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TRUTH AND LIBERTY.

10 PAGES—LAST EDITION

WEDNESDAY, FEBRUARY 24, 1904. SALT LAKE CITY, UTAH.

FIFTY-FOURTH YEAR.

The Russians Sink Four Japanese Battleships.

JAPAN MAKES A GREAT MOVE.

Negotiates a Treaty With Korea Whereby She Guarantees That Country's Integrity,

AND HER INDEPENDENCE ALSO.

This Explains Russia's Protest to the Powers Against Violation of Korean Neutrality.

WORRIED ABOUT A PROTECTORATE

Emperor of Korea Said to be So Completely Under Japanese Influence As to be Unable to Resist.

Washington, Feb. 24.—Secy. Hay has received information that Japan has negotiated a treaty with Korea, whereby she guarantees the independence and integrity of Korea.

This is regarded here as one of the cleverest of the many startling diplomatic moves that have been made in connection with the whole eastern question. The effect is to place Japan on a high moral plane, for it is understood here that this treaty is an announcement to the world that if she prevails in her struggle with Russia involving military occupation of Korea, Japan will take no advantage of that fact, but will maintain the independence of the Hermit kingdom.

On the other hand the Russian note complaining of the violation of Korean neutrality by Japan is believed here to be intended to pave the way for future heavy reclamations, indeed involving the seizure of Korea and its annexation for violation of neutrality in the present struggle.

Contrasting the two positions, an official here pointed out that the attitude of Japan toward Korea was very similar to that of the United States to Cuba when the former occupied the island with its military force only to withdraw them and free Cuba after it had rid her of Spanish control.

JAPAN DOMINATES KOREA.

Paris, Feb. 24.—Information received here probably throughout Russian channels, but credited in official quarters, leads to the belief that Japan is now seeking to secure the execution of a treaty by the emperor of Korea, giving Japan a protectorate over Korea. It is the understanding that the prospect of this treaty was the main reason for Russia's protest to the powers against Japan's violating Korean neutrality as Russia desires to reserve all rights against a Japanese protectorate over Korea, on the ground that it will be of no effect, being executed while Korea was under duress.

The emperor of Korea is said to be so completely under the domination of Japan that he is likely to approve of such a treaty through inability of resisting. The situation from Russia's standpoint is likened to a man's signing a check under duress, or fear. It is the expectation that if this main purpose of the Russian protest is accomplished there will not be any joint or separate action by the powers relative to the abstract principle of Japan's having violated the law of nations.

ANOTHER THEATER FIRE.

The Schiller of Chicago Scene of The Latest One.

Chicago, Feb. 24.—Another theater building in Chicago has been attacked by fire. The latest structure is the skyscraper known as the Schiller, 15 stories in height, and located half a square block from the city hall. The fire started in the Schiller building, five floors up, and for a time seemed likely to get beyond control, owing to the difficulty of effectively reaching the flames at such a lofty height. The fire started in the Schiller building, five floors up, and for a time seemed likely to get beyond control, owing to the difficulty of effectively reaching the flames at such a lofty height. The fire started in the Schiller building, five floors up, and for a time seemed likely to get beyond control, owing to the difficulty of effectively reaching the flames at such a lofty height.

GOVERNMENT SECURED.

La. Purchase Ex. Co. Execute a Mortgage in Its Favor.

Washington, Feb. 24.—A mortgage has been executed by the Louisiana Purchase Exposition company to the United States government to cover the loan of \$1,000,000 authorized by Congress to be made to the company. Secy. Shaw now has the mortgage in his possession. One million dollars will be paid over to the company in a few days, \$200,000 in May. The mortgage covers the rate receipts of the fair and repayment of the amount loaned will be made in June.

The mortgage provides that in event of the failure of the exposition company to pay promptly the amount loaned, the government shall take charge of the fair and run it.

Chas. F. Mayer Dead.

Baltimore, Feb. 24.—Charles F. Mayer, formerly president of the Baltimore & Ohio railroad, died today, aged 70. Mr. Mayer was for many years a leading financier in Baltimore, a large coal mine owner and director in several banking institutions.

BOLD HOLDUP AT CALIENTES.

Masked Robbers Enter a Box Car Wherein 15 Alien Laborers Were Sleeping.

THEY SECURED NEARLY \$3,000

Mexican the Heaviest Loser to the Extent of Nearly \$2,000—Posses In Pursuit.

Masked robbers entered a box car on the Salt Lake Route at Calientes yesterday morning, awakened fifteen laborers sleeping therein and at the point of the revolver cleaned up nearly \$3,000 in a very few minutes. Then the three masked men laced out and vanished. A posse headed by Sheriff Johnson is in pursuit. The robbery was a daring one, and the victims were surprised upon awakening.

Most of the men robbed were Greeks and one and all are employed on construction work. As is the custom among foreigners, none cared to trust the savings bank and one and all carried their cash in money belts around their waists. The robbers entered the box car, ordered the laborers to line up and then one of them with a knife slashed at their shirts and belts and secured their money.

One of the Greeks did not respond readily to the command to hold up his hands and as a result he received an ugly scalp wound from the butt end of a revolver.

The heaviest loser is a Mexican laborer, who claims to have lost the savings of his life, in all some \$1,500. His grief is said to be pitiable, and he offers half of the sum to anyone who will get back the stolen money. It is believed that the money will be easily traced, as a greater part of it consists of Mexican, South American, Canadian and English gold.

The laborers sleeping in the car locked the side doors before going to sleep, but omitted to fasten the end door. It was through this opening that the robbers made their appearance.

Sheriff Johnson and his deputies believe that they will capture the men today, as they have a good description of them, and their tracks are easily followed.

W. C. WHITNEY'S WILL.

No Public Bequests, All Going to His Family.

New York, Feb. 24.—The will of the late William C. Whitney was filed for probate in Minerva, N. Y., today. Harry Payne Whitney is made sole executor and trustee under the will. After specific bequests of \$100,000 each to Adelaide and Bertie Randolph, step children, have been deducted and provisions made for an income of \$30,000 a year for his daughter Dorothy, the bulk of the estate is left in trust, one-half of the income to go to Harry Payne Whitney, the oldest son; one-tenth to his daughter Pauline, now Mrs. Almerich A. Page; one-tenth to his son Payne, and three-tenths to his daughter Dorothy.

Russians Stop British Ship.

Suakin, Egypt, Feb. 24.—The captain of the British steamer Lusitania (from Newport, Feb. 3 for Bombay) reports that he was stopped and examined by Russian torpedo boat destroyers a few miles south of Suakin island, in the Red sea, who informed him that three British steamers, laden with coal for Japan, had been captured by them.

Nominees Confirmed.

Washington, Feb. 24.—The senate has confirmed the following nominations: Fred D. Fisher, Oregon, to be consul general to the Seoul consular district; Elijah Cope, Tennessee, to be an assistant postmaster in the navy. Also several promotions in the navy.

Edward Trevett Dead.

New York, Feb. 24.—Edward Trevett, of Utica, N. Y., founder of the Commercial Travelers' Accident association of America, died at Westfield, N. J., today.

Doings in the House.

Washington, Feb. 24.—After passing a bill to extend the provisions of the act of Jan. 21, 1903, to the Oregon reclamation project, the house resumed consideration of the naval appropriation bill, and Mr. Cooper continued his fight against the provision for a naval training station on the Great Lakes.

JAPANESE LOAN.

It is Subscribed Four Times Over.

Tokio, Feb. 24.—According to the reports of local banks the national loan of 100,000 yen (\$4,800,000) has been covered nearly four times. The intense patriotism of all classes is evidenced by the fact that even servants and laborers are contributing from their savings. According to the Seoul correspondence of the Nichi Nichi, pro-Russian intrigues are being carried on there under the active leadership of Yi Yon Gik, former minister of war. The correspondent avers that the intriguers meet at night at the French legation. Their object is, he says, to get the emperor to remove with his court to Chiyunghien, 50 miles to the eastward of Seoul.

Steerage Rate War Over.

New York, Feb. 24.—It was announced today that the various steamship lines in the Mediterranean have at last come to an agreement to end the steerage rate war that has been on for two months, the new agreement providing for a division of the steerage business between the various lines and restoring the old agreement as to differentials in rates with some slight concessions.

Under the old differential system the two German lines made a steerage rate of \$30 between New York and Mediterranean ports, the smaller lines making a rate ranging from \$25 to \$27. Rate cutting was started and for some time rates have been demoralized.

Japanese Fleet Meets Severe Reverse

Made a Fresh Attack on Port Arthur and Was Repulsed—The Retvizan Covered Herself with Glory—Four Jap Battleships and Nine Cruisers Pass Wei Hai Wei—Russian Railways Placed Under Martial Law.

Chefoo, Feb. 24.—The steamer Gouverneur Jaeschi, while passing Port Arthur at 3 o'clock this morning, heard heavy firing in that direction. There is a persistent report abroad that several Japanese warships have been disabled, but so far it is unconfirmed. Another steamer passing Dalny about the same time that the Gouverneur Jaeschi was off Port Arthur, reports that she heard no firing. Thirteen warships are said to have passed Wei Hai Wei today heading east. There were 16 ships in the original fleet.

St. Petersburg, Feb. 24.—It is officially announced from Port Arthur that four Japanese battleships and two Japanese transports have been sunk in a fresh attack on Port Arthur. The attack was repulsed.

Paris, Feb. 24.—A dispatch to the Havas agency from Port Arthur says that four Japanese cruisers and two Japanese transports have been sunk in a fresh attack on Port Arthur. The dispatch adds that the attack was repulsed and that the Russian battleship Retvizan covered herself with glory.

Wei Hai Wei, Feb. 24.—Four Japanese battleships and nine cruisers passed this port today, bound eastward.

London, Feb. 24.—The fleet which passed Wei Hai Wei today is supposed to have been Admiral Togo's fleet leaving Port Arthur.

St. Petersburg, Feb. 24.—The railway between Samara and Zlatoust in European Russia and the Siberian lines, with all the territory appropriated by the government for the purpose of these railways, have been placed under martial law in order to insure the regular running of military trains. The full powers of a commander of an army in the field have been conferred on the commanders of the forces at Kazan and in the Siberian military districts, in whose charge these railways have been placed.

Paris, Feb. 24.—The foreign office received late this afternoon the following dispatch from the French consulate at Chefoo.

"The Russians have repulsed a Japanese attack upon Port Arthur. Four Japanese battleships were damaged and run aground."

"Hunter Put Up Job to Rob the Old Man."

That Was the Declaration on the Witness Stand Today of George W. Muncy Who Turned State's Evidence in the Beutler Murder Case—Hearing Will be Concluded This Afternoon and Rice Will be Held.

The preliminary hearing of John Rice, charged with the murder of old man Fred Beutler, will be concluded in Judge Diehl's court this afternoon, and there is no doubt that he will be ordered to await the action of the district court and answer there to the crime charged in the complaint.

This morning's session was taken up with the direct examination, and part of the cross examination of George W. Muncy, the old man whose confession of the murder, implicating Rice and Abe Hunter, created a sensation in this city recently.

Answering Asst. County Atty. Whitaker, Muncy said he was 57 years of age, and that he had known the defendant, Rice, since 1877. He said that before the murder, he met Rice and Abe Hunter at the latter's residence, and that Hunter proposed the scheme of robbing old man Beutler.

"Hunter put up the job to rob the old man," said Muncy. This was objected to by Atty. J. M. Hamilton for the defense, and the answer was stricken out.

"What did you do there?" was asked. "We agreed to go to old man Beutler's place and rob him, but we agreed to meet at Hunter's again. We met again and then went to Beutler's. We went into his place, grabbed the old man and threw him down on the bed. Abe Hunter locked the door and turned down the light. Rice stuffed a rug down Beutler's throat and Abe Hunter began to look for the money but did not find any. The old man cried 'murder' and we heard a noise—someone tried to get out. Then we kept very quiet and in a short time left the place. I went to I street where my wife was living."

WELLS-FARGO ROBBED.

Lost Ninety Thousand Dollars at Irapuato, Mexico.

Chicago, Feb. 24.—A dispatch to the Tribune from El Paso, Tex., says:

It has just been known here that the Wells-Fargo Express company was robbed of \$90,000 two weeks ago at Irapuato, Mexico. Details are lacking. Superintendent Christensen of San Francisco, and several deputies, are now at Irapuato endeavoring to run down the missing coin and locate the thieves.

SIX MINERS KILLED.

Lost Their Lives in a Snowslide Near Crested Butte, Mont.

Crested Butte, Colo., Feb. 24.—Six miners have been killed by a snow slide near the Augusta mine, nine miles northwest of Crested Butte. They are: Joseph Ferreri, Peter Sterle, Joseph Slozer, Michael Vidmar, Tony Stenche. Only one body has been recovered.

Senate Proceedings.

Washington, Feb. 24.—When the senate met today Mr. Cullom, from the committee on appropriations reported the legislative, executive and judicial appropriation bill, giving notice that he would ask the senate to take it up tomorrow if the agricultural bill shall have been disposed of by that time.

The house bill permitting those who make entry under the land laws to file proofs in courts of record at the county seats of the county in which they reside was passed, but Mr. Mitchell entered a motion to reconsider, saying he

and we heard a noise—someone tried to get out. Then we kept very quiet and in a short time left the place. I went to I street where my wife was living."

"What was it?" "We told Rice that he had better leave the country, and he said he would go away."

"When did you next see him?" "Not until our arrest this spring. I saw him at the county jail."

On cross-examination by Mr. Hamilton, Muncy repeated the statement of his age. Counsel for defense then began a long examination as to the witness' early life, from the time he was ten or eleven years of age down to the time of the murder. Muncy's memory proved to be exceedingly good, and he recalled vividly many events that occurred in his boyhood days.

When he referred to the death of his father and mother, his eyes filled with tears, and it was with considerable difficulty that he controlled himself. He proudly mentioned his record in the Civil war. "I saw active service and plenty of it. I don't want any more. I was wounded in my right arm."

Mr. Hamilton then asked Muncy if he had ever been injured on the head, but the witness replied that he had not. He once had a fall but the result was not serious. Muncy said that on June 4, 1861, he enlisted in the regular army and remained in the service for three years. Counsel for defense then tried hard to tangle the witness on the testimony given on direct examination, but he could not be confused.

When the cross-examination is finished, the case will go to Judge Diehl for decision. The prosecution will have no more evidence to offer at this time, and counsel for defense stated that they would not offer any testimony at this hearing. The cross-examination of Muncy will be taken up again at 3 o'clock this afternoon.

"Where was that?" "At my place."

"Did you have a conversation?" "Yes."

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THE SUBPOENAS HAVE ARRIVED.

They Were Being Served by United States Marshal Heywood This Afternoon.

NAMES OF THE WITNESSES.

Hon. John Henry Smith Served While Sitting in His Bed to Which He Has Been Confined for Some Time.

The subpoenas for Utah witnesses in the Senator Smoot case arrived today. They are in the hands of United States Marshal Ben Heywood, who is personally serving them upon the persons whose presence is wanted in Washington. When seen by a Deseret News man this afternoon, he was disinclined to speak of the matter in any form, and said the "News" appeared to be better informed on the subject than any one else and in view of that fact he could not be expected to enlighten the public to any great extent.

JOHN HENRY SMITH THE FIRST.

It was at a very late hour this afternoon when Marshal Heywood commenced his work of serving the witnesses in the case. One of the first, if not the very first man to be served was Hon. John Henry Smith, who was found in bed at his home. Mr. Smith for a couple of weeks past has been bed-ridden with inflammatory rheumatism and has been unable to venture from the house.

POSSIBLY PREST. SMITH.

It is stated that President Joseph F. Smith will likely be served during the day. However, he knows nothing of the matter and it may be there is nothing but rumor to it. It is understood that there are 19 witnesses in all.

THREE "MORMONS" KILLED.

Said to Have Lost Their Lives in Dynamite Explosion at Cody.

A brief dispatch from the "News" correspondent at Cheyenne, received this afternoon, states that a dynamite explosion occurred near Cody, Wyo., today, in which three "Mormons" lost their lives. Owing to the late hour it was impossible to secure particulars of the supposed accident.

POSTMASTER AT KOOSKIA, IDAHO

(Special to the "News.") Washington, D. C., Feb. 24.—Charles H. Gelbach has been appointed postmaster at Kooskia, Idaho county, Ida., vice Paul Tyre, resigned.

LIGHTS FOR CHURCHES.

Rate Reduced 20 Per Cent for Meeting-houses and Orphanages.

The directors of the Utah Light & Railway company held a meeting this morning, when they authorized the management to make a 12 cent rate per kilowatt hour for the lighting of churches and orphanages. This is a reduction of 20 per cent, and includes Ogden as well as Salt Lake.

U. OF U. ELECTION.

Preps and Normals Battle For Officers, With Victory For Former.

The preps and normals of the University of Utah held an election today, resulting in a decided victory for the preps, who elected president, vice president and a member of the executive committee. For president, W. H. James won with a vote of 101, as against 94 for J. M. Cummings. J. P. Russell was elected vice president, the freshmen receiving 51 votes against 77 for Nicholas Morgan. For secretary, Clark Clark, a normal, won over George Bates, a prep, receiving 62 votes, as against 49. Than Smith was elected a member of the executive committee.

DISCREDITS REPORTED LOSS.

Jap Legation at Washington Has No News of Lost Battleships.

Washington, Feb. 24.—The Japanese legation here discredits the sinking of four Japanese warships and two transports at Port Arthur. Attention is called to the fact that both the reports to that effect emanate from Russian sources and therefore should be accepted with caution. Furthermore, the reference to the participation of the Retvizan in the fighting and the reported sinking of the transports are both regarded as casting suspicion upon the story. The Retvizan is understood to be in a condition unfitting her for battle for many months, while the presence of transports at Port Arthur cannot be explained in view of the repeated statements that Japan did not intend to land troops on the Liaotung peninsula at this stage, and the transports could be there for no other reason.

Want Receiver for Golden Star.

Trenton, N. J., Feb. 24.—Application was made in the court of chancery for the appointment of a receiver for the supreme lodge of the Knights and Ladies of the Golden Star and to compel the supreme officers to make an accounting.

RUSSIA'S PROTEST TO THE POWERS.

Claims Japan Has Placed Herself Outside the Pale of Civilization.

HER CASE CONSIDERED STRONG.

Says Conduct Complained of Smacks Too Much of Barbarism for This Age.

JAPS COMMITTED A BIG BLUNDER

Such is the View Taken in Diplomatic Circles in Paris, Even in Quarters Rather Anti-Russian.

St. Petersburg, Feb. 24 (1 p. m.).—The Russian government believes a deep impression has been made on international sympathies by the note on the subject of Japan's alleged violation of the law of nations, sent to the Russian ambassadors Monday. The government lays special stress on the Japanese action at Chemulpo, where, it is pointed out, the Japanese seized and cut the communications in order to prevent M. Pavloff, the Russian minister, and the Russian warships Varang and Korietz even receiving news of the rupture of diplomatic relations, and then pounced upon the ships with a greatly superior force.

Russia contends that this action places Japan outside the pale of civilized nations and that it smacks so much of barbarism that it must offend the chivalric sense of civilized fair play. In diplomatic circles the presentation of Russia's case is considered strong, the opinion being, even in friendly quarters, that Japan, in her haste to cripple the Russian fleet at the outset, committed a blunder by thus striking a blow without warning, for which the destruction of two ships will not compensate.

It is further pointed out that if Japan had allowed M. Pavloff to return to a Russian port on board a Russian warship, her magnanimity would have been universally applauded.

Prince Lobanoff, the governor of the province of Tambov, has issued a warning to the peasants of that province against selling horses to dealers who are trying to buy 3,000 horses, ostensibly for the British army, but, really, for the Japanese.

HAY GETS THE PROTEST.

Washington, Feb. 24.—Promptly at noon today, Count Cassini, the Russian ambassador, handed Secy. Hay Russia's communication to the powers protesting against Japan's alleged violation of international law. The conference between Secy. Hay and the ambassador lasted an hour.

JAPANESE DEPLOY.

Thirty Thousand Troops Between Seoul and Ping Yang.

Shanghai, Feb. 24.—The Japanese army corps landed at Chemulpo, Korea, totalling about 30,000 men, has already been deployed between Seoul and Ping Yang. The advance guards are even northward of the latter place. Owing to the partial thaw the roads are bad and the transportation of provisions and war munitions is most difficult.

Coal for Japanese Steamers.

London, Feb. 24.—About 25,000 tons of British coal are now being loaded on Japanese steamers for Japan. The Bligo Maru is loading 6,000 tons and the Sado Maru 5,000 tons at Cardiff, while the Barrow, the Kawachi Maru and another vessel are taking on board the remainder.

A special dispatch from Kobe, Japan, says the British cruiser, Admiral, at Vladivostok has arrived at Nagasaki and reported that the commander of the Russian garrison at Vladivostok had ordered all British subjects to leave that port.

Nominations.

Washington, Feb. 24.—The president today sent to the senate the following nominations: Rear admiral—Captain Caspar F. Goodrich. Postmaster, Washington—James Late, Rosslyn.

Fire in Brockport, N. Y.

Rochester, N. Y., Feb. 24.—Fire at Brockport today destroyed the Phelps Piano company's dry kiln; loss \$100,000, and the adjacent building, loss \$50,000.

Frank C. Hostetter Arrested.

St. Louis, Feb. 24.—Frank C. Hostetter, superintendent of the world's fair postoffice station, was arrested today, charged with opening, detaining and embezzling mail matter, letters and packages. Before United States Commissioner Babbitt he made a full confession and was admitted to bond to await action by the grand jury. His purpose, according to his confession, was merely to secure inside information as to the British exhibit, etc., designed for the world's fair and to either use such information himself or to give it as tips to certain friends who were interested. Hostetter has been in the postoffice service for 23 years.