watson acknowledged. When Watson refuced to go with Cylde to confess to Mr. and Mrs. Sampson, the parents of Mrs. Ellison, the witness said that the boy rushed wildly for an officer. When he returned she said that he was very wild, rushed frantically about the house looking for Mr. Watson, Mrs. Payne then told of her son's subsequent vild actions up to the time of the she ing and of her efforts to restore him to a calm frame of mind. She said that it as necessary to have some one with him constantly to watch him for he would commit suicide. Mrs. Payne was still under direct examination when the court took a recess until this afternoon.

powers would be that the statesmen now paramount at St. Petersburg would decide to incorporate the three provinces of Manchuria in the Russian KUROPATKIN LEAVES FOR MAN-CHURIA.

St. Petersburg, April 28.—The war minister, Gen. Kuropatkin, started on a special train today for Manchuria. He will possibly go to Japan. A farewell breakfast was given in his hnoor yes-terday at the Chinese legation. " Liquit Clen Satharon" has been an-

tier at the Amoor river. Lieut.-Gen. Sakharoff has been ap-

Rooming House-C. R. West Went There a Few Days

Ago, and Today He is in the Morgue.

wealth of the nation comes from the ground. The factory and foundry in-crease and utilize the products of the soli and mine; agriculture is our prininspection of Manchuria, will be ab-sent two months and will visit Port Arthur, Dalny and Vladivostock. Alsoil and mine; agriculture is our prin-cipal industry, so the great mass of our rural people are our main de-pendence; their patriotism, their pub-lic spirit, their welfare must ever be the salvation and glory of our republic. Therefore, every measure, whether by the national government, the state, county or municipal authorities, that are covers to the walfee of the people though the general's intention to make the trip was announced publicly some weeks ago, his departure has excited speculation in view of the recent news

from Manchurla. The marine minister has decided to order the construction of 20 gunboats for the protection of the Russian fromcan promote the welfare of the people should not be withheld, but should be most earnestly advocated and most generously bestowed

"Any roads that can be made useful for industrial and peaceful purposes can be utilized for military purposes. We are not an empire or a military despotism, and therefore are not devising means for purely military pur-

EVENING NEWS

Hon. R. H. Jesse, president of the University of Missouri, spoke on "The Relation of Roads and Schools," He was followed by former Gov. J. R. Hogg of Texas, who made an impromptu speech on the subject before the con vention.

SHOT THREE TIMES.

Leopold Wertheimer, a Wealthy Merchant of New York, the Victim.

New York, April 28 .- Leopold Wertwill be seen, it is most drastic in its heimer, a wealthy dry goods merchant, character and excites great exasperawas shot three times at his home in tion among all foreign residents. It is West One Hundred and Fifteenth believed that it will effectually end all stret early today. He was wounded in immigration or the introduction of any the chest, arm and right side, and is in a serious condition. oreign capital.

Charged with the shooting the police have arrested Joseph Simpson, 30 years old, of East One Hundred and Twenty. first street.

The injured man is 32 years of age, and a member of the firm of Aaron & Werthelmer, dry gools merchants, who recently were burned out at their place of business on Third avenue. Simpson, the police say, was employed there as a watchman prior to the fire. At the time of the fire two persons were burned to death.

The motive of the shooting is a mystery both to the police and the Wert-heimer family. Simpson, who was very ool when arrested, refused to make any statement. Since the fire Wort-heimer has not been engaged in any business. The firm discharged its em-ployes, including Simpson, but he got work as a motorman. A week ago he lost that position. He had a long talk with Mr. Werthelmer yesterday after-noon and returned last night. He again talked with Mr. Werthelmer and the family⁸ think Simpson wanted money. The lattice returned to the Worthelmey. The latter returned to the Wertheimer home at an early hour today and the shooting occurred in the hallway of the house, after which Simpson walked

away and later was arrested. All Simpson would say was that Wertheimer owed him money for some-thing he had done and had refused to pay him. Wertheimer denied this, but said Simpson had demanded money from him as a brother Mason.

Editor W. R. Hearst Married,

New York, April 28,-Congressman elect William Randolph Hearst, pro-prictor of the New York American, New York Evening Journal, Chicago American and San Francisco Examiner, was married here today to Miss Millicient married here today to Miss annichent Wilson, daughter of George H. Wilson, prosident of the Advance Music com-pany of this city. The ceremony was performed in the chantry of Grace cauren, Bishop Potter officiating. A number of the personal friends of the caurie ware meaner. Mr. Heavet's best Mr Hearst's h

FIFTY-THIRD YEAR.

ON SATURDAY NIGHTS the Real Es-

tate columns of the "News are close-ly studied by those interested in buy-ing or selling Real Estate.

Foreigners In Venezuela.

MISTORIAN'S OFFICE. Church of Jesus Christ of Latter-day Saints.

Congress of Country Issues Decree Defining Their Duties And Rights-Is Very Drastic and Causes Exasperation And Indignation - Will Probably Have Bad Effect On Immigration and Introduction of Capital.

The congress of the United States of

Article 1-Foreigners shall enjoy in the territory of Venezuela the same rights as Venezuelans, as is determined by the constitution of the republic.

Article 2-Foreigners found within the territory of the United States of Vene-

uela shall be considered either as resi-

DOMICILED FOREIGNERS.

Article 3-Domiciled foreigners are:

(1)-Those who have acquired resi-ence in conformity with the provisions

(2)-Those who have voluntarily, and

without interruption resided within the territory for more than two years, with-

(3)—Those who own real estate within the territory of the republic and who have established permanent residence

(4)-Those who have been residing in

the territory of the republic for more than two years and who are engaged in

of industrial occupation, provided they have a house established in a per-

manent way, even though invested with

the character of consul. Article 4--Foreigners in transit it

such are found within the territory of

within the definitions of the preceding

Article 5-Resident foreigners are

subject to the same obligations as the Venezuelans-both as to their persons

s well as their properties, but they are not subject to military service nor

to the payment of forced and extraor dinary war contributions in case of

revolution or of internal armed war-

NO MIXING IN POLITICS.

Article 6-Foreigners domiciled or in

3)-Fill public office or employment.

(5)-Deliver speeches which in any

way relate to the politics of the coun-

violate any of the provisions establish-ed in article 6 lose their character of

foreigners and become inso facto, sub-jected to the responsibilities, burdens and obligations which might be occa-

sioned to natives through intestine

Article 8-If in contravention of the

express prohibition of this law any for-eigner exercises any public charge.

without being empowered thereto in conformity with section 22, article 54, of

the constitution, his acts are null and the person elected and the functionary

MAY BE EXPELLED.

Article 9-Foreigners in transit who

violate the provisions of article & shall be immediately expelled from the terri-

states, the governor of the federal dis. trict and the governors of the federal

esiding in their respective jurisdictions ntermeddle in the political affairs of the

epublic, they shall bring a proper legal

ction through the ordinary tribunals transmitting the proceedings in the cases to the federal executive in c m-

pliance with the decree to be passed in

onformity with the conditions contain-

Article 11-Neither domicited foreign-

(Special to the "News.")

party, 31 in number, arrived at's o'clock

this morning and were met at the sta-

tion by Hons. R. C. Kerens, Theo

Meyer, J. M. Atlen and others, all well

known in Salt Lake; with the first

named, Senator Kearns and wife will

names him, are jointly responsible

political contingencies.

of the republic

Article 10-The presidents

for the same.

ed in articl

Article 7-Domiciled foreigners

transit must not mix in the political affairs of the republic nor in anything

the republic and are not comprise

ommercial pursuits or any othe

/enezuela decrees:

dent or in transit.

of the civil code

herein

fare.

Caracas, April 17 .- (Correspondence ers nor those in transit have any right to resort to the diplomatic road, except when, having exhausted all legal means, of the Associated Press.)-Following is the text of the decree just issued by before the competent authorities, it clearly appears that there has been a denial of justice or notorious injustice or evident violation of the principles of the government defining the duties and rights of foreigners in Venezuela. As international law.

DECLARATIONS REQUIRED.

Article 12-Foreigners already or to be hereafter domiciled and those in transit, who are not invested with a dipiomatic character, shall be obliged to make a declaration before the civil authority of the place in which they may be that they may submit to the provisions of the present law in their entitety and to those of the decree of entirety and to those of the decree of the 12th of February, 1873, which established the rules for the indemnification of foreignres. All foreigners who omit to make this declaration shall be ex-pelled from the country within a term o be appointed by the national execu-

Article 13-The civil authorities be-fore whom the declaration should be made shall use common paper therefor and shall not make any charge whatso-ever. The originals of these documents shall be transmitted to the minister of the Interior

Article 14-The national executive shall not issue exquaturs for the consular service to persons who are en-gaged in trade.

agged in trade. Article 15-The establishment within the country of any societies of any kind whatsoever, who do not fix their headquarters or domicile therein is definitely prohibited.

RIGHT TO BRING CLAIMS.

Article 10-Foreigners, like Venezue-lans, have the right to bring caims against the nation for indemnlication for loss or damage occasioned them in time of war by the legally constituted civil or military authorities, provided always that the latter were acting in their political character; but they shall be able to make these claims only by the proceedings established in the interfor legislation in purpose of proving the joss or damage suffered, and also their just value.

Article 17-Neither foreigners nor Venezuelans can bring any claim against the government of Venezuela for loss or damage occasioned by revu utionary agents or armed bands in the service of any revolution, but they chall have the right to institute personal action against the authors of the damage or the loss suffered.

night he entered the roominghouse with a bottle of whisky. He offered a drink to the proprietor, Fritz Ertmann, but the latter declined. According to Ertmann. West sal on the window and must have remained there up to the time of the fall. Several other persons saw him on the window, but no one saw him fall, so far as is known. There were many conflicting statements last night, but they arose through the ex-

n Sunday.

the latter.

he expired at 1:15 o'clock this morning. He never regained consciousness after

and who had some trouble with West

It was reported last night that when

West came to town he had \$90, with him, but the police have since rearned that he had less than \$50, and that \$40 of this amount was deposited with Fritz

citement incident to the finding of West. One was that before sitting on the window he drank all the whisky. That cannot be true for the good and sufficient reason that the bottle con-taining nearly all of the whisky is now in the possession of the police. Only three drinks have been taken out of it. and they were taken by Hughes, the negro, according to the latter's admisnegro, according to the latter's admis-sions. He claims that when he went up to his form last night, he saw the whisky near his door. He said he pick-ed it up and took it into his room where he opened it and drank some. He said that a man named Paul Murray was with him at the time and drank some of the liquor. He declares that he did not see West slitting on the window, but heard someone come out window, but heard someone come out into the hall and a few moments later window

on Sunday and was drinking with him, and second, because on Sunday night and second, because on Sunday high West sent him out to get some whisky and when Hughes retarned with two bottles, which cost 50 cents each, West refused to pay for them and the two men quarreled about it. As a result of that altercation, West hunted up Officer Conthe and demanded that he Brrest met a shocking death at the American roominghouse last night. The man had some money with him when he came to town. This fact has led to the doubt as to Smith and demanded that he arrest Hughes. The latter was seen following whether the man's death was the result of an accident or whether he was West and the miner was advised not to carry any money about with him. At murdered, but today the police are carry any money about with him. At this advise he only laughed and said he was able to take care of himself. An-other fact against Hughes is that he did not return to his room until early this morning and then denied knowing West. He said he had never seen him more inclined to the foremr theory than He was found about 9 o'clock last night on the pavement on Commercial

street close to the walls of the roomingbefore. The authorities said this mornhouse. His skull was fractured in sev ing that they were inclined to think that West fell from the window, but al places, and his right leg was so badly schattered that the bone protruded an inch or more through the flesh. Imme-diately after he was found the police were notified and the injured man was taken to the Holy Cross hospital where he are a fle for the scheme the morning they admitted that there was enough evidence to warrant them holding Hughes for the present in the hope that more information of a positive nature

will be secured. The American House, 15 Commercial street, is one of the worst dens of in-famy in the city. For many months it falling to the pavement. From all that the police have been able to learn so far, the man either fell or was pushed from a window on the third story of the has been known as a refuge for the worse classes of criminals and fallen vomen. The latter who, by reason of their horrible condition, are unable to secure "cribs" or places in the more "pretentious" resorts, have no difficulty building. Last night they were sus-picious of the latter, and as a result-they arrested a negro named like Hughes, who roomed in the building. what ever in securing a room in this building, where they entice the unwary for the purpose of robbery and other crimes. And if they want made companions to assist them in their unlaw-tui deeds, they need not look elsewhere them as crooks generally may be out) there

Riepen at the latter's saloon. At the time he was found, West only had \$1.20 This is the third violent death that has occurred there within the last few months. It was in a room in this buildon him. Since his arrival in town he had been drinking heavily and last ing that Bob Lemmon met his death. That shocking affair was closely followed by the suicide of John Gienz, a young man of good family, who came tere from Ogden, married one of the allen women and then, in a fit of self-, loathing, drank carbolic acid. While in his death struggles, his wife was engaged in a drunken revel with a male companion in the next room. The last victim is the man who was found last night. Even the denizens of the street regard the place as a sinkhole to be shunned, and in addition to the death already noted, the cases of robbery that have occurred there are too numerous to enumerate

THE INQUEST.

Late this afternoon County Attorney

Westervelt stated that an inquest over West would be held. Acting Coroner

J. H. Clark at once impaneled a jury

composed of James G. Smith, Frank C. Ure and James P. Sprunt. The jury then viewed the remains at Jes. Wm.

Taylor's morgue and later, with the county attorney, went over the ground

where the body was found and also made an examination of the rooming

County Attorney Westervelt

Mr. Watson. He importuned them to come and take charge of his home during the absence of Mrs. Watson. Finally they agreed to do so. Ellison as a streetcar man and was comtelled to rise early and go to his work. me morning as he was leaving for his work he saw deceased in his night clothes watching him from the window He thought nothing of that, but the next day he heard Watson calling Mrs. Ellison endearing terms. About two weeks before the shooting he overslept himself and when he awoke he saw the deceased in his hightclothes come into the room. It was ather dark and Watson evidently did not see the defendant who was lying there in bed with his wife. When Wat-

on observed him he quickly left the DEMANDED A CONFESSION.

"That day he started to work but what he had seen worked upon his mind so that he could not work H finally went to his mother and told he everything. He then went to see Mr. Watson and demanded that he confess verything to defendant's mother. Mr. Watson finally went with defendant to see Mrs. Payne and in her presence the defendant said, 'Mr. Watson, my my mother is a Christian woman and I want you to confess to her these things.' Watson made the confession,

and went back to the Galena block to

"Shortly after that an appointment was made by the defendant and Mr. Watson to go and make a confession Mr. Payne, the step-father of de-ndant. Mr. Payne said to Mr. Waton in effect, 'If you are not guilty of hese things, why do you let this boy ad you around by the nose like that? Ir. Watson replied, 'I am guilty, I have greatly wronged the boy.' "Then the defendant demanded that

Mr. Watson so with him to Mrs. Elli-son's mother and make a confession be-This Mr. Watson refused to lyde then hurrledly left the house saying he would get a policeman. While he was absent Mr. Watson asked Mr. Payne if he could not escape in some He was shown an avenue of escape and departed. When the boy returned he rushed frantically about look-ing for Mr. Watson and accused his ESCRDS.

ELLISON FRANTIC.

"He then went back to the Galena block. He was frantic and the land-lady telephoned for his mother, who came and worked with him for some time to get him quiet. They finally started for Mrs. Payne's home, when defendant suddenly broke and ran. H was finally captured and taken to his mother's home. From that time on he became worse. He did not eat and had to be watched constantly for fear ho would take his life. He acted in a very curious manner and talked constantly of his trouble and of his wife.

WATSON'S REQUEST.

"A few days before the shooting Mr. Watson called pon Mrs. Payne, after having met Mrs. Ellison in Smith's drag st they both could not live here and that his business was such that he could Mrs. Payne told him that she knew her son would not leave town. Mr. Watson then asked her to make ar-

YESTERDAY AFTERNOON

After the "News" report closed yes-terday afternoon, Joseph P. Murphy who worked for Mr. Watson and wittaines. Watson made the contestion, which was heard by several persons, smong them being the step-father of defendant. That same day Mr. Ellison took his wife from Mr. Watson's house took his wife from Mr. Watson's house son came to see Mr. Watson on the morning of the shooting and had a conversation with him. He seemed to be perfectly calm and in his right mind at that time. In the afternoon Ellison called again to see Mr. Watson but the latter was not in. Ellison sat down and waited for him and seemed to be entirely rational. He talked very calm er business and other matters and rot appear to be excited at all. 7 Th witness then told of the shooting it detail as described in Dist. Atty. Eich por's opening statement. On cross-ex-amination he said that Mr. Watson stated to him, just after the shooting while waiting for the doctor to come, that he wanted Ellison prosecuted to the full extent of the law

Such testimony brought out by the defense, left an opening for the state to get the entire conversation that oc-curred between Watson and the wit-ness just after the shooting, and which father and mother of allowing him to the court had ruled could not be gone into by the state on direct examination

In answer to questions put by the at-torneys for the state in regard to the conversation, witness said that Watson achied that Ellison had any cause to

shoot him. John T. Nathess, a pawnbroker's clerk, testified that he sold Ellison the gun used in the shooting. Officer Bar-low identified the gun as the one taken from defendant.

from defendant. Mrs. Watson was placed on the stand to testify as to the age, height and weight of her husband. Frank Murphy, a brother of the sec-end witness, called by the state, gave his version of the shooting, he being present at the time. Mess Pater Scott, who worked for the

A few days before the shooting Mr. alson called pon Mrs. Payne, after wing met Mrs. Ellison in Smith's g store, and importuned her to get de to leave the state. He said that y both could not live here and that conclusion of her testimony the state rested its case and the court took a recess until this morning. It took the state about two and a half hours to present all of its testimony.



house.

Utah's Big Irrigation Scheme-North Jordan May Be Lett Out Entirely.

would stop over at Salt Lake City as representative of the bureau for con-Washington for a conference with Chief Newell of the hydrographic bureau of suitation. Mr. Bien recommended the sending of a'representative to Washing-ton to take up the matter there. So it the department of the interior relative to the reservoir question pending bewas settled that Mr. Richards should go, and as he is thoroughly posted, it is tween this state and the general government. At a meeting of the reserassumed that he will be able to clear up voir commission held some time ago, a all uncertainties. resolution was passed with a view to terests involved in the resrevoir quesposting without delay Prof. Newell on tion must be represented by some the peculiar conditions obtaining in tral organization, or enough of these interests must be so represented as to Utah, and g reply be requested as to practically represent the whole whether it would be advisable to send if the North Jordan canal people finally a representative to Washington to prerefused to come into this merger, they would be left out in the cold beyond the guaranteeing of the amount of water now actually due them. They will not

sent the exact situation obtaining here, which could be done better than through correspondence. State Engi-neer Doremus wired the interior department, and Prof. Newell replied that | the establishment of the reservoir sys-

Gov. Cummings.

PRESIDENT ARRIVES GENERAL MILES IN DES MOINES, IA.

ON MILITARY ROADS.

Des Moines, Ia., April 28,-Rain be-St. Louis, April 28 .- The second day's gan falling here at an early hour this morning and with the predictions of a session of the National and International Good Roads convention opened possible cold wave from the northwest, the reception to President Roosevelt with a better attendance than yesterwas marred to a considerable extent. The presidential train arrived in the day.

Gen. Nelson A. Miles, U. S. A., and president of the National Highway commission, made the principal address of the forenoon.

Mr. Doremus said today that the in-

share in the advantages to be gained by

cen

But

The presidential train arrived in the city promptly at 2:30 this afternoon. It was preceded by the special train of Gov. A. B. Cummings, bearing the state house officials and members of the governor's staff. The arrival of the distinguished visitors was announced to the city by the firing of cannon at the state house grounds, and the ringing of bells. At the Union depot the streets were packed with humanity. Cheers Gen. Miles was received with great enthusiasm by the delegates. He spoke on the subject "Military Roads and a National Highway," and said, in

were packed with humanity. Cheers greeted the president a she approached part 'I know of no one element of civilithe carriage, leaning upon the arm of zation in our country that has been more neglected and yet is more suscep The line of march originally consisted tible of hestowing a great blessing of a drive of several miles through the business and resident sections of the city. The first stopping place was the auditorium which was filled with memupon our people than the improvement of our lines of communication and avenues of internal commerce.

'Our government has expended five bers of the nobles of the Mystic Shrine and their friends. Here the president was introduced by Hon, Lafe Young, who made the speech at the Philadel-phia convention, nominating the presihundred millions of dollars for the improvement of our harbors and waterways, and now the attention of the public is being called to our postal ads and avenues of communication dent for the vice presidency. After a that are most useful and important to stop of several minutes the presidential

party was driven to the state house grounds and here the president deliv-"If such expenditures of the national treasury have been made in the past for the development of railroads and ered in the open air a speech to 10,000 people. He was introduced by Con-gressman J. T. Hull. Immediately at the conclusion of the address he was waterways, is it not now a most ap-propriate time that the improvement of our roads should receive national at-tention and governmental aid? driven to his train and departed for

"The property of the people, the

relating to said political affairs. To this end they cannot: man was Orrin Peck of San Francisco (1)—Form a part of political societies.
(2)—Edit political newspapers or write about the interior or exterior politics of the country in any newspace. and the witnesses were S. S. Carvalho and P. J. Mar. The newly married

Gov. Richards of Wyoming Dead (4)-Take arms in the domestic con-tentions of the republic. Cheyenne, Wyo, April 28-Gov. De-forest Richards died at his home in this city at 8 o'clock today of acute kidney disease.

II this afternoon for Europe.

le will sail on the Kaiser Wilhelm

Gov. Richards was born at Charles-ton, N. H., Aug. 6, 1846. His father was a Congregational minister. After Enishing his schooling at Phillips And ver academy he went to Alabama and engaged in cotton raising. There he was sheriff, law maker and county treasurer in turn. In 1855 he establish himself at Chadron, Neb., orga the Chadron National bank. In 1886 h came to Douglas, Converse county Wyo., and established the First Na tional bank. He was elected mayor of the town, then state senator, and in 1998 was elected governor on the Reublican ticket, succeeding himself in 1902. The governor's chair now fall to Fennimore Chatterton, secretary of state, as there is no lieutenant-governor in Wyoming.

The funeral of Gov. Richards will be held probably on Friday, under the auspices of the Masons of which he Atty. F. S. Richards left last night for Morris Blen of the hydrographic bureau was past grand master.

Railroad Y. M. C. A. Convention.

Topeka, Kas., April 29 .- The arrangements for the international convention of the railroad Y. M. C. A., from April 30 to May 3, in this city, are

now practically completed and visitors and workers are gathering. President Roosevelt will be an honor-ary guest, making a few remarks at the corner-stone laying of the proposed new W. C. A building and black ho new Y. M. C. A. building and later in evening a more extended addres at the auditorium. The number of not resident delegates present will least 2,000, many coming from Canada, Mexico and the European countries. Ten or a dozen of the best known rallroad magnates of the United States will be present.

Illi o's Boodle Investigation.

Springfield, Ills., April 28 .- The boodle investigating committee did not make its report to the hease this morning. Chairman Rinaker asked for furthe time and it was granted. The house voted also on motion of Schlagenhauf defer Editor Hinman's appearance before the bar of the house until after the report of the committee had been submitted, with the understanding that he will be called then if the report is

not satisfactory. When the committee adjourned shortly before 2 o'clock this morning no member would talk, and all continued secretive. It is reported, however, that Mr. Hinman gave the committee a long list of names or persons who might have knowledge of boddleism, actual or prospective

Prof. Josiah W. Gibbs Dead.

Franchise Tax Law Sustained.

New Haven, Conn., April 28.-Josial Willard Gibbs, Ph.D., Li.D., Math.D. professor of mathematical physics at Yai and a scholar of international fame, died suddenly at his residence here today.

have their abode. Mr. Meyer entertains at his handsome home near Exposition grounds, President Smith, wife, daughter and son-in-law. At the St. Nicholas are Hon. John Henry Smith, Senator Smoot, President Lund and their wives, Fourteen Fishermen Drowned. while at the Southern are Gov. Wells. Calais, France, April 28.-The fishing smacks Saint Thomas and Saint Gustave are reported to have foundered in the channel. Fourteen men are believed to have been drowned. and staff, members of the commission and others, except Hon. Perry Heath, who is at the Planters. All are well

quartered. The journey hither was uneventful Albany, N. Y., April 28.-The court of appeals in a decision today unanimously sustains the special franchise tax law reversing the decision of the appellate di-vision of the supreme court handed down at the January term and sustaining the decision of Judge Earl. The decision sus-tains the provision for the assessment of the special franchises by the state board of tax commissioners. and pleasant except for an alarming telegram to Senator Kearns concerning the serious illness and probable operation on his little daughter which threatened to make necessary his turning

18-The provisi

are without prejudice to the agree-ments contained in public treaties. Article 19-The president of the states, the governor of the federal district and the governors of the federal territories shall immediately proceed on the pro mulgation of this law to draw up a list of foreigners domiciled within the territory who come within their respective jurisdictions, which they shall duly transmit to the minister of the exterior relations.

Article 20-Poreigners who may come to the republic shall in order to be adwithin its territories, be under mitted the obligation of presenting before the principal civil authority of the place where they entered, the documents which prove their personal status and a certificate of good conduct issued by the authorities at their last domicile. which documents shall be in due legal form

Article 21-The national executive shall make rules and regulations for the working of the present law,

DECREE OF FEB, 14, 1873.

Article 22-The executive decree of the 14th of February, 1872, which deter mines the rights and duties of foreigners and the executive decree of the 30th of July, 1897, which treats of the interference of foreigners in the electoral affairs of the country, are hereby renealed.

Given at the legislative federal patace. In Carcaras, this 11th day of April, 1903-year 92 of the independterritory, upon being aware that any one or more of the domiciled foreivners ence and 45 of the federation. (Signed).

J. A. VETITINI. President of the Senate.

Federal palace in Carcaras, this 16th day of April 1903, year 92 of the independence and 45 of the federation. be executed. (Signed).

CIPRIANO CASTRO.

Where the Different Members are Located-Sights of City Being Viewed-Visit to Monitor Arkansas-Site for Utah Building

UTAH PARTY NOW IN ST. LOUIS

of the

To be Chosen Tomorrow-Dedication Saturday.

alarm was exaggerated. Instead of ap-St. Louis, Mo., April 28 .- The Utah pendicitis the trouble was mumps.

Gov. Peabody and staff, the latter in resplendent uniforms and private cars, joned the Utah party at Denver Sunday night, and yesterday was spent in pleasant exchanges of visits. Some of the ladies in the president's party guit the car sick. This morning Senator Smoot took President Smith and party carriage riding. This afternoon at 5 o'clock Meyer does the same. After luncheon the whole party visited the United States monitor Arkansas, anchored in the Mississippi river here, and tonight most of the party will attend Olympia Theater, Julia Marlowe in "The Cava-Her/2

Tomorrow at 10 o'clock all will visit the fair grounds and make a selection of a site for the Utah building, which will be formally received and dedicated. The corner stone will be laid on Saturday afternoon. The commissioners are already busy working on the duties assigned each yesterday, as to site, space, back at Kansas City. Quick use of the allotments, extent of exhibits and other wires, however, developed that the first I things.

CHINA MAKES A FLAT REFUSAL.

Ea what the officials describe as a final and definite refuent to accept her demands regarding Manchuria.

Pekin April 28.—China has given Rus-fa what the officials describe as a final and definite refusal to accept her de-mands regarding Manchuria. Tokio, April 28.—The Jiji today pub-lishes a dispatch from Pekin in which its correspondent quoted the Russian minister as saying that the effect of the remonstrances of Japan and the other

Oskaloosa.