FIFTIETH YEAR.

F. J. MILLS ON THE WITNESS STAND.

The Slayer of John C. O'Melveney Breaks His Long Silence and Tells His Story to the Court and Jury.

dis First Acquaintance With O'Melveney-The Friendship Between the Two Men Not an Ordinary One-Scene When Mrs. Mills Made Her Confession at the Hospital, Just Before the Tragedy-The Defendant Makes an Excellent Witness for Himself-Rev. D. Douglas Wallace, of St. Mark's Hospital, Tells of the Meeting There Between Mills and His Wife on the Afternoon of the Shooting.

ment of separation."

was at the county jail?"

AGREEMENT TO SEPARATE.

head of the government department of

irrigation, and provides that "Frederick

to have the right to see them when she so desires at St. Mary's Academy, but is not to take them from that place.

"Did you visit the defendant when he

"Yes, on an average of twice a week."
"What did you observe of his con-

"He was very nervous and excited, would stare at one, and generally so

conducted himself that I feared he was

By Mr. Putnam-When he came to

you at night, a week before the shoot-

ing, did he question you about his

"What time did he come to the hos-

pital on October 3?"
"About noon. At least I returned about noon and found him there, in my

room, with his wife and Mrs. Wallace

In about fifteen minutes Mrs. Wallace

and I went to lunch. Mills was seeking

to obtain frome his wife the name of

turned to the room?"

That was done.'

man, and Mrs. Wallace advised her

Who had this paper when you re-

'Mrs. Mills. He asked her if what she

had written was true, and she said it was. Thereupon he asked her to give it

to me, and that I read it and kep it.

"Did you regard that as a confession

"And is that the reason why you re-

"And the reason why you now give

"Is he the person giving the confes-

"I also have the permission of Mrs.

"Did he make any remark when he

"Did he walk or take the car on leav-

"You were not worried about him,

"I was, but my attention was called

"Did Mr. Mills, at some pervious time

say anything to you with reference to

O'Melveney's action upon Mills' appli-

cation for a position with the Short

MILLS ON THE STAND.

The Defendant Makes an Excellent Wit-

ness for Himself.

Captain Frederick J. Mills was the

econd witness. He was calm and de-

liberate during the examination, and

made an excellent witness for himself.

His examination was conducted by

Judge Powers, whose first question was;

"Thirty-five," was the response.

"You are a married man."

Where were you born?"

'Where did you go then?"

Colony railroad at Boston.

"I worked in the shops of the Old

served with a topographical party in the coast survey of Maine."

"Leaving the East where did you

"To Idaho, afterwards making Poca-

tello my legal home. I was first em-ployed there as draughtsman in the en-

gineering department of J. C. O'Mel-

field, in charge of construction work on the Utah & Northern. Then I re-

turned to Pocatello and was transferred

eney as chief. After that I went in the

"What is her age?"

"Twenty-six."

"What is you wife's name?"
"Laura J. E. Mills."

duties at the time he left

went out of the hospital on Oct. 3?"

fused to give it to me some time ago?"

Mills' permission to do so."

"I do not know."

"Was he angry at it?"

Mills and Laura E. Mills, for reasons

This paper was also introduced in

It is written on the letter

The most interesting and important | turned it to him. This was the agreeched this morning when Capt. Fredtek J. Mills took the stand and told

turally, the proceedings were listened

Mills' testimony, and occasionally an credulous smile showed that she was

The defendant's sister, Mrs. David tills, usually so calm, was watchful and Mr. Hop, the father of Laura ills, looked compassionately on his

Mills made a good witness. His manr is that of a modest man, but one of ry strong character and a high order ch, but not at all hesitating, and

is emotions, but he concealed that as r as possible and maintained his air

such of importance, but his statements ave been had not all of the matter

REV. D. DOUGLAS WALLACE. is Interview With Captain Mills Just

ome form or another before.

Before the Shooting. Rev. D. Douglas Wallace testified hat he was superintendent at St in and Mrs. Mills, having first met em about two years ago. Witness sembered the time when Mills was in "Do you recall the day of the trag-dy?" asked Mr. Straup.

"Had you seen him a short time be-"Yes; I saw him three or four times

"What was his condition?" "He was in an extremely nervous "Did you have any conversation with

im with reference to the conduct of bout a week prior to that day and said e had made discoveries that led him believe his wife had been unfaithful him. He remained until I o'clock in

morning, and was in such an exited condition that I endeavored to ave him stay there all night, but he "Did he say how he discovered it?" "Yes, he said he had found a letter

atement regarding it. "Did he say anything indicating that knew who the man was?" 'I gathered from what he said that he who the man was. "At that time was there any thought hat O'Melveney was connected with

"When did you next see Mr. Mills?" "On Wednesday of that week, to-rards the end of September."

"What was his condition then?"
"Much the same."
"Now, with reference to the homicide,

then did you see him?" "At noon, at my room at the hospital,

the presence of Mrs. Mills and my on the day of the homicide." What was said?" "He was evidently trying to discover "A blacksmith."
"Where were you educated?"

rom Mrs. Mills the name of the man. was called out, and returning saw Mills had a paper in her hand. wife had said that statement in that paper was true, and me to read it and keep it for did, putting it in an enand locking it up in the safe. ave had it in my possession until last Veinesday, when I gave it to Judge owers, who opened it in my presence."

The note was identified by the witess and then offered in evidence. Putnam objected on the ground hat it had not been identified by the erson to whom it was attributed, and othe argument followed.

The court admitted it, and Mr. Straup to the bridge department. I next went ead it. The note is as follows:
"I was intimate with Mr. J. C. O'to Cheyenne and reported to Mr. Bannister, and was sent out with a party lveney several times last year. Up under Mr. O'Melveney. He was trans hat time I was a virtuous woman ferred to some other work in a few months, and I continued until June, id that he is responsible, in addition my own weakness, for my disgrace 1888, when our party went to Idaho I can see now how he alled to do this. LUARA J. E. MILLS.

When Mrs. Mills left

he said, 'My God, Mr. Wal-

man and I have slept under

n, but finally he said. I can

and it no lorger. I must go out and alk. At 2:30 p. m. he left."

"Was any paper sent to you prior to

hat, for the purpose of getting Mrs.

"Yes, a paper sent by Capt, Mills. I
ot Mrs. Mills' signature to it and re-

We located a line from that point to Yellowstone Park. The following summer I was made assistant en-gineer at Pocatello. Afterwards I be-"What was Mills' condition at that came city engineer there. In 1890 I "When I entered and shook hands ith him his hand was cold. He was United States survey for the irrigation department in Idaho. In the fall of 1891 I was in Fremont county and first tensely excited throughout the inter-

met my wife in the fall of that year.' "Did you grow to love her?" "Did you ever love a woman until ne blankets for years. He also if killing himself and the children

After Mrs. Mills left, I tried "Or from thence on?"

"Were you elected to any public po-

sition in that year?"
"Yes, I was elected to the legislature." "When were you married?"
"On April 29, 1893, at Alamedo county,
California, to Laura Hopf."
"In 1894, what was your occupation."

"I was assistant engineer under "Was O'Melveney acquainted with

"Did your family and his exchange

"In 1895 what was your position?" "President of the State benate by virtue of the position I held as Lleutenan Governor of the State, to which I had been elected.

"Your next office?" "I was appointed State engineer by 'How long did you hold It?"

Until I resigned to enter the army.' "Have you any children?" Two boys. "Did you take any part in the organ-ization of the military in Idaho."

"Yes, in 1898, I assisted the governor in organizing the First Idaho. "Did you become connected with the military service?"
"Yes, at the suggestion of the gov-

ernor, I entered the engineer corps. Our colonel was Willard Young, and I was appointed first lieutenant, first doing recruiting service in the city. Young assigned me to command of my

"Prior to that time what had been your health?" "Pretty good."

"Did you keep up your intimacy with "Yes, we continued close friends." "Did your families continue to ex-

change visits?" "Did you have perfect confidence in

"Yes." "Ever have any difficulty with him up

to that time?" "None." "When you reached Honolulu, to

what duties were you assigned?' 'As engineer officer of the camp. "How many men gathered there?" "At that camp about 1,700 men." "Did an epidemic of typhoid fever

"It did."
"Did it impose additional duties on sufficient to themselves." Agree to live separate and apart. The care and custody of their two minor children is given to Capt. Mills, and Mrs. Mills is

"When did you become ill?"
"I went to the hospital on Nov. 21, and remained until April 21. Judge Powers then offered in evidence the discharge of Capt. Mills from the army, showing his appointment and promotion in April, 1899, as captain.

His services are set out as having been faithful, and his character excellent. "What was your health when mus-tered out at San Francisco?" 'It was not good.

"Was a special order for your dis-charge made?" "Yes. The examining board wished me to undergo an operation, but I declined, and the matter was referred to a higher board.'

"When did you leave San Francis-"On May 11 and came to Salt Lake." "Where did you go?"
"To the Knutsford for two days."

"Where then?" "To the home of Mr. and Mrs. O'Melveney, on their invitation.

'How long did you remain there'

Two days, and then I went to St. "Were you operated on there?" "And at Honolulu prior to that?"

"Where did you go on leaving the hospital?' "My wife and I took Stanley Clawson's house at 64 Second street. went to Cheyenne, my wife and her

sister took apartments in The Halls,

known as the Ricketts block, on State street, opposite the Knutsford.' "Prior to going to Cheyenne, did you apply for a position on the Short Line? responding regarding it from the time reached San Francisco. Afterwards, while I was at the hospital, we took I was somewhat disinlined to take the position on the ground that the compensation was small, but afterwards went with a note from O'Melveney to Dr. Pinkerton for physical examination. The doctor

asked me to wait, and later, he told me

he had word from O'Melveney counter-

"Did you feel angry towards Dr. Pin-kerton or O'Melveney on that account?" "Well, O'Melv ney had told me that the position he intended to put me in one requiring very little physical exertion, and gave me the note to examination and later told me that the order had been countermanded, I perhaps felt a little hard towards him for

"During your employment in the irrigation department at Cheyenne last year, did you have any other position

"Yes, the chain of engineering was offered me by Dr. Stubbs. "What was your health in Chev-

"I suffered from very severe headaches at times, and found that part of my knowledge concerning the subjects had been familiar with had passed away, and I had difficulty in remem-

"Did you receive an assignment for some work in Utah?" "I did, about Sep ember 23, to collect data on irrigation from the records and from citizens.' "How has your health been since your

imprisonment? "In Topham, Orange county, Ver-Very poor at first, and better after-"What nationality are your parents?" "How long did you know J. C. O'Mel-

veney?"
"About thirteen years." "What is your father's occupation?" "Did you see him before you left for "At the village schools, and finally "Yes, he came up to Ft. Douglas to graduated from the University of Ver-

say good-bye to me Did he say anything then about your "Yes, he said he would look after my

family if anything happened to my "Up to that time, had you and your wife lived together happily?"
"We had lived happily."

"Had you ever any suspicion regard-ing her, or if anything had happened to shake your confidence in her?" "Nothing of the kind had ever hap-

When your wife arrived in Honolulu what were your relations? "She took care of me during my ill-

"After your return here and after you had come out of the hospital and gone to Cheyenne, had those relations changed in any way?" "Had you any difficulty in getting

"Yes, I had been troubled with insomnia. "Do you remember the 23rd of Sept.,

"Yes. I arrived here from Cheyenne on the afternoon of that day.' "Where did you go on leaving the

"I started up town, and on going towards St. Mary's academy met my wife academy and took the children there, and we went on to our rooms. I no-

Saturday and she left Monday morning. I went to the train with her. "Up to that time had anything occurred to shake your confidence in

Where did you spend the Monday

"At The Halls, writing letters."
"Was your attention attracted to anything at that time and while so

"Yes: I went to a paste board box that had been used as a waste basket, to get an address from when I noted scrap of paper."
"Where is that scrap of paper now"
"I don't know what became of it."

"What was written on it?" "A note in my wife's writing, dressed to me, apparently, the message being, 'My dear husband. When you read this, I shall be dead.' I was very much surprised and shocked, never before having had an intimation that anything was wrong. That evening I walked the streets, and finally went to

uent visitor there, and wanted to know he could throw any light on the matleaving the hospital I returned to my rooms, but did not sleep any that night. In the morning I took the train for Po-

'Did you see your wife there?"

St. Mark's hospital to see Mr. Wallace.

knew that my wife had been a fre-

"Yes, I called for her at once and we went out for a walk. I told her of the note and said I could think of but one thing that would cause her to contemplate such an act. I asked her if I was not right. She replied that she would not lie to me. It was that which made her write the note. She said some thing about not being able to stand it any longer. She claimed to have affection for me.'

"Did you still love her?"
The defendant's face was a study when this question was asked. He steadied himself with a visible effort, and finally in a low, broken voice said simply "Yes."

"Did you demand the name of the "Did she give it to you?"

"When did you start for this city?" "The next morning."

"Arriving here, was the subject re-"What was your condition?"

"She said there was no excuse for her; she could offer no explanation." "How did you feel when you left the Halls that day?" "I felt angry and embittered and de

"I was angry?"
"Did she offer any explanation?"

"How much depressed?" "I cannot put that in words, I renember thinking like the world had st its attractiveness.

Where did you go?" "To a gun store."
"What did you get there?" "I bought a revolver."

"What was your idea?" Mills was again profoundly agitated, but controlled himself wonderfully, although it was some time before he could answer. At last he said: "The idea of suicide had entered my mind."

What did you do then?" "I went up City Creek canyon with

'What then' "I thought of my children."

What did you do with the revolver?" she had been out to the Sister Superior to see about staying there, but was no room for her. So she asked to remain at the Halls that night, and it was arranged that she should aftergo to St. Mark's hospital. packed up the things so that she could take them with her, and was so engaged nearly all night. I did not sleep at all that night. On Thursday mort ing I went out on the street, and upon returning, my wife had gone, our agree ment being that we should separate. I found from her, on the table a letter.

A PATHETIC LETTER

A portion of this letter was identified by witness and Judge Powers offered it

The letter read: "I am sorry. No one than I deserve. 'If the time ever comes when think you can forgive me, breathe but the words, and living or dead, I will

"God bless you and watch over you wherever you may be is the last prayer "I well remember the last kiss you

come the least bit worthy, kiss me

then as a last good bye. The witness then told of making his will at the office of Hon. P. L. Williams. and on Sunday he met Dr. Stubbs, after having gone to the Congregational church. Later in the day the arrangement for taking the chair of engineering

at the Nevada University was complet-"That evening," continued the witness, "I went to Provo, getting a round

It was evident that the witness made mistake here, as the ticket on which he went, that is the return part, was stamped Oct. 2, Monday.

Mills said that while at Provo, he ooked up irrigation matters until Tucs-Why didn't you remain there?

"I found I could not do the work." Judge Powers then showed witness a pocket book he had on him when arested, and it was identified. It conained some papers and locks of his children's hair. Judge Powers offered this in evidence, but it was ruled out,

'Upon what subject did your mind revert while you were in Provo," asked "To my wife," was the reply, given in a tone scarcely audible.

You returned to Salt Lake Tuesday, Did you use the return portion of the "I believe I bought a ticket. I didn't

think of the return ticket.' "When did you get back to the city?" "I don't know the hour. I went to the Kenyon, where I received a letter from my wife.

'Was it friendly or otherwise?" "It stated that she had borrowed \$50 from Mr. O'Melveney, and money from other parties." "What provision had you made

your wife when you entered the army?" "I left \$400 in bank, gave her about \$100 a month from my pay and took \$22,500 life insurance "Did you go to Mr. O'Melveney's office that morning?

"Had you been there frequently be-

Yes. I went there at about 11 o'clock. my wife had borrowed from him, and said I would pay him in a few days. He asked me if my wife had told me of about paying it. He also asked me what was the matter with me. I asked him at the Nevada University. I told her it would not be long until we would be able to be together again."

"Did you have any talk about her making a visit?"

"Yes; she had planned for some time to go to Pocatello and Boise. She spoke of it at that time, and it was agreed to go with you.' We started and walked as far as the Eagle Gate. On the way came more uneasy about the case than the ne said. You don't want me to tell you.' I said I did, you, but that he would not call it anything else. The pustules on the young-thing else. The pox, but that he would not call it any-thing else. The pox, but that he would not call it any-thing else. The pustules on the young-thing else. The pox, but that he would not call it any-thing else. The pox, but that he would not call it any-thing else. The pox, but that he would not call it any-thing else. The pustules on the young-thing else. The pox, but that he would not call it any-thing else. The pox, but that he would not call it any-thing else. The pox, but that he would not call it any-thing else. The pox thing else thing else. The pox, but that he would not call it any-thing else. The pox, but that he would not call it any-thing else. The pox, but that he would not call it any-thing else. The pox, but that he would not call it any-thing else. The pox, but that he would not call it any-thing else. The pox, but that he would not call it any-thing else. The pox thing else thing else

she should go to Pocatello. This was | we talked about my wife. I told him my wife and I had agreed to separate. He said, 'My God, Fred, don't do that.' He asked if I suspected her and I said I did. He remarked that he knew sh had a great affection for me, and said that my ideas of marriage were too Puritanical for this western country, I told him I didn't require anything from

wife than what I allowed

to govern my own acts. He said, I should not do anything without you say if she had confessed it to He started and looked at me in such a way that I said: John, if I should find that you had been intimate with my wife, I believe I would kill you. He protested that there was no ground for such a thought, and we took a car and went on to the house. I there saw Mrs. O'Melveney in the front Mr. O'Melveney said to her, Fred wants to ask you some ques I then asked her if she had ever heard anything against my wife, She said she had heard something while I was up the country. Mr. O'Melveney told her to tell everything, and one of them then said my wife had been too familiar with a physician, going to entercaliments and suppers with him and leading him to believe that she was not a married woman."

BENBROOK-MORRIS MURDER.

When Judge Norrell opened court this morning, and before the Mills trial was proceeded with, his honor called the attention of Judge Powers and Prosetor Putnam to the fact that the Benook murder case was set for today. Of course, it will be impossible to ake it up now, and the question is hen it can be reached.'

days yet before the case on trial could disposed of, how long would depend Judge Powers stated that he expected be through by Wednesday night, and with that understanding, the court ex-cused all jurors until Thursday, at 10

cleek, when it is expected Benbrook's

Mr. Putnam said it would be some

TAH SUGAR MEETING. The Run on Beets Ended Saturday Night-The Salt Lake County Plant.

The board of directors of the Utah Sugar company held an extended meeting this morning and received the re-

ations at the Lehi factory, and of the plans for constructing the new plant in Sait Lake county. The last beets were sliced on Saturday evening, and the factory will continue running for several days longer on raw sugar. The total amount of beets worked in the 129 days the factory has been in operation is 52,-625 tons, an average of 410 tons per

day, the greatest record ever made in the history of the company. Mr. Cutler said after the meeting that the site for the auxiliary plant in this county had practically been decided It would be located half a mile north o' Bingham Junction station, close to the railroad tracks; the ground necessary, about 35 acres, had aiready been secured. The location is 19 miles from the refinery at Lehl, and as it is somewhat lower than the Lehl site, and will have to pass through the eievated cut at the point of the mountains south, a larger pumping plant than that at Springville, which is a little higher than Lehl, will be needed. Mr. Cutler said the first season's operations at Springville had been eminently satisfactory, and the pumping of the juice was an undoubted success.

SUDDEN DEATH.

Herman R. Ensign Cut Down by Heart

On account of the youth of the lad it was a sad death that Herman R. Ensign met near midnight last night. A few days ago the young man complained of feeling unwell, but was soon apparently all right again, and last night he went out to visit some friends, returning at 11 o'clock to his home, 737 ast Second South street. He went to bed and nothing was heard from him until about midnight, when his brother who occupies the same chamber, found him lying dead in the bed. A physician was called and pronounced it a case of heart disease.

Funeral services will be held at the family residence at 1 p. m. Wednesday next, and the remains may be viewed from 11 a. m. to 12:30 p. m. of the same

Deceased was the son of Samuel L. and Mary Angell Ensign, and their friends and those of the departed are invited to attend the services.

May Not Complete a Report This Week-Majority Report Will Probably be Adopted by House-Roberts May Speak in Debate.

[SPECIAL TO THE "NEWS."]

sion all day, but are no nearer reaching a unanimous report than they were last Saturday. As a member of the committee said this afternoon, it is doubtful if a report will be agreed on this week.

The impression grows that a majority of the committee will report against allowing Roberts to be sworn in.

It is said today that a majority of the House will sustain the majority re-"I put it back in my pocket, and port. It is not unlikely that there will be at least eight hours debate.

Vant back to the Halls. My wife said the Roberts will probably be permitted to address the House on the report. port. It is not unlikely that there will be at least eight hours debate.

FIGHTERS OF FIRE ARE QUARANTINED

Fire Chief James Devine and his endepartment have been quarantined.

Dr. Witcher attended the patients and nade the report to the health comnissioner. It was about two weeks ago that Chief Devine's youngest daughter was taken ill with what was supposed be chicken pox, and upon being given oper attention progressed nicely alost to recovery, when three days ago e remainder of the family were taken gave me. When I am dead, if I have | sulted with Dr. Monahan and both arrived at the conclusion that the malady was smallpox and so reported to Dr. King, who immediately ordered a quarantine of the entire department. with the provision that in case of fire the men can attend to their duty. family was expressed today, and friends

of the family feel reassured upon the announcement that the cases are of a

DR. WITCHER BLAMED. Many people who profess to be very well acquainted with the facts in the case are not slow to blame Dr. Witcher what they term carelessness. who was in his presence at the hall when Dr. Ray, who was at that time afflicted with the disease, was at that place, says that after looking at Dr. Ray, Dr. Witcher said, "Well, it that's smallpox, I have a case upstairs that's six times as bad, and I think I'll

People who knew of Dr. Witcher's attendance upon Mr. Devine's family and his contemporary visits to the house, blame him for thus exposing his patients, and some of them are free to say that the likelihood is that the second affliction of the child was due to ntact with the doctor, especially if the first attack was chicken pox and the second one smallpox.

Said an observer: have failed to quarantine and report these cases, they are certainly responsible for unwise action, to say

POLICE QUARANTINE.

having business at the police court will be kept out of the building hereafter as a precautionary measure. DR. WITCHER'S STATEMENT

With reference to the attention which

he had given the cases of Mr. Devine

and his family, Dr. J. S. Witcher said

"About two months ago I was called to see the family of Chief Devine and found that the youngest had an unusually severe case of chicken pox. The boy commenced to vomit and to comgirl was also taken down again and became very uneasy about the case, begged me not to do so unless I was ticed her rather unusual appearance, if he had ever heard anything about my and told her of my offer of a position at the Nevada University. I told her looked surprised. Then he said, You said he would not call it anything about my certain that it was smallpox. I called in Dr. Monahan in consultation and he at the Nevada University. I told her looked surprised. Then he said, You said he would not call it anything about my certain that it was smallpox. I called in Dr. Monahan in consultation and he certain that it was smallpox. I called in Dr. Monahan in consultation and he all the principals in the company will that reverberated through the mine.

I had been before but the profession did not want me to introduce a scare by reporting that it was smallpox. had been out to the pest house to study the cases there and I was quite convinced that Chief Devine's child was afflicted with that disease. I became so thoroughly convinced of it that I again called in counsel and Dr. King agreeing with me I decided to report to the health commissioner. Mr. Devine and his family are confined and detained at their home and I have no idea that they will be removed therefrom, may say from me, however, that I believe that smallpox will become epidemic here.'

VACCINATION

Drs. Stewart and Fisher were on hand at the office of the board of health and succeeded in injecting vaccine into the odies of 99 children today. Odell and Whiting were at work in the same manner this afternoon.

ANOTHER REPORTED.

Another of the little Kilpack boys on F street has been reported to the health commissioner as having contracted the disease from contact with his brother, who was taken down ten days ago. Dr. King made an immediate investigation but as the case was not sufficiently far advanced it could not be properly determined that it was smallpox. However, the premises were again fumigated and other necessary precautions were taken.

FRED HALES DEAD. Was Stricken With Smallpox Two Weeks Ago-A Bad Case.

ISPECIAL TO THE "NEWS." Spanish Fork, Jan. 15.-Fred Hales, a well known citizen of this place, di here yesterday from smallpox, from which he was stricken two weeks ago The case was a very bad one and the pustules which came to the skin but which did not break through, were num. erous. The family physician was of the opinion at first that the case was chickenpox but the quarantine doctor contended that it was smallpox in virulent form and so it appears to

have been.

Three other cases have broken out. They are in the Malcolm, Evans and Thomas families, all of whom have been exposed. It will not be surprising if there will be several other cases here for exposure has been general. ditions are such that it is doubtful if school will be opened here again this season. And that has raised an lifficulty. The teachers contend that they are entitled to their salaries "whe ther school keeps or not," while the trustees take a contrary view. matter has been referred to State erintendent of Schools Park for advice. It is understood that Dr. Park will refer it to Attorney General Bishop for

····· AMUSEMENTS.

All the Bostonians arrived from down the canyon, as Manager Bacon excellent condition today, however, and be in the cast of the new opera, The Smugglers of Bayadez, tonight. company brings its own orchestra.

At the Grand Dobbins' Uncle Tom's Cabin company opens an engagement this evening for three nights.

ANOTHER REVERSE FOR GEN. BULL

Reports Come Via London, and Also the Boers Have Left Their Entrenc ments and are Retreating.

Nothing Definite Except That Fighting is in Progress-Military Attaches Go to Capetown-Not Certain Warren Has Crossed the Tugela-Unconfirmed Boers in Full Retreat-Moving Guns From Position Ladysmith-Empty Trenches Astonish the British-Ladysmith Expected Tonight-Gen. Buller Completes positions-Gen. French Routs a Small Boer Camp.

London, Jan 15 .- A telegram from | synchronous movement of Newport, Wales, says:

Rutherford Harris, formerly resident director in Sount Africa of the British South African company, has received a cablegram to the effect that Gen. Buller has suffered another reverse.

The war office has no information to enable it to confirm or deny the dispatch said to have been received by Mr. Rutherford Harris. Durban, Natal, Sunday, Jan. 14.-All

the foreign military attaches arrived

here this morning. They will proceed

Monday to Capetown where they will join Lord Roberts. Capetown, Jan. 12 .- A dispatch to the Argus, dated Friday last, January

that Gen. Warren has crossed the Tugela and occupied a strong position north of the river." This report has been current here

London, Jan. 15.-Up to the present, the reported crossing of the Tugela last forty-eight hours, indicates that a combined forward movement of a comfirmed stories of the Boers being in full retreat from Colenso, because it has been learned that a column is proceedoff their retreat. But at the same time credible information from many sources indisputably points to momentous changes in the disposition of the remaritzburg dated Saturday, January 13th, say that since their defeat on Janury 6th the Boers have been removing their guns from the positions south of firms the report that the thirteenth hussars reached Groblerskloof without meeting the Boers. As the trenches at Groblerskloof were perhaps the strongest position held by the burghers, their

vacation has considerably astonished Merchanis at Pietermaritzburg have received messages from Ladysmith

their Ladysmith agents anticipated an immediate opening of communication, while Ladysmith also heliographed the belief prevalent there January 13, that Ders were moving and concentratroborative of the British activity in the als, it is added, were co ing their direction of the relief of Ladysmith, plussing the burghers. a dispatch has been received in London from Gen. Buller to the effect that | the Boer pickets, entered

columns against the bes be completed this morning. Under this circumstan sidered quite probable that on the beleaguered town menced, and that fighting ing. Optimists go so far as it is expected Ladysmith lieved tonight if all goes w

tary men are divided in whether Gen. Buller is a or personally directing the The officials are inclined report that the British the Tugela river in that

though there is no confir report and altogether the hopeful feeling in official There is little news of from elsewhere. Gen. F have succeeded in dragging er to the summit of Coleskop, a thousand fe "The authorities here received news

surrounding plain, and t away from Stormstroom. An interesting item of three hundred Boers esco of reapers have succes since yesterday, but is discredited in lonial camp at Bird Ri

> of Friday, January 12. patches January 12, but the main objective his ex-officials with Lord Lo governor of Cape Colo tioned the formation of a Africans acquainted w raphy of the country. nd Kaffir languages, th sisted that they must ch South Africans Were C prominent South African

and acquainted with eve kopje, are flocking to jo As a prominent enliste representative of th Press: promotion or the Victoria simply want to meet the own ground, according methods. Our object is

enemy and not run sple

ess risks."

The duke of Marlborou teered for service in Sou sail for Capetown Saturd It is said dispatches ceived from Colesberg, January 12th, saying Co New South Wales lancer

he expected all the dispositions for a and secured valuable i LACERATED BY GIANT PO

Dangerous Explosive "Touched Off" With Frightful a Miner at the Old Telegraph-Brought to S Lake on a Special Train.

[SPECIAL TO THE "NEWS."]

Bingham, Jan. 15 .- The Old Telegraph mine, one of the properties of the United States Mining Company, was the scene of a most shocking accident this morning. It is one, too, that is difficult to account for.

The victim of this is Thomas Lindstrom, a miner about 47 years of age. Through it he lost his right hand and part of the arm and sustained a compound fracture of the right leg below the knee, while both his eyes are so badly hurt that it is believed that should be recover he will be left blind

It appears that Lindstrom, who was at work in the mine when the accident occurred, went back from the face of the drift after he had finished the holes upon which he was engaged. The particular purpose of going back was to get some giant powder with which to load the holes preparatory to "touching off" the blast. He had picked up three sticks in his right had and was reaching over with his left to pick up two more when those that he held in his right had exploded with a violence

something unusual had occurred, and a leg and an eye. His list as speedily as possible fellow workmen putated by Dr. Hosmer a went rushing to the scene of the ex- moved by Dr. Snow. Th plosion and there found Lindstrom un- man may recover but the conscit 18 and bleeding with the in- pear to be against him.

juries that have already b veyed to the town and n fortable as possible unde noon today conveying Keogh-Hosmer hospital where an attempt will be

The accident has cause of speculation here durin many theories advanced a cause of the explosion. sonable one appears to spited from contact wi sticks of powder white

Emil Peterson, who fell

at the Highland Bey I

killed about a year go.

shortly after noon and the was immediately taken Hosmer hospital, His

very serious. But the P no time in giving such re Of course it was instantly known that their power. He is now