

The Great Percentage of the Prosperous Farmers, Ranchers, Stockmen of the West See No Other Paper Than the Semi-Weekly News. Advertisers, Make a Note of It.

12 PAGES—LAST EDITION

NEW EDUCATORS COMING TO UTAH.

Board of Regents of the State University Employ Several Today.

STRENGTHENING THE CORPS.

Use the New Professors Are and Something of Their Experience and Capability.

RETURN OF FRED W. REYNOLDS.

For the Past Three Years He Has Been Studying and Teaching at Harvard.

The board of regents of the state university met in regular quarterly session this forenoon in the directors' room of the Deseret National bank, with a quorum present. The following business was transacted: William C. Blough, Ph.D., was made professor of chemistry in place of Dr. Acee, retired and now in Germany. The new appointee is a graduate of the University of Pennsylvania, and has been here one year. He has been much practical experience not only here, but elsewhere, and is considered an expert and a very able man.

Gustave A. Overstrum was appointed professor of mine plant and mill design. The regents congratulate themselves on securing the valuable services of this expert. He is a European university graduate, has been in this section of the country for a number of years, and is recognized everywhere in the profession as an expert of unusual attainments.

Prof. Overstrum, it is stated, does not accept this position from any necessity, for the higher salary position could be had elsewhere. But he is an enthusiast in the matter of research, which he finds he is able to pursue to better advantage in Utah; and then the climate here is better suited to Mrs. Overstrum than the climate of the East.

Rev. J. H. Overstrum was appointed professor of geography and history. Prof. Overstrum was originally from Chicago. He has been a student at Chicago university, and has also studied for some time in several European universities. He was once in the Swiss army for several years, and stands high in educational circles.

World Arnoldson is appointed professor of modern languages. He is a graduate of the gymnasium at Stockholm and has been an instructor in the University of Chicago. Last year he studied in Switzerland and Spain. He is considered a valuable acquisition to the faculty.

G. S. Gibson is appointed professor of mathematics. Prof. Gibson took the degree of master of arts at Columbia university, New York, studied one year at Cambridge university, England, and is regarded as an able man in his field.

Prof. W. Reynolds returns to resume instruction at the Utah state university after an absence of several years. He is a graduate of the Utah institution, and for the last three years has been an instructor at Harvard, both in the mathematical department as well as in the department of Latin.

Dr. E. O. Gowans is appointed medical director of the gymnasium. He was formerly from Johns Hopkins university, where he established a good reputation, and that he will make his position a valuable asset to the Utah institution.

Prof. Young returns to his chair of history at the Utah state university. He is a graduate of the University of Utah and Harvard University.

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JAPANESE IN SERVICE OF CHINA.

Russian Minister at Peking Makes Strong Representations on The Subject.

ARE MILITARY INSTRUCTORS.

Their Presence Looked Upon as a Serious Threat to the Czar's Interests.

St. Petersburg, April 11.—The reports that M. Lessar, the Russian minister at Peking, had made strong representations to the Chinese government on the subject of the Japanese military instructors in the service of China and the Japanese officers with Gen. Ma's army demanded the assurance of orders for their dismissal, are confirmed here. Russia regards their continued presence as a serious threat to her. It is pointed out that without the consent of the Peking government the Japanese officers who are with Gen. Ma, who is now north of the great wall, easily can obtain a dominant influence over the Chinese troops and use them if the Japanese operations demand the creation of a division in Gen. Korupatkin's rear possibly resulting in cutting his communication. If Gen. Korupatkin is compelled in time of stress to meet a sudden and unexpected attack from this quarter it might greatly embarrass him. Of course, the Peking government would disavow complicity, but the harm would be done and Russia considers that the immediate removal of Japanese influence with the Chinese army is imperative. While it is not specifically stated that China's failure to comply with the Russian demands will be considered a violation of Chinese neutrality it is believed to be the true account of the situation. It is added that Gen. Korupatkin is disposing of 20,000 men where they will be available for use in the direction of the Chinese frontier, but no confirmation of this report is obtainable.

KIDNAPPED HIS BABY.

Rev. Jno. Jackson of Denton, Tex., Causes Much Excitement.

Clay Center, Kansas, April 11.—Excitement was caused here today when Rev. John Jackson, a minister of Denton, Texas, kidnapped his own baby and made an attempt to escape with it in a buggy. He was captured by the sheriff after an exciting three mile race and the baby restored to its mother. No warrant was sworn out for the Rev. Jackson and no action probably will be taken against him. Mr. Jackson had separated from his wife and Mrs. Jackson had no idea he was recently returned here to the home of her parents. Rev. Jackson arrived in the city today unannounced. Before going to Texas, Rev. Jackson was pastor of the Euclid avenue Methodist church at Topeka. While in that city he was actively engaged in the fight against saloons and gained some notoriety.

LAURENCE GIBSON ARRESTED.

Philadelphia, April 11.—Lawrence Gibson, known also as John Gibson, a former employee at Houston Hall, the club house of the students of the University of Pennsylvania, was arrested today on suspicion of knowing something of the murder of John Thomas and Justice Harlan, whose mutilated bodies were found last night on one of the bowling alleys in the basement of the club house.

U. S. SUPREME COURT.

Decides Books Published Periodically Are Not Second Class Matter

Washington, April 11.—The United States supreme court today decided that books published periodically are not entitled to transmission through the mails as second class matter. The opinion was delivered by Justice Brown and covered three cases against the postmaster general instituted respectively by Houghton, Mifflin & Company, Smith and others and Bates & Gill. The chief justice and Justice Harlan dissented.

The question decided has been the subject of long controversy between the postoffice department and the publishers before Congress and in the department. For 16 years and under 11 postmaster general these publications were carried as second class matter, though under protest from the department and with many efforts to have the law modified or repealed, but without success. Falling in this, the postmaster general issued an order in 1902 excluding the books from the second class rate. Thereupon the matter was taken to the courts, the effect being that the postmaster general was sustained by the final decision as rendered today.

The United States supreme court today decided the case of the state of Minnesota vs. the Northern Securities company and the Northern Pacific and Great Northern Railway companies, involving the validity of the merger of the railroad companies holding that it was without jurisdiction and reversing the opinion of the court below. Justice Harlan, who delivered the opinion said that the circuit court should not have entertained jurisdiction in the case, the effect being to remand the case to the state courts.

The United States supreme court today decided the New York case against George W. Beavers, late chief of the salary and allowance division of the postoffice department. It was an appeal from a decision by the circuit court for the Southern district of New York, refusing to grant a writ of habeas corpus.

Chicago, April 11.—A notable decrease in the percentage of local deaths from nervous diseases suggests to the health department that the high tension of life in Chicago is being lowered and that the people are returning to saner and simpler modes of living than obtained in the two strenuous, nerve shocking decades following the great fire of 1871. In the same connection it is noted that the deaths of babies from convulsions have decreased nearly 60 per cent.

Comparing the decade 1884-1893 with the last decade, 1894-1903, the health department bulletin shows a decrease of 40.2 per cent in the deaths per 1,000 of population from all forms of nervous disease and of 58.8 per cent in the deaths from convulsions.

House Proceedings. Washington, April 11.—When the bill today it was ordered that the bill relating to the district of Columbia which were to have been taken up today should be considered on Saturday.

The house then went into committee of the whole for the consideration of the emergency relief and harbor bill, general debate being limited to three hours.

Mr. Burton (Ohio), in charge of the bill made an explanation of it and of the general survey of the subject and that the amounts expended for this purpose when the bill was introduced were considered, was very small.

The system pursued was very unfavorable, he thought, contrasted with those of those of foreign countries.

JAPAN'S FIRST ARMY HAS LANDED

It Consists of Four Army Corps—The Second One, Consisting of a Like Number, is About to Start—Points of Debarkation Are Unknown—Great Patriotic Demonstration at Sebastopol.

Paris April 11.—Official advices received today by the French government confirm the press dispatches that Japan's first army, consisting of four army corps, is now completely landed in Korea, and the second army, consisting of a similar number of corps, is about to start. The points of debarkation of the second army are not known.

Sebastopol, April 11.—The observance of Easter here was marked by a patriotic demonstration in honor of the arrival of the captain and other surviving members of the crew of the Russian gunboat Korietz. Vice Admiral Skrydloff, the commander of the Russian Black sea fleet, in handing them the cross of St. George, compared their exploits to the heroic defense of the Russians at Sebastopol.

BRINGING THE MOROS TO TERMS.

Gen. Wood Invited Sultan of Taraca to Meet Him but He Declined.

HE BECAME VERY HOSTILE.

American Troops Were Fired On When Marching Along Peacefully.

Washington, April 11.—The following bulletin was posted at the war department today:

"Gen. Wood reports that he invited the sultan of Taraca to meet him at the vicars on March 31 for consultation and that the sultan refused to come and instead made extensive hostile preparations. Marching columns from Marabut and Vicars left on the 2nd of April to assemble the cavalry. The Vicars column was fired into all night 10 miles from Vicars and one enlisted man was seriously wounded. The Marabut column was also fired into and the sultan of Taraca river, although every effort was made to accomplish a peaceful landing, two enlisted men were seriously wounded. The combined forces assembled in the valley on the fourth of April and a large number of hostile forces were destroyed. The troops returned to their proper stations, Newcomb, company K, Seventh infantry, and Wampler, company D, Twenty-third infantry, were killed. Every effort was made to bring the Moros to terms peacefully, but in each instance our troops were attacked before firing a shot and force was only used when all other methods failed and the enemy attacked us. The two chiefs who have been at the bottom of the trouble on the east side of Lanao, for two years, are now in hiding and they will be arrested if possible.

"Gen. Wade, to whom Gen. Wood's report was made and transmitted it to the department, added that the conditions in the Taraca valley for the last three months have been such as to render the above action absolutely necessary."

HOBSON A CANDIDATE.

He Seeks Congressional Honors in Alabama.

Birmingham, Ala., April 11.—A general Democratic primary is being held throughout Alabama for the nomination of seven supreme court judges, president of the state railroad commission, five congressmen, 17 circuit judges, five chancellors, seven circuit court solicitors and numerous county officers, and for the selection of delegates to the state Democratic convention which will be held in Montgomery, May 25. There seems to be a strong sentiment that Alabama should send an unopposed delegation to the St. Louis convention.

Five of the nine congressmen now in office are unopposed for a re-nomination. In the sixth, the warmest fight of all is taking place. Capt. R. P. Hobson is opposing Congressman Bankhead and the result will be close.

CONGRESS INVITED.

To Visit the Louisiana Purchase Exposition.

Washington, April 11.—Congress has been invited to attend the opening of the Louisiana Purchase exposition on Saturday, April 30. The invitation signed by President Francis was laid before the senate by President Pro Tem Frye.

When the senate met today the following bills were passed:

A joint resolution providing for the acceptance of a statue of Gen. Thaddeus Kosciuszko to be erected on one of the four corners of Lafayette square, Washington.

To wind up the affairs of the Seminole tribe of Indians of Indian territory. Authorizing the recorder of the general office to issue certified patents of books and papers.

On motion of Mr. Stewart the conference report on the Indian appropriation bill was re-committed to the committee on Indian affairs.

A formal invitation to the house of representatives to attend the opening of the Louisiana Purchase exposition at St. Louis, April 30 was received today by Speaker Cannon from David R. Francis, president of the Exposition company.

C. W. TUCKER ARRAIGNED.

Formally Charged With the Murder of Mabel Page.

POPE CELEBRATES MASS IN ST. PETER'S

Was in Celebration of the Thirtieth Centennial of St. Gregory The Great.

SEVENTY-THOUSAND PRESENT.

First Time He Has Said Mass in the Basilica Since His Coronation.

Rome, April 11.—For the first time since his coronation, Aug. 3, 1903, the pope went this morning to St. Peter's to say mass in celebration of the thirtieth centennial of St. Gregory the Great (who died in 604 A. D.).

The immense basilica of St. Peter was filled, more than 70,000 persons being present. The pope was in the best of health. He appeared in the sedia gestatoria, although the motion of this chair, carried on the shoulders of bearers, makes him ill.

On his express recommendation the audience refrained from applause or crying out, contenting themselves with the waving of handkerchiefs.

The inside of St. Peter's offered, as usual, a grand sight which once seen is never forgotten.

There were only three tribunes, four members of the aristocracy, diplomatic corps and royal families respectively. There was also a special reserved place for the pope's family which was occupied by his three sisters.

The Sistine choir, directed by Abbe Perosi, who together with Maestro Relia, has been its organizer and instructor for today's Gregorian chant, had a special benediction of the throne, while grouped around it were 1,200 youths of practically every nationality, race and color belonging to the ecclesiastical colleges at Rome. The Benedictine monks who formed the choir were also located here. The arrival of Pope Pius was heralded by a blast of silver trumpets. Although the procession was as gorgeous as ever, the bright red of the cardinals' gowns, mingled with the brown robes of the monks and the white gowns of the choir, the benignant figure of the pope under the gorgeous canopy, the picturesque ostrich fans and the glittering helmets of the guards, its reception seemed cold after the frantic applause permitted by Leo. This, however, heightened the effect of the choir, which greeted him with music as he came in.

After a brief halt in the chapel of the sacrament, the pope proceeded to the throne. The triple crown was placed on his head by Cardinal Macchi, immediately after the crowning the pontiff celebrated mass to the accompaniment of the Gregorian chant, which echoed solemnly throughout the vast basilica.

America was represented in the papal procession by the most Rev. Robert Seton, titular archbishop of Heliopolis, formerly of Jersey City, N. J.; Mr. Thomas F. Kennedy, rector of the college at Rome; Very Rev. J. P. Farrelly, formerly of Nashville, Tenn., spiritual director of the American college at Rome; Mr. J. A. Stafford and Father C. P. Carroll, of Newark, N. J.

The simple Gregorian chant, forming an immense volume like one voice with true monody, produced a remarkable effect in St. Peter's, which it is considered difficult to attain in small churches. The merit for the success goes to Abbe Perosi, the prime mover in the introduction of the Gregorian chant.

At noon the pope re-entered his apartments, the procession being formed in the same manner as on entering the church. There was no applause and a lack of incident except that several persons fainted, especially women and soldiers who had been on the piazza since 4 o'clock this morning.

Samuel Hoar Dead.

Concord, Mass., April 11.—Samuel Hoar, a distinguished lawyer and nephew of Senator George F. Hoar, died today of paralysis, aged 69 years. In 1902 he was prominently mentioned as successor to Justice Horace Gray as associate justice of the United States supreme court.

Gen. Jimenez in New York.

New York, April 11.—Gen. Juan M. Jimenez, the Dominican rebel leader, who fled from the victorious forces of President Morales, arrived here today on the steamer Philadelphia from Venezuela to Porto Rico. He embarked at San Juan. Jimenez refused to make any statement concerning his intended movements in this country.

EASTER IN RUSSIA.

No Disturbances from Anywhere Are Reported.

St. Petersburg, April 11 (5:45 p. m.).—The Associated Press is informed officially that up to the present hour the government has not received any advices of Easter disturbances anywhere in European Russia. Complete quiet reigns, according to reports from all the Jewish centers of population.

MANY MEN WANT EICHNOR'S PLACE.

Governor Wells Says he Will Name Successor by Wednesday Next.

MAY BE BENNER X. SMITH.

Several Other Strong Candidates—District Court Adopts Resolutions of Regret.

Much speculation is going on around the city and county building today as to who will be appointed as district attorney to succeed Dennis C. Eichnor, deceased. A number of prominent attorneys have been mentioned in connection with the office, among whom are Benner X. Smith, Parley P. Christensen, Fred C. Loofbourow, D. N. Straup, D. H. Wenger and A. B. Irvine. Just who will be the successful applicant is hard to tell. Gov. Wells said today that he would make the appointment by Wednesday, but farther than that he would say nothing. It is thought by some that Benner X. Smith will receive the appointment. All the other applicants have strong backing and their friends are using every effort to land the appointment for them.

RESOLUTIONS ADOPTED.

Attorney L. R. Rogers this morning presented in court the resolutions drawn up by the committee appointed by Judge Morse Saturday in regard to the death of District Attorney Eichnor. Upon motion of Mr. Rogers the resolutions were adopted and ordered entered upon the minutes of the court and Judge Morse was authorized to present a copy of the same to the bereaved family. The resolutions follow in full:

Whereas, Hon. Dennis C. Eichnor, district attorney in and for this Third judicial district of the state of Utah, departed this life at his home in this city of Salt Lake on Friday evening, April 8, 1904, and

Whereas, the undersigned were on Saturday, the 9th day of April, 1904, appointed by the court, a committee of the bar, to prepare and submit resolutions suitable to the occasion; therefore, be it

Resolved, That the court and the bar of this judicial district deplore the sudden taking of our friend and associate in the prime of his life and in the midst of his career of honor and usefulness.

Resolved, That we recognized in our departed brother a good citizen, an able lawyer, a conscientious and efficient public official, a warm and true friend and a man of blameless life and spotless integrity.

Resolved, That we tender to his stricken wife and children our profound sympathy and mingle our grief and regret with theirs.

Resolved that these resolutions be spread upon the minutes of the court, and that the court in honor of his memory do adjourn and that a copy be presented to the family of our deceased brother and also be furnished the press.

LINDSAY R. ROGERS,
M. H. HENDERSON,
M. M. KAIGHN,
E. A. WEDGWOOD,
GEORGE WESTERVELT,
Committee.

SHOCKLEY MURDER CASE.

As was forehanded in Saturday's "News," the further hearing of the J. M. Shockley murder trial was postponed by Judge Morse this morning until Wednesday morning, by which time it is thought that a district attorney will have been appointed by the governor to succeed the late Dennis C. Eichnor. The court continued the case upon its own motion.

Juror Frank C. Howe asked to be excused until Wednesday morning to visit his family, there being sickness at his home. Attorney Smith for the defense made no objection to the juror being excused, so after receiving a special adjournment from the court in regard to not talking about the case, he was allowed to go home. The other jurors were taken in charge by bailiffs and will be kept together during the recess of the court.

Gold for Europe.

New York, April 11.—Heldelback, Teller announced today the engagement of \$500,000 gold for shipment to Europe for tomorrow's steamer.

Indiana Miners' Convention.

Terre Haute, April 11.—Indiana bituminous miners assembled in convention with the operators in an effort to agree upon a scale. The joint scale committee is now in session. The convention adjourned pending an agreement in committee.

No New Trial for Bolles.

Denver, April 11.—Judge Dixon today refused a new trial to Russell Bolles convicted of the murder of 12-year-old Harold Fridborn, and sentenced him to life imprisonment as recommended by the jury. Fridborn was killed Dec. 15, 1901, when attempting to protect his sister from criminal assault.

ALONG THE BORDER OF THE YALU RIVER

Russian and Japanese Forces There Exchange Quite a Number Of Shots.

FORT FIRING AT NEWCHWANG.

Officially Explained That Officers of The Garrison Did Not Understand Customs Flash System.

Paris, April 11.—A dispatch from St. Petersburg today says some further exchanges of shots have occurred between the Russian and Japanese forces along the border of the Yalu river.

Vice Admiral Makaroff, the dispatch adds, is inspecting the outlying defenses of Port Arthur.

FIRING AT NEWCHWANG.

Newchwang, April 11.—An official explanation was issued today of the firing of guns from the forts here last night, which caused a certain amount of excitement and the killing of two Chinese. It appears from the official statement that owing to the fact that the officers of the garrison did not understand the system of customs flash signals in use at the mouth of the river, for the purpose of signalling the depth of the water on the bar, so as to enable ships to put to sea, fire was opened last night at some pilot boats and outward bound merchantmen.

These vessels were sighted by the forts some time after midnight and at 12:30 the artillery opened fire on the vessels, 24 shots being fired, including projectiles from large guns. The effect of the fire had not been reported up to noon today, but the firing caused excitement among the troops, during which a sentry fired on and killed two Chinese oppositely the foreign settlement and three members of the force. The Chinese had become alarmed at the firing and were endeavoring to cross the river.

In view of the reports received here of Japanese activity in Korea and of the arrival of Japanese troops on the Yalu river, it is understood that the troops of the garrison had been fully warned that it was possible the Japanese would make an attack on this place, and the citizens on hearing the firing naturally supposed that the attempt was being made last night.

Mrs. Botkin in Court.

San Francisco, April 11.—Mrs. Cordelia Botkin appeared today in Police Judge Conlan's court to answer to the charge of murdering Mrs. Deane, sister of Mrs. John P. Dunning, at Dover, Del., by means of poisoned candy mailed from San Francisco. The accused woman appeared without counsel. She said that the information against her, which had been sworn to by B. Joshua Deane, husband of the woman alleged to have been poisoned, was news to her, and that she had risen from a sick bed, to appear in court.

Judge Conlan, after stating that she was certainly entitled to the services of counsel, postponed a further hearing of the case until tomorrow.

Funeral of Street Car Victims.

Santa Barbara, Cal., April 11.—Funeral services over the bodies of three of the victims of yesterday's disastrous accident were held this afternoon. The funeral of the remaining two unfortunate victims will occur tomorrow.

The injured are convalescing and it is expected that all will recover. Thomas Quinn, who suffered a compound fracture of the leg and other injuries, is the most seriously hurt. Norman Kelton sustained a deep lacerated cut in the back and suffered a considerable loss of blood.

Mrs. Julius Kruttschnitt, wife of the railroad manager, was only slightly bruised and outside of a severe nervous shock, is suffering little ill effects from her experience.

Out of a total of 112 passengers above the ill fated car 40 sustained more or less severe injuries.

U. S. Ship Building Co.

Trenton, N. J., April 11.—Judge Kirkpatrick, in the United States circuit court, said he would sign an order in conformity with Receiver Smith's suggestion and the plan of the reorganization committee of the United States Shipbuilding company as set out in the circular sent out by the latter under date of Feb. 4, 1904.

BEET SUGAR MEN.

David Eccles and Joseph Geoghegan in Washington Attend Convention.

(Special to the "News.") Washington, D. C., April 11.—David Eccles of Ogden and Joseph Geoghegan of Salt Lake are here to attend the meeting of the beet sugar men, which convenes today.

Mary A. Boram has been appointed postmaster at Sayers, Fremont county, Idaho, vice Owen Sayers, resigned.

DEATH OF DAVID JONES.

Well Known Resident of Union Passes Away, a Victim of Dropsy.

David D. E. Jones, a well known resident of this county, died last night at his home in Union, of dropsy. The deceased was born near Aberystwyth, Cardiganshire, South Wales, May 16, 1830, joined the Church in early days in his native land and emigrated to Utah in 1873. Eight years ago he filled a mission in Great Britain and during the greater part of his life he has been much devoted to church work. He was a member of the Grange. The funeral will be held Wednesday at 2 p. m. from the Union ward meeting-house.

BIDS FOR SCHOOL SUPPLIES.

The committee on teachers and school work of the board of education met in the board rooms today at noon and opened bids for school supplies for the coming school year. There were 19 bids received. They will be tabulated by Clerk Judd and considered again by the committee at a future meeting, at which the bids will be awarded.

MILITARY ARE NOW IN CONTEMPT.

Adj. Gen. Bell and Capt. Bulkley Wells So Declared by Judge Theron Stevens.

IS IN CASE OF CHARLES MOYER.

Court Ordered Sheriff to Proceed to Telluride and Arrest the Two Officers.

PEABODY SEVERELY CRITICISED.

Judge Said He and Guard Authorities Appeared to be in Insurrection Against the Courts.

Ouray, Colo., April 11.—District Judge Theron Stevens today declared Adj. Gen. Sherman M. Bell and Capt. Bulkley Wells, who are in command of the troops at Telluride, to be in contempt of court for not complying with the writ of habeas corpus which required them to bring before the court today. Charles H. Moyer, president of the Western Federation of Miners, whom they are holding in confinement at Telluride. The court ordered Sheriff Corbett to proceed to Telluride and arrest the two military officers and bring them before the court. Judge Stevens severely criticised the course of Gov. James H. Peabody and the military authorities, saying they appeared to be in insurrection against the courts.

Mr. Moyer was arrested on March 26 on a charge of flag desecration and when released under bonds several days later he was immediately seized by the military authorities. Gen. Bell has said that the reason for holding Moyer is "military necessity."

CAPT. CLOONEY HOME.

Ouray, Colo., April 11.—Capt. Michael Clooney, of the local miners' union, who escorted the Telluride exiles to Telluride last Friday night but did not return with them when they were again deported, reached home today. He said he succeeded in getting through the military lines at Telluride and slept there two nights before he was detected and deported.

The return to the writ made by Gen. Bell through Asst. Dist. Atty. David Howe, of Telluride, excused his failure to produce the body of Mr. Moyer on the ground that he deemed it unsafe to bring Moyer to Ouray or to reduce the military force in San Miguel county by doing so, and that the governor had ordered him to disregard the writ.

"The people of Ouray will rightly resent the imputation that Gen. Bell or Capt. Wells could not come alone and in safety with President Moyer before this court."

As to whether it is the striking miners or the governor of Colorado and the national guard that are engaged in insurrection and rebellion against the laws of the state.

"When a condition of insurrection exists here it is time enough to talk of insurrection; but no such state of affairs does prevail here nor ever has."

"The charge against the law-abiding citizens of this county is unjust. There are no signs of violence here. If there is to be a reign of military despotism in this state, and civil authority is to have no jurisdiction, the latter might as well go out of business."

Should Sheriff Corbett fail to arrest Gen. Bell and Capt. Wells and obtain the body of Moyer as he has been ordered to do by the court, Atty. E. P. Richardson, representing the Western Federation of Miners, will apply to the state supreme court for a writ of habeas corpus for Moyer.

Leut. Harry Marshall Dead.

Washington, April 11.—Acting Adj. Gen. Hall is informed that Second Lieut. Harry Marshall, of the Twenty-second infantry, died at Manila, Mindanao, on the 8th inst., of heart disease. Lieut. Marshall was a native of Wisconsin and was appointed from the ranks in February, 1901.

COL. LEUTWEIN ATTACKS HEREROS.

Berlin, April 11.—The foreign office today received the following from Col. Leut