

LORD OF THE DESERT  
BY PAUL DE LAMAY

## CHAPTER VI.

## At the Foot of the Rimrocks.

It is the second night of Bertha's captivity, during the night of her capture. After securing her on the horse at the time of that fearful event, the Indians kept moving at a rapid rate until about 10 o'clock the following morning, when they stopped and bivouacked a mile for dinner. To them the music was a melody of which they paraded with a native appetite, but to the girl from Edinburg music was not tempting, when in fact she had no appetite at all. The gluttonous feast of these savages added to the disgust and horror that surrounded the captive. The whole had seemed like fiction, a horrible nightmare to her.

The first night out had been spent in a small band, surrounded by rimrocks with many outlets and there had been carefully guarded by the dusky sentinels. No fire was kindled during the night and a stillness and quietude pervaded the camp, and this with more discomfort to the Indians, showed that they were not only uneasy but strictly on their guard.

A vigilant watch had been kept over Bertha the whole night, and though she had been made as comfortable as Indians' ingenuity could provide.

Early the following morning another mile was butched, a hasty breakfast prepared and the band moved on to the south.

The course during the day lay over a rough country. It was taken as if the Indians had intended to obscure their trail. To the right and left stood the towering rimrocks and their trail led through the lava beds. Only those who have attempted to pass through this section of country can comprehend what it means in speaking of the lava beds. Huge boulders and smaller ones of every description, round rocks, flat rocks, standing upon edge, square rocks and diamond-shaped rocks, all of which are as rough and rugged and uneven that it was difficult for the party to keep together without even its own members becoming lost from one another.

Up and down the rimrocks, and around the high ridges of boulders and over the beds of shattered rock made the travel difficult and monotonous, but no trail was left behind. To track the red men to this vast section of the lava beds was to lose them. Here, only courses are followed, and not trails, for it is properly called, "the trailless section of the desert."

On this morning Bertha had been relieved from the cramped position on the animal which had conveyed her, by being freed from the ropes which bound her, but she had been the more closely guarded. Without food for two days and nights and the hardships of a day on the desert, and a day in the lava beds, it would have told on most women, but with the slightest indication of fatigue Bertha looked as firm and defiant as ever. She was a Lyle!

In the middle of the afternoon a halt had been made and a consultation held by the Indians. The main body with most of the animals proceeded to the southeast, while Chief Egan, with a few of the animals in charge of a dozen of his chosen warriors, took a westerly course and the girl was taken with him his fair captive. The main band proceeded on its way to a designated meeting point, while the chief made this detour to consummate the last object of his trip.

The chief and his small band were more guarded than ever. Realizing that his mission was a secret one, and to avoid falling into traps, he traveled through a more desolate country than ever, and was still more cautious about not leaving any trail behind. That night he camped at the foot of a high wall in the shadow of the projecting rimrocks. No eye could see him in the immediate vicinity for the boulders that lay about him, and the smoke from his camp was silhouetted against the dark sky and mingled with the clouds above.

At the camp the scarred-faced warrior chief took more interest in his white captive. He had her quarters prepared some distance from the main camp and while he himself looked after her wants two of his most trusted warriors were placed on guard. At supper time Egan, by gestures, plead with the young woman to eat. While the terrible experience through which she had gone would have taken the appetite of most women of her age, she was too common sense and matter-of-fact to lose her temper. She was really hungry, but had not reached that state of starvation at which she felt as if she could partake of mule meat. But a lucky incident occurred. Even while Old Egan was tendering her a slice of mule prepared in the most dainty manner from the Indians' standpoint, a warrior close at hand, in attending to the animal, flushed a sage hen. Bertha, although unacquainted with this bird knew that it must be palatable. She pointed to the bird in its flight with a sign to Old Egan that if she had one of them it would spare it herself and eat of it. No one other than she had made her wishes known, the chief went to the quiver of his hunting arrows, drew forth the choicest one, and in a few moments she was speeding among the rocks in search of the sage hen. In a short time he returned and gallantly dropped the tender bird at her feet, and with an expression of pride pointed to a scar in its neck through which his arrow had passed.

But of this gallantry Bertha took no notice. Soon a fire was kindled and with woman's willing knowledge she soon prepared and ate a meal of which she was in much need.

Long after midnight, when all the clouds had passed away and the moon had risen above the distant rimrocks on the east and its light had fallen upon the camp beneath the rimrocks, old Egan appeared at Bertha's quarters.

It was such a night as lovers would walk in civilization. It was such a night as would thrill the hearts of all people. It was such a night as would thrill the hearts of all people. It was such a night as would thrill the hearts of all people.

He motioned his warriors, who were on guard, to take their leave, and then attempted a conversation by signs and nods with Bertha. Hoping that it might mean her escape, she tried to understand him. With this encouragement he grew more bold and approached her more closely. Woman's intuition told her at once of this awful meaning and she rose up in her woman's weakness to defend herself against this giant chief who had long been the terror of the desert.

Fortunately for humanity's sake the athletic form had glided down the steep walls of the rimrocks in the darkness long before the moon rose, and had been waiting in hiding for an opportunity. Rushing forward like a wildcat he seized the wicked old warrior by the throat, and there was at once a grapple between giants.

But in spite of the silent prayers of Bertha for the success of her unknown rescuer and his determined grip on the old chief's throat, the latter gave a cry that called to their feet the entire detachment of warriors, and they came like a storm to the aid of their chief.

## CHAPTER VII.

## A Woman's Scarp.

It is at another point in the lava beds from that described in the last chapter. While many walls join together here from different directions, yet one point on the rimrocks commands a view in all directions. Up on this point stands an Indian. His arrow-like form silhouetted against the horizon gave him the appearance of an assassin rather than an animate body. The afternoon sun was not far above the distant rimrocks. It was a picture for an artist to draw. The rugged rocks along the earth's surface, the walls which converged from many directions toward the pedestal-like figure, at the top of which projected the flat rimrocks, and these crowned by the statue-like form of the Indian, whose gaudy war bonnet indicated that he was a chief, made the view a romantic one indeed.

"If they disappoint me," murmured the Indian in his own tongue, "it will take many more white souls to pay the penalty." And at the same time he toyed with a scarp of long hair, that of a woman, tossed by the wind at his belt.

But his mind was soon relieved on this point. From the shadow of the



Hammerley.

rimrocks in the distance, a little north of west, he saw a lone horseman coming in a swift trot. He began to descend to the same side upon which the horseman was approaching, taking care to examine his bow and quiver, tomahawk, and scalping knife to see that all were intact. Seating himself upon a boulder that jutted from the wall many feet above the level of the plain, he waited the approach of his visitor. When the latter came within halting distance a familiar salute from each showed the mutual recognition.

The two men on the top of the rimrocks conversed familiarly. While the reader already knows that one was Chief Egan he has also surmised that the other was Dan Follett, which is true. To look upon the countenances of these two men was an interesting study. The old Indian chief, a man of many moods, bore scars showing the terrible episodes of his life, while the Caucasian, a man of the same age, placed there by time which showed the villainous character of the man. The one, robbed of his country, forced to the barren rocks and lava beds for existence, had become an outlaw from necessity. The other, containing a mixture of blood of the exiled criminals of a superior race, mixed with that of the most bloodthirsty and treacherous of an inferior race, was a villain from choice and by nature.

There were bluffing looks and grim smiles from each, but the arrival of the band of horses caused them to rise to their feet, and with a shout from old Egan's lips his warriors appeared from a recess in the rocks below, heretofore unobserved, and took charge of the band of animals representing the prize money for the murder of Bertha Lyle.

Taking the woman's scarp, Dan Follett climbed down the rocks and joining his men they entered the Indian's camp. The Indians drove the horses into a deep canyon penetrating the rimrocks, and the stillness of approaching night closed the scene.

## CHAPTER VIII.

## The Trapper of the Rimrocks.

He was known from one end of the desert to the other, as well by the red men as the white. His life was spent in solitude. When the snows of winter began to fly and when the birds began to sing, he worked the more earnestly. For eight months in the year his solitude was complete, so far as the

## FATAL WISCONSIN FIRE.

Several Persons Dead and Property Loss Amounting to \$250,000.

Ashland, Wis., Nov. 25.—The Wisconsin Central ore dock was destroyed by fire this afternoon, the loss involved being about \$250,000. In falling the dock carried with it a number of firemen and dockmen and a number of lives were lost, but how many will probably not be known for several days.

A number of badly injured firemen were rescued from the burning ruins. The fire caught about 6 o'clock, presumably from a boat unloading lumber across the slip, and before the firemen arrived the entire ore dock, half a mile long, was in flames.

The fire was in flames. A engine was run on the tramway as near to the fire as possible, and half a hundred men began tearing apart the timbers connecting the tramway and dock to keep it from falling with the dock. Suddenly the dock gave way, falling with a crash and carrying with it 200 feet of the tramway, the engine just having escaped the fall into the bay. Several hundred people were under the tramway, but most of them escaped with slight injuries. As the broken tramway and the burning dock fell, fully a dozen men were seen to go down in the ruins. The wreck fell into 30 feet of water. The fire is still raging and Murray's sawmill is in danger. The dock was valued at \$500,000 and the ore at \$250,000.

## POSTOFFICE ROBBED.

Probably \$10,000 Taken and During Thief Got Safety Away.

Chicago, Nov. 25.—The Chicago postoffice was robbed of probably \$10,000 today in a most daring manner. The robber made his escape without leaving any clue to his identity. Two registered mail bags containing the money, which had just been picked up from two of the down town substations, were left in an unprotected wagon in front of the Masonic temple, while the mail carrier went into the building to gather mail that had accumulated there. The carrier was gone only a moment, but when he returned his horse and wagon had disappeared. While the carrier had been in the building the robber, who had evidently been waiting his opportunity, jumped into the rig and drove away. The rifled sacks and the horse and rig were afterward found where the thief had abandoned them. The street was full of people at the time of the robbery, but not one seems to have noticed the thief.

## STRIKES IN HAVANA.

General Suspension of Business Threatened by the Labor Unions.

Havana, Nov. 25.—The campaign of the city struck today, and the street car men say they will go out this afternoon, thus trying to strike generally. Typsetters have struck also. The street car conductors and motormen refused to go out this afternoon, in spite of the notice previously given of their intention to strike, and several clashes occurred between them and the strikers. Traffic was not suspended. The manager of the street railway notified the mayor that the company's employees were willing to work, and demanded that they be protected by the police. The strikers, however, are an organization, the manager intends to appeal to Minister Squiers, if the city authorities fail to grant protection to the men.

No newspapers were published today, and it is announced that the cooks and waiters will strike tomorrow.

## TWO DEAD IN MINE FIRE.

Were Overcome by Gas While Battling with the Flames.

Trinidad, Colo., Nov. 24.—Two miners have lost their lives in a fire which started in the Colorado fuel and iron company's mine at Engleville. Last night a severe explosion occurred, which spread the fire over a considerable area. No one was in the workings at the time. This morning a gang of 15 or 20 men were put to work some distance from the fire, but the foul gas drove them out. Four men were overcome, one being brought out dead, and one being carried 200 feet and left behind dead. Two who were taken out unconscious have since recovered. Every available man is fighting the fire, but it is probable the mine will have to be closed indefinitely until the flames are smothered.

## After Train Robbers.

Trinidad, Colo., Nov. 25.—Word reached this city tonight that Guy Lacroix, the man who the officers believe led the gang that attempted to hold up the Colorado & Southern train near Clayton, N. M., and at 8:30 this evening a posse left on the Colorado & Southern train for the same locality.

Special Agent Reno was in charge of the posse. Efforts were made to keep the departure of the officers a secret.

## United States Transport Arrived.

Manila, Nov. 25.—The United States transport Ingle, with General Miles on board, struck on a reef while entering the harbor of Lungsang, Albay, Southwest Luzon, today, and is still aground. She is not in any danger, however. The weather is calm and it is expected the steamer will float at the next high tide. Communication with the shore is maintained. If the Ingle does not float at high tide, relief will be dispatched to her from this city.

## French Banks Losing Deposits.

New York, Nov. 25.—The quiet run on French ordinary savings banks continues, says a Paris dispatch to the Times by way of London. Withdrawals since the beginning of the year amount to \$21,000,000.

## NEWS OF OREGON

## ITEMS OF INTEREST FROM ALL PARTS OF THE STATE.

## Commercial and Financial Happenings of the Past Week—Brief Review of the Growth and Development of Various Industries Throughout Our Commonwealth—Latest Market Report.

A light snow has fallen in parts of Southern Oregon.

Albany will hold its regular city election Monday, December 1. Considerable local interest is manifested.

The Methodist church in Oregon City is being raised high enough to permit of a floor room being built on the ground floor. This arrangement will bring the church people about \$150 per month.

The heavy rains have washed out a large portion of the dam of the Condor water and power company, at Yolo. Eighty men of the crew have been laid off and work is practically abandoned for the winter.

The farmers of Linn county will hold a farmers' institute November 28 and 29, under the auspices of the experimental department of the Oregon agricultural college. The meeting will be held at Grange Hall No. 10, near Albany.

The tides of the past few days have done many thousand dollars' worth of damage to the diked lands on Young's river and the Lewis and Clark. How much cannot yet be estimated, but it is believed that it will reach at least \$10,000.

Three weeks ago J. J. Jackson, a Negro charged with breaking open a freight car at Huntington in August, saved through the bars in the county jail and escaped. The fact was only made public a few days ago. Jackson's trial was scheduled for next week.

The best sale of apples in the Rogue river valley during the present season was made by W. H. Norcross, a well known orchardist of Central Point, who disposed of 10 carloads at the fancy price of \$1.50 per box f.o.b. at Central Point. The apples go to New York City.

If the government finally decides to create a forest reserve in Northeastern Oregon, as indicated by the withdrawal from entry, Oregon will be the gainer by over \$100,000. The tract mentioned contains at least 20,000 acres of unimproved school lands, and these are practically valueless at present.

The board of directors of the Willamette Valley Chautauque association, at a meeting held in Oregon City last week, decided to take some steps toward reorganization and appointed a committee for that purpose.

Operations at the Tillamook fish hatchery have been suspended on account of the recent heavy rains.

Two different companies are endeavoring to secure franchises for operating street car systems in the city of Roseburg. One company is composed largely of local capitalists and the other is made up of Eastern men.

It is expected that the lumbermen on the lower Columbia will advance the price of yellow fir logs from \$7.50 to \$8 per thousand. Yellow fir logs bring a much higher price than ordinary fir, and are in great demand.

The freight on the Siuslaw river caused by the recent heavy rains did considerable damage to the fish hatchery on that river.

A postoffice has been established at Ingles, Columbia county. An office has also been established at Tillamook, Douglas county.

The sale in the depot at Newberg was opened Friday night and \$1,180 secured by a burglar. The crook evidently knew his business, as he worked the combination of the lock.

## PORTLAND MARKETS.

Wheat—Walla Walla, 70¢; blue stem 74¢; valley, 72¢; 73¢. Barley—Feed, \$2.00 per ton; brewing, \$2.50.

Flour—Best grade, \$3.50; 3.70; Graham, \$3.00; 3.50.

Milled—Bran, \$19.00 per ton; middlings, \$23.50; shorts, \$19.50; chop, \$17.

Oats—No. 1 white, \$1.12; 1.15; gray, \$1.10; 1.12; 1.14; 1.16.

Hay—Timothy, \$10.11; clover, \$8.00; cheat, \$9.00 per ton.

Potatoes—Best Burbanks, 60¢; 65¢ per sack; ordinary, 50¢; 55¢ per sack; growers' prices; Merced sweets, \$1.75; \$2 per sack.

Poultry—Chickens, mixed, \$5.50; 4.25 per pound, 10¢; hens, \$4.50 per dozen; per pound, 11¢; springs, \$5.00; \$3.50 per dozen; fryers, \$2.50; \$3.00; broilers, \$2.00; 2.50; ducks, \$4.50; 6.00 per dozen; turkeys, young, 12¢; 13¢; geese, \$5.00; 6.50 per dozen.

Cheese—Full cream, twins, 15¢; 16¢; Young America, 15¢; 16¢; factory price, 14¢; 15¢.

Butter—Factory creamery, 30¢; 32¢; 34¢ per pound; extras, 30¢; dairy, 20¢; 22¢; store, 18¢; 19¢.

Eggs—25¢; 30¢ per dozen.

Hops—New crop, 22¢; 25¢ per pound.

Wool—Valley, 12¢; 15¢; Eastern Oregon, 8¢; 14¢; mohair, 30¢; 35¢.

Beef—Cows, 30¢; 35¢ per pound; steers, 40¢; dressed, 60¢.

Venison—7¢; 8¢.

Mutton—Gross, 3¢ per pound; dressed, 6¢.

Lamb—Gross, 3¢ per pound; dressed, 6¢.

Hog—Gross, 6¢; 6¢; 6¢ per pound; dressed, 7¢; 7¢.

## SEPTEMBER FOREST FIRES.

Total Losses in Oregon and Washington Amounted to \$12,767,100.

Washington, Nov. 22.—The bureau of forestry, after careful examination by a field agent, estimates that September forest fires in Oregon and Washington caused a total loss of \$12,767,100, of which \$3,910,000 fell in Oregon. This includes the value of timber, farm property and sawmills and their products which were destroyed. Owing to its nearness to market, however, much of the burned timber in Oregon will be saved, reducing the total loss as above set forth. It was found that 95 Oregon families were rendered homeless, while 200 others suffered partial losses. In that state farm property worth \$315,000 was burned, and sawmills suffered losses aggregating \$149,000. It is estimated that 2,124,000,000 feet of standing timber went up in smoke in Oregon, largely Douglas fir, spruce, cedar and hemlock. The total loss in timber alone was over \$3,000,000. In all, 170,000 acres were burned over, all of which, save 50,000, were well timbered.

In Washington 434,000 acres were burned over. The timber was fully as heavy as the Oregon timber, and of better quality. It is estimated that 5,026,800,000 feet of Douglas spruce alone were killed, representing a value of \$5,026,800. Other timber to the value of \$725,000 was destroyed. The total loss in Coville, Clark and Skamania counties where the fires were the most disastrous, was \$6,800,800, and in the other burned areas, \$2,256,300.

A singular chain of circumstances combined to make the fires so destructive. Not only was the summer very dry, but the two preceding summers were wet in May and June, thus interfering with the burning of slashings, and allowing an unusual amount of debris to accumulate. The most direct cause was careless burning. This is shown distinctly by the fact that practically no damage was done in the Cascade forest reserve, which is patrolled by forest rangers.

In many instances the fires smoldered for considerable periods without attracting attention, and this in the face of the fact that the past season was one particularly favorable for forest fires. Many blazes started from the unextinguished camp fires of berry pickers or hunters, others resulted from careless burning of slashings, and one was known to have started from locomotive sparks. With the exception of this case, reasonable precaution on the part of individuals could have prevented the loss of millions of dollars.

It is the opinion of the bureau, after tracing many of the fires to their origin, that most of them could have been extinguished before they became serious.

## FIRE AT ALAMEDA MOLE.

Ferry Building and Passenger Coaches Destroyed—Loss \$500,000.

Oakland, Cal., Nov. 22.—Fire destroyed the ferry at the Alameda mole yesterday, and nine men who were asleep in the bunk house narrowly escaped with their lives. The fire started on the north side of the building, and two hours later it had burned to the water. A portion of the floor held up, evidently by the network of tracks, and still remains, but on these tracks are the twisted and warped iron work of the passenger coaches which were destroyed. Of the 47 coaches which were destroyed, 16 were broad gauge and 31 narrow gauge.

The building was erected by the late James G. Fair in 1885, and was originally \$50,000. Three years later it passed into the hands of the Southern Pacific company with the entire road, and since then many improvements have been made. Within the last six months the company has built another slip and added improvements to the extent of \$75,000.

The origin of the blaze is a mystery. Superintendent Worthington says he has not the slightest idea how it started, but said the matter would be thoroughly investigated. When asked for an opinion as to the origin, he said he had no opinion to offer. He admitted that a coal oil lamp was left burning on the north side of the building, near where the flames were first seen. It is the theory of the employees of the road that this lamp exploded, thereby causing the disastrous conflagration.

Japanese Engineer Here.

Seattle, Nov. 22.—S. Tada, chief constructing engineer of the Japanese navy, accompanied by M. Matsuyama and G. Higuchi, chief of the naval construction bureau of Japan, arrived here tonight, on the Tosa Maru, and will proceed to Pittsburgh, where they will place orders for armor plate, and spend some time in eastern navy yards in inspecting American methods of shipbuilding. They will visit the Moran ship yards and then proceed east. They say their government will adopt American methods extensively.

Two Men Held Up the Town.

Denver, Nov. 22.—A special to the Republican from Rifle, Colo., says Charles Dykes and a man named Murphy terrorized that place for some time this afternoon, "shooting up the town," holding up saloons, capturing and disarming two deputy sheriffs, and shooting a young ranchman named David Morford in the leg. They then rode out of town. The sheriff and a posse is in search of them, and a lively time is expected when they meet.

New Monitor Nearly Done.

Boston, Nov. 22.—The single-turreted monitor Nevada which has just been completed by the Bath Iron works for the United States navy and is to have her second trial the second week in December, arrived at the Boston navy yard today from Bath.

## MAY COMPROMISE

## MINERS AND OPERATORS TO SETTLE WITHOUT COMMISSION.

Negotiations Will Be on a Basis of 10 per Cent Increase in Wages, a Nine-hour Day, and Trade Agreements Between the Miners and Company by Which They Are Employed.

Scranton, Pa., Nov. 24.—The miners, through their representatives, have agreed with the mineowners to attempt to adjust the differences existing between them outside the anthracite coal strike commission. The proposition was made on a compromise basis, and negotiations, it is expected, will at once be entered upon, with a reasonable hope of settlement, with the aid of the arbitrators. The rough proposition, which is to form the basis of negotiations, is a 10 per cent increase in wages, a nine-hour day, and trade agreements between the miners and the company by which they are employed. The only one of the four demands not located upon is that of the weighting of coal by the legal ton.

While both sides have expressed a willingness to settle their differences among themselves, it is not to be construed that it carries with it the acceptance of the terms proposed. They are mentioned only as a basis, it is understood, from which a settlement is to be effected. It is possible that the foundations already laid can be worked by either party holding out too strongly against some question, and thus leave the whole matter in the hands of the commissioners, which in the meantime will set as a sort of board of conciliation rather than as a board of arbitration.

It cannot be officially stated which party made the proposal first. The attorneys for both sides are averse to talking, but those who were inclined to say something differ in their statements. An attorney for one of the railroads said it came from the miners' side, while one lawyer for the miners said it came from the operators. Another representative for the miners said it was a "spontaneous" proposition. It is generally believed that the operators were the first to make the proposal. Wayne MacVough, who carried on such a brilliant cross examination of President Mitchell, is given credit for bringing about the present situation.

It is probable a week or 10 days' adjournment will be taken by the strike commission in order to give all parties an opportunity to confer on the state of affairs.

Another Train Robbed.

Davenport, Ia., Nov. 24.—A west bound passenger and express train on the Rock Island known as No. 11 was held up by 12 masked robbers soon after midnight this morning at a point three miles west of Davenport. The robbers uncoiled the express car and ran it two miles further west, to Gale siding, where the safe was blown open with dynamite. The explosion was heard in Davenport.

The train which was robbed left Chicago at 6:05 last night. It was the last train that runs through to Fort Worth, via St. Joseph and Kansas City.

Ten men of the local police department have hurried to see some of the robbers. It is not known how many booty the robbers secured.

At 2:15 A. M. it was definitely learned that the robbers were successful in removing the contents of the safe from the express car. No person was injured. It was nearly two hours after the holdup before the train could proceed.

The robbers succeeded in stopping the train by placing a red lantern on the track, and when the engineer saw the danger signal he brought the train to a stop. Five masked men boarded the train, detached the mail and express cars and forcing the engineer to accompany them, took these cars westward, leaving the rest of the train standing on the main track.

Urges Fulfillment of Promise.

Manila, Nov. 24.—At a public reception to General Miles in the Island of Cebu, a Filipino speaker urged a more expeditious fulfillment of the promise made by the Americans, including autonomy. In reply General Miles advised the people to be patient and to trust the Americans satisfactorily to settle all the questions now pending. He said he hoped to see the ambition of the inhabitants for autonomy finally fulfilled.

Loss Cholera in Manila.

Washington, Nov. 24.—A cablegram has been received from the Philippine commission stating that the number of cases of cholera had gone down to five a day instead of 34 a day a week ago. The message says that the commission feels much relieved, and it is believed the Marquina watershed, which furnishes the water supply for Manila, will not be contaminated.

Diplomat's Son in Trouble.

Washington, Nov. 24.—The state department has been informed that Godfrey Hunter, Jr., son of the United States minister at Guatemala City, to day shot and killed William Fitzgerald, of Grand Rapids, Mich. Hunter has taken refuge in the legation, and an interesting question has arisen as to his exemption from arrest.