

the hearing of the proceedings in error.

(Special to the "News.")

lusion of routine business in the senate today, a resolution offered by Mr. Platt. Under the law the plaintiff is allowed 60 days in which to prepare its case and upon the the defendant 45 days so that Wood-ward, no matter what the decision of secretary of the interior for information concerning treaties negotlated with inthe supremer court may be, cannot be legally hanged before July 11th next. dian tribes of Oregon in 1850, and in-quiring whether the United States States Sheriff Tubbs of Casper has been noti-fied of the action of the supreme court. oultably is bound to compensate the tribes for lands now in possession of There is some talk that Woodward will be lynched, but it is believed the law the government or settlers. The senate then began the consideration of private pension bills. Forty-four pension measures were passed. The senate then proceeded to the con-sideration of the bill to amend the act establishing a code of laws for the District of Columbia.

SENATE. Washington, March 25 .- At the con-

thought Eddy was looking for trouble and he concluded to give it to him. Up-on examination by Mr. Riter, Dr. Has-brouck admitted that he was not en-tertaining any feeling of brotherly love tertaining Eddy heating the late It is denied that Morrison, in the instigation of this suit, is acting under the direction of Justice Bartch or that it has been agreed that the furits o the action, if any, shall be divided be tween them, or that defendant Bartch has any interest, contingent or other wise, in the stock in litigation. It is also dealed that Snow has been damaged in the sum of \$10,000 or in any sum whatever,

tre understood to be giving this prop sition respectful consideration, exam ining all its details

Engaged in a Free Fight.

Chicago, March 25 .- The citizens of the south end of Austin engaged the employes of the Union and Consolidated

discovery of gold in California. He was one of those employed by Sutter and was on the scene when the yellow and was vashed up from the mill race on Sutter's premises and he left the wild deltrions excitement of the gold craze to return to his friends and peo-

Coming on to Utah he turned his

His long

In 1831 the

name of

hand to the pursuits of the farm and

remained to the end of his days on the spot where he had lived for years, and

Chevenne, Wyo., March 25.-The attorneys for Charles Woodward, murderer of Sheriff Ricker of Natona county, under sentence to be hanged at Casper on March 28, today filed in the state supreme court a petition in error and the condemned man has been

granted a stay of execution pending | will be allowed to take its course. AMERICAN STUDENT IN RUSSIA ARRESTED

St. Petersburg, Saturday, March 22 .- his education. Among those who were During the course of the recent domi- imprisoned on account of the student cliary visits the police searched the riots are officers, lawyers, noblemen, noblewomen and the sons and daughhouse of an American, Mrs. Gardner, and arrested her son, Boris, who is a ters of officials. The Official Messenger admits that from Moscow alone 95 students have student. Nothing incriminating was discovered. Mrs. Gardner hopes her been banished to Siberia and that 567 son will be released on the condition have been imprisoned for terms rangthat he will go to England to complete | ing from three to six months.

TO EVACUATE MANCHURIA

In Port Arthur it is Believed that the Aim of the Anglo-Japanese Alliance is That and Nothing Less-Japs Now Competing With Russians.

Railway Detective Missing.

Wellington, Kas., March 25 .- A detec-

St. Petersburg, Saturday, March 22 .- | is that the effect of the Franco-Russian According to advices received here from declaration in reply to the announce-Port Arthur it is believed there that the ment of the Anglo-Japanese allianc real intent of the Anglo-Japanese treaty will be to lessen the resistance which is to compel Russia to evacuate Manhas lately developed in China against huria. the settlement of the Manchurian ques-

The Japanese have already estabtion on the lines required by Russian lished a Japanese-Chinese bank to cominterests, and that China, whose at pete with the Russiah-Chinese bank titude of resistance became more pro nounced after the publication of the and a Japanese institution has secured Anglo-Japanese alliance will now be less inclined to act prejudicially to Rusconcessions to explore for gold in Manchuria. The concensus of opinion here | sla's interests.

ADVOCATE A NEW DEPARTMENT

Washington, March 25 .- A large numtually agreed by Judge Day and coun-sel for the railroads that if the ar-rangement could be made, the Kansas City and Chicago cases should be arber of business men representing the leading commercial organizations of the country were before the house comgued jointly at Chicago on June 23. This was agreed to by Judge Phillips mittee on commerce today when hearings were begun on the plan of creating a new department of the govern-ment, presided over by a cabinet offi-cer, to be known as the department The restraining order issued by Judge Phillips is practically the sant as that issued in Chicago by Judge Crosscommerce and labor. Those present luded Theodore C. Search of Phila-The following named roads are af-The following named roads are af-fected by the order: Chicago & Alton, Chicago, Milwaukee & St. Paul, Chica-go Great Western, Atchison, Topeka & Santa Fe, Chicago, Burlington & Quincy, Missouri Pacific, Chicago, Rock Island & Pacific, and the Wabash. lla, president of the National Assohatton of Exporters; J. W. Ela of hicago, of the National Business edgue: Edward R. Wood of Philadelof the National board of trade: Mahlon H. Kline, of Philadelphia, of the Trades union; W. T. Noyes, Chi-cago, of the National Civic league: Geo. H. Anderson, of the Pittsburg chamber of commerce: W. R. Tucker, of the Native named Ferguson, who has been working on the murder case of Mont-gomery, the Santa Fe railway detectional board of trade, and Geo. H. Bar-ber, of Detroit; Edward H. Sanborn of Philadelphia and E. P. Wilson of Cinlive, has been missing for several days hnati of the National Association of and is believed to have been dealt with

Kansas City Injunction.

Manufacturers.

at the hands of the gang that killed Montgomery. Montgomery was killed at his home last fall in Winfield while prosecuting a case for the railroad. Kansas City, Mo., March 25,-Judge John F. Phillips in the United States fourt today issued a temporary retraining order against eight ChicagoHOUSE.

eration of the contested election cases of Moss vs Rhea from the Third Kentuckey district was resumed when the house met today. Only two hours of debate remained. The first hour was occupied by the contestee, Mr. Rhea, in concluding the argument begun by vesterday in defense of his right to his

Heavy Seas in English Channel.

London, March 25 .- Very heavy seas are running in the English channel and the Irish sea. A number of vessels are in distress. Queen Alexandra's intended departure this morning for Copen-hagen was postponed on account of the gale. The torpedo boat destroyers Ze phyr, Serpent and Zebra put into Portsouth considerably damaged by the gale. The latter's steering gear was carried away. The seams of the other boats were torn open and they gale. were leaking so hadly that they had to be docked for repairs.

Mitchell Declines to Divulge Names,

Shamokin, Pa., March 25 .- President Mitchell of the United Mine Workers, said today he has decided for the present not to announce the names of the lected to seek the aid of the Civic federation in securing an amicable attlement between the mine workers and oprators.

The program as now prepared pro rides for a preliminary conference in New York between National President Mitchell, the three district presidents and the conciliation committee of the livic federation. An effort will be made by these committees to arrange a meting between the operators and mine workers' committee of 14. Should the operators decline to meet the committee there will be no necessity for its mem-

bers to visit New York. In any event the four presidents will report the re-sult of their efforts to the district ex-Kansas City and Kansas City-St. Louis railroads, on the application of Judge W. A. Day, counsel for the interstate ecutive boards before further action is taken. ommerce commission, who asked that

the roads be enjoined from deviating from published schedules. It was mu-Foreign Resentment Aroused.

Yokohama, March 25 .- The authorities here have aroused the resentment of the foreign residents by distraining properties of those who refuse to pay the house tax. They have distrained money of the Hongkong & Shanghai bank and the Chartered Bank of India. Today they selzed money and property at Jardine, Matheson & Co.'s, and at ther places of business and at resi-ences. The officials refuse to accept lences. ayment of the tax under protest. The gations are receiving numerous complaints from foreigners of the treat-ment the latter have been subjected to, Wilhelmina's Visit Abandoned.

The Hague, March 25 .- An official note just issued confirms the report that Queen Wilhelmina's annual visit to Amsterdam has been abandoned and

says that while the general health of her majesty is very satisfactory, he physicians are of the opinion that all serious fatigues ought to be avoided.

Meteor Will Race.

London, March 25 .- King Edward's Forguson recently was instrumental in the arrest of two men charged with the arrest of two men charged with Montgomery's death. He is a Ar-kansas City for Enid and El Reno, Cowes regatta.

towards Eddy because, he said, the latcisco to Boston. The defendant did not deny that he make the remark about the dog.

Two other witnesses were examined for the defense, and they both testified that they did not hear either Mr. Walton or Mr. Eddy ask to see the books or the day in question. They were both agreed in the statement, however, that when Eddy entered the doctor's privat office, he came out much faster than he

> They also agreed that when the doctor asked Eddy and Walton if they wanted any more, they were both posttive and emphatic in their declarations that they dld not care for any,

Washingnton, March 25 .- The consid-Judge Diehl then had his inning. He held that if any demand was made upon the defendant for the books in question, defendant did not hear it. Dr. Hasbrouck was found not guilty and discharged.

At one stage of the proceedings it really looked as though there might be a scene in the court room. It was while the defendant was under cross cxamination. He was asked why he hit Mi Eddy when the latter entered the office "Because he looked like a whipped r?" was the reply as the doctor looked

defaulty at the object of his wrath. A moment later he admitted that the only provocation he had for the as-sault was the sight of Mr. Eddy's 'mug.

NAVIGATION TO DEPOTS.

The mud is something appalling in the streets leading to the railroad depots, and the busses are thrown about so in navigating that the hotel runners are forced to not merely cling to one an other, but to fasten themselves down upon the tops of the busses in order to keep from being thrown into the street The absence of light on part of west Third South street last night, made matters worse for vehicles having to use that part of the town.

----DEAN HART INVITED.

Very Rev. Dean H. Martyn Hart of St. John's cathedral at Denver, has been invited by Bishop Leonard to preach the sermon at the laying of the corner stone of the New Rowland Hall building, early in June. The annual convention of the Episcopal church for this missionary jurisdiction will be held at the same time, so that if will be a noted event in Utah Episcopalian circles.

MERRY BOWLERS.

One of the largest and most successful bowling parties ever given in Salt Lake was the one given by the Z. C. M. I. last night at the Brunswick. The club held forth from 8 to 10 p. m., and two merrier hours have never been spent at the local alley. Some of the la-dies were rather crestfallen at their scores and some of the gentlemen would rathr not have the scores they made whispered around but the evening was one of enjoyment and mirth. Those present were: Mr.W. Silverwood, Dr. Ar-nold, Miss Florence Dow, Miss Ander-son, the Misses Boyd, Miss Stalter, Mr. Trapp, Mr. B. T. Cannen, Prof. Anderson, Mr. Stephenson, the Misses Clark, Mrs. Dunyon, Mr. and Mrs. Chambers, Mr. Hasten, Mr. H D. Folsom, Jr., and Mr. Trenam.

HEBER J. GRANT COMING.

Apostle Heber J. Grant has written his brother that he intended to sail from Japan on the 11th of this month. arriving at San Francisco on the 29th He expects to reach home on the 1st Apostle Grant's homecoming is only temporary. After he has reported his labors and conferred with the authori ties of the Church it is likely that he will return at once.

Deciston Affirmed.

The decision of the lower court in the case of Anne Gorringe, appellant, vi W. S. Read, has been affirmed by the Supreme court in the opinion handed down yesterday by Justice Bartch, Chief Justice Miner and Justice Baskin concurring. The case was brought in the second judicial district, and was to quiet title to a certain plece of land in Weber county. At the first trial a non-suit was granted in favor of de-fendant and an anneal was taken to endant, and an appeal was taken to he Supreme court and the decision o the trial court was reversed and a nev trial granted. The second trial result-ed in a decree being rendered in favor efendant. For a second time the came before the Supreme court of defendant. and the decree of the court below was affirmed.

Sherman Estate.

A decree of distribution of the estate of Thomas G. Shearman, deceased, the widow, Elmina Shearman, was filed n the county recorder's office yester day. The estate is valued at \$9,808 and consists of real estate situated in this county

Obstruction Suit.

Salt Lake county has commenced an action in the district court against Alexander E. Lee to compel defendant to remove fences and other obstructions from highway No. 20, which is south-east of the city and runs north and south through the center of section 16 township 2 south of range 1 east. obstructions were placed on the high-way about Sept. 1, 1900, and have renlered the same useless to the public a a highway. The defendant has been notified by the supervisors to remove the obstructions but has failed to do so, hence the county asks that the nuisance be abated

Hears Labor Claims.

Judge Hall is today hearing the moion to allow certain labor claims in the case of the Wood Grocer & Pro duce company vs the Butterfield Mining company

For Unlawful Seizure.

The case of the Miller Talloring com bany vs Thomas P. Lewis et al is st trial before the jury in Judg Morse's court. collect \$10,000 for an alleged unlawfu seizure of a stock of goods by defend ant Lewis as sheriff of Salt Lake coun

SENT TO STATE PRISON. Dick Ryan and John F. Hansen Given One Year.

[Special to the "News."]

Ogden, March 25 .- Judge Rolapp to lay sentenced Dick Ryan to a term of one year's imprisonment in the state prison. Ryan was convicted of burglarizing a Fifth street saloon on Feb. 14 The judge diminished the penalty on the recommendation of District Attor

ney Hayes. John F. Hansen, who was convicted of embezzling \$165, was also sentenced o one year at the state prison. Joseph Carlson and Denny Smyth, the

proprietors were arraigned b fore Judge Howell today, charged with turned in from a box and the boys selling liquor on Sunday. They were from No. 2 station responded and soon fined \$10 each and admonished that it | had the blaze out.

ction companies hand to hand in the fight for universal transfers which ludge Hall has decided must be given. Eighteen men, headed by W. E. Goldn, a druggist, rode back and forth or the West Madison street lines, demand-ing transfers from the trolley to the cable and back again. They were re-fused, as had been expected and the efforts of the street car crews to eject them from the cars resulted in two pitched battles, which tied up both and he waslines. Golden's back was sprained and he was ousted. A large of suits against the companies is one of the results threatened.

Rhea is Unscated.

Washington, March 25 .- Rhea, Third Kentucky district, was unseated, 127 137, and Moss was seated.

Troops Arriving at Panama.

Panama, Colombia, March 25 .- The roops which arrived at Colon yesterday from the department of Santander, on board the government gunbea General Pinzon, are arriving here this morning from Colon. While the im-port duties on merchandise have been raised from 30 per cent, the duty on liquirs has been decreased to \$1.50 per

Compulsory Industrial Arbitration

Sydney, N. S. W., March 25 -- A comilsory industrial arbitration court has been established here. The members include representatives of the employers and employes.

Steamship Difficulties Settled.

London, March 25 .- The Liverpool Post today says it understands that the continental and British steamship lines have settled their difficulties and that an agreement in regard to saloon rates between Europe and the United States will be announced in a few days.

Negro Outrages an Old Lady.

La Junta, Colo.; March 25 .- Mrs Henrietta Miller, of Los Angeles, Cal 67 years of age, was criminally assault ad here about midnight and is said t he in a critical condition. Mrs. Miller who was traveling to Denver over th Santa Fe road to visit relatives, let the train to soend the night her When leaving the station she wa seized by a negro and dragged into the railroad yards where the outrage was committed. W. H. Wallace, a Pullman car porter, has been arrested or suspicion.

Woodward Gets Stay of Execution W. McConnell of Helena and Mentor Wetzstein of Livingston, arrived this

Denver, March 25 .- A special to the norning from the north and are at the Times from Cheyenne, Wyo., says: Kenyon. They are prominent Elks, The attorneys for Charles Woodward under sentence to be hanged at Casper on March 28 for the murder of Sherift Mr. Chamberlin being district deputy for Montana. The party are here that arrange for the advent of 600 or mon Ricker, today filed in the state suprem Elks who will come down from Mon tana in two special trains in attend court a petition in error and the con demned man has been granted a stay of execution pending the hearing of the proceedings in error. Under the law ance on the blg convention of August They will bring with them the Boston & Montana band of 35 musicians fro Butte, to furnish plenty of good must to prepare its case and the defendant 45 days, so that Woodward, no matter what the decision of the sdpreme court for the northerners; and headquarters are being looked up this afternoon. The single Elks will live in their cars whit here, but rooms in town will be secur ed for the Elks who are accompanied

There is some talk that Wood the livestock in consequence are fine condition. There are hundreds the law will be allowed to take its COULSS. families moving into the state from the

street, caused a small blaze this morn ing, and damaged the place to the extent of about \$80. The alarm was

ture of his sickness. But he faced the inevitable end without a tremor, as he had faced it time and time again without complaint. a warning for him to prepare for the end, came upon him just one week ago, and from then on to the close his hysical sufferings were such as strong men can endure. Yet through t all he was the same brave, patient, cheerful man, the qualities that endeared him to his companions who went with him through the "Death Valley" of Arizona. His spirit was dauntiess for together with the natural courage that was in him he possessed an abid-ing faith in the divinity of the cause for which he sacrificed so much, and it remained undimmed through the blight of famine and the terrors death. His was one of the most event-

t would be an affront to presume there

have known who he was, for his mod-esty was as great as his courage and

it was only because fate associated him

ABOUT JIX HUNDRED

MONTANA ELKS COMING

W. E. Chamberlin of Great Falls, O.

east and south to take up farms and

MORE SNOW TONIGHT.

ago that the sick man learned the na-

where he delighted many with the graphic stories of his in His long race has been run, and he goes down into his grave in the winding sheet of his people's affections and his memory will ever be cherished as one of the precious legacies of the commonwealth. His integrity never failed his God or his friends, and their love for his memory will never pass away, BIOGRAPHICAL. James Stephens Brown was born in

Davidson county, North Carolina, July 4, 1828, it being Independence day that ful careers that man is called on live through. His path was a rugged road that led him through nearly ev-ery conceivable danger and impose may have had something to do with the heroic mold into which he was cast. His parents were humble farmers and stock raisers, of Revolutionary blood, upon him nearly every manner of sur fering. But his constitution was made of iron, and after surviving a series of and of honest principles. In 1831 the Brown family moved to Brown county, privations and exposures that would have killed the average map it was given to him to pass three mile-stones beyond the alioted years of man. Illinois, where they purchased an ex-tensive tract of land and engaged in the arduous task of cultivating ft. the arduous task of cultivating it. James was raised without the advan-"MORMON" BATTALION. tages of an education, and but little cl-vilization, but when he was twelve years old he heard a As a member, and the historian of the "Mormon" Battalion, Jas. S. Brown will be best remembered. Of that no-Mormon Elder by the band of heroes none was more Pfoutz, preach a sermon and the result was that he espoused the cause of the brave than he and where others lost ourage for a season and were ready Latter-day Saints shortly thereafter. In give up in despate, his strong and firm tread reassured them and they

May, 1816, he went to Nauvoo and joined the main body of the Church names on the scroll of the undaunted tized a member of the Church, and two days later of the Church, and two days later only of the Church, and two days later enlisted in the Mormon bat-talion and started for the point on the It would be an act of supererogation o here give a detailed account of the Missouri river where the volunteers were being mobolized. He was muslife and career of James S. Brown, because they are so much a part of the history of the people of Utab, and the settlement of this commonwealth tered in on the 16th and a few days later the start was made. He was true as steel in every juncture, and was always so though his life has been in was one who does not know who and what he was. If, however, he had been given his way, very few would peril scores of times. He has per-formed every duty that lay in his power, serving as a sofiler, pioneer and Society Island missionary, and in short, carrying off the obligations of life with unflinching courage and fideli-

with so many imperiabable events in the history of the people of Utah that his name is known everywhere within He leaves a large family, who were very much endeared to him, and numborders, or wherever the story of berless friends who mourn the loss of the Mormon battalion has been toid. It is beyond the skill of human pen to his society here. The funeral will probably be held on Sunday, but the ardepict to the life the march of the bat-tation from the Missouri river to Callrangements have not yet been com-

> ological disturbance has been stationary over this state since Friday morning last, and it is now moving off, and in doing so there is precipitation. The storm of today covers Utah and Color-ado, and considerable adjoining country. Even at Yuma there was a rainfall yesterday of .20 of an inch. This was considerable for Yuma, where the total annual rainfall is less than five inches In fact it might as well have no rainfall at all-like some parts of the South American coast, where no rain has been known to fall in the last 100 years.

CHANGE IN MALAD STAKE.

Mattox H. Fielding Called to Preside - Succeeds O. H. Hoskins.

Apostles John W. Taylor and Rudger Clawson returned last night from Idaho, where they have been attending the conference of the Malad Stake. The meetings were large and enthusiastic, and the Apostles enjoyed them very much. The chief feature of the conference was the reorganizing of the Stake, Prest, O. H. Hoskins, who is becoming ruite aged, was honorably released from his office, and Elder Milton H. Fielding was called to succeed him. Prest, Hoskins has presided over the Stake for 15 years, and enjoys the love and esteem of all who know him, but he was getting too old for the arduous du-ties of the office.

The counselors are William H. Gibbs and Moroni Ward. The former has been the first counselor in the Stake The storm center of the present meteor- presidency for many years.

by their wives. M. Chamberlin says that Montana has enjoyed a mild winter, and

the plaintiff is allowed 60 days in which

may be, cannot be legally hanged be-Sheriff Tubbs of Casper has been notified of the action of the supreme court.

ward will be lynched but it is b

FIRE ALARM.

locate as permanent clitzens. The mines all seem to be doing well, and there is an air of general prosperity about the state that is encouraging. A defective flue at the residence of John Jarvis at 255 north, First West

> The local weather bureau predicts rain or snow for tonight and tomorrow.

fore August 11 next.