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TRUTH AND LIBERTY.

TUESDAY, MARCH 1, 1904. SALT LAKE CITY, UTAH.

FIFTY-FOURTH YEAR.

12 PAGES—LAST EDITION

## SMOOT HEARING BEGINS TOMORROW

Senator Granted a Continuance  
Because of Absence of His  
Leading Counsel.

ATTY. R. W. TAYLER OBJECTED.

Parties Arranged Themselves Around  
Committee Room According to  
Sympathies.

CHAIRMAN BURROWS IN A HURRY.

Wants to Get Through as Soon as Poss-  
ible—Hearings Will Begin Each Day  
At 10 o'Clock in the Morning.

(Special to the "News.")

Washington, D. C., March 1.—At 10:30 o'clock this morning the hour fixed for the beginning of the Smoot hearing, there were just three members of the committee assembled in the committee room; they were Chairman Burrows and Senators Pettus and Dubois. A few moments later Senator Foraker came into the room. He was followed by Messrs. Hopkins and Bailey, and as a quorum was then present the roll was called and Chairman Burrows announced that the committee was ready to proceed. At one end of the room were gathered Senator Smoot, Waldemar Van Cott, his counsel, and Mr. Badger, his clerk. At the other end, near the seat of Senator Dubois sat E. B. Critchlow and R. W. Tayler, attorneys for the protestants, and a short distance away sat Senator Foraker, who was retained as counsel for the committee. On the side of the room opposite Senator Smoot were C. M. Owen and Rev. Wilbur F. Crafts, who will undertake any kind of reform and Thomas P. Stevenson, representing the National Reform association. Miss Phoebe Cousins, Mrs. Ellis, the superintendent of the W. C. T. U., and Mrs. Tansie Hamlin, of the Association of Women's organizations, were also among the spectators. But there was nothing today in the way of attractions. Mr. Van Cott arose as soon as the committee had been polled and asked for an adjournment until tomorrow because of the absence of Senator Smoot's counsel, A. S. Worthington. He explained that Mr. Worthington is engaged in several important cases which come up in the court of appeals today. They cannot be postponed, he would be here tomorrow morning or even late this afternoon, but Mr. Van Cott explained that Senator Smoot did not care to proceed without his senior counsel. Mr. Tayler, of course, for the protestants, then addressed the committee. He said that it would not be policy to postpone the hearing on account of engagements of counsel, however important, but inasmuch as witnesses from Utah whom it is desired to put on the stand have not arrived, he thought it would be better this time to delay the beginning of the hearing until tomorrow. Under the circumstances Chairman Burrows said if no member of the committee objected he would adjourn the committee until 10 o'clock tomorrow. There was no objection and the hearing was postponed.

Senator Burrows announced that it is desirable to get through as quickly as possible. In consequence the hearings will begin daily at 10 o'clock and there will be no further postponements. During the discussion Senators Foraker and Bailey entered the room. The attendees are Dewey, Clark of Arkansas and Beveridge.

PRESIDENT SMITH ARRIVES.

President Smith and party arrived about 1 o'clock and immediately started out to see something of the capital. Up to 4 o'clock they have not returned to their hotel. The arrival of the principal members of the Church before the beginning of the hearing will cause a change in the program. Senator Taylor will probably object to the shock race, but this will not be definitely settled until after a conference to be held tonight between attorneys representing the protestants and some members of the committee.

Washington, March 1.—The investigation of the protests against Senator Reed Smoot retaining his seat in the United States senate will not begin until 10 o'clock tomorrow morning.

When Chairman Burrows called the committee to order today Waldemar Van Cott, of Salt Lake City, Utah, one of the counsel for the defense, asked for a postponement until tomorrow on account of the unavoidable absence of A. S. Worthington, of Washington, D. C., who has charge of the case for Senator Smoot. The attorney for the protestants made no objection to the continuance for the reason that the witnesses they desired to put on the stand in opening the case had not yet arrived from Utah. The one witness present was E. B. Critchlow, former United States district attorney in Utah, who has prosecuted a number of cases against "Mormons." Former Secy. of the Treasury J. G. Carlisle and former Representative Robert W. Taylor, attorneys for the prosecution, were present.

UNDER THE KNIFE.

Dr. Harper Operated on for Appendicitis.

Chicago, March 1.—President W. R. Harper of the University of Chicago was today operated on for appendicitis. The patient underwent the shock successfully. After the operation his condition was said by the physicians to be highly satisfactory.

THE BEEF TRUST.

Department of Commerce Will See If It is Violating the Injunction.

Washington, March 1.—Whether the "beef trust" is violating the injunction against it is to be made the subject of investigation by the department of commerce and labor, according to a resolution ordered reported today to the house today by the committee on interstate and foreign commerce. Should the house take favorable action

on the resolution, which is to be called up at the earliest possible moment by Chairman Hepburn, it will constitute the first introduction from Congress to the new department to exercise the powers given it under the laws to investigate the operation of industrial institutions.

The resolution was introduced in the house Feb. 4, by Representative Martin of South Dakota. Today Mr. Martin was given an extended hearing by the committee to which he made the assertion that the "beef trust" was violating the spirit of the injunction, if not its letter. The resolution was amended so as to provide that the report of the investigation should go to the president as provided in the law creating the new department, instead of to Congress. This amendment was opposed by Representative Richardson of Alabama, of the committee, who held that the report should be made to the house, inasmuch as the house requested the investigation to be made. It was deemed advisable by the majority of the committee, however, to abide by the law and after the investigation has been made to pass another resolution requesting the president to submit the finding to the house. Should the investigation show violations of the injunction the matter undoubtedly will be referred by the president to the department of justice and the "trust" proceeded against for contempt of court.

Strike at Fair Grounds.

St. Louis, March 1.—One thousand men employed by the Louisiana Purchase Exposition company as laborers on landscape, road building, track laying and other forms of work at the World's fair, struck today against a reduction in wages.

JEW OF KIEFF.

Families of Jewish Surgeons Not To Be Molested.

Kieff, Russia, March 1.—The governor of Kieff has instructed the local police not to interfere with the families or servants of Jewish surgeons who have gone to the far east, although the law forbids them to remain outside the pale.

NO TROOPS WILL BE SENT TO PANAMA.

That Was Decided Upon at Today's Meeting of the Cabinet, Third Infantry's Order Revoked.

Washington, March 1.—It was decided at the cabinet meeting today that troops should not be sent to the isthmus of Panama. Orders that had been sent to the Third Infantry to be prepared for service there will be revoked. Marines will continue to guard the interests of the United States on the isthmus. The cabinet was influenced in its decision by the disinclination to have two jurisdictions on the isthmus and as naval vessels must remain there for some time, it was decided to allow the marines to continue the land duty.

The Dewey Trial.

Norton, Kan., March 1.—William McBride, one of the defendants in the trial for the murder of Burdard Berry, took the stand today in his own behalf, and told of the fatal fight at the Berry ranch. He corroborated previous testimony to the effect that the Berry boys had opened fire and said: "Burdard Berry fired directly at me twice. I put a cartridge in my gun and fired at him and he fell. I fired at him because he fired at me and to protect my life."

McBride denied that he had ever said that if Dewey could not buy out the settlers in the vicinity of his ranch, he would drive them out or "kill them out."

"Lord" Barrington's Trial.

St. Louis, March 1.—F. D. Monahan, who knew James P. McCann, the murdered horseman, in Chicago, was the first witness today in the trial of Frederick Seymour ("Lord" Barrington), charged with his killing. He testified as to the identification of the body, saying he could not be mistaken. Charles F. Bennett, a passenger on the car on which Barrington and McCann went to Bonita station on the day of the murder, identified Barrington as one of the passengers and McCann's photograph as that of the other.

Favorable Report on Alaska Bill.

Washington, March 1.—A favorable report was made today from the senate committee on territories on Senator Nelson's bill giving Alaska a delegate in Congress.

MARSHALL'S REPORT.

St. Petersburg Papers Print It But Make No Comments.

St. Petersburg, March 1.—All the papers here print prominently this morning but without comment Commander Marshall's report of the Vicksburg incident off Chemulpo, Korea, and the reasons assigned in the protest of the naval commanders against the action of the Japanese. These statements will doubtless clear up the misapprehension existing here concerning the affair. Coming simultaneously with the announcement from the state department that the United States consul at Port Danby, pro- and con- Commander Marshall's report should have good effect in allaying the anti-American irritation.

SALARIES OF THE EXECUTIVE OFFICERS.

Senator Gallinger Introduces a Bill Increasing Their Very Materially.

Washington, March 1.—Senator Gallinger today introduced a bill increasing the salaries of the executive officers of the government and also of senators and members of the house of representatives. The bill fixes the following scale: President, \$75,000; vice president, \$15,000; speaker of the house of representatives, \$12,000; members of the cabinet, \$15,000 each; senators and members of the house, \$5,000 each.

The bill provides that the new salaries shall take effect March 4, 1905.

Lady Managers' Meeting.

St. Louis, March 1.—Important business will, it is expected be transacted at the board of lady managers of the world's fair which convened today. This is the first meeting since the election of Mrs. Daniel Manning as president, and also since the board secured the \$100,000 appropriation from Congress.

K. C. Truck Drivers Strike.

Kansas City, March 1.—Union truck drivers to the number of over 400 struck

## JAPANESE OCCUPY ICHIO YANG, KOREA.

Was Objective Point of Russian Gen. Mishchenko—No Confirmation of Report That Port Arthur Was Bombarded Yesterday—First Complete Train, Consisting of 25 Cars, Traversed Lake Baikal This Morning.

LIAO YANG, MANCHURIA, March 1.—The Japanese have occupied Ichio Yang, Korea, and are now fortifying the walls of the town. This was the objective point of Gen. Mishchenko, who, with a detachment of mounted Cossacks, as announced yesterday, had reached Kasanhja, Korea, and was expected to arrive at Ichio Yang yesterday. A detachment of Russian troops is in the neighborhood of Ichio Yang. The Koreans are averse to giving the Russians information regarding the movements of the Japanese.

The Chinese troops around Liao Che are being reinforced. Yuan Shi Kai, the Chinese commander-in-chief, has 10,000 men near Junpin-Fu, while 15,000 men are with General Ma. Fresh troops are arriving in the province of Chi Li.

ST. PETERSBURG, March 1.—There is no confirmation of the Yin Kow report of the London Daily Telegraph that the Japanese again bombarded Port Arthur yesterday, but news of another attack at any moment would not be surprising.

CHE FOO, March 1.—A Russian official dispatch says that the Japanese renewed the attack on Port Arthur on the morning of Feb. 26. The fleet kept beyond the range of all but the most powerful land batteries. The engagement lasted one hour, the Japanese then retiring. Their loss is unknown. The Russian cruiser Askold had one gun dismounted and two men injured.

At low water on Feb. 28 the Russians discovered a Japanese torpedo boat destroyer which had been sunk on the shore of the outer harbor. They also found five unexploded torpedoes.

Port Arthur was quiet yesterday.

PORT ARTHUR, Monday, Feb. 29.—The Russian torpedo boat which sought refuge in Pigeon bay Feb. 26, was subjected to a terrific fire from the Japanese cruisers. One shot pierced her hull. The boat was beached, the leak was stopped, she was refloated at high water and returned to Port Arthur.

IRKUTSK, SIBERIA, March 1.—The first complete train traversed Lake Baikal on the ice railroad at 11 o'clock this morning. It consisted of 25 cars.

Prince Khilkoff, minister of public works and railroads, was present when the start was made.

## STORY OF ROSE CRIME RETOLD.

Gruesome Details of Coldblooded Wife Murder Related to Judge and Jury.

COMPACT IN PRISON CELL.

Defence Undertakes to Prove the Victim Agreed to Her Husband Killing Her Upon Release.

THE ROSE JURY.

GEORGE W. STOCKING.  
F. B. MARGETTS.  
ROBERT BECKSTEAD.  
J. J. H. LATIMER.  
JAMES MOFFAT.  
RICHARD HOWE.  
JOHN RIDER.  
J. H. GARRETT.  
HYRUM H. PETERSON.  
NEPHI BOWTHROP.  
JOHN B. REID.  
EDWARD T. WALTON.

The case of Fred and Edna Christmon, the colored people charged with robbing J. N. Rich of \$50 in a Franklin avenue resort, will come up for hearing Friday morning at 10 o'clock. In default of \$100 bail they were remanded to the sheriff.

COL. BRUBACK'S WILL.

Property is Valued at \$95,000—Josiah Barnett and J. J. Daly, Executors.

A petition for the probate of the will of Theodore Bruback, deceased, was filed in the district court today. Col. Bruback was killed in his mine in Summit county on Feb. 18, 1904. His estate consists of real property valued at \$35,000 and personal property valued at \$60,000. The petition is signed by Mrs. Jessie McLane Bruback and asks that Josiah Barnett and John J. Daly be appointed executors as provided in the will. There are three heirs to the estate, the widow and a son and daughter deceased.

PATENT MEDICINES.

The Searchlight Turned on by the State Chemist—Still Some More.

The state board of health continues its warfare after certain classes of patent medicines, and in an interview today, Secretary Beatty of the board, said: "We propose to keep up this fight until the markets of this state are free from these patent medicines which contain narcotics and alcohol. Now today, we have received from State Chemist Harms analyses of two more of these so called remedies, Hostetter's Bitters and Peruna. These are two of the most flagrant attempts to deceive in all the list of patent medicines, as they are also the largest sellers. Why, two car loads, or \$16,000 worth, of Peruna were sold by two wholesale drug firms in this state within the last six weeks. Both alleged remedies are thin disguises of liquor. The state chemist found 44 per cent of alcohol in Hostetter's Bitters, which is about the strength of straight whiskey; and in Peruna 27 per cent of alcohol was found. Both medicines were colored with burnt sugar, and flavored with Gentian, a simple bitter. The evil in such remedies is that people unwittingly are taking large quantities of alcohol, and the exhilarating effects of the same are what the proprietors of these nostrums trade on. Utah is a patent medicine crazy."

Secretary Beatty then continued: "Here is a headache remedy which ought not to be sold except by physician's prescription, and then should only be administered under the direction of a physician. The drug is Antikamnia, a synthetic compound of bicarbonate of soda, and Acetanilide. The latter is a product of the distillation of coal tar and a dangerous remedy when taken in sizeable doses, as it depresses the action of the heart and frequently destroys life. Acetanilide wholesales at \$50 per pound, and the Antikamnia at \$1 per ounce. The retail price is 25 cents for a dozen little tablets."

STATEMENT FOR STATE.

District Attorney Elchorn made a brief statement of the state's case to the jury. He said that defendant was charged with murder in the first degree for the killing of his wife in their room at 48 west Third South street on Christmas day, 1903. On the Sunday morning the defendant was taken to the police station and informed by Sergeant Roberts that he had murdered his wife. The sergeant and another officer went to the Rose home and found Miss Rose lying on the bed. A bullet hole was in the back

## WAS PORT ARTHUR BOMBARDED?

Witnesses Sworn.

District Atty. Elchorn then had all of the witnesses for the state called and sworn. Sergeant Roberts was the first witness called to the stand. He told of Rose coming into the police station on Sunday morning after the crime and telling of the affair. He said that Rose came in and looked around and then started out. The witness asked him if he wanted anything and he then told about killing his wife. Sergeant Roberts and other officers then went to the address given by Rose and found Mrs. Rose's body on the bed, with a bullet hole in her head. They also found the child there and took charge of it and had the woman's body removed to the morgue. After they went back to the station, the witness said that Rose told them all the details of the crime, the conversation with his wife both before and after the shooting and he said that he killed her because she would not give in her life of shame and cruelty. Examination he said that when Rose came to the station he appeared as though he had been drinking heavily. Rose told him that he talked with his wife an hour and a half or two hours after the shooting before she died. After she died he told witness that he turned her over on her right side.

CHIEF LYNCH TESTIFIES.

The testimony of Chief of Police Lynch, Capt. Burbridge and Officer Williams was about the same as that of Sergeant Roberts. Rose told them about the same story in regard to the murder. Chief Lynch produced the revolver with which Rose committed the deed, which was introduced in evidence. On cross-examination he said that Rose told him that his wife had been going in wine rooms and sporting with men and he could not stand it any longer and had decided to kill her. One of the men at the station asked Rose why he didn't first shoot and kill himself. He replied that there were men who were paid to do that so he thought he would leave that for them. Rose went with the chief and others to the morgue to see his wife. He had heard the doctor say that her hands were lacerated and he wanted to see them. When Rose entered the morgue and his wife was uncovered he picked up her right hand and forced it open and looked at the wound. He did the same thing with the left hand and then remarked that he could not imagine how her hands were hurt. The chief said that the wounds looked as though they had been caused by blunt instrument being forced through her hands.

MRS. CONNIE CALLED.

Capt. Burbridge stated that he heard that Mrs. Rose had attempted to put poison in her husband's coffee to kill him, but he did not remember whether Rose told him that or not. H. G. Twombly, the photographer who took the testimony at the inquest, was called and produced the testimony of Rose at the inquest. Mrs. Roy Condie was then called to the witness stand and testified to meeting Rose on the street Christmas night about 11:30 o'clock after he had killed his wife. She asked him where his wife was and he said that she had gone to St. Louis. On Christmas night about 11:30 o'clock after he had killed his wife, she asked him where his wife was and he said that she had gone to St. Louis. On Christmas night about 11:30 o'clock after he had killed his wife, she asked him where his wife was and he said that she had gone to St. Louis.

YOUTHFUL CRIMINALS.

Francis Parratt, Andrew Tonneson and Others Before Judge Diehl.

This has been Juvenile day for Judge Diehl. The bunch of young burglars who were arrested by the police last week were before him to answer to various charges from incorrigibility to housebreaking and burglary, and they were all held to answer to the district court, and in default of \$100 each were taken to the county jail.

The case against Francis Parratt, charged with incorrigibility, was dismissed, and the boy, who is 16 years of age, was turned over to the custody of U. S. Deputy Marshal Smyth. He will be tried in the district court for stealing postal funds from the branch postoffice in the Fifth Ward Co-op.

Carl Warr, arrested by Watchman Melloy, on the charge of attempting to burglarize Fowler's bicycle store, will be arraigned tomorrow.

Andrew Tonneson, aged 15 years, charged with burglarizing the store of Jenkins and Ashby on Feb. 21, and stealing \$5 in merchandise, pleaded not guilty and waived preliminary hearing. His case will go to the district court. Clifford Hill, aged 10, Carl Winesness, aged 9, and Henry Kay, aged 9, pleaded not guilty to the charge of housebreaking. They were also remanded to the county jail to await trial in the district court. They are accused of entering a bath room at the Sanitarium and stealing a pair of cuff buttons, valued at \$10 and \$3 in cash, the property of A. Hedley.

The same boys were charged with burglarizing a barn at 225 Reed street and stealing some rabbits belonging to Harold Whitaker. They were also remanded to the county jail. The same boys, Henry Shueage, pleaded not guilty to the charge of burglarizing the candy stand of Andrew Gray, at 29 east South Temple street, and stealing \$20 worth of candy, gum and tobacco, on each charge they were held in default of \$100 bail.

GLOOMY FOR PARRATT.

Young Sub-Station Postoffice Robber In the Federal Court.

Francis Parratt, the 15-year-old boy who was in the gang that burglarized a sub-station of the postoffice recently, was arrested by Deputy Marshal Smyth last night on a United States warrant and taken before Commissioner Twombly. He pleaded guilty to the charge and was held in bonds of \$20 to appear before the federal court at the April term. The youth was unable to furnish the bond.

FIRST DAY OF SPRING.

This is the first day of spring, officially; that is the first day of the spring month, and the minimum thermometer this morning, was 37 above zero. The day is cloudy and threatening, and rain or snow is expected tonight. The prolonged spell of severe weather in the east has come to an end, and at St. Paul the mercury is 28, and at Chicago 26. Unsettled weather may be expected for several weeks yet, as this is the equinoctial month, and the sun crosses the equator on the 21st inst.

## WAS PORT ARTHUR BOMBARDED?

Russian General Staff Has no Confirmation of Reported Attack Yesterday.

THERE WAS ONE ON THE 26.

Women and Children, Aged and Infirm Men Being Removed From Strategic Points.

CHINESE BRIGANDS TERRORIZING.

Overrunning District of Ninguta—Japs Attempt to Blow up Dock at Vladivostok and Fail.

St. Petersburg, March 1. (7:30 p. m.)—The czar has received a telegram from Viceroy Alexieff, which, it is said, will be given out tonight.

The general staff says no confirmation has been received of the announcement made by the London Daily Telegraph today in a dispatch from Yin Kow that Port Arthur was again bombarded yesterday by the Japanese fleet. A copy of the Daini Yostok, which has just arrived here, contains a significant argument in favor of Russia abandoning South Manchuria and retaining the northern part of the province, which, the paper contends, naturally belongs to the Amur region.

The military authorities are causing to be removed from all strategic points in the far east the women and children and all aged and infirm men, so that the necessity of protecting them will not be added to the other duties of the troops and in order that all supplies may be available for the use of the actual combatants.

Mail advices from Vladivostok say that 50 Chinese brigands are terrorizing the district of Ninguta. Their leader, Yaxanten, proclaims himself invulnerable to bullets.

Advices received by mail from Irkutsk, Siberia, say that local firms whose employees have been called to the service of the army are continuing to pay the married men full wages and the unmarried men half pay.

Letters from Vladivostok dated Feb. 17 say that the warships in the harbor on that date were the Russian, Gromoboi and Rutik and the transport Moskva. The port was frozen hard and the ice breaker was scarcely able to clear the channel.

Two Japanese attempted to blow up a dock at Vladivostok but did not succeed. They escaped. A Japanese barber at Vladivostok, deeming himself insulted by a Russian officer, shot him dead and then dramatically announced that he was a captain on the Japanese general staff and was not used to taking insults.

TROOPS IN GOOD SPIRITS.

Mukden, Manchuria, March 1.—The troops are in excellent spirits, expecting to meet the Japanese soon. The Japanese fleet has not attacked Port Arthur since Feb. 25. The Japanese are grieved by the failure to block the harbor.

CRUISER MEDJIDIA.

One Built for Turkey by Cramps Sails for Constantinople.

Philadelphia, March 1.—The new Turkish cruiser Medjidia, built at Cramps' shipyard, sailed today for Constantinople. On the way down the Delaware river she stopped at Fort Mifflin and took aboard 100 tons of ammunition. The cruiser then proceeded to Norfolk to be placed in commission, after which she will leave for her gun trials off the Delaware capes. On the completion of the trial the Medjidia will coal at Hampton Roads and sail for the Dardanelles.

The vessel is named by an American crew, most of her officers being connected with Cramps' shipbuilding company.

EDWARD AT CAMBRIDGE.

Recalls With Pleasure Days When He Was An Undergraduate.

London, March 1.—The king and queen filled a round of engagements at Cambridge today, the principal function being the opening of several new buildings connected with the university where the king at one time was a student. He was presented with an address of welcome from the senate and council of the university. Replying thereto, the king spoke of his pride in having been a member of the university and the pleasure with which he always looked back at his undergraduate days at Trinity college, and emphasized the necessity for the extension and development of all branches of study and research, which were essential to the maintenance of the greatness and welfare of the empire. After heartily thanking those present for the welcome to the queen and himself, King Edward concluded:

"I join with you in your prayer that my empire may continue in peace and prosperity throughout my reign."

Their majesties were accorded a memorable reception from the undergraduates. The town was elaborately decorated and filled with visitors.

STRIKING MESSENGERS.

Those of Chicago "Slug" Non-Union Boys.

Chicago, March 1.—An injunction is, sued by the federal court against striking telegraph messengers boys failed today to put a stop to "slugging" tactics.

One of the adult messengers employed as a strike-breaker was beaten into insensibility and another roughly handled. In each case the strike breaker was attacked by a dozen boys who had trailed him from the company's office. The assaults only delayed upon the arrival of the police.

Earthquake in San Francisco.

San Francisco, March 1.—A moderate by severe earthquake shock was felt here at 8:30 this morning. Its duration was about four seconds. No damage was done.