

DENIED THE APPLICATION CAPTAIN OBERLIN CARTER MUST REMAIN IN PRISON.

United States Supreme Court Refused to Issue an Order Admitting Him to Bail.

WASHINGTON, April 22.—The United States Supreme Court today denied the application of ex-Captain Oberlin M. Carter to be admitted to bail. The court contented itself with a bare announcement by the Chief Justice of the result of its deliberations. No reasons were assigned, and no reference was made to Carter's motion to strike Solicitor-General Richards' brief from the files of the court.

Chief Justice Fuller announced that the final adjournment of the court for the term, May 7, the call of the docket will be suspended until Friday, and the court will take a recess next Monday until May 13. No intimation has been given by the chief justice as to when the decision of the irregular cases may be expected, or whether they will be decided at all before final adjournment.

An opinion was handed down today in the case of L. Bedford, vs. the Eastern Building & Loan Association, of Sitka, Alaska. The case grew out of the sale of stock in the Building Association to Bedford, and the mortgage of a loan to him in 1901, he being then a resident of Sitka. He made default in the payment of his note and pleaded the violation of a law of Tennessee requiring the deposit of funds by building associations doing business in that state. The court held, however, that a loan is a contract which the act of the State Legislature can not impair.

The attention of the court was given today largely to the question of the right of one state to quarantine against another. The contention arose in connection with the case of W. P. Smith vs. the St. Louis & Western Railway Company involving quarantine regulations against the importations of cattle in 1897.

The case of the United States vs. the Pacific Coast Stevedores, which was argued today, was decided by the facts, and the Louisiana road from Plain Dealing, La., to Fort Worth, Tex., the officials of the road being unaware that a quarantine had been established as had been done by the State of Louisiana. When the existence of this restriction became known the railroad company refused to deliver the stock to the consignee and reshipped them to the State of Texas. The court held that the State of Louisiana has the right to protect itself against infectious disease even though commerce may be incidentally interfered with by the regulations for such protection. Justice Harlan announced that he would dissent from the majority, and Justice Brown delivered a dissenting opinion of his own. The principal opinion in the case was delivered by Justice McKenna.

Justice Brewer handed down an opinion in the case of Haasman vs. the State of Nevada, in which he affirmed the constitutionality of the law of the State of Idaho authorizing a quarantine against sheep in outside states supposed to be affected by an infectious disease. "The statute," said Justice Brewer, "was an act of the State of Idaho, contemplating solely the protection of its own sheep from the introduction among them of an infectious disease, and providing for only such restrictions upon the introduction of sheep from other states as, in the judgment of the state, was absolutely necessary to prevent the spread of the disease."

The decision of the Supreme Court of Nevada was affirmed. The court denied a motion for leave to file a petition for a writ of habeas corpus in the case of the Sugar Refining Company's controversy with the Government concerning the polariscope tests of sugar. The motion had in view a proceeding against the United States in the District of Columbia to take the testimony of experts in behalf of the sugar company.

ARBOR DAY AT WASHINGTON. Secretary Wilson's Address on Forestry.

WASHINGTON, April 22.—Arbor Day was celebrated here today by the planting of two memorial trees in the Department of Agriculture grounds. The trees are commemorated by the work of the Secretary of Agriculture, J. M. Rusk, and the late assistant, E. M. Willits. Secretary Wilson, Professor Galloway, Director of the Bureau of Entomology and Mr. Hudson, one of the tree experts, made addresses. Secretary Wilson said: "It is our privilege and our duty to take steps for the preservation of our forests. Educators throughout the centuries have paid no attention to this subject. Only within the last few years have any of our educational institutions begun to give instruction along these lines. It is our intention to propagate every fine tree in America and furnish them through Congressmen to the States, to the localities where they are most at home; and it is also our intention to bring seeds of plants of valuable trees from foreign countries and introduce them into suitable localities in our own."

TO PREVENT ILLEGAL IMMIGRATION.

NEW YORK, April 22.—A special to the Herald from Washington says: "Assistant Secretary of the Treasury Taylor has appointed a new day an immigration inspector and assign him to the special duty of making an investigation of the fraudulent admission of immigrants into the United States. Steamship lines at New York have found recently that their steamers have brought comparatively few immigrants to the United States, and inquiry developed that persons desirous of avoiding inspection went to Canada and then tried to enter the States over the border. New York has received many of this class. Mexico has again served as a base for the entrance of Chinese into this country. A report received at the Treasury Department shows that 2000 Chinese were taken to Mexico and employed on the Mexican Central Railroad. Fifteen hundred of these men were employed on the road, and all except 200, were arrested and deported, are now under the American flag. Investigation of the situation on the Mexican border is in progress."

Presidential Appointments.

WASHINGTON, April 22.—It is authoritatively announced that Duncan E. McKinley is to be appointed Assistant District Attorney of the District of California. The appointment will be announced shortly. Mr. McKinley is not a relative of the President. The President today made the following appointments: Interior—Edward B. Moore, of Michigan, to be Assistant Commissioner of Fisheries; Navy—Charles O'Neil, to be Chief of the Bureau of Ordnance, with rank of Rear-Admiral; Luther S. Van Weelden, to be a surgeon, with rank of Lieutenant, and State—John Barrett, of Oregon, to be a delegate on the part of the United States to the International Conference of American States to be held at the City of Mexico.

To Fill Out the Artillery Corps.

NEW YORK, April 22.—Thirteen thou-

and men will be immediately enlisted by the War Department to bring the artillery corps up to its authorized strength of 18,000 men, says the Washington correspondent of the Herald. Because of the CAPTAIN OBERLIN CARTER MUST REMAIN IN PRISON.

WASHINGTON, April 22.—Secretary Hay and Lord Pauncefoot today exchanged ratifications of the treaty relating to the British extradition treaty, amending the British extradition treaty, by the addition of three articles, the most important of which is that defining the destruction of railroad property as an extraditable crime.

Will Not Christen the Ohio.

COLUMBUS, O., April 22.—A 12-pound son was born today to Mr. and Mrs. Edward B. Biscoe. The baby, Babcock, is the daughter of Governor Nash. She has given up all thought of going to San Francisco to christen the new battleship Ohio, which is named in honor of the alternate, will have that honor.

Discharged From Volunteer Service. WASHINGTON, April 22.—An order was issued at the War Department today discharging a number of Captains who have been serving as Majors in the volunteer service, but who hold commissions in the regular Army.

Gage Bought Bonds. WASHINGTON, April 22.—Secretary Gage today bought \$300,000 short 4s, United States bonds, at 111.532.

ARMY TRANSPORT SERVICE

That From This Coast to Philippines Is No Danger of Abandonment.

WASHINGTON, April 18.—Eastern shipping interests have suddenly taken an interest in the Government transport service. The attention of the War Department was made representations to the War Department that a route should be permanently established between New York and the Philippine Islands. These same interests are urging the Department to maintain its present transport service between New York and Cuba and Porto Rico.

General Charles Bird, chief of the transport service, when asked if any material change was likely to be made in the transport service to Manila, replied that as far as could be seen now, no material change would be needed, and none made. He said that the latest advice from the Philippine Islands, which is the subject of the transport service, is that the number of transports plying between Pacific Coast ports and Manila to meet all the demands of the service, both as to the transportation of troops, supplies, and mail, is sufficient. Unless some unforeseen condition arises, there will be no increase in this service. Under these conditions, even the proposition of placing the Cuban and Porto Rico transports on the Pacific, the four vessels running from New York will be available for Oriental service.

When asked whether it was likely that the Department would in time abandon the transport service to the Philippines, and have this carrying of troops and supplies done by the large transportation companies, as is proposed in the case of Cuba, General Bird replied that he did not see how such a change would be entertained for a minute. "Do you know how much the Government saves on a single trip of one of the large transports to Manila, when it is loaded to its full capacity? It saves anywhere from \$3000 to \$5000 on a single trip per transport. This fact is ascertained by the Quartermaster's office as well as the Commanding Officers in view of such a saving as that, and as the transports generally carry full cargoes, it would be foolish to place this transportation business in the hands of companies and individuals. We are most sure going to continue our transport service on the Pacific for some time to come, unless there is a phenomenal drop in the prices of heavy transportation companies on that ocean."

The department is well satisfied with the service it is now getting to and from Manila. The Government transport on the Pacific is a most efficient and gives entire satisfaction. The chartered ships are, for the most part, of an inferior class, but answer very well for the purposes to which they are put. But, as said before, unless there is a material change in conditions in the Philippines, or in China, which is not expected now, the transport service between San Francisco, Portland and Puget Sound to Manila will remain practically as it is today. If there is any change, it may be the dropping of some of the chartered ships when the present transport service has been completed, and possibly their replacement by the transports on the Atlantic, although no such change is contemplated at this time.

SENATIONAL LAWSUIT.

Will of the Late George Hobson Will Be Contested.

DENVER, April 22.—The Denver Post today says: "George Hobson, born two days ago in Los Angeles, will figure in the most novel and one of the most sensational lawsuits ever tried in the courts of Colorado. Hobson, who was born in Los Angeles, she proposes to contest the will of George H. Hobson, her late husband, which bequeaths the entire estate to her. Hobson's lawyers, however, who are the Hobson people have announced that they will contest to the bitter end the will of the child's mother to secure the fortune for her offspring. They will also charge fraud, alleging that Georgia is an adopted child and that George H. Hobson is not his father."

Orthodoxy Attacked.

NEW YORK, April 22.—Rev. George D. Herron lectured in the Park Theater, in Brooklyn, last night, and bitterly attacked existing religious conditions. He said, in part: "The so-called Christian church has fought its way by brute force and authority contrary to the spirit of individual freedom taught by Christ, and that which was attemed to Jesus has been orthodox to the church. The church has always put to death the man who dared stand for individual freedom. Christianity does not even know or believe the gospel of Jesus. The English pulpit has been the bulwark of the government in its unrighteous wars of conquest, and it is from the American church that the government receives the backing when it becomes the betrayer and assassin of an oppressed and confiding people."

Will End Colombian War.

NEW YORK, April 22.—The Tribune says: "General Uribe-Urbe, leader of the Colombian insurgents, has agreed to end the revolution which has been going on for the last year and a half, and peace probably will be officially proclaimed within the next few weeks."

Races at Lakeland.

CHICAGO, April 22.—The results at Lakeland: Five furlongs—Stuart Young won, Amole second, J. A. Clarke third, time, 1:30.5. Mile and a half—Sixteenth—Charley Moore won, Valdez second, Cluster third, time, 2:07.5. Five and a half furlongs—Irish Jewel won, Emma B. second, Prairie Dog third, time, 1:30.5. Half-mile—Graceli won, Countess Tesla second, Arian B. third, time, 0:33. Mile and 20 yards—Refugee won, Brewer second, Ice third, time, 1:45.3. Mile and 20 yards—Odor won, Martha Fox second, Donagie third, time, 1:45.1-5.

Races at Newport.

CINCINNATI, April 22.—The results at Newport: Five and a half furlongs—Eva Wilson won, Abe Furst second, Eater third, time, 1:13. Five and a half furlongs—Coriolla won, Juniper second, Chemist third, time, 1:12.5. Seven furlongs—J. H. Sloan won, Donna Seay second, J. J. T. third, time, 1:32.4. Seven furlongs—selling—Stitta won.

AMERICAN KNOCKED OUT

BILLY SMITH SEVERELY PUNISHED IN A LONDON FIGHT.

Defeated by Jack Roberts, the English Featherweight, and Probably Fatally Injured.

LONDON, April 22.—At the National Sporting Club tonight Jack Roberts, the American, knocked out Billy Smith, the American, in the eighth round. The fight was for the nine-stone championship of England.

During the first three rounds everything was in favor of Smith, who showed himself a very tough and capable of making a fight. He was twice knocked down, but in the remainder of the contest, Roberts had his own way. In the eighth round, Smith made no attempt whatever to defend himself, but he was knocked down and then counted out. Subsequently, it became known that Smith's right arm was dislocated in the fourth round, and at the finish his legs were badly cramped. After the fight, Smith was removed to a hospital, where he is still unconscious. It is feared that his injuries may prove fatal.

(Billy Smith is a New Yorker. His fighting in the country before he crossed the Atlantic, showed him to be a boxer of fine promise, and his American friends counted on his defeating Roberts, although it was expected that he would have a hard fight on his hands. Roberts is the best feather-weight who has figured in England of recent years. He is stockily built, like a lawyer, and is a very hard fighter. He has never been defeated, and his own English following, which is very large, backed him heavily. The latest advice from Smith before the meeting indicated that he was in fine condition and confident of defeating the English champion, Terry McGovern, he promises him a match if he defeated Roberts. Smith and Roberts came together for 15 rounds for a purse of \$300 and a bet of \$1000 a side.)

A Twenty-Round Draw.

MEMPHIS, April 22.—Benny Yanger, the "Tipton Slasher" of Chicago, and Johnny Ritchey, of the same city, fought 20 fast rounds to a draw at the Phoenix Athletic Club tonight. The fight was for the 122-pound championship of the world. In the second round Ritchey had considerably the better of the fight, but the remainder of the round was even. The third round ended slightly in favor of Ritchey, but the going found him on the ropes from a left on the jaw. In the fifth, Yanger rushed him, and Ritchey's defense was a strong left on his jaw when he came up. In the eighth Ritchey felled Yanger with a terrific left jolt to the jaw, but the fight was not over. The referee declared the fight a draw.

Won on a Foul.

HOT SPRINGS, Ark., April 22.—The glove contest between Jack Madden and Schepel Leon, scheduled for 20 rounds tonight, lasted only five, when Madden was disqualified for fouling. The fight was very fast for three rounds, each round ending in Leon's favor. The referee warned the men against striking in the clinch, but Brookin's defense was not effective. Several fouls on the part of Madden were overlooked, but in the fifth the referee gave the fight to Leon.

THE NATIONAL LEAGUE.

Philadelphia's New Pitcher Won Her Game.

PHILADELPHIA, April 22.—Pitcher White, who came here from the Georgetown College, made his National League debut today, and Brookin's defeat was principally due to his excellent work. Attendance 272. The score: PHILADELPHIA, 9; H. I. B. BROOKLYN, 3. Batteries—Kilten, Kennedy and Steelman; White and McFarland. Umpire—Colgan.

Games Postponed.

CINCINNATI, April 22.—Cincinnati-Chicago game postponed; wet grounds. NEW YORK, April 22.—New York-Boston game postponed; wet grounds. ST. LOUIS, April 22.—St. Louis-Pittsburgh game postponed; wet grounds.

THE DAY'S RACES.

Winners at Tanforan.

SAN FRANCISCO, April 22.—There were several close finishes at Tanforan today. Bill Young, heavily played, won the opening event. This was followed by the head-to-head of the Silver in the second race. The surprise of the afternoon was the victory of Jennie, a 30-to-1 shot. The results: Five furlongs—selling—Bill Young won, Cambacores second, Eldred third, time, 1:28.5. Four furlongs—The Silver won, Innocencia second, Murcia third, time, 0:48.3. Seven furlongs—selling—Parader won, Helian second, Redler third, time, 1:30.5. Six furlongs—Jennie won, Doublet second, Hermoso third, time, 1:14. Mile and a sixteenth—Go to Bed won, Malay second, Dr. Bernals third, time, 1:47.5. Five furlongs—Quibo won, Aphrodite second, Companion third, time, 1:04.4.

Races at Aqueduct.

NEW YORK, April 22.—The results at Aqueduct today were: Five furlongs—The Hayden won, Postillion second, Shandon-on-Field third, time, 1:30.5. Five and a half furlongs—Mercer won, Shoeban second, Ventnor third, time, 1:30.5. About seven furlongs—selling—Manitoba won, Tyrhena second, The Rogue third, time, 1:29. Six furlongs—King Bramble won, Robert Waddell second, Speedmas third, time, 1:18. About seven furlongs—selling—The Golden Prince won, Balloon second, Punctual third, time, 1:30. Five furlongs—Neither One won, Juvenile second, Miracle II third, time, 1:04.3-3.

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ACTIVITY IN MANCHURIA

RUSSIANS RENEW OPERATIONS AGAINST CHINESE.

Several Engagements in Which the Natives were Repulsed—Mukden is Unsafe for White Men.

LONDON, April 22.—According to a dispatch from St. Petersburg to the Daily Mail, official information has been received that renewed military activity is beginning in Manchuria. Chinese troops are strongly entrenched at three points around Mukden. They are armed with good Mauser rifles and have 30 Krupp guns. To the eastward of Mukden, near Tarchaun, there are 12,000 men under the Boxer Chief General Lutanz. To the northwest, near Kulu, there are 6000 Chinese under the ex-governor of Mukden. To the westward in Mongolia, and near the In Shan Mountains, there are 9000 more under the Chinese General, Schu. Admiral Alieoff, has accordingly organized an expedition under General Zernski, consisting of two regiments and five sotnias of Cossacks, 15 guns and a body of volunteers, to operate against the three points mentioned. The first movement was successfully carried out in the beginning of April. Kulu, which is 20 kilometers from Mukden, was stormed and the ex-governor of Mukden was prisoner. In the action, the Russians had 13 men killed and four officers and 18 men wounded. The advance toward the Tarchaun position was then begun. The Chinese, however, marking the territory defined by Field Marshal von Waldersee as the sphere of operations for the allies, as the governor of the province, General Chang, has issued instructions nearly a week ago ordering their withdrawal. The Governor could have conveyed this order to the troops in question by Friday at the latest. The majority of the Chinese and German newspaper correspondents accompanying the expedition, returned to Pekin today, believing that the expedition would be called off.

Victory for Nourouah.

ST. LOUIS, April 22.—Nourouah, the gigantic Hungarian, gained an easy victory over Charlie Wittmer, the Cincinnati heavy-weight wrestler, at the Exposition Coliseum tonight, by winning two straight falls in exactly five minutes. The match was catch-as-catch-can, best two in three falls, all holds to go. The European's immense bulk and science were altogether too much for the Cincinnati wrestler, who was completely overpowered. The beam at 364 and Wittmer at 215 pounds.

Long Distance Sculling Record.

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Ohio Miners Idle.

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Escorted the Saloon Smasher to Wichita for Trial.

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Sunday News at Kansas City.

KANSAS CITY, April 22.—Mrs. Carrie Nation's visit to Kansas City, two Sundays ago, and her arrest, has resulted in a strong movement against the Sunday saloon that may end in bringing to a halt the fight between Mrs. Nation and the saloon. Today, the Ministers' Alliance, at their regular weekly meeting, drafted a petition to the Mayor and Board of Police Commissioners praying that they enforce the state law against Sunday opening. Mrs. Nation has agreed to lecture here before the meeting next Friday night, and the church people have planned to bring the matter to an issue with the police department by meeting her at the depot with a brass band.

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Colonel Charles Keller.

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Dr. R. C. K. Tanner.

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Bishop of Oxford.

LONDON, April 22.—Right Rev. Stubbs, bishop of Oxford, died this morning. He was born June 1, 1825.

Free Seed Frauds.

PHILADELPHIA, April 22.—The Wholesale Salesmen's League of the United States has forwarded a communication to Secretary of Agriculture Wilson charging irregularities in the free seed distribution of this department, and protesting against the payment for seed furnished on the April, 1901, contract. The assertion is made that common and cheap seeds have been substituted for the specific varieties indicated in the specifications, and that 1,500,000 that the stipulated weights have been reduced, and that contractors have been benefited because of these and other irregularities.

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LONDON, April 22.—Right Rev. Stubbs, bishop of Oxford, died this morning. He was born June 1, 1825.

Free Seed Frauds.

PHILADELPHIA, April 22.—The Wholesale Salesmen's League of the United States has forwarded a communication to Secretary of Agriculture Wilson charging irregularities in the free seed distribution of this department, and protesting against the payment for seed furnished on the April, 1901, contract. The assertion is made that common and cheap seeds have been substituted for the specific varieties indicated in the specifications, and that 1,500,000 that the stipulated weights have been reduced, and that contractors have been benefited because of these and other irregularities.