

DELAY ACTION UPON BRANDEIS

Members of Senate Subcommittee Write Reasons for Deciding on Appointment.

Washington, D. C., April 2.—Action on the nomination of Louis D. Brandeis to the supreme court was postponed today by the senate judiciary committee after it had received reports from all but one of the five senators on the subcommittee, which held hearings.

Senator Fletcher, Democrat, made a report in favor of recommending confirmation. Senator Walsh made a long report and senator Chilton, the third Democrat, will submit a report tomorrow.

Senator Cummins and Works made reports against confirmation. Senator Walsh declared in his report: "The real crime of which this man is guilty is that he has exposed the intricacies of men in high places in our financial system."

"It is easy for a brilliant lawyer to conduct himself as to escape censure and vilification. All he needs to do is to drift with the tide. If he never assails the door of evil, who is to court or before the public, he will have no enemies or none that he need heed."

Works would reject nomination. "An analysis of the evidence has led me irresistibly to conclude that the nomination should be rejected," said senator Works.

Cummins votes opposition. Senator Cummins said Mr. Brandeis had "lost the confidence of so large an element of the profession of which he is a member and of the country of which he is a citizen, as to vitally impair his usefulness as a justice of the supreme court."

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FOUR MUST DIE IN COURT DECREE

After Seven Reprieves, Arizona Convicted Murderers to Pay Penalty.

Phoenix, Ariz., April 2.—Four Mexicans, convicted of murder in 1911, five times reprieved by Gov. Hunt and twice upon order of the pardon board, must hang at the Arizona penitentiary. Their last legal loophole to escape the gallows is gone.

The supreme court has affirmed the judgment of the Pinal county superior court, which refused to release them on writs of habeas corpus. They applied for these writs on the ground that they were not hanged at a time not less than 90 nor more than 90 days from the judgment of conviction.

Object Because Not Hanged. "In other words, appellant is objecting because he was not hanged. While this court has often expressed itself of a desire to do substantial justice, yet it cannot return to the past. What we do not understand is why in view of the strenuous objections now made appellant permitted seven different reprieves, extending over such a long period, without an objection previous to this one."

Peres, Peralta and Chavez were convicted in Yavapai county, Rodriguez in Maricopa. All except Peralta appealed to the supreme court, but were refused new trials.

Reprieved Often By Hunt. Gov. Hunt, who then had absolute power to grant paroles, pardons and reprieves, reprieved Rodriguez, Peralta, Peres and Chavez and January 7, 1912; April 11, 1912; May 15, 1912; June 19, 1912; December 19, 1912. They were all to have been hanged March 19, 1915, but a few days before that date Francisco Villa protested to the state department.

William J. Bryan, then secretary of state, telegraphed the governor and pardon board, urging that they grant reprieves to the four condemned men and avoid "international complications" with Mexico. Reluctantly the board directed the governor to issue reprieves extending to May 23, just before that date Robert Lansing, who had succeeded Bryan, requested a further reprieve, and a delay until July 25 was agreed to by the board. In July applications were made to the Pinal county superior court on the ground that Peralta, Peres, Chavez and Rodriguez, the time for hanging them having expired, were deprived of liberty without due process of law.

That court ruled against them and an appeal to the supreme court was taken. Superior judge H. C. Stanford, of Maricopa county, sat on the supreme bench in the place of chief justice H. D. Winters.

The War At A Glance

HEAVY masses of troops are still being hurled by the Germans against the defenses of Verdun, which are being tested to the limit at vital points. The French are offering tenacious resistance and according to facts, have succeeded in pressing back the crown prince's forces between Vouz and Louvainmont.

The gain claimed is in the northern part of the Callette wood, which the Germans penetrated Sunday.

Zeppelins were over eastern Scotland and the northeastern counties of England from 9 o'clock Sunday night until after 1 o'clock this morning, making the third great raid by the German air raid in as many nights. The latest raid is known to have been over a wide area.

Berlin's account of the Saturday and Sunday night raids declares that blast furnaces, large iron-works and industrial plants on the Ties and on the ports of Middlesbrough and Sunderland were hit.

The French city of Dunkirk also has suffered a Zeppelin attack, an airship dropping three bombs which killed two civilians.

Sinking of the British steamer Perth, with the loss of six members of her crew, is announced.

Rosa, who prosecuted Peralta, Chavez and Peres in Yavapai county and was disqualified, Judge Stanford wrote the opinions in all four cases. Judges Alfred Franklin and D. L. Cunningham concurring.

According to attorney general Wiley Jones, ex-officio member of the pardon board, any further protest from Villa against the execution of the condemned men will have slight weight.

16TH INFANTRY BAND PLAYS CONCERT FOR THE HERALD

Pioneer plaza was crowded Saturday afternoon to hear the splendid band concert played by the 16th infantry military band complimentary to The Herald.

The concert started at 4 o'clock and lasted more than an hour. The band was under the direction of bandmaster Ernest Fischer and he had arranged a program of patriotic, popular selections and march music.

The concert closed with "The Star Spangled Banner" and it made an impressive picture as the crowd of men who had gathered in the plaza removed their hats as the national air was played by the fine musical organization of the 16th infantry.

CHARGED WITH TAKING WHEEL

Enrique Escada was arrested Monday morning by patrolmen Statham and Thompson at Second and Grand streets on a charge of stealing a bicycle. Escada was arrested on the complaint of Amos Williams, who identified the wheel.

BARRETT'S SUSSEX INQUIRY

Imperial Government Tells Gerard Prompt Answer Will Be Furnished.

(Continued from page 1.) The British foreign office, ambassador Gerard stated, had referred his inquiry to the German admiralty.

A number of affidavits made by American and other passengers on the steamer Sussex have been forwarded from Paris by ambassador Sharpe and are expected to be made available within the next 10 days. They are additional to those secured in England from the Sussex survivors.

ALLIES IN SEIZING MAIL DENY U. S. RIGHTS VIOLATED

Washington, D. C., April 2.—The reply of the entente allies to the American protests against mail seizures was presented today to the state department. Denial is made that any treaty rights of the United States have been violated. The allies reassert their jurisdiction over mail in territorial waters.

SAYS GERMANY HAS GREAT STORES OF GOODS TO SELL

Copenhagen, Denmark, April 2.—Henrik Bergsen, the widely known Norwegian merchant, who has spent 20 weeks in Germany, declares that in that country there is now stored \$1,500,000 worth of cheap merchandise, mostly produced by women, ready to be sold to the world, immediately peace is declared.

TURK SUBMARINE SINKS BIG RUSSIAN TRANSPORT

Berlin, Germany, April 2.—A 10,000 ton Russian transport with troops and war materials aboard was sunk by a Turkish submarine on March 30, the Turkish navy claims.

A surprise attack on British troops in Mesopotamia caused them to retreat after they had suffered heavy losses, the war office also said.

GERARD WONT BE NEW YORK GOVERNOR DURING THE WAR

Berlin, Germany, April 2.—(By wireless to Sayville, N. Y.)—James W. Gerard, the American ambassador, states he was asked by friends and by the Democratic party to run for governor of New York, says the Overseas News agency. He considers it his duty, however, "the agency continues, "to stay in Berlin during the war."

BRITISH ORDER IN COUNCIL DENIES REPRISAL IN SWEDEN

Berlin, Germany, April 2.—(By wireless to Sayville, N. Y.)—The press of Sweden protests unanimously against the British order in council, cancelling and hence to certain sections of the Declaration of London which make distinctions between the treatment of absolute and conditional contraband, says the Overseas news agency. "These newspapers state that as a matter of fact, the agency continues, "to stay in Berlin during the war."

ONE OF THREE SHIPS NAMED PERTH IS SUNK

London, Eng., April 2.—The British steamship Perth has been sunk. Six members of the crew were lost and eight were landed. The Perth was unarmed.

There are three British steamships Perth. The largest, of 1,199 tons gross, was owned in Melbourne. Another, of 1,122 tons gross, was owned in London. The third, of 652 tons, was owned in Glasgow.

Dark Coloring Of Yolk Does Not Mean Age; May Be Due To Alfalfa

Tucson, Ariz., April 2.—Popular fallacies regarding the coloring of egg yolks are exposed by Dr. R. H. Williams, animal husbandman of the university agricultural experiment station. Dark coloring of a yolk does not mean that it has more food value than a yolk of light yellow color, according to Dr. Williams.

Neither does it mean that the egg has been kept a long time in cold storage, as is so often stated. The hen has been fed on a certain kind of food, probably alfalfa or yellow corn.

Alfalfa is widely used as a feed by southwestern poultry growers. They are handicapped by the popular belief that yolks colored brown and red for long periods in storage. Often a consumer thinks that he is getting staler eggs when they are stringy fresh.

Alfalfa gives egg yolks a greenish tinge. Wheat, oats and beets have a tendency to make eggs with yolks of pale yellow. Any green feed will lighten the yolk color.

In no case does the color of the yolk denote the food value of an egg.

NO FURTHER TROUBLE AT MORENCI IS ANTICIPATED

Phoenix, Ariz., April 2.—No further trouble is expected at Morenci, where workmen employed by the Morenci Water company were recently interrupted by the Arizona mine, mill and smelter union No. 2. The company and sheriff, James G. Cash, have wired the governor and corporation commission to this effect. Several arrests have been made.

The company, however, insists that it must be guaranteed against further interference. Its system was damaged by recent floods and it states that repairs must be made before the summer rains set in or it will be unable to give continuous service.

AMERICAN BABY FOUND IN RIVER

Wee Bit of Humanity Fished From River by Laborers; Was in Pine Box.

A plain wooden box formed the coffin and muddy river water the shroud for the body of a little American baby which was found in the river Monday morning by Mexican laborers who were going to their work. The baby is thought to have been about two days old.

The little body was naked, there was no marks on the box to indicate where it had come from and the body was so badly decomposed that it was only possible to tell that the baby had been born of American parents.

Where the body was placed in the river, who the mother may have been and whether it was dead or alive when placed in the small pine box, will probably never be known. Undertakers say the body's condition indicates that it had been in the water 24 hours or longer. This might mean that the box had been thrown into the river near Las Cruces or Mesilla Park, as hydraulic experts declare that water moves about 40 miles an hour.

The Mexicans who found the baby's body were Alvaro Acosta and Pablo Gonzalez. They were going from their homes in the Mexican quarter to their daily work when one of them noticed the little pine box caught in an eddy at the foot of one of the streets. They fished out the box without thinking what its gruesome contents was and so suddenly that they were carrying the body partially covered with dirt they carried it to the police station.

The body was removed to the J. J. Kaster Undertaking company parlors, where coroner J. M. Deaver conducted the quest, but was unable to learn anything that might lead to the identification of the body. The box in which the body was found measured 13 inches by 11 inches and 10 inches deep. It was made for the purpose of disposing of the body, dirt piled over the little form and the box then thrown in the river with the intention of sinking it.

J. L. Kief, former El Paso contractor, dies in Idaho. J. L. Kief, for many years well known here as a railroad contractor, died March 31 at a home in Mountain View, Idaho, according to word received by the Elks lodge here from Mrs. Kief.

Mr. Kief came here 30 years ago and engaged in the contracting business. He was connected with the construction of the Carlsbad dam, the El Paso and Northern railroad, the El Paso and Southwestern, and with various railroads in Arizona.

With his family he left here ten years ago for the northwest and made his home in Idaho. Mr. Kief, who was about 52 years old, survived by his wife, two daughters and a son. The cause of his death was not stated in the advices received here.

MRS. C. M. COGGIN, WIFE OF GARAGE OWNER, IS DEAD

Mrs. C. M. Coggin, wife of C. M. Coggin of the Auditorium garage, died Sunday afternoon at 1:30 o'clock at her home 705 Arizona street, after a brief illness. She is survived by her husband and a sister, Mrs. G. Stewart of El Paso.

The remains were shipped to Malabar, Tex., for burial by McBea, Simmons & Hartford Sunday night.

H. S. BOYD DIES OF SMALLPOX WAS AN ELECTRICIAN

H. S. Boyd, an electrician, died at 4:30 o'clock Sunday afternoon at the city erupit hospital of smallpox, about 52 years of age. He had been ill for about two weeks. Deceased was 38 years of age and had resided in El Paso for several months.

Funeral services were held Monday morning at the Park Undertaking company on Texas street. Burial was made in Concordia cemetery.

DAUGHTER OF F. C. STANDISH DIES; FUNERAL SUNDAY

Mrs. Juan Gallegos, formerly Miss Elizabeth Standish, died at the home of her father, F. C. Standish, at 131 Atlanta street, early Saturday morning, after an illness of about two months.

She is survived by her foster father, her husband, Juan Gallegos, and a sister, Miss Virginia Standish, who lives in El Paso.

Funeral services were held at the family residence Sunday afternoon at 2:30 o'clock, Rev. Perry J. Rice, of the First Christian church, officiating. Interment was made in Concordia cemetery.

INFANT MAJOR DIES

Helen Irene Major, the infant daughter of John E. Major, died early Monday morning at the family home 1125 North Concordia street, after a brief illness. The body was taken to Artesia, N. M., for burial Monday afternoon, accompanied by the father.

MAIL CARRIER KICKED BY HORSE; RIGHT ARM BROKEN

Mail carrier J. M. Doyle, who carries the country club route and is one of the mounted suburban carriers, had his right arm broken Saturday night when his horse kicked him.

In addition to the bones of the arm being broken, one of the blood vessels was ruptured and it was necessary to place Doyle under the influence of ether to dress the injury.

FIRE BURNS ROOF OF R. F. CLEVELAND HOME

Fire of unknown origin caused damage estimated at \$25 to the home of R. F. Cleveland, 794 South St. Vrain street Monday at 10:25 o'clock. The fire was discovered burning in the roof, but was extinguished before any serious damage had been done.

IF YOU ARE IN DOUBT as to the small cost of THE FAMILY WASH WHEN SENT TO US OUR REPRESENTATIVE WILL CALL AND WEIGH YOUR BUNDLE BEFORE SENDING IT IN All the Family Wash—Rates by the Pound.

HOME LAUNDRY? LONG LIVE YOUR LINEN Phone 4300 EL PASO TEXAS Phone 4300

AT THE ALHAMBRA Beautiful and Talented LENORE ULRICH In a Vivid Story of Mexico A Very Timely Romance "The Heart of Paula" This film story was produced with two endings, for the reason that the author, George Broadhurst, and Miss Ulrich had different views as to how it should terminate. We will show this picture on today and tomorrow, each day with a different ending. See which one you like best.

Aztec Auto Service MONTANA AND STANTON STS. Only Stand North of the Tracks Phone SEVEN, SEVEN, SIX, SIX Phone WHEN YOU WANT A CAR PHONE 265 7575 MONTANA AUTO LIVERY LARGE 9-PASSENGER CARS FOR HIRE, \$1.50 PER HOUR WE ARE DESIROUS OF PLEASING ALL WHO CARE FOR SURE PROMPT AND COURTEOUS SERVICES 301 MYRTLE AVENUE FRANK H. FUKA

Mrs. Clark's Cafeteria NEW LOCATION 208 MESA AVE. OPEN ALL DAY SAME GOOD HOME COOKING

WEATHER BULLETIN U. S. DEPARTMENT OF AGRICULTURE WEATHER BUREAU Observations taken at 8 a. m., 7:45 a. m., 10 a. m., 1:15 p. m., 4:15 p. m., 7:15 p. m., 10:15 p. m. Precipitation in last 24 hours (in inch) Weather at 8 a. m. Lowest temp. last night Highest temp. today Temp. at 8 a. m. Clouds

CRAWFORD EL PASO'S JOY SPOT TWO SHOWS TONIGHT 7:45 9:00 MANHATTAN ERRYMAKERS IN THE MUSICAL TABLOID, THE BACHELOR 28c, 30c, 35c, 40c, 45c, 50c, 55c, 60c, 65c, 70c, 75c, 80c, 85c, 90c, 95c, 1.00

MOTHERS, DO THIS-- No telling how soon the symptoms may develop into cough, or worse. And then when you're glad you have a jar of MUSTEROLE at hand to give prompt, sure relief, it does not blister. As first aid and a certain remedy there's nothing like MUSTEROLE. Thousands of mothers know it. You should keep a jar in the house. It is the remedy for adults, too. Relieves Sore Throat, Bronchitis, Tonsillitis, Croup, Stiff Neck, Asthma, Neuralgia, Headache, Congestion, Pleurisy, Rheumatism, Lumbago, Pains and Aches of Back or Joints, Sprains, Sore Muscles, Chills, Frosted Feet and Colds of the Chest (it often prevents Pneumonia). At your druggist's in 25c and 50c jars, and a special large hospital size for \$2.50. Be sure you get the genuine MUSTEROLE. For full directions—get what you ask for. The Musterole Company, Cleveland, Ohio.

SMELTER CLUB ENJOINED FROM SELLING ANY BOOZE An injunction restraining the Towne club from selling liquor was granted by Judge Dan M. Jackson Sunday morning before he left for Van Horn to begin court. The Towne club is located in the smaller district and John Ford is named as manager. The injunction is a temporary one and the final hearing will be held by Judge Jackson upon his return from Van Horn.

\$615 Roadster \$595 Model 75---f. o. b. Toledo Overland Dark Coloring Of Yolk Does Not Mean Age; May Be Due To Alfalfa

Time Payments No need to wait any longer. Get your new car now. No need now to dig deep into your savings or to scrimp for months in order to pay for your car in one lump sum. The "Guaranty Plan" makes that unnecessary. You can now get any Overland or Willys-Knight Car for a small payment down. Then you can pay the balance monthly—a little at a time. That in a word is the "Guaranty Plan"—a thoroughly organized, financially sound system of payments to help people buy Overland or Willys-Knight Cars. El Paso Overland Auto Co. SOUTHWESTERN DISTRIBUTORS 120-122 San Francisco Street Phone 170. El Paso, Texas.