

## GEN. JOHN CHASE MUST COMPLY.

Directed by Gov. Peabody to Render Obedience to the Order of Judge Seeds.

## FOUR PRISONERS ARE RELEASED

For a Time it Looked Very Much as Though There Would be a Conflict Between Civil and Military.

Cripple Creek, Colo., Sept. 25.—After a telephonic conversation between Gov. Peabody and Adj.-Gen. Sherman Bell the following order was issued:

"Brig.-Gen. John Chase, commanding first brigade, national guard, Colorado, is hereby directed to immediately comply with the decree of Judge Seeds, district judge, Teller county, Fourth judicial district, Teller county, Colorado, and release thereunder the prisoners as commanded."

A few minutes thereafter, Sherman Parker, Charles Campbell, H. R. Rafferty and H. W. McKinney were released from the guardhouse and went to their respective homes in Independence and Altamira, where they were enthusiastically received by large crowds of union miners.

## CIVIL AND MILITARY ALMOST CLASH

Cripple Creek, Colo., Sept. 24.—Judge William P. Seeds of the district court today decided against the military authorities in a habeas corpus case of Sherman Parker and three others who have been held prisoners by the military for about two weeks without warrants and without formal charges against them.

The military, however, declined to obey the order of the court until ordered by the governor to do so. Tonight it is learned that Adj.-Gen. Peabody has instructed the military to obey the order of Judge Seeds to release the prisoners to the civil authorities.

Judge Seeds this morning notified Gen. Chase to be present in court at 2 o'clock today, with the four prisoners for whom writs of habeas corpus were granted. He would announce his decision on the respondent's motion to quash the writs at that hour. Gen. Chase said at noon that, what ever the decision of the court may be, he would certainly bring the prisoners back to Camp Goldfield, unless otherwise ordered by the governor of Colorado.

Judge Seeds this afternoon overruled the motion to quash and ordered the prisoners turned over to the civil authorities. The court said that he could not subscribe to the doctrine advanced by the respondent that the military was supreme and not amenable to the court, because to do so would mean to overthrow free government and substitute a monarchy.

The court said that the question involved was, Does the executive order calling troops constitute a justification of the arrest? He held that civil law had not been overthrown in Teller county, and no evidence had been presented that law-breakers would not be prosecuted and punished by the civil authorities.

Judge Seeds also strongly rebuked the presence of the troops in the courtroom. Counsel for the prisoners were not present when the decision was rendered.

Gen. Chase declined to obey the order of the court, but it is understood here that Gov. Peabody will instruct him to turn the prisoners over to the civil authorities.

The four prisoners were brought into court this afternoon, guarded by 35 soldiers, who removed them to Camp Goldfield after the decision was given.

According to a dispatch from Denver tonight Gov. Peabody said this evening that the decision of Judge Seeds in the habeas corpus cases at Cripple Creek would be respected. He stated that a formal order in the case would be issued from headquarters in the field. Said he:

"Judge Seeds has decided against the military, and as the national guard is in the Cripple Creek district for the purpose of aiding the courts and the civil authorities generally, there was nothing left for me to do except to order that the prisoners be turned over to the civil authorities."

Gov. Peabody said that this would apply to all prisoners that may be taken hereafter. He declined to say what course would be pursued in the event that the civil authorities failed to prosecute the men who are charged with crimes.

A strike of the union miners was ordered at Cripple Creek about the middle of August by the Western Federation of Miners in support of the mill men at Colorado City and other points, who had for a long time been contending for an eight-hour day. The mine owners alleging that the large percentage of the men desired to work for protection was assured, called upon Gov. Peabody for troops, although the civil authorities denied the necessity for such a course.

The governor, however, decided that troops were needed, and on Sept. 4, ordered almost the entire national guard of the state, about 1,000 men to the district, under command of Brig.-Gen. Chase.

Since that time several prominent members of the Miners' union, including the all members of the executive committee, which had the strike in charge, have been arrested without warrants and held in the guardhouse. Habeas corpus proceedings were begun in their behalf last week. Gen. Chase and his legal advisers held that though martial law had not been formally declared, it was really put in force by the order issued by the governor directing the troops to maintain order and therefore the civil court had no jurisdiction.

## UNITED MINE WORKERS. President Wants a Conference With Southern Operators.

Pueblo, Colo., Sept. 24.—President William Howells today told the Standard mill at Colorado City, owned by the United States Reduction and Refining company, would resume operations between Oct. 1 and 10.

"We are being received quite freely and we will be able to start up again by that time," said Howells.

## May be a Folsom Escape.

Sacramento, Sept. 24.—The city marshal at Jackson, Mich., today telegraphed Gov. Fardee that he is certain

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he has "Red Shirt" Gordon, the notorious convict who escaped from Folsom prison in July last, in custody. He says the prisoner's appearance tallies with the description of Gordon issued by the penitentiary officials. Warden Wilkinson believes Gordon has been caught. He has sent the convict's photograph to Texas.

## Ohio Bankers Indicted.

Chardon, O., Sept. 24.—The grand jury today returned two indictments against George H. and H. N. Ford, the bankers of Burton, O., who recently failed, with liabilities aggregating \$1,125,000. The Fords are charged with obtaining property under false pretenses, in accepting deposits after the officials of the institution are said to have known the bank was insolvent.

## Laborers for Clark Line.

Great Falls, Mont., Sept. 24.—Three hundred Greek laborers on the Lethbridge line of the Great Northern quit work today and started for Salt Lake to work on the Clark line. The management had meant to displace them with Japanese, and learning of this they quit in a body.

## Struggle with a Maniac.

San Francisco, Sept. 24.—The bark Himalaya, which arrived from northern waters today with her hold full of salmon, reports an exciting and dangerous struggle between the crew and one of the fisherman hands, who on the morning of the 14th of this month, suddenly went stark, staring mad.

## Ballots to be Recounted.

Trenton, N. J., Sept. 24.—Atty.-Gen. McCarter today held that in the constitutional amendments voted upon last Tuesday there were nine separate amendments. It is believed that this decision will necessitate a recounting of all the ballots. The tally sheets divided the amendments into three groups and treated them as if there were three amendments.

## Tried to Dynamite a Train.

Elliston, Mont., Sept. 24.—Another attempt was made tonight by dynamite to wreck a Northern Pacific train. One or two sticks of dynamite were placed on the rail at Sampson siding, four miles east of Elliston, and were exploded by the engine of a westbound freight. The track was badly damaged, but the engine escaped practically unhurt. No one was injured.

## Keep Men at Reduced Time.

Livingston, Mont., Sept. 24.—Instead of following the ancient practice of laying off men at the shops here when work gets slack, the Northern Pacific officials have decided to reduce the working time by one hour a day. This will enable all the men to continue at work at the same outfit, as if part of them were laid off.

## Gov. Van Sant Not a Candidate.

Minneapolis, Sept. 24.—Gov. Van Sant formally stated today that he will not be a candidate for United States senator to succeed Senator Clapp.

## 17 YEARS' IMPRISONMENT

For Defaulting Treasurer at San Fernando, Philippines.

Manila, Sept. 25.—Dan Tompkins the defaulting treasurer at San Fernando, convicted recently for forgery, has been sentenced to 17 years' imprisonment. His trial on the other charges filed against him has been set for Dec. 1.

## Shamrock I.

New York, Sept. 25.—Shamrock I, the old America's cup challenger, just sold by Sir Thomas Lipton, has been turned over by the purchaser to a Brooklyn firm dealing in old metals and the racer, after being remodelled, will enter trade instead of being used for cruising as at first reported. She will be turned into a schooner and will carry scrap metal between New York and South American ports.

## A COMSTOCK IN CHICAGO.

He Confiscated Half a Ton of Books and Pictures.

Chicago, Sept. 25.—Anthony Comstock had a busy day in Chicago. He arrived from New York, led a raid on a cigar store, confiscated a half ton of books and pictures, caused the arrest of Charles S. Wright, and left for another western city.

Postoffice Inspectors Stuart and McAfee, with a federal marshal, accompanied Mr. Comstock, and spent some time pillaging the confiscated property upon mail wagons.

Wright, owner of the store, is alleged to have confessed that he was the distributor of thousands of pamphlets objectionable to the Society for the Suppression of Vice, of which Mr. Comstock is secretary.

Wright waived examination and was held to the grand jury under \$4,000 bonds for sending improper advertisements through the mails and for shipping books and pictures by express.

## COMPETENT JUDGES.

Beauty Doctors Endorse Herpicide. Women who make a business of beautifying other women come pretty near knowing what will bring about the best results. Here are letters from two, concerning Herpicide:

"I can recommend Newbro's 'Herpicide,' as it stopped my hair from falling out; and, as a dressing it has no superior."

(Signed) Bertha A. Trullinger, "29½ Morrison St., Portland, Ore."

"After using one bottle of 'Herpicide' my hair has stopped falling out, and my scalp is entirely free from dandruff."

(Signed) Grace Dodge, "105 Sixth St., Portland, Ore."

Sold by leading druggists. Send for stamps for sample to The Herpicide Co., Detroit, Mich. For sale by Z. C. M. I. Drug Dept.

## CONVENTION OF STATE TEACHERS.

Supintendent Christensen Completes the Program for the Big Meeting.

## CONVENES HERE NEXT MONDAY.

During the Session a Series of Interesting Lectures Will be Delivered By H. R. Pattengill.

City Superintendent of Schools D. H. Christensen has completed the program for the tenth annual session of the Utah State Teachers' association, which meets in this city on Oct. 5, 6 and 7. The opening session will be held in the Assembly Hall, on Monday evening, Oct. 5, when Mr. H. R. Pattengill of Michigan, will deliver a lecture entitled, "Made in America." Several musical selections will also be rendered during the evening.

## THE PROGRAM.

The program complete, excepting that for the opening session, is as follows: Tuesday, department meetings, 9 a. m. to 11 a. m.

Kindergarten Section—Miss Mary C. May, director of kindergarten, Utah state normal school, president. Museum building, University of Utah. An interesting program in course of preparation.

Primary Section—Miss Lucy M. Van Cott, principal Longfellow school, Salt Lake City, president. Quinrh school, Fourth East street, between Third and Fourth South, all primary teachers; reading, class demonstration, by Mrs. Virginia Snow Stevens, choral, first grade pupils, Miss Winifred Hardy; "Practical Work in Physical Training in the Primary Grades," Mrs. Lena C. Pratt; "Ethical Importance of Music in the Primary Grades," choral, fourth grade pupils, Mrs. Mattie Porter; election of officers, etc.; song, all primary teachers.

Grammar Section—J. O. Cross, principal Wasatch school, Salt Lake City, president. Quinrh school, Fourth South street, between Third and Fourth South streets. Paper, "Spinal Arithmetic," P. D. Keeler, principal Webster school; class room demonstration of the spiral method, third grade, Miss Jessie Williams with class from Lovell school; fourth grade, Miss Nellie Pettit with class from Grant school; seventh grade, Miss Kate McKenzie with class from Quinrh school; eighth grade, Miss Salile Cox with class from Lovell school; discussion of paper and method as illustrated by the classes.

High School and College Section—N. T. Porter, principal Cedar City, president. Museum building, University of Utah. "How Far Can Specialization be Profitably Carried in High Schools?" discussion to be led by Prof. Henry Peterson, D. D. S. U.; "Should the Time for High School and College Courses be Reduced?" discussion to be led by Prof. W. G. Roylance, professor of history, University of Utah; "The Democratic Method versus the Autocratic Method of Governing in the Secondary Schools," discussion to be led by Prof. George Eaton, principal Salt Lake City High School; miscellaneous business.

Superintendents' Section—A. C. Nelson, state superintendent of public instruction, president. Museum building, University of Utah. "What Standard of Discipline Should Prevail in Our Public Schools?" William Allison, superintendent of schools, Ogden; discussion to be opened by Superintendent Rawlings, of Provo schools. "How to Make the Uniform County Examination More Effective," Superintendent George S. Decker, Iron county. "How to Make the Superintendent Make His Visits to Schools More Effective," Superintendent James L. Brown, Utah county.

## SCHOOL BOARD SECTION.

P. A. Nielsen, chairman Deane school board, president. Museum building, University of Utah. "The Teacher's Salary," B. S. Young, member board of education, Salt Lake City. Discussion, H. P. Henderson, member board of education, Salt Lake City.

"How the Trustees May Be Most Useful to the School," Trustee D. O. Rideout, Draper. "Discussion," Trustee C. N. Sorenson, Sugar House, Utah. Discussion.

"School Buildings and Furniture," Trustee Amos Gabbot, Farmers' ward. Discussion.

"The Selection of Teachers," Trustee Lewis Anderson, Mantle. Discussion.

## ARTS AND DRAFTS SECTION.

Samuel Doney, supervisor of manual training, Salt Lake City schools, president. Fremont school, Second West street, between First and Second South. "Manual Training—Its Relation to Art," J. H. Tipton, U. of U. J. E. McKnight, U. of U. Agricultural college. "Manual Training—Its Relation to Domestic Art," Agricultural college, Miss Lachland, U. of U. Miss Whelan, U. of U. Mrs. Tomlinson, public schools, Salt Lake City.

"Manual Training—Its Relation to the Trades," S. Doney, public schools, Salt Lake City. H. C. Lewis, Branch normal, Agricultural college.

## PARENTS' SECTION.

Frank B. Stephens, president. Museum building, University of Utah. A good program is in course of preparation.

## MUSIC.

W. A. Wetzel, supervisor of music, Salt Lake City schools, president. Museum building, University of Utah.

## DISCUSSIONS.

"The Value of Vocal Music in the School Room," "Sight Reading Methods," "Ear Training Exercises," "The Training of the Child's Voice."

A class will be present from one of the school rooms trained in vocal music. The program will be interspersed with music.

## ELOCUTION AND PHYSICAL EDUCATION.

Miss Maude May Babcock, head department of physical education, University of Utah.

"Elocution and Physical Education in the Public Schools," Professor J. T. Miller, Latter-day Saints' university. General discussion.

"Reading in Public Schools," Professor Maude May Babcock, University of Utah. Discussion.

11:30 a. m., assembly room Museum building, U. of U. Lecture, "Greasing the Squeak" (primary grades), Henry R. Pattengill, 3 p. m., Barratt Hall.

Lecture, "Greasing the Squeak" (grammar grades), Henry R. Pattengill, 8 p. m., Barratt Hall. Lecture, "The Schools and the Labor Problem," Henry R. Pattengill.

Wednesday, 9 a. m. to 12 m.

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Teachers will visit the city schools for the purpose of inspecting work. 3 p. m., Barratt Hall. Lecture, "Inspire or Expire," Henry R. Pattengill. 4:30 p. m., business meeting for election of officers, etc. 8 p. m., Assembly Hall. Lecture, "Nancy Hanks and the Nineteenth Century," Henry R. Pattengill. Choice music will intersperse the exercises.

## J. D. B. DUNBAR WANTED.

New York, Jersey City and Boston Police Looking for Him.

New York, Sept. 25.—New York, Jersey City and Boston police are making an industrious search for John D. B. Dunbar, who is well known in horse racing circles and for whose arrest two warrants have been issued. In one he is charged with bigamy and in the other with grand larceny.

Dunbar has been indicted in Jersey City largely upon the testimony of Mrs. William Lovell, of this city, whose daughter, Marie, is alleged to have been the victim. Mrs. Lovell asserts that Dunbar persuaded her to advance \$10,000 to him on false representation that he was interested in a profitable real estate deal.

Mrs. Lovell is the widow of William Lovell, who was at one time a man of prominence in turf circles. She says Dunbar was introduced to herself and Marie last fall in Saratoga and that he posed as a wealthy lumber man. After winning the daughter's love, he confessed that he had a wife and four children living in Flushing, L. I., but said he had been divorced. The girl accepted this story and preparations went on for the wedding. Mrs. Lovell alleges that, meantime, Dunbar secured from her a check for \$10,000, which was to be invested in his business. A few days ago Dunbar sent a note to the Lovells saying he was going away on business. Then Marie confessed that they had been married in Jersey City Sept. 8.

Investigation at Flushing is alleged to have disclosed the fact that Dunbar's wife and four small children were living in a cottage there. The woman is said to have denied the existence of a divorce, however, and the unhappy mother and young bride hurried before the New Jersey grand jury where an indictment was procured.

The police say Dunbar went to Boston from here and thence to the west, where they believe he now is.

## HAY-HERRAN TREATY.

Colombian Congress Showed Indifference to Its Death.

New York, Sept. 25.—Indifference was manifest in congress, says a Herald dispatch from Bogota under date of Sept. 21, toward the death of the Hay-Herran treaty. Although the period for the ratification of the treaty was to expire at midnight of the 22nd, the speeches delivered on the subject were mild and referred more to the possibility of a new treaty than to the fate of the present one.

A commission was appointed by the senate to prepare a new treaty, but it is not known when its report will be presented. A cablegram was sent by Gov. Obaldia on the 19th instant, to Pres. Marroquin, assuring him of his patriotism and loyalty, and stating that matters were quiet on the isthmus.

Gov. Obaldia also informed the president that there were no indications of a revolution on the isthmus. The cablegram was published on placards and posted in all the streets and on the corners of Bogota. It had a quieting effect on the people who feared that there were indications of a revolution if the canal treaty was finally rejected by congress.

Both houses of congress are now busy making selections for electoral judges for the next presidential and congressional elections.

Gen. Sarria, who had been appointed chief of the garrison of Panama, has declined to accept the position.

Gen. Juan Yvar has been appointed commander-in-chief of the army of Panama on the Pacific and Atlantic coasts. He left Bogota yesterday for Panama.

## Weak Hearts

Are due to indigestion. Ninety-nine of every one hundred people who have heart trouble can remember when it was simple indigestion. It is a scientific fact that all cases of heart disease, not organic, are not only traceable to, but are the direct result of indigestion. All food taken into the stomach which fails of perfect digestion ferments and swells the stomach, putting it up against the heart, and in the course of time that delicate but vital organ becomes diseased.

Mr. O. Kautz of Nevada, O., says: "I had stomach trouble and was in a bad state as I had heart trouble with it. I took Kodol Dyspepsia Cure for about four months and it cured me."

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