INT AND HIS PARTY

Two Days' Shootingtry in Colorado.

ril 26.-A Republican spe ril 26.—A Republican spe-nwood Springs last night dent Roosevelt's hunting crowned with success far expectations, or those of guine of his guides. Three tilled by the party to-day, terday, one by the Presi-e by Dr. Alexander Lam-

rart of Colorado Springs, resident's hunting compan-here to-night, accompanhere to-night, accompanurier Chapman. They story of the hunt. The three bears was telemen and they understood bevelt brought down two the details are lacking. Is almost snowbound in location and no attempt to cross the divide. Fifsnow is on the ground on le and any effort to reach ould be futile. The huntisfied, however, for they d the center of what the the best bear country in the best bear country in

thick in the country now so plentiful, in fact, that wed to escape without a ed in their direction. Sev-

llled by the President yes filled by the President yes-of the brown variety, not it furnishing a much finer first animal killed. One killed to-day is said to grizzly, but this cannot be

rt reached the Hotel Coloblock to-night. He was still his hunting clothes. He hand rugged and reported in in the party is in the

in an area of seven miles of the bears were killed. about sixteen or eighteen mmp and every animal as and hunters a long of them treed, which enaters to kill them without ent to the dogs. Thus far been killed. It was killed ear shot.

ear shot.

Roosevelt is living in a abandoned Bunn homewest Divide creek, quarremarkably comfortable character of the country will ely that the party

ely that the party will the entire hunt.

outside world is scarce ent's camp. Once in evve days papers are sent are twelve hours or more reach New Castle.

ce of information of curgreatly felt by all, parthe President," said Mr. ght. "But then he went to hunt and he has to at of it. We have been Supplies are holding out bear steaks will be on bear steaks will be on re regularly. No ice box there to keep the meat amp is situated at an al-at 9,000 feet and there is every side."

Exposition Board.

1 26.—Governor McDon ril 26.—Governor McDon-inted as members of the mission for the Lewis & Portland, Ore., Messrs. of Denver, E. Lyman ver and Eugene Grubb of

the duties of the three the duties of the three vernor McDonald has test that Mr. White, who commissioner of mines, il charge of the mining whibit. Mr. Grubb, who most prominent stucktate, will look after the icultural portions of the Colonel Hogie will have ther details.

sion will have \$15,000 to impount was appropriated

amount was appropriated Legislature. While ordi-led document of is deemed amply suffi-resent case, for the rea-the intention of the coms made at the St. Louis

sion met and organized Colonel Hogle as com-nief and Mr. White as L. Babcock was ap-ant secretary.

raal Constitution.

ril 26.—The draft of the
l constitution was issued
provides for a legislaconsisting of the lieuor, six to nine official
i thirty to thirty-five
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African republic is enfor members of the first
well as all white males
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of not less than \$50, unof treason since May 31,
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ARS ARE KILLED BILL CONSTITUTIONAL

ATTORNEY GENERAL'S OPINION.

ATTORNEY GENERAL'S OPINION.

House Bill 178, Known as Railroad Merger Bill, Held Not to Be in Violation of Constitution of Colorado.
Denver, April 25.—House Bill 178, known as the Colorado & Southern expansion measure, is pronounced constitutional by Attorney General Miller in an opinion which went to Governor McDonald late last evening. The governor will probably take some action on the bill to-day.

After quoting the full text of the bill General Miller's opinion runs:

"When the constitutionality if a Lesgislative act is attacked in court by an appropriate proceeding the rule of construction is laid down by Judge Cooley to be as follows:

"It, has been said by an eminent jurist that when courts are called upon to pronounce the invalidity of an act of legislation, passed with all the forms and ceremonies requisite to give it the force of law, they will approach the question with great caution, examining it in every possible aspest, and ponder upon it as long as deliberation and patient attention can throw any new light upon the subject and never declare a statute void unless the nullity and invalidity of the act are placed, in their judgment, beyond reasonable doubt. A reasonable doubt must be solved in favor of the legislative action and the act be sustained.

"Section 2 of the bill reads as follows:

"This act shall not be construed.

"Section 2 of the bill reads as ion-lows:
"This act shall not be construed to permit any railroad company to purchase or lease any parallel and competing line situated within the

"Our constitution provides as follows in section 5, article XV.:

"No railroad corporation nor the lessees or managers thereof shall consolidate its stock, property or franchises with any other railroad corporation owning or having under its control a parallel or competing line."

"In my judgment this provision of the constitution is to be given the broadest and most comprehensive interpretation, with a view of prohibiting the merging of railroads which are at all competing.

the merging of railroads which are at all competing.

"I believe the principle is well settled that section 2 is mere surplusage, and that the constitution governs. Frost vs. Pheffer, 26 Colo. 338.

"It is claimed that the bill violates the following provision of the constitution: The General Assembly shall not pass local or special laws in any of the following enumerated cases, that is to say,' etc. Colorado Constitution, Art. V., Sec. 25.

the following enumerated cases, that is to say," etc. Colorado Constitution, Art. V., Sec. 25.

"The first objection raised under these two provisions is that the bill authorizes the issuance of stock by special law and not by general law applicable to all railroads under all circumstances. Magoun vs. Illinois Tr. & S. B., 170 U. S. 283; Kentucky Railroad Tax Cases, 115 U. S. 321, 337; Billings vs. Illinois, 188 U. S. 97.

Generally it has been held that a statute which only requires the same means and methods to be applied impartiality to all constituents of a class so that the law shall operate equally and uniformly upon all persons under similar circumstances is not obnoxious to these constitutional provisions.

similar circumstances is not obnoxious to these constitutional provisions.

"It would not be unconstitutional to pass a law in the state of Colorado which applies to cities of more than 100,000 in population, when it is well known at the time of the passage of the law that there was only one city in the state to which it could be applicable.

the law that there was only one city in the state to which it could be applicable.

"The second objection raised to the bill, under section 9 aforesaid, is that the issuance of stock in exchange for stock is in violation of the provision which limits the issuance of stock to 'for labor done, services performed or property actually received,' and declares that 'all fictitious increase of stock shall be void.' Our Legislature has declared: 'The shares of stock shall not be less than one dollar nor more than one hundred dollars each, and shall be deemed personal property.' Sec. 480, M. A. S.

"While this statute relates to corporations generally, yet, if a share of stock in a mercantile company or a mining company is property, then, of course, a share of stock in a railroad company is property, and, therefore, the issuance of one share of stock to another is the issuance of stock for property.

"It is also claimed that the bill violates section 21 of article V. of the constitution. This provision concerns the titles of bills and prohibits the title from containing more than one subject. It was claimed in the oral argument that the expression 'any corporation' intended more than railroad and

ject. It was claimed in the oral argument that the expression 'any corporation' intended more than railroad and ment that the expression 'any corporation' intended more than railroad and transportation companies. However, if we read each sentence in which the expression 'any corporation' occurs, we find that it is followed by words which in each case restrict its application to railroad companies. The use of the expression 'other line of railroad' in the last paragraph of this section shows clearly that only railroads are under consideration.

"Section 9, article XV., further provides that the stock of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding a majority of the stock first obtained at a meeting held after at least thirty day's notice, given in pursuance of law.

"This constitutional provision must govern when any corporation undertakes to increase its stock. A reading of the final provision of this bill relating to the increase of stock falls to disclose any provision for the manner of stock necessary to be voted in order to increase the septial stock. This is not a vielation of the quantitation.

COLORADO NEWS ITEMS

The first annual convention of American Stock Growers' Association will meet at Denver May 9th.

The building and machinery of the Sterling electric light plant was badly injured by fire on the morning of April 20th, the loss being estimated at about

Mexican, owners of a herd of sixty goats were recently arrested on the charge of descrating graves by letting the goats browse in the cemetery at Trinidad.

The First National Bank of Holly

The First National Bank of Holly has been authorized to begin business with \$25,000 capital. W. C. Gould, president; B. B. Brown, vice president; J. S. McMurty, cashier.

The American Stock Growers' Association will meet at Denver May 9th for a three days' session. A strong effort will be made to induce President Roosevelt to be present.

A committee has been appointed to arrange for the establishment of a Young Men's Christian Association at Salida. There are nearly 1,000 young men who would be benefited by it.

Harry Hugh Lee, a prominent Den-ver lawyer, died at the Hotel Colorado at Glenwood Springs, April 21st, of acute kidney disease after a few days'

An expert of the United States geo-logical survey will be detailed to make an investigation of the underground waters along the South Platte river in Colorado.

Governor McDonald has appointed two more water commissioners, Fred Dixon of Paradox, for district No. 61, and John P. Morgan of Montrose, for district No. 62.

A permanent farmers' institute for Yuma county was organized at Wray April 22d with R. M. Reed as presi-dent and Editor Hawks of the Gazette as secretary.

Edward Weston, sent to the state re-formatory at Buena Vista from Grand Junction for burglary, tried to escape a few days since, but was followed by hounds and captured. The work of transcribing the records of old Arapahoe county, so far as they apply to the new county of Adams, once comprised in Arapahoe,

has been completed at a cost of \$33, At a special election held in Fruit-mere, a suburb of Canon City, it was voted to incorporate as a village under the name of East Canon. The vote was 76 for incorporation and 22 against.

The annual meeting of the Douglas County Stock Growers' Association was held at Castle Rock April 22d. County Judge Robert E. Palm was elected president of the association, this being his third term.

Judge W. P. Seeds of the District Court at Cripple Creek has issued an order that all gambling must cease in the district, and as a result the routlette wheels, bank and slot machines are said to have been stored away.

Commissioner Richards of the General Land Office has ordered withdrawn.

eral Land Office has ordered withdrawn from all forms of disposal townsbip thirty-two, range thirteen west, in Durango land district for use in con-nection with the La Veta river irri gration project

While out target shooting at Hagen's ranch near Denver April 19th C. D. Chitwood, secretary of the Waiters' Club in Denver was accidentally shot and killed by Joseph C. Briden. It was another case of "didn't know it was loaded."

Philip Tritch, brother of the late mililonaire George Tritch of Denver, who sued for a part of the estate on the claim that he was a silent partner in his brother's immerse hardware business, has lost his case in the District Court at Denver.

The annual High School Day of the University of Colorado at Boulder will be observed this year on Saturday, May 13th. During the morning and in the afternoon the interscholastic track meet will be held on Garble field, a number of handsome prizes being warded.

Marcus Victor, a pioneer of Douglas county and founder of the town of Sedalia, died at his home in Castle Rock April 23d. His death was due to heart failure, brought on by the kick of a horse. While shoeing a horse, the animal struck him in the breast. He was sixty-six years of age.

It is announced at the offices of the Denver-Boulder Interurban railway that electric cars will be running between Denver and Boulder by September 1st. Practically all the preliminary work of securing rights of way, etc., has been concluded, the money is on hand and work will begin at once.

on hand and work will begin at once.

The Colorado Postmasters' Association met at Colorado Springs April 22d and was entertained at night at a banquet given by the Colorado Springs Leater Carriers' Association and the Clerks' Association at the Alta Vista hotel. Robert E. Hanna of New Windsor was elected president for the ensuing year.

JEFFERSON'S CAREER CLOSED

"Rip Van Winkle" Begins His Fina Sleep-End Comes at Palm Beach Florida.

Florida.

West Palm Beach, Fla., April 23.—
Joseph Jefferson, the eminent actor, died at his home, "The Reefs," at Palm Beach at 6.15 this evening.
The end came after a day of unconsciousness and after a heroic struggle of days, which had exhausted his vitality.

At his deathbed were his wife, his sons, Charles B, and Frank Jefferson; his nurse, Dr. R. B. Porter and his faithful old servant, Karl Kettler.

The end was not a surprise to his family. Ever since his last sinking spell, which came after a rally Thursday morning, and which was followed by no apparent improvement until Friday, the family has been waiting for the end.

Mr. Jefferson's condition Saturday night grew steadily worse, and the family, who had retired, were summoned from their beds and Dr. Porter was called. The patient's condition continued to grow worse all through to-day and the brief bulletins from the bedside contained no words of encouragement.

The sickness of Mr. Jefferson which

The sickness of Mr. Jefferson which The sickness of Mr. Jefferson which ended in his death was contracted, it is believed, while on a recent visit to his son, Charles B. Jefferson, at Hobe Sound, a few miles above Palm Beach, where he went to meet his friend, former President Cleveland. It is believed that from a slight indiscretion in his eating there he suffered an attack of indigestion. Since his return to his home his condition grew steadily worse, with slight rallies, until the end.

Signed by Governor McDonald and Will Soon Be Law in Colorado.

Denver, April 23.—Last Friday the governor signed what is known as the anti-boycott law, and ninety days from date the same will be in effect. It will then be unlawful for persons to practice what is generally known as picketing and boycotting. The act provides that it will be unlawful for any person to lotter about the streets or highways leading to any place of business for the purpose of influencing others not to trade with or work for any other person or corporation, or to picket the place of business of any other person or corporation for the purpose of obstructing or interfering with any lawful business work or en Denver, April 23.-Last Friday the

any other person or corporation, or to picket the place of business of any other person or corporation for the purpose of obstructing or interfering with any lawful business work or enterprise.

Another section of the act makes it unlawful to boycott or to publish any notice of a boycott against any firm doing a lawful business, or against any judicial officer or other public officer because of any efficial act or decision of such officer.

Still another section makes it unlawful for employers to maintain black lists, with a proviso, however, that either the employer or his workmen may impart fair and unbiased opinions and information as to either the employers or employers' qualification. The act also declares it unlawful to use force, threats or other means of intimidation to prevent any person from engaging in any lawful occupation at any place he or she sees fit.

The act provides that a violation shall be a criminal offence of the grade of misdemeanor and punishment by a fine of not less than ten dollars (\$10). lists, with a proviso, however, that either the employer or his workmen may impart fair and unbiased opinions and information as to either the employers' or employers' qualification. The act also declares it unlawful to use force, threats or other means of intimidation to prevent any person from engaging in any lawful occupation at any place he or she sees fit.

The act provides that a violation shall be a criminal offence of the grade of misdemeanor and punishment by a fine of not less than ten dollars (\$10) nor more than two hundred and fitty dollars (\$250) or imprisonment in the county jail or both in the discretion of the court.

If the mine owners should be successful, damage suits will be started against the federation in other sections of the state.

The complaints are all similar in the amount of damages asked. The Vindicator asks damages in the sum that the amount of damages asked. The vindicator asks damages in the sum that the mount of damages asked. The vindicator asks damages in the sum that the federation in other sections of the state.

For injury done to machinery, member and workings through submergence of its mine because of lack of men toi operate the pumps, \$10,000.

For loss of services of employes through the strike and consequent fully dollars (\$250) or imprisonment in the county juil or both in the discretion of the court.

side for a part of the estate on the claim that he was a silent partner in his brother's immerse hardware business, has lost his case in the District Court at Denver.

James Traylor, a trammer at the Cross coal mine, operated by the State Industrial School for Boys at Golden, fell down a 140-foot shaft on the 18th instant, receiving injuries from which he died within a few hours. He leaves a wife and child at Golden.

John White, who escaped from Windsor jail for the second time by digging his way out, although hand-cuified, was captured by Deputy Sheriff Woland at Ault and brought back to jail. White was serving a five months' term for bootlegging whiskey in Windsor. The annual High School Day of the great change in removing from labor controversies much bitterness and violence. It is predicted by the persons who were sponsors for the bill that it will be a great step toward industrial peace in Colorado and rapidly lead to staple industrial conditions.

French Foreign Minister Remains

Paris, April 23.—Yielding to the personal solicitations and representations of President Loubet and the leaders of the government that his retirement would be a serious national peril at this time, M. Delcasse yesterday advised Premier Bouvier that he would reconsider and withdraw his resignation as foreign minister. This was after strong assurances had been given M. Delcasse that the ministry was uniting with sympathy and support of his

M. Delcasse that the ministry was uniting with sympathy and support of his foreign policy.

M. Delcasse's staying in the Cabinet is expected to result in a firmer attitude toward Germany than has heretofore been shown. The foreign minister, spolicy has been to give German adequate assurances that her interests in Morocco would be treated the same as those of the rest of the world, but after making these approaches, he did not desire to yield France's entire project concerning Morocco at the dictation of Germany.

GREAT ACTOR IS DEAD COMPANIES COMBINE FLEET SAILING NORTH

TO SUE FEDERATION OF MINERS

Damage Suits for Destruction of Property and Loss of Time-Statement That Complaints Are Being Prepared.

Denver, April 26.—According to the statement of the Denver News, damage suits which, if successful, would virtually bankrupt the Western Federation of Miners, will be filed in the Federal and District Courts within a few days. The suits involve \$1,000,000, and are brought by the mine owners of the Cripple Creek district and the smelter trust in Colorado against the labor organizations. The complaints are now being prepared by some of the ablest attorneys in the state.

The common defendants in these suits are:

Western Federation of Miners, as an organization.
Charles Moyer, president Western Federation of Miners.
William D. Haywood, secretary Western Federation of Miners.
Frank Schmelzer, member executive board Western Federation of Miners.
John M. O'Neil, member executive board Western Federation of Miners.
Charles G, Kennison, president union No. 40. Cripple Creek, Western Federation of Miners.
A. G. Paul, secretary union No. 40. Cripple Creek, Western Federation of Cripple Creek, Western Fed

tion of Miners.

A. G. Paul, secretary union No. 40, Cripple Creek, Western Federation of Miners.

Arthur Parker, member Western Federation of Miners.

P. M. Mullaney, member Western Federation of Miners.

D. C. Copley, member Western Fed-eration of Miners. Against these defendants nine companies will file separate suits. These

United States Reduction and Refining Company.
Vindicator Consolidated Gold Mining

Vindicator Consolidated
Company.
Granite Gold Mining Company.
Golden Cycle Gold Mining Company.
Elkton Consolidated Mining and
Milling Company.
Mary McKlinney Mining Company.
El Paso Consolidated Gold Mining
Company.

Company.
Stratton Independence, Limited.

Stratton Independence, Limited. Findley Gold Mining Company. All of these suits will be brought in the District Court except that of the United States Reduction and Refining Company. As this is a foreign corporation, it will be necessary for it to file in the United States Court.

Among the attorneys interested are Hall, Babbitt & Thayer for the United States Reduction and Refining Comstates Reduction and Refining Com-

Fuel and Iron Company against the United Mine Workers of America for

"The right of labor to organize and to cease work has been so often de-cided in the courts that I have no fear of the outcome of any damage suit that might arise.

Chicago, April 26.—All railway associations in the United States and Canada except one have granted the National Educational Association a rate of one fare plus \$2 membership for the round trip to Asbury Park, New. Jersey, and Ocean Grove, New Jersey, for the forty-fourth convention of the N.E. A., July 5-7, 1905. The exception is the Southwestern Excursion Bureau, with which negotiations are pending.

Will Reduce Rates.
Washington, D. C., April 26.—Secretary of War Taft yesterday announced that the government would reduce transportation charges on the Panama railroad to the lowest notch consistent with reasonable profit, and that if the business of the transcontinental railroads, which have hitherto controlled the Panama railroad, were injured, it was no fault of the government.

RUSSIANS LEAVE KAMRANH BAY

Fishermen Heard Cannonading Later -Admiral Rojestvensky III-Crews Expect to Win.

Expect to Win.

Kamranh Bay, Indo-China, via Salgon, April 25.—The Russian squadron, consisting of fifty-two ships, including transports, left Kamranh bay at noon April 22d and the main portion soon disappeared in a northerly direction. Sixteen vessels, the Russian cruiser Svietlana, the Russian hospital ship Orel, four German transports, seven Danish transports and three Russian transports remained in the offing. Fishermen assert that they heard heavy cannonading off Kamranh bay during the evening of April 22.

Those who saw Admiral Rojestvensky prior to his departure say he is suffering from dysentery, accompanied by severe pains. All the officers and crews of the Russian ships appeared to be full of confidence.

Although the Russian crews were

to be full of confidence.

Although the Russian crews were confident of victory, independent observers who got near enough to Admiral Rojestvensky's warships to be able to inspect them were not unanimous regarding the efficiency of the squadron.

It is believed here that it is Admiral Rojestvensky's intention to deeverything possible to have Admiral Nebogatoff join him before undertaking a decisive battle.

ing a decisive battle.

ing a decisive battle.

A torpedo boat destroyer is patrolling the coast. The French third class cruiser Descartes left here at 2 o'clock. Saturday afternoon, for a point on the coast where a fisherman reports that he saw twenty warships. The man, however, was unable to give their nationality.

The point to which the Descartest went is Nha-Trang, a small town fifty miles north of Kamranh bay on Nha-Trang bay. The latter is smaller than Kamranh bay, quadrangular in shape and extends about ten miles inland at a uniform width of about four miles.

CONGRESSMAN KILLED.

Quarrel Over Enforcing Local Option Law in Texas.

Hempstead, Tex., April 24.—Congressman John M. Pinckney and two other men were killed at a mass meeting here to-night, called for the purpose of petitioning the governor to send rangers here to enforce the local catter.

pose of petitioning the governor to send rangers here to enforce the local option law.

J. N. Brown, a leading lawyer and a staunch anti-Prohibitionist, began the shooting, which became general in an instant. The dead are:

J. N. Brown; Congressman John M. Pinckney, Tom Pinckney, brother of the congressman.

John Mills, a leading Prohibitionist, cannot survive the night, it is feared.

Doc. Tompkins, private secretary to Congressman Pinckney, and Rollin Brown, son of J. N. Brown, are badly wounded, but just how seriously cannot now be determined.

There are many armed men on the streets to-night, but it is not believed there will be any more trouble.

The governor has been notified and will send rangers here.

Late to-night J. E. Mills died of the wounds he received. He was a farmer who had long been prominent in the affairs of the county, but who had only recently removed to the town.

When the trouble began, Tompkins, private secretary to Congressman Pinckney, was making a speech to a motion. Captain Brown had the foor. He used language which was objected to and at the same time grasped Tompkins by the coat lapel.

Congressman Pinckney sprang for-

to and at the same time grasped Tomp-kins by the coat lapel.

Congressman Pinckney sprang for-ward and the shooting began. A num-ber of men appeared to be engaged in, the shooting and something like 100 shots were fired.

Brown was a lawyer who had been practicing here for twenty years.

Colorado's Big Storm.

Colorado's Big Storm.

Denver, April 25.—The storm of Sunday and Monday was felt throughout many western and southern states, but in no state was it as severe as it was in Colorado. In Denver the storm damaged trees and shrubbery, delayed traffic on street railroads and made the roads in parts of the city so impassable that the Humane Society was forced to issue orders that horses be not used until some of the moisture had seeped away. Local telephone and telegraph wires were tangled and broken by the weight of heavy, clinging snow, and electric communication in residences and business houses was cut off.

The storm, which continued fercely all Easter day and night, made it difficult to attend church services and made the Easter bonnet droop its proud plumage in disappointment.

Throughout the state, great damage was done by the storm. Railroad traffic was delayed. Washouts were threatened and serious landslides occurred on the Rio Grande in the Royal Gorge and at other polais, og., other lines. Telephonic communication was cut off with Pueblo, Trindad, Florence, Canon City and Cripple Creek.

In Trinidad the storm spent its fierest force. Much of the repair work on ruins of the recent flood is feared, Water mains were torn away and wires broken down, leaving the business section of the city without light or water.

Wu Ting Fang's Refo

Peking, April 25.—In responsemental of Mr. Wu Ting, apperial edict issued to-day punishment of slicing to distitutes immediate.