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THE PUEBLO CHIEFTAIN

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Verdict of Coroner's JURY HOLDS D. & R. G. RY. RESPONSIBLE for Eden Disaster..

FIVE ARE KILLED BY AN EXPLOSION OF DYNAMITE

By Associated Press to The Chieftain Exclusively in Pueblo.

Nevada, Mo., Aug. 20.—Five persons were killed at Minden, a station on the Nevada and [illegible] branch of the Missouri Pacific railway, this afternoon by the explosion of a car of dynamite.

Dead:

STATION AGENT BROWN and wife and daughter, of Minden.

ENGINEER RODEA and FIREMAN TODD, both of Nevada.

A train crew on a local freight was switching some cars when they struck a car of dynamite.

GENERAL ATTACK ON PORT ARTHUR BEGUN

Honors Apparently Even---Russian Reserves Called Out---Russians Retreat to Mukden.

By Associated Press to The Chieftain Exclusively in Pueblo.

Che Foo, Aug. 21.—Noon.—It is reported that the Japanese before Port Arthur captured fort No. 25 one mile north of Golden Hill. The Japanese are not attempting to storm Yiao Ti promotory. Their right wing terminates at Pigeon Bay. The Russian's garrison of Port Arthur is estimated at 25,000 men, covering an area of 12 miles. A junk arriving at Tenchow from the Miao Tao islands, reports seeing yesterday five Japanese men-of-war pursuing two Russian warships, type unknown. They were going in an easterly direction.

By Associated Press to The Chieftain Exclusively in Pueblo.

Che Foo, Aug. 21, 9 a. m.—A reliable authority declares that yesterday's (Saturday's) attack on Port Arthur was unsuccessful but continued last night and today and will go on for one more day if the Japanese are still repulsed. A long siege is expected.

By Associated Press to The Chieftain Exclusively in Pueblo.

St. Petersburg, Aug. 20, 12:50 p. m.—The report from Che Foo that the Russians have driven the Japanese out of the position at Patichwang (Paluchwang) which they had been bombarding the forts of Port Arthur was received with considerable gratification at the war office, where it was regarded as evidence that the defenders are strong enough to take the offensive when the occasion demands. For this reason the war office is not inclined to believe the reports that the Japanese have captured forts No. 3 and No. 4, just beyond Nagoushp hill, five miles northeast of Port Arthur. It is admitted that the possession of these forts would render the situation of the besiegers desperate. The war office has not official information from the fortress going beyond August 8, 9 and 10, which probably was sent through the captured Russian torpedo boat destroyer Ryeshitelni, although this is not admitted. This report tells of the desperate character of the Japanese attacks which continued practically without intermission for forty hours. General Stoessel's reports of the assaults of August 14 and 15 are expected at any hour.

Private information coming from Port Arthur by way of Chinese junks says that when the Japanese sent in the flag of truce Friday they conveyed [illegible] commander.

By Associated Press to The Chieftain Exclusively in Pueblo.

St. Petersburg, Aug. 20.—The emperor has issued an ukase summoning to the colors all the reserve officers throughout the empire.

St. Petersburg, Aug. 20, 9:10 a. m.—The official Messenger today announced the mobilization of the reserves in four districts of the Poltava government, two in the Kursk government, two in the Tver government, one in the Samara government, four in Saratoff government, two in the Astrakahan government, one in the Ufa government, five in the St. Petersburg government, three in the Novgorod government, three in the Pskov government, one in the Volhynia government, seven in the Arcangel government and seven in the Olonetz government.

Tokio, Aug. 20, 4 p. m.—The Japanese troops occupied Anshanshan yesterday and the Russians have retreated toward Mukden.

DEFEATS MAKE RUSSIANS ONLY MORE DETERMINED

By Associated Press to The Chieftain Exclusively in Pueblo.

St. Petersburg, Aug. 20.—1:30 p. m.—The defeats which the Russians have

EXHAUSTIVE REVIEW OF TESTIMONY TAKEN

Bridge Declared to Be Inferior in Quality---Train Crew Is Completely Exonerated From All Blame---No Way to Warn Train

TRACKWALKERS ARE RECOMMENDED

The crew of No. 11 is held to be blameless.

The railroad was to blame for not constructing a bridge that would avoid or withstand the impact of the county bridge.

Bridge No. 110-B was not of the best class of bridges used by railroad companies.

The weakness of the bridge consisted in the inferior class to which it belonged.

Lack of telegraph communication between Eden and Buttes made it impossible for the dispatcher to send any word to the train after it left Buttes.

If a regular system of track walkers had been employed No. 11 might have been flagged and the disaster averted.

Bridge No. 110-B was under the charge of the section gang at Pinon five miles away instead of the one at Eden one mile away.

The bridge should have been constructed to accommodate all the water the gulch would carry.

A one span metal structure across the stream would probably have allowed the county bridge to pass without sustaining any damage.

For the reasons contained in the findings and conclusions, briefly summarized above, the coroner's jury, empanelled for the inquest over the body of John E. Bishop and all others who lost their lives in the wreck of N. 11 just north of Eden on the evening of August 1, 1904, that the appalling destruction of life was due to the negligence of the Denver and Rio Grande railroad company. This verdict was rendered late yesterday after eleven days had been consumed in the taking and consideration of evicence.

The verdict is lengthy and contains the findings brought out in the testimony as well as the conclusions derived therefrom by the jury. It touches all points relating to the wreck, the bridge, the manner of handling trains, means of communication, bridge construction and inspection, the weather and reports concerning the same, as well as other information pertinent to the inquest. Unusual attention was paid to the details of the evidence, the jury reaching only conclusions which it believed were based on facts.

On Tuesday, August 9, the jury first came together for the examination of witnesses. One week was devoted to the taking of testimony and when the jury adjourned on last Tuesday afternoon 45 witnesses had been examined. At a subsequent session on Thursday two additional witnesses were examined bringing the total up to 50. The examination was conducted by District Attorney Gow and no effort was spared by him to make the inquisition as thorough as was necessitated by the magnitude of the disaster.

During the examination of each member of the jury evidenced his desire to secure all available evidence and many questions were asked by them of the numerous witnesses. In addition to this two visits were made to the scene of the wreck, the first to see the wreck itself and the second to investigate the arroya for the purpose of determining whether the flood had overflowed the banks of the gulch and from how far up the drainage basin the greater portion of the mass of water came.

The verdict comprises nearly thirteen large pages of typewritten matter. Beginning in a concise and systematized resume of the findings made by the jury followed by the eleven conclusions of the jury based thereon and finally the declaration that "the negligence of the Denver and Rio Grande railroad company is held responsible for the appalling loss of life." Following is the complete text of the verdict as signed yesterday by Coroner Fugard, Clerk A. J. Beaumont and each of the six jurors:

State of Colorado, County of Pueblo:

An inquisition holden at Pueblo, in Pueblo county, Colorado, on the 8th, 9th, 10th, 11th, 12th, 13th, 15th, 16th, 18th, 19th and 20th days of August, A. D. 1904, before A. L. Fugard, coroner of said county, upon the dead body of John F. Bishop et al. lying there dead, by the jurors whose names are hereto subscribed. The said jurors upon their oaths do say:

That said persons came to their death at, or about 8:25 p. m. August 7th, 1904, in Pueblo county, Colorado, either by being killed outright or by drowning when bridge No. 110-B, Denver and Rio Grande railroad, broke down and precipated the engine, baggage car, smoker and chair car of train No. 11 on which they were riding, into the arroya, spanned by said bridge, then running almost full of water. It is believed that by far the greater number of them perished by drowning.

The almost unprecedented magnitude of this disaster, greatness of life and property, and the consequent wide spread sorrow and distress occasioned thereby, requires of this jury a detailed statement of the facts and circumstances contributing thereto and a statement of its conclusion based thereon.

The jury, therefore, submits the following:

The train, her crew and passengers:

No. 11 was known as Missouri Pacific connection and consisted of a baggage car, smoker, chair car, two Pullmans and a diner. The engine was a Baldwin locomotive, ten wheeler and very heavy. The following composed the crew:

Henry Hinman, engineer.
David C. Mayfield, fireman.
James H. Smith, conductor.
J. F. Turner, brakeman.
A. A. Robinson, brakeman.
T. S. Reese, express messenger and baggageman.

David C. Mayfield, fireman, escaped death. No one is known to have escaped either from the baggage car or the smoker. John M. Killin, Tony Fisher and Henry Gilbert escaped with their lives from the chair car.

C. O. Nelson, E. E. Wilson, J. O. Vincent, A. A. Robinson, M. W. Sales, W. Vance, E. P. Betts, Mrs. Ball, Miss Ball, O. S. Galbraith, Mrs. E. Roscor,

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ARRESTED FOR IMPORTING INFECTED TEXAS CATTLE

By Associated Press to The Chieftain Exclusively in Pueblo.

Winfield, Kas., Aug. 20.—John C. McFall, a United States quarantine officer, today caused the arrest of Ira Clark, a farmer living near Maple City, charged with bringing infected Texas cattle into Kansas.

Native cattle have been infected by Texas long horns which have recently been smuggled across the quarantine line and the officers are determined to put a stop to the practice if possible.

STRIKERS SEE LITTLE HOPE OF SETTLEMENT

President Donnelly Claims Mayor's Action Helps Union Cause ---Courts to Be Invoked.

By Associated Press to the Chieftain Exclusively in Pueblo.

Chicago, Aug. 20.—"I see no peace in sight, except on condition that the packers surrender and on unconditional terms. When the people see the report of last night's meeting of the Chicago Federation of Labor, they will be astounded. We have a trump card to play and it has been drawn from the deck." So said President Donnelly of the striking cattle butchers today while he was directing his assistants to go to East St. Louis to meet International Vice President Cass E. Schmidt whom Donnelly will send to Kansas City to look after the labor situation there.

He declared the action of Mayor Harrison in ousting the strike breakers from the housing rooms in the packing plants meant quicker success to the strikers.

Not since the strike begun has President Donnelly seemed so hopeful. He criticised the action of the teamsters in sending a committee into the yards to make an investigation.

"I don't see what the teamsters expected to do," he said. "If they don't like this strike let them go back to work."

On the subject of action by the Federation of Labor Donnelly was silent. He simply declared the report would prove a sensation.

"A national election is coming on," said President Donnelly. "The labor vote is too powerful to be ignored. As soon as I have Schmidt in Kansas City, I shall go to Indianapolis. While I am away I expect to make several speeches.

"The mayor's action in declaring that the packers shall no longer house their strike breakers is the hardest blow our foe has yet received," said President Donnelly. "The packers will have no trouble getting the breakers out of the plants and out of the yards. We will [illegible] pickets reported that the desertions were heavy and that the nonunion men were in a state of terror.

MAY VOTE PROXIES AT MINING CONGRESS

By Associated Press to The Chieftain Exclusively in Pueblo.

Portland, Ore., Aug. 20.—By a decision arrived at today by President J. H. Richards, First Vice President Ewing and Secretary Mahon, of the executive committee of the American Mining congress, the voting of proxies by delegates and members will be permitted in deliberations of the seventh annual session of that body to be held in this city during next week.

The action is a decision upon the constitutional provisions of the congress and is one of the greatest importance, in view of the fact that a decision is to be reached as to the permanent headquarters and also because of the contest for the next annual convention. Salt Lake City delegates have wired home for 500 proxies to be voted in the contest for permanent headquarters.

Rain Does Extensive Damage.

By Associated Press to The Chieftain Exclusively in Pueblo

New York, Aug. 20.—The heavy rainfall which began late last night and continued nearly ten hours without cessation caused thousands of dollars of damage and inconvenienced hundreds of thousands of persons in this city. Cellars were flooded, streets became minature rivers, water and gas mains were washed out and broken and scores of excavations where building operations are in progress were filled with water which the overloaded sewers could not carry away.

New Horse Disease Discovered.

By Associated Press to The Chieftain Exclusively in Pueblo.

Albany, N. Y., Aug. 20.—Dr. V. A. Moore, bacteriologist of Cornell university who is in St. Louis, has notified the state department of agriculture that a disease known as "malladie evil' exists in the middle west and that 200 horses afflicted with the