Shakespeare's "dreadful touch of merchant-marring rocks" is felt, nowadays, chiefly by poor advertisers.

U. S. Court of Appeals Upsets

Decision of the New Jersey

Court of Appeals.

HARRIMAN INTERESTS DEFEATED

The N. S. Company Given the Right to

Dispose of Northern Pacific

Railway Stock.

717,410 SHARES ARE INVOLVED.

Opinion by Dallas-Gray Dissented-

Mr. Harriman Refuses to Talk

DESERET EVENING NEWS.

"Reading is seeing by proxy; and the reader of your advertisement sees your store as it is pictured on the printed page.

10 PACES-LAST EDITION.

TUESDAY, JANUARY 3, 1905. SALT LAKE CITY, UTAH.

TRUTH AND LIBERTY.

FIFTY-FOURTH YEAR.

claimed to have been acquired by it in NORTH. SECURITIES the aforesaid railway companies." " This decree was affirmed in its entire-ty and the complainants asked leave to intervene in the Minnesota suit. The decision here reviews the Minnesota lit-igation and in conclusion says: CASE REVERSED. "From all that has been said in the foregoing the decision below must be reversed."

Judge George Gray, lof Delaware, filed

a dissenting decision. He said: "I dissent from the judgment of the majority. I do not think the judge be-low exercised other than sound judg-ment in granting the injunction. Nothing but a clear conviction that the bill was without equity would have justi. was without equity would have justi-fied the dourt below in refusing the in-junction. As I am of the opinion that the majority has given due considera-tion to all the parties to the suit and a case established to entitle complain-ants to the protection of the injunc-tion, I am in favor of affirming the de-

New York, Jan. 3 .- E. H. Harriman, when he was shown the bulletin an-nouncing the decision of the court in

thing further regarding the case. STOCKHOLDERS' MEETING AD-

On the Matter.

Philadelphia, Jan. 3 .-- The United States court of appeals for the Third judicial district, in an opinion filed here today, reverses a decision of the New Jersey circuit court, which restrained the Northern Securities company from distributing certain stock of the Northern Pacific Railroad company. The decision is a defeat for the interest represented by E. H. Harriman. By a decree of the New Jersey court the Northern Securities company was restrained from disposing of 370,320 shares of the common stock of the Northern Pacific Railway company, alleged to have been received from E. H. Harriman and Winslow S. Pierce, and of 347,090 shares of the common stock of the Northern Pacific Railway company received by the Northern Securities company from the Northern Pacific company. Today's decision, however gives the Northern Securities company the right to dispose of the stock. Harriman and Pierce, when the Northern Securities company had been declared by the United States supreme court to be an illegal combination, demanded the return of the original stock they had contributed at the time of the organization of the combination. The Northern Securities company, it was claimed, intended to make a pro-rata distribution of the stock of the contributing company.

The opinion was written by Judge ballas. After reviewing the organizaon of the combination and subse

How John Pryor Lost His Way and Perished From Cold on the Wastes Beyond Iron JUDGE GRAY DISSENTS.

HARRIMAN RETICENT.

"The matter now has been before four judges and so far it is an even division, two having declared for us and two against us." Mr. Harriman declined to say any.

JOURNED.

New York, Jan. 3.—The adjourned annual meeting of the Northern Secu-rities stockholders in Hoboken today has been again adjourned until Jan. 9. "The solar become the second states of the second sta The only persons present at the meeting were W. P. Clough, the fourth vice president and the secretary-treas-No action except that of adjournurer. was taken. Representatives of the Harriman fac-

Representatives of the Harriman fac-tion were in conference today and it can be authoritatively stated that ap-plication by writ of certiorari will be made before the supreme court at Washington. It is understood that the decision handed down by the court in Philadelphia is not effective or opera-tive before 30 days. J. J. Hill was seen at his office. He said he was pleased but not surprised at the decision. There will be no haste, he said, in distributing the assets of the Northern Securities company. He had not yet received a copy of the decision but expected it later in the day. He was asked:

He was asked:

day. He was asked: "Does this mean a settlement?" "Why, yes, the court settles it." Mr. Hill was asked whether there would be a meeting of the opposing interest as a result of today's decision. He said he knew of no reason for such a meeting. Mr. Hill was reminded that Mr. Schiff had appeared before the directors of the Northern Securities company last summer with a settle-ment proposition. To this Mr. Hill replied that Mr. Schiff on that occasion showed that he stood alone in his at-titude,

PERMIT SALE OF BIBLES.

Constantinople, Jan. 3 .- The porte has

at length replied to the notes of the

THE PORTE REFUSES TO

from peril. Iron Springs, at one time a watering place for overland emigrants, was last week the scene of another desert tragedy, beginning Christmas day, when John Pryor left Cedar City to relieve a sheep herder ninteen ulles out in the desert beyond Iron Springs, and ending last night when his frozen body was found in the snow

he was seen alive. He was lying face downward, as though he had tripped over a sagebrush bush. His face was partly decomposed, as though a thaw had commenced the action of decay and frost and cold had later arrested it. Near him was the pack from his sadile, the thongs of which had been cut

and numb to until them. For half a week over fifty men had scoured the desert for traces of him. They had formed a line of march four They had formed a line of march four miles in length, and walked and rode in this line over fifty miles of desert wastes. At last when all hopes of re-covery seemed hopeless, he was found just beyond the eastern border of the zone of search, within a mile of where the parties had first set out. When last seen allye, John Pryor was leading his horse west and southward across the desert trail. Instead of

across the desert trail. started from this point and searched in

JAPAN PREPARED

TO DISCUSS PEACE

Gives No Intimation, but it is Said Will Make Terms Characterized as Reasonable.

POSSIBLE INTERMEDIARIES.

Fail of Port Arthur Greatly Strength-

ens Her Hand, Releasing Army

Of 100,000 Men.

the southwest desert is not yet free Sone miles. three miles southward of the last place

with a knife, as if he had been too tired

Instead of continuing on the trail, he had drifted south and east, while his searchers had

The trail of the first Americans over the direction he was supposed to have | and refused to answer the call of his fellow traveler. The story of the loss of Pryor in the desert is a simple one, dealing with the same circumstances as those that have

since the beginning made pioneer life difficult. From Cedar City to Iron Springs is a stretch of a dozen miles of desert, and from Iron Springs to the sheep camp, where Pryor was going to relieve John Eugene Shoppman, that he might come into town for the holiday reason, is another stretch of nineteen

Pryor left Cedar City at noon Christ-Pryor left Cedar City at hoon Christ-mas day on his long journey, riding a cow pony trained to desert hardships, and well provided with biankets and rations, including, it is said, two bot-ties of the liquor that it is claimed drives away numbress when the cold is severe severe

severe. He stopped at Iron Springs for half an hour, and then headed out into the desert, with only a bottle and a half left of the liquor that deceives. He was passed by the mail driver coming from Lund station, a more boy, who did not know what it was to permit a man to go ahead in the blitter cold of the desert winds. The man was not riding. He had failen from his horse, and was leading him along by the bridle. Twice the mail boy assisted him to mount, and twice he fell off. Then the boy begged him to come back to town, but the man would not. So he left him.

A mile further on he was passed by a freighter, plodding through the snow, leading his horse behind, both of them nearly frezen in the bitter wind. No wor'is passed, for the man was sullen

MADE ON LIFE

St. Petersburg, Jan. 8, 3:26 p.

m .- There is a rumor here that

an attempt has been made upon

the life of Emperor Nicholas at

Vilna. No details or confirma-

tion of the report have been re-

The Associated Press is au-

thorized to deny the rumored at-

tempt on the life of Emperat

Nicholas at Vilna. He has just

passed Minsk, capital of the gov-

ernment of that name, 65 miles

by rall west of Moscow,

ceived,

OF THE CZAR.

RUMORED ATTEMPT

Wednesday a horse was found wan-lering on the sand, without a bridle, hd with a saddle turned down under ds body. It was led into Cedar City, and there recognized as the horse of which Pryor had left for the sheep

town and had a wife and six children living in it, volunteers were not slow in responding. Fifty of them left for the desert country at once. South of Lund they established headquarters, and for two days scoured the sur-rounding country. A high butte, full of hollows and covered with brush seemed promising, and it was scoured with great detail. But to no purpose. They then moved their base of supplies cast-ward and formed a line between three and four miles long to cross the desert to Iron Springs. Saturday, Sunday and Monday, the men kept at the work. Monday the men kept at the work, watching the buzzards to see if they were gathering in any particular spots, listening to the coyote calls through the night for cluos of a congregation of them to gather. Then finally, when within three milse of Iron Springs year them winni three make of from springs year-terday afternoon they came upon the body, lying as described, face down-ward as though the victim had tripped over a sagebrush, and near it the pack from the horse's saddle, and the horse's

bridle. Sympathy has been expressed today by all residents of Cedar City for the wife and children of the lost man, who are to be the principal sufferers on account of his death.

YOUNG SALT LAKER

Royal H. Milliron Kills Himself

at Provo Under Mysterious

Circumstances.

FOUND IN HOTEL ROBERTS.

First Intimation of Tragedy Came From

Father in This City Who Asked Pro-

prietor to Investigate.

QUEER SUICIDE OF

ceived any message from his son, he intimated that the boy had written to a young woman in Salt Lake that he was about to kill himself and that she had in turn notified him this morning. GARRISON GOES TO **JAPAN AS PRISONERS** WAS IT OVERSTUDY?

12

A companion of the dead student, who requested that his name be not pub-lished, said to the "News" this after-

have no doubt that the suicid

in his right mind when he committed sulcide."

The young man was 24 years of age, and a graduate of the Sait Lake High school

PATENTS AND POSTOFFICES Utah People Get Several of Both

Kinds.

(Special to the "News,")

Washington, D. C., Jan. 3 .- Patents issued: Leonidas H. Kennard, River-side, whe fence tool. Jessie H. Pithey, Salt Lake City, garment clasp. Idaho-Gilbert Samuelson, Sandpoint, current motor; Charles Werneck, Gen-esee, draft equalizer. Postmasters appointed: Utah-Cisco

esse, draft equalizer, Postmasters appointed: Utah-Cisco, Grand county, Sherman Bowen, vice O. M. Bailey, resizmed; Spring City, San-pete county, S. W. Beck, vice Carl Hansen, removed; White Rocks, Uintah county, William H. Coltharp, vice S. L. Colton, removed.

olton, removed. Idaho-Homedale, Owyhee county Mrs. Ada Mussell, vice Mrs. Cora Mc-Dowell resigned.

IDAHO LEGISLATURE. Held Short Session and Adjourned to

Wednesday,

(Special to the "News,")

Bolse, Ida., Jan. 3.-Legislaturp in session only few minutes this morning when it adjourned until 10 o'clock Wed-nesday. Governor's message will prob-ably be read then,

WILLIE AT IT AGAIN.

This Time He Steals Two Typewriters And is Arrested.

Willie Duncan, aged 15 years, is in trouble again, and also in jail. Some time ago he was mixed up-with a gang of youths who robbed a store on East Temple street. He got out of that scrape and secured a posi-ion with the Smith-Premier typewriting company. A few days ago achines were missed and suspicion fell upon Wille. This morning he was ar-rested and one of the typewriters was found at his home and the other in the

File at Port Arthur. OFFICERS WILL BE PAROLED.

Capitulation Terms Indicate Such

Will be the Fate of Rank and

They Will be Permitted to Return to Russia, Retaining Their Side-Arms.

THINK THE WAR WILL GO ON.

Fort Where Negotlations for Surrender Were Held Called the Eagle's Nest, Near Riblung Mountain.

Tokio, Jan. 3 .- The capitulation terms indicate that the Russian rank and file of the garrison of Port Arthur will come to Japan as prisoners. The Japanese took possession of a number of the forts of Port Arthur to-

day. The Russian officers and officials will Russia upon be permitted to return to Russia upon parole, the officers retaining their side-TERMS OF CAPITULATION.

Paris, Jan. 3.—According to the semi-official advices received by the foreign office regarding the terms for the cap-itulation of Port Arthur signed last night the Russian officers but not the rank and file will be permitted to re-turn to Russia, but this is not positive. The Russian officials strongly incline to the view that the war will go on withthe view that the war will go on with-out reference to Port Arthur. The Rusout reference to Port Arthur. The Rus-sian naval attache says the mission of the Russian Second Paeific squadron was to save Port Arthur. Therefore, since this mission cannot be accom-plished the squadron will probably walt until reinforced by a third and prob-ably a fourth squadron. He believes Russia will retake Port Arthur by as-saults by land and sea. This will re-quire time for adequate naval and military concentration, thus prolong-ing the war one or two years. The ating the war one or two years. The at-tache adds that mediation is impossible until Russia wins a decisive vic-

Capt, Epantchine, one of the Russian navay officers who will appear as a witness before the International comwithess before the international confirmation of the North sea incident, also says Russia will retake Port Arthur. He declares peace will come only when Russia imposes It,

SCENE OF NEGOTIATIONS.



Office Popy



Springs-Went to the Relief of Another on Christmas Day and Was Not Seen Again Until His Body Was Found.

quent history, the decision says:

"Harriman averred that the shares of railway stock in question were acquired by the securities company: that it would hold them as custodian, depository, trustee and owners of said shares were the parties who originally exchanged the same for stock in the Northern Securities company.

"The Northern Securities company claimed that it acquired the stock by purchase, and that it owns the stock outright."

After quoting the resolution under which the stock was acquired, the opinion says the resolution contemplated a purchase and not a trust, and that the resolution was adopted at a meeting at which Harriman was present. The opinion continues:

"The Northern Securities company is the owner of 1,537,594 shares of the stock of the Northern Pacific Railway any which has been restrained voting or receiving dividends and in view of this restraint all the parties spree, and it should not continue. The rthern Securities company, accord ingly proposes to assign them pro-rata to its shareholders, including not less than 2,500 persons whose shares are un-questionably sequired by purchase and who are not parties to this suit."

Parties to this suit, and as such disposition of them would effect a ratable. and, therefore, equitable division of them amongst all who are entitled to participate in a distribution of the oporative assets, we are of the opinthat the injunction which prohibited should no longer remain in force. If the question before us had been involved and decided in the suit of the United States vs the Northern Securithes company, or if it had been passed upon, though but incidentally by the supreme court of the United States in disposing of the appeal in that case of course, would not regard it in open one. But it was neither ded nor considered at any stage eided decided nor considered at any stage of that litigation. The petition or bill of the United States did pray that the stockholders of the rull-road companies who had exchanged their stock therein for slock of the Northern Securities company should be required to surrender any slock of the Northern Securities com-pany so acquired and held by them, and to accept therefor the rallway stock in exchange for which the same is issued. exchange for which the same is issued but the decree, insofar as it was mandatory, went no further than to pro-hibit the doing of 'the specific things which, being done, would effect the re-sult denounced by the act'-1903 U. S. 356. This was all that was requisite and it was accomplished by that part of the decree which has been already quot-

ed, and the added clause, though ap-parently suggested by the prayer of the bill to which it referred, was obviously not intended to have any obligaeffect. It was permissive mercly

tory effect. It was permissive merely, and this so plainly appears from its terms that it is necessary only to di-rect attention to them. They are: "But nothing herein contained shall be construed as prohibiting the North-ern Securities company from return-ing and transferring to the stockhold-ers of the Northern Pacific Rállway ers of the Northern Pacific Railway company and the Great Northern Rail Railway way company, respectively, any and all shares of stock in either of said fall-way companies which said, the Northall shares of stock in the said, the North-way companies which said, the North-ern Securities, company may have here-tofore received from such stockholders in exchange for its own stock; and nothing herein contained shall be con-strued as prohibiting the Northern Se-curities company from making such transfer and assignment of the stock aforesaid to such person or persons as may now be the holders and owners of its own stock originally issued in ex-transfer the holders and owners of its own stock originally issued in ex-ter the stock original is to proceed in the stock original the inter the stock original the inter the stock original the

American legation and British embassy regarding the sales of Bibles and notwithstanding previous assurances the porte refuses to authorize street sales. 'The porte's notes which are in identical terms declare there is no doubt that agents of the Bible societies indulge in a propaganda in explaining the utility and use of the Scriptures and as all propagandas are forbidden by the laws of the empire the action of the colporteurs brings them under prohibition. Consequently the government can no longer consent to the system of peddling Bibles, but must insist that the sales be confined exclusively to shops or the depots of the societies.

M. K. & T. WRECK. No One Killed but Five Persons Were Injured.

Sedalia, Mo., Jan. 3.-Missouri, Kansas & Texas passenger train No. 5. known as the Flyer, which left St. Louis last night for Galveston and San Antonio, was partially wrecked early today at a point a mile and a half east of Rocheport, Mo. The engine, baggage car, combination car and two coaches were turned over into a ditch.

No one was killed. Five persons were more or less schously injured. The engine jumped the track and ran into a bluff, the other cars mentioned jamming into it. The baggage car caught fire and was consumed, together with much baggage caught hre and was consumed, together with much baggage. Train Collector Loebel of St. Louis was the most seriously injured and he may die. The injuries sustained by the

others, were slight.

Negro Murderer Hanged.

Winchester, Ky., Jan. 3 .- John Hathaway, a negro, who several years ago rated high as a jockey, was hanged here today for the murder of Etta Thomas, his sweetheart.

Temperatures.

Chicago, Jan. 3, 7 a. m.-New York, 36; Boston, 34; Philadelphia, 38; Washington, 42; Chicago, 22; Minneapolis, ; Cincinnati, 20; St. Louis, 20.

Western Jockey Club Meeting.

Chicago, Jan. 3 .- Horsemen from nearly every turf center of the middle west assembled here today to participate in discussions at the Western Jockey club meeting. The question of interest was a request for such a revi-sion of racing dates for 1905 as to per-mit of a rearrangement of the schedule at Hot Springs and New Orleans, and at minor courses.

FOREIGNERS IN TANGIER.

Those in Suburbs at the Mercy Of Marauders.

New York, Jan. 3 .- Foreigners residing the suburbs, says a Herald des-patch from Tangler, are now at the mercy of marauders. A band of the latter attempted to sack one British residence and were driven off by native soldiers who were on guard.

As a measure of precaution, the for-eign legations have recommended their respective subjects residing outside the

THE PRESIDENT Tokio, Jan. 3, 5 p. m .- Some of the foreign diplomats here believe that there will be an early renewal of efforts looking to the securing of peace, Outwardly the Japanese government gives no indication of its desires in that direction, but it is known that it is pre-

pared to discuss the question and to make terms which are characterized as reasonable. Those who predict a movement for peace declare that the Japanese em-

peror's commendation of Gen. Stoessel and the determination of the Japanese to give honorable terms to the surren dered garrison will soften the blow to Russia and create an opening for the

discussion of the question of peace. The United States, Great Britain and France are named as possible direct of indirect intermediaries, though it is no mprobable that Japan will broach the subject directly. The fail of Port Arthur immensely strengthens the hand of Japan. In the actual conduct of the war Port Arthur

has been a stumbling block to Japan, which for six months has had engaged there over 100,000 troops and practically her entire navy. This fact compelled Field Marshal Oyama to fight the battie of Liao Yang short handed. Now the entire navy is free to prepare to meet the Russian Second Pacific squadron and to attend to the Vladivostok squad-

ron. A heavy force of troops will be immediately available for service in Manchuria, and this possibly will al-low the undertaking of other independent enterprises.

Japanese Naval Comment Different from the Popular.

Tokio, Jan. 3, 11 a. m.-Comment in naval circles here upon Gen. Stoessel's action in destroying the Russian war-ships and attempting to choke the entrance to the harbor of Port Arthur and dispatching the torpedoboat destroy-ers to Chefoo, subsequent to his offer to surrender the fortress, is directly opposite to the opinions expressed in the local papers, the Jiji and the Nichi Nichi, A member of the naval staff said today that if he had been in Gen. Stoessel's place he would probably have been ompelled to act in a similar manner and further that if Gen. Stoessel had been a Japanese he would probably have committed suicide, after dispatching the destroyers and blowing up the hips remaining in port. He expressed the hope that the emperor would give Gen. Stoessel honorable conditions of surrender, despite action. Distant ob-servation of the sunken warships at Port Arthur gives no idea of the con-dition of the battleship Sevastopol, which has evidently been towed off the

beach and sunk in deep water. The warships previously sunk in the harbor have apparently been mined and torpedoed from the exterior. Expert opinion upon the condition of these ships varies upon the question of their salvability, which will be deter-

minable only by examination.

A FAMILY OF NINE BURNED TO DEATH.

Elmira, N. Y., Jan. 3.-Fire consumed the home of Frank Noweski, a Polish miner, in Morris Run, Pa., early today and the entire family of 10, except the oldest son, aged 18, was either burned oldest son, aged 18, was either burned to death or smothered. Their charred bodies lie in the ruins of the house. The Noweskis lived in a log house on the outskirts of Morris Run. There were no immediate neighbors. Last night the family retired as usual. Early index the oldest son was avakened he today the oldest son was awakened b the smell of smoke. The room in which he was sleeping was on fire and it

was with the greatest difficulty that he made his escape from the house.

San Salar Salar Salar

TO BE KEPT BUS'

He Has Accepted Invitations to Attend Important Functions



ADDRESSES WILL BE MADE.

To Talk to Forestry Congress, Naval Cadets, on Lincoln's Birthday, to Sons of St. Patrick and Others.

Washington, Jan. 3. - President Roosevelt has accepted for this winter several invitations to attend important functions, both in Washington and out of town. At all of them he will deliver addresses, two or three of which will be of notable significance. Next Thursday afternoon he will address the delegates to the National Forestry congress, which here assembled today. The speech will not be prepared in advance, although the president already has thought out his remarks very carefully. On Monday, the 30th inst., the president will attend the exercises at the naval However, on reaching Provo that night, academy in Annapolis incident to the academy in Annapolis, incident to the graduation of the senior class of the institution. He will be accompanied to

Annapolis by Secy, Morton. The exermy existence cises will take place about midday and will be rendered particularly notable by the distinguished party which will be augmented by the attendance of members of the naval affairs committee of both the senate and the house of representatives. In the afternoon of the same day, the president and party will go to Philadelphia to attend a dinner to be given in honor of President Roosevelt by the Union League club. His speech at that dinner will be important. The president and party will return to Washington that night. The president will go to New York on Monday, Feb. 13, to attend the dinner to be day, Feb. 13, to attend the dinner to be given in commemoration of Lincoln's birthday by the Republican club of New York. The birthday falls this year on Sunday, but it will be observed on the 13th. The president's address will deal with the life, character and time of the martyred president. Re-maining in New York that night and the next day, the president will be enthe next day, the president will be entertained at dinner on the evening of the 14th by the Hungarian club of New York. He will arrive in Washington on the morning of the 15th. Some time ago

the president accepted an invitation to aitend on Washington's birthday, Feb 22, a celebration to be held at the Uni versity of Pennsylvania in Philadel-phia, His address on that occasion will phia. His address on that occasion will treat of Washington and his achieve-ments and their results on the nation. The president will be the guest at a din-ner on the night of March 17-St. Pat-rick's day, given by the Friendly Sons of St. Patrick in New York. He will deliver a speech at the dinner. Soon offer that the destermined by the second after that, the date not having been fixed definitely yet, the president will go to San Antonio to attend the annual nion of his old regiment of Rough Riders.

(Special to the "News.") Provo, Jan. 3 .- About 11 o'clock today

W. D. Roberts, Jr., proprietor of the Hotel Roberts, received in telephone communication from Dr. Joseph Milliron of Salt Lake stating that he had received a startling letter to the effect that his son, Royal H. Milliron, had committed suicide at the hotel and ask-ing Mr. Roberts if he would investigate the report. The latter went immediate-ly to his room and found the young man dead in a bath tub connected with the room, with a bullet hole through his the room, with a builet hole through his heart. The weapon with which he had killed himself was lying in the tub filled with water. As soon as the body was discovered the officers were noti-fied and City Marshal Henry, Sheriff Harmon and City Physician Taylor re-paired to the scene, viewing the body and deciding that an inquest was not necessary. The remains were then tak-en to the Berg undertaking parlors, where they are being prepared for shipwhere they are being prepared for ship-ment to Salt Lake.

Milliron, who is about 25 years of ske, came to Provo Friday night and registered at the hotel as H. M. Royle of Chicago, Since then he has occupied room at nights but went elsewhere a poom at hights but went elsewhere for his meals, where, however, is not known. Mr. Roberts says the last he saw of him alive was last hight about 11 o'clock when he noticed him standing near the office. That he had planned the deed which terminated in his death the deel when terminated in his deal is evident from a long letter found i his room, dated Jan. 2, 1995, and ad dressed "To whom it may concern. The letter begins as follows: "I ar Royal H. Milliron of Salt Lake, son g Dr. Joseph Milliron. On the night of Dec. 30, 1904, I began a journey ostensibly for Chicago, to take up the work of a junior in the Rush Medical college the train unknown to anyone. My tentions were to get a room, inform My in people and friends and put an end to

HIS DOCTRINE OF LIFE.

Then follows a statement on the philosophy of life and a conclusion to effect that all that is supernatural is false and that the possessor of lif has a right to take it. He refers to his intention to fold his clothes neatly on the bed and expresses the hope that his act will result in no trouble to anyone. Then he says: "This might be called Then he says: This might be calle a case of justifiable homicide. I hav merely killed a man who has been ih terfering with my contentment and peace of mind beyond endurance. That That man is myself. If I should write a book I could not offer any more con-vincing proof to the average person than these few pages contain, that 1 am a fool. Well, so be it. I do not think so myself."

LETTER TO HIS FATHER,

Among the young man's effects was found a letter written to him by his father and bearing date of Dec. 29. This was in the nature of an affectionate farewell and contained the clause, "Let bygones be bygones." In it the father expressed a desire to do everyfather expressed a desire to do every-thing possible to assist him during his absence, and concluded by inti-mating that perhaps he would never see him again, as he was grow-ing old. In his pockets was found the sum of \$1.15 in cash, this being all the money he had left.

Dr. Milliron, who went down to Dr. Milliron, who went down to Prove on this afternoon's train, was well nigh distracted at the news of the death of his gon. To the "News" he said that he could not discuss the tragedy until he knew more about it and had seen the body. "My boy left us on Friday in the best of spirits." he said battman sobe "nod was sain said, between sobs, "and was going back to collage to enter his fourth term. I can assign no reason for his rash deed." While the distracted father would

not talk and denied that he had re-

home of a friend. L. R. Smithen arrested the lad and took him to the city jall where he now is on the charge of grand larceny.

FORCE OF HABIT.

How it Took Governor Wells to the County Building Today.

"Good morning, Governor Wells, how does it happen that you are down here today?" was asked of the former gov-ernor by a "News" representative this morning at the city and county building.

ing, "Force of habit, my boy, force of habit," was the reply. "You see, when I started out this morning, I simply walked south as I have for many moons past, and I found myself down here at the building." It later developed however, that he was engaged in preparing the bi-ennial final report of the state board of pardons, of which he has been chairman for the past nine years

LYON TURNED DOWN.

Commissioners Give County Attorney But One Assistant.

The county commissioners met at noon today when Chairman Wilson ap-pointed the committees as reported in appointed the vening's "News," after which the appointments made by the various county officials of their deputies and clerks were received and referred to the committee on county buildings and grounds, of which Commissioner Miller is chairman and the other two commissioners are members. The committee at once reported fa-

yorably upon the appointments made by County Clerk J. U. Eldredge, Jr., a complete list of which appeared in Saturday's "News." These appointments were confirmed.

The appointments made by County Attorney P. P. Christensen of Willard as first assistant and Miss Hanson Ethel Woodmansee as stenographer were confirmed upon the recommendaclided that a second assistant was mit needed in that office and hence the ap-pointment of Job. T. Lyon was turned down.

The commissioners then adjourned until 2 o'clock this afterneon, when action will be taken on the other appointments.

The appointments of County Treas-urer Carbis, which were submitted to the county commissioners today, are a follows: A. T. McCann, chief deputy; J. A. Groesbeck, Jr., second deputy; F. A. Swenson, W. J. Moore and J. M. Rasmussen, clerks.

EIGMTEEN MEN HURT.

Work Train Backed Into Freight Standing on Track.

York, Pa., Jan. 3 .- By the backing of a work train into a freight standing on the Northern Central track six miles north of this city today 18 men wers injured, five so badly that their re-covery is doubtful. 18 men were

Price of Diamonds Advanced.

New York, Jan. 3.-Local diamond dealers have been advised of an ad-vance of 5 per cent in the cost of rough stones, making a total of 45 per cent increase since 1901. The raise has been made by the selling syndi-cate, with beadquarters in London which is estimated to control 95 per cent of the world's output. Falling off of output in south Africa is the cause of output in south Africa is the cause attributed.

Chefoo, Jan. 3, noon.—The fort where the negotiations for the surrender of Port Arthur were held is called the Big Eagle's Nest, and it is near Rihlung mountain

meuntain. According to the reports of the ne-gotiations received here, Gen. Stoessel's proposal that the Russian sick and wounded should remain under Russian medical supervision and that the Japa-ness transfer the non-combatants was acceptable to Gen. Nogi, but the Rus-sian proposal that the Russians should march out under arms caused some controversy.

march out under arms caused some controversy. Midshipman Klisorich, commanding a launch which left Port Arthur at 8 o'clock last night, said today: "No shot has been fired at Port Ar-thur for two days. That which Chi-nese heard last night was the Rus-slans blowing up forts, ships, maga-zines, warehouses, docks and every-thing valuable. When I left Port Ar-thur the fortress and town was almost thing valuable. When I left Port Ar-thur the fortress and town was almost completely wrecked. The warships died hard. Several explosions were necessary to complete the wrecking of them. The Several explosions each ing fire exploded and turned turtle. The harbor entrance is blocked with sunken where The only understals over the one of ships. The only navigable craft now at Port Arthur are the hospital ships Kas-san and Mongolia.

"You need expect no more ships from Port Arthur as these are unable to leave on account of the blocking of the

Col. Relas represented Gan. Stoesee! Col. Reiss represented Gan. Stoeseel in the negotiations for surrender. A table was spread with wine and food at the Engle's Nest and the envoys treat-ed each other with great courtesy which quickly melted into informal good-fellowship. Each complianced the other on the bravery of their forces. the other on the bravery of their forces. "The statement that there remained 5,000 fighting men at Port Arthur is misleading because a majority of these half are sick or slightly wounded. There has been for some time no pro-per bandages and wounds have been dreased with hemp." said Midehipman Kilsorich. "The news that Gen. Stoes-sel was prepared to treat for surren-der was received by the soldiers with the feeling of utmost relief. For the past month severe wounds have been gladly received by the soldiers begladly received by the soldiers be-cause they were allowed to rest. When the men were not fighting they were tunneling on half retions. "The bombardment of the last day

or so was terrific. ed that even Gen Everybody remark. Gen. Stoessel must see

the futility of further resistance when our guns are unable to reply. "We might have surrendered a month ago with the highest hanor. That re-sistance has continued effectively since

"It is a mere bandful of broken men "It is a mere bandful of broken men who surrender and a debris-strewn desert which the Japanese gain. "Not one of Port Arthur's magnifi-

cent public works remain. "The feeling created when Gen. Stoes-

sel took the unwelcome step was gen-

sel took the universities atep was gen-erally oue of relief. "The soldiers for whom one month's service has counted as one year are rejolding because they will soon see their families."

WANTS TO GIVE PAROLE.

Tokio, Jan. 3.—Gen. Stoessel has ca-bled the emperor of Russia Jsking per-mission for the officers to give their parole

FORTRESS WAS UNTENABLE.

St. Petersburg, Jan. 3.-Gen. Stoes-sel's dispatches by way of Chefoo to the general staff relate how the position of the fortress of Port Arthur gradually became less safe and more critical, the became less sate and more critical, the ravages of sourcy increasing enormous-ly the casualty list, already so con-siderable from the Japanese assaults and bombardments. Toward the end of the year the supplies of annuultion completely gave out, there were 14,000 sick and wounded in the hospitals and 200 fresh ensuities coming to delive 200 fresh casualties coming in dail The general reports that at the end of the siege he had only 10,000 men under arms, the remainder of the original garrison having been either killed or disabled.

