

# MAKING A TREATY

DE MARTENS AND DENNISON BEGIN WORK ON DOCUMENT.

## NO MEETING HELD ON TUESDAY

Said to Be Disappointment on the Part of Both Nations.—Russian War Party Thinks Witte Could Have Made Better Terms.

PORTSMOUTH, N. H.—Mr. Dennison and M. de Martens worked until 8 o'clock Wednesday night on the draft of the treaty. They completed the wording of the preamble and three articles and were discussing the articles relating to the cession of the Chinese Eastern railway when they adjourned. Up to 1 o'clock Wednesday night neither the Japanese emperor or the Russian emperor had responded to the appeals sent by their respective plenipotentiaries asking for the conclusion of an armistice.

Actual work of drafting the "treaty of Portsmouth" began Wednesday. It was done by M. de Martens and Mr. Dennison, acting as legal advisers for the respective sides. While the "bases" of peace have been accepted by the plenipotentiaries, considerable detail remains to be worked out in the elaboration of the articles of the treaty. This is especially true in regard to the articles dealing with the Chinese Eastern railway and the surrender of the leases of the Liaotung peninsula and Port Arthur and Talienwan (Dainy). Mr. Pokotloff, the Russian minister to Peking, who was formerly manager of the Russo-Chinese bank at Peking and who has intimate knowledge of all the details relating to those matters, is assisting M. de Martens.

A very anomalous situation exists as to the impression created by the conclusion of peace. While the outside world applauds, in Japan there is evidently great disappointment in the terms, and in Russia, where it would seem that there should be universal rejoicing over the great diplomatic victory M. Witte has won, the government seems to have received it coldly. With the people it will make M. Witte a great and popular figure and add to his laurels, but at court evidently the very victory that M. Witte has achieved makes it all the more bitterly resented. It is an open secret that when the emperor appointed M. Witte chief plenipotentiary of the "military party" expected him to fall. They did not want peace and it was freely predicted in St. Petersburg when M. Witte left that he had been given an impossible mission. They expected him to fall in the negotiations or to "make a bad peace," and either would have spelled political ruin. Instead, upon the very terms upon which the emperor told Mr. Meyer he would make peace and upon which the military party did not believe it possible for peace to be negotiated, M. Witte succeeded in securing a treaty honorable and under the circumstances favorable to Russia. This has evidently only exasperated his enemies the more and intrigue is again at work to discredit him. Since Japan was in a conciliatory mood they say he made a mistake in surrendering half of Sakhalin. Yet he did so by the czar's orders and himself insists that personally he would have stuck to the end to his original declaration not to cede territory or give indemnity.

Along through the balance of the night, in the awful wash of waters, with the storm raging and threatening each moment to swamp their small boat, these two men were gradually borne ashore toward Amelia island, landing just at 11 a. m. Monday.

## CHIP GOES DOWN.

Steamer Peconic Sinks Off Coast of Florida.

FERNANDINA, Fla.—Twenty men, constituting all but two of the officers and crew of the American steamship Peconic, Captain James, Philadelphia to New Orleans with coal, were drowned by the sinking of that vessel off the coast of Florida Monday. The disaster was the result of a fierce gale which raged along the coast during the night and early morning. Lashed by the storm an immense wave struck the vessel with terrific force about 12:50 o'clock this morning. The impact, coming just as the vessel was making a turn, caused a shift of the cargo and the vessel leaned over and sank immediately. The accident occurred so quickly that only two of those aboard, an Italian and a Spaniard, were able to save themselves. They succeeded in getting into a lifeboat, reached Amelia Beach about noon and on landing told the story of the disaster.

About midnight of Sunday, according to their story, during the heaviest part of the storm, which had raged all day, the officer of the deck gave the order to put further out to sea, fearing they were approaching the coast too nearly. In the endeavor to turn the ship was struck with a heavy sea, the cargo shifted and it began sinking rapidly. In less than ten minutes after the alarm was sounded it had gone to the bottom. One of the two survivors was at the wheel at the time the order was given, the other was upon watch. As soon as the ship began to careen these two men rushed for one of the small boats, which they jumped into as the vessel began to go down. With their knives they severed the ropes as the water's level was reached and the small boat was thrown far out on the waves. They furthermore say that they discovered through the blackness and storm the figures of part of the awakened crew, some of whom managed to crowd into another of the ship's boats. This was, however, caught in the trough of the sea, thrown violently against the ventilators and then wedged fast. Their pitiful cries for help could be heard as the ship went down in the sea, which swallowed it up.

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## A RUNAWAY HUSBAND BROUGHT TO NEBRASKA

SPRINGFIELD, Ill.—Governor Deneen heard the application for a warrant on a requisition from Governor Mickey of Nebraska for the return to North Platte, Neb., of Henry D. Norris of Anchor, who is wanted on the charge of abandoning his wife and child. Morris, through his attorney, Mr. Sterling, fought the issuing of a warrant on the ground that he had made a contract to marry the complainant, and that there was a stipulation that after their child was born he did not have to remain, and therefore there was no abandonment. Governor Deneen issued the warrant for his return.

## SHOULD BLESS HEAVEN FOR IT Russian Minister of Agriculture Is Well Pleased.

ST. PETERSBURG—Among those who are completely satisfied with the results of the Portsmouth conference are Charles von Schwanebach, minister of agriculture, who said to the Associated Press:

"We should bless heaven for so happy and honorable a settlement of the war. Peace is highly desirable, and we can now devote our attention to the settlement of Russia's internal problems, which need careful and undivided efforts without external complications.

The minister expressed his belief that the reforms will now take a sane and natural course, but he declared that to certain phases of the agitation, a caustic must be applied firmly and thoroughly, and the sore burned out of the body politic. The result of the peace negotiations, he said, was important to the United States as well as to Russia and Japan, since the American republic emerges from the negotiations with its prestige as the arbiter of great world questions firmly established.

## ALL MATTERS SETTLED IN BENNETT CASE

NEW HAVEN, Conn.—All litigation over the estate of Philo S. Bennett, a former merchant of New York City, of which William J. Bryan was executor, is believed to be ended by the filing of a notice in probate court to the effect that an appeal of Mrs. Grace Imogene Bennett, the widow, and other heirs, to the allowance of Mr. Bryan's accounts, will be withdrawn. The notice of an appeal had been entered for a hearing and this action by the heirs was expected.

## Russians Settling in Panama.

PANAMA—Fifty Russian families left Panama for Chiriqué. Arrangements have been made by which the same number of Russian families will be settled every month in different portions of the republic. The government gives each family \$500 and thirty acres of land.

Bubonic Plague on Isthmus. WASHINGTON—Consul General Lee at Panama cables the state department that there was one death from plague at Panama on Saturday.

# CHOLERA ABROAD

APPEARANCE OF THE PLAGUE IN PRUSSIA CAUSES EXCITEMENT.

## TWELVE FOCI IN FIVE DAYS

Thirty-Four Cases in Towns Scattered Over Large Area—Hamburg Out of Infected Cities—Strong Fight Necessary to Keep It Within Control.

BERLIN—The spread of cholera from two localities on the Weichsel river five days ago to thirty-four cases in twelve localities, extending from the Baltic to the Warthe river, 150 miles south, and its appearance in Hamburg has given an unpleasant thrill to the people of Germany, for it may mean a long and steady fight, as in 1892-93, to prevent the disease from getting beyond control. In those years it is estimated that 800,000 persons died in Russia from cholera.

The Prussian government is keenly aware of the possibilities of the danger, which so far is not regarded as giving occasion for apprehension. A committee of the cabinet consisting of Dr. Studt, minister of medical affairs; Herr von Sudá, minister of state and minister of public works; Herr Moller, minister of commerce and industry, and Dr. von Bethmann-Hollweg, minister of the interior, has the direction of the preventative measures. Numerous bacteriologists have been sent into the infected district to assist in the surveillance of the prisoners who have contracted cholera. Cautionary notices are published in all towns and villages in the affected area.

RASTENBURG, East Prussia—There has been one death, believed to have been caused by cholera in the village of Paris and one in the village of Warnkeim, and in both villages the government commissioners have discovered several suspicious cases.

LANSBORG-ON-THE-WARTHE, Prussia—Two deaths from cholera have occurred among the river men in a village at the intersection of the Warthe and the Netze.

EINLACE, West Prussia—No boats or craft for any fishermen from Russia will be allowed to pass the locks here. All arrivals are detained under inspection in three divisions. The first, for cholera cases, contains one patient; the second, for suspects, also has one; the third, for those exposed to disease, has forty-seven river men.

LEMBERG, Austria—Two deaths from cholera have occurred here and several suspected cases are under observation. The deaths occurred in the family of a river boatman who has been working in the Vistula district of Prussia.

## WANT PRESIDENT TO SAVE.

Deluged With Letters Bearing on Preservation of Niagara.

WASHINGTON—President Roosevelt is being deluged by letters from individuals in all parts of the country praying him to do whatever lies in his power to prevent further destruction of the natural beauties of Niagara Falls as an incident to the development of the great power plants on both sides of the Niagara river. All of these communications are being filed with the state department, and it is not improbable that they may serve as a basis for some action by the president in the direction of the creating of an international commission to deal with this subject.

## BURGLARS CARRY AWAY SAFE FROM RESIDENCE

STAMFORD, Conn.—A steel safe of considerable weight, which is understood to have contained \$150 in cash and jewelry valued at over \$20,000 mysteriously disappeared from the summer residence of Paul Bonner at Nirvana on the Sound. The family believe that burglars entered the house through a window on the lower floor and conveyed the safe to the shore and placed it aboard a vessel. It was learned tonight that one of Mr. Bonner's servants found a note in the place from which the safe was removed which read as follows: "If we are deprived of our freedom this place will be in ruins."

## New Star Discoveries.

CAMBRIDGE, Mass.—A new star has been discovered by Mrs. W. P. Fleming of the Harvard observatory in the constellation of Aquilla, which at 8 p. m. just now is about on the meridian and half way from the southern horizon to the zenith. The star was first seen on August 10 and large as 6.3 magnitude on August 18, or just on the verge of visibility to the naked eye; was 7.5 magnitude on August 21, and on August 26 was of the tenth magnitude, showing a rapid diminution of its light.

## BOYCOTT DYING OUT.

Greatest Height Has Been Reached Throughout China.

PEKING—The American boycott almost overshadows the peace negotiations as a topic of interest in China. Accounts reaching Peking from trading centers indicate that the movement attained its greatest strength early in August, and since then has been decreasing. Nowhere except in Shanghai has American business received a serious blow.

## TOLSTOI IS MUCH PLEASSED.

But Fears That Other Wars Will Come.

MOSCOW—Count Tolstol received information Tuesday that peace at Portsmouth was practically assured, according to an intimate friend of the family. Commenting then upon peace as an established fact, Count Tolstol said:

"I am indeed very happy to see the end of this fearful butchery, but it is a great certainty that this war will not be the last. It cannot be the last war, because nations will fight each other so long as the social system remains unchanged, so long as opposition and threat are considered dogmas of society."

Tolstol made no comment on the conditions of peace, declaring them to be quite unimportant in comparison with the final results to be attained through the conference.

## CHINESE WILL FIGHT ALONG BOYCOTT LINES

PORTLAND, Ore.—"The boycott upon American goods in China will never end until the Chinese people are admitted freely into the United States, or until the same discriminations are made against the inferior classes of other nations as those which we make against the coolies of China."

Thus the Chinese boycott situation was summed up by F. F. Tong, who is at present in Portland on his way to Washington, D. C., as a special envoy from the emperor of China.

Continuing, Mr. Tong said: "The American people have no true idea of the extent of the present boycott. It is confined to no one class—men, women and children are united in it."

## Sells Road to China.

NEW YORK—As the result of the conference between the president and J. P. Morgan at Oyster Bay the Chinese Development company held a meeting and ratified the sale of the Hankow railroad back to China.

## AN AMERICAN CITIZEN COMMITS MURDER ABROAD

CONSTANTINOPLE—The police and other officials here are making inquiries into the mysterious death by assassination, August 26, of Apik Undjian, a prominent Armenian, who was shot in the Galata quarter of this city by a man named Chirik Vartanian, who claims to be a naturalized citizen of the United States. According to the official version of the affair Vartanian, who is a native of Kharput, and resided for ten years in the United States, says he was ordered to kill Undjian, but refuses to say by whom the order was issued. Undjian was arrested as a revolutionist during the massacres of 1896, but had since discontinued his connection with the revolutionary party.

## For Tuberculosis Patients.

TOPEKA—Secretary S. J. Crumline of the state board of health says the physicians of the state will use their influence to have the next legislature establish a hospital for the treatment of tuberculosis. He says one is badly needed and that it should be located in western Kansas, where the air is light.

## Quarantines Against Memphis.

HOUSTON, Tex.—State Health Officer Tabor quarantined Memphis. The restrictions affect only people from Memphis, passengers coming through the Memphis gateway continuing to be admitted to Texas.

## REFRIGERATORS ON ISTHMUS.

Shonts Looking to Preservation of Food Supply.

WASHINGTON—Chairman Shonts of the Isthmian canal commission has returned after a trip to Oyster Bay and New York, where he looked into the details of establishing cold storage facilities on the isthmus. The plan includes refrigerators on the ships, a big cold storage warehouse at Colon and ten refrigerator railway cars, which are being built in Chicago, to transport food supplies to Panama, stopping and delivering orders at any of the labor camps along the way. Foodstuffs will be sent from the United States in five days and delivered on short notice without any danger of spoiling.

## Will Pay the Depositors.

NEW YORK—A practical settlement of the affairs of the Merchants Trust company, which failed a few months ago, was announced. The securities of the Hudson Valley Railway company, which was owned by the Merchants' Trust company, or held by it as collateral for loans, were sold yesterday by the receivers to the Columbia syndicate. The price received for these properties was not made public, but counsel for the receivers stated that the proceeds of this would pay depositors.

## Troubles of Twin Kingdoms.

KARLSTAD, Sweden—The first meeting of the Swedish and Norwegian delegates appointed to consider the terms of the dissolution of the union of Sweden and Norway was held here Thursday. It was agreed that each delegation should elect its own chairman. Sweden selected Premier Christian Lundeberg and the Norwegians, Premier Michelsen. Each will preside on alternate days. It was decided that the conference shall be secret. The next meeting will take place September 1.

# THE WAR IS OVER

RUSSIA AND JAPAN SETTLE BY DIPLOMACY.

## AN ARMISTICE WILL BE SOUGHT

In the Negotiations Japan Yields Many Important Points—Russia Pays No Indemnity and Gets Half of Sakhalin.

PORTSMOUTH, N. H.—The long and bloody war between Japan and Russia is ended. The terms of peace were settled by M. Witte and Baron Komura at the session of the conference Tuesday morning, and in the afternoon preliminary arrangements for an armistice were concluded and the actual work of framing the "treaty of Portsmouth" was by mutual agreement turned over to Mr. De Martens, Russia's great international lawyer, and Mr. Dennison, who for twenty-five years has acted as the legal adviser of the Japanese foreign office. The treaty is expected to be completed by the end of the week.

This happy conclusion of the conference, which a week ago would have been shipwrecked had it not been for the heroic intercession of President Roosevelt, was sudden and dramatic. For the sake of peace, Japan, with the magnanimity of a victor, at the last moment yielded everything still in issue.

Russia refused to budge from the ultimatum Emperor Nicholas had given to President Roosevelt through Ambassador Meyer. No indemnity under any guise, but an agreement to divide Sakhalin and reimburse Japan for the maintenance of the Russian prisoners were his last words. They had been repeatedly reiterated in M. Witte's instructions and in the form of a written reply to the Japanese compromise proposal of last Wednesday, they were delivered to Baron Komura this morning. M. Witte went to the conference declaring he was powerless to change the dot of an "i" or the cross of a "t" in his instructions. Emperor Nicholas' word had been given not only to him, but to President Roosevelt, the head of a foreign state. When Baron Komura, therefore, first offered the new basis of compromise outlined in the Associated Press dispatches last night (the complete renunciation of indemnity coupled with a proposition for the redemption of Sakhalin at a price to be fixed by a mixed tribunal consisting of representatives of the neutral powers, in fact, if not in words, the solution offered by the president), M. Witte again returned a non possumus.

It was what M. Witte termed in his interview with the Associated Press the "psychological moment." M. Witte did not flinch. He expected a rupture and, as he expressed it afterward, he was stunned by what happened. Baron Komura gave way on all the disputed points. With the presence that has enabled the Japanese to gauge the mental processes of their adversaries on the field of battle and upon the sea, they had realized in advance that peace could be obtained in no other way. They had warned their government. President Roosevelt had advised Japan that it meet the Russian position rather than take the responsibility of continuing the war for the purpose of collecting tribute. The mukado, at the session of the cabinet and elder statesmen yesterday, had sanctioned the final concession. When Baron Komura yielded the rest was mere child's play.

Articles X and XI (interned warships and the limitation of Russia's sea power in the far east) were withdrawn. Japan agreed that only that portion of the Chinese Eastern railroad south of Quanchontai, the position occupied by Oyama, should be ceded to Japan. Both sides, once the deadlock was broken, wanted a "just and lasting" peace, and in that spirit it was decided to practically neutralize Sakhalin.

## President Approves Sentence.

WASHINGTON—The president has approved the sentence in the court-martial case of First Lieutenant G. S. Richards Twenty-third infantry, who was convicted of duplicating pay accounts and was sentenced to dismissal from the service and to one year at hard labor.

## THE PRESIDENT'S PRAISE OF JAPANESE PEOPLE

OYSTER BAY, L. I.—In a letter to Baron Komura, the peace envoy of Japan to the Washington peace conference, the president extended his congratulations thus:

"Oyster Bay, N. Y.—My Dear Baron Komura: I have received your letter of August 29. May I ask you to convey to his majesty, the emperor of Japan, my earnest congratulations upon the wisdom and magnanimity he and the Japanese people have displayed. I am sure that all civilized mankind share this feeling with me. Sincerely yours, "THEODORE ROOSEVELT."

## Greatest Man in His Time.

BALTIMORE, Md.—In response to the request for a statement relative to President Roosevelt's part in the conclusion of peace between Japan and Russia Cardinal Gibbons said: "President Roosevelt is a great man, the greatest in his time. He is first in peace and first in the hearts of his countrymen. He is the biggest man in this century, because he has been the means of bringing to an end a terrible war. I admire him for his great work and the nations will bless him."

## Japan Orders Ships.

GLASGOW—The Nippon Yusen Kaisha (Japanese Steamship company), through the Japanese consul here, is placing contracts for eighteen liners with Clyde shipbuilding firms.

## WHAT THE NATIONS YIELD.

Summary of What Russia and Japan Get in the Settlement.

Japan's terms are accepted by Russia on the following points:

Russia's recognition of Japan's "preponderant influence" in Korea, with her right to preserve order in the civil administration, give military and financial advice to the emperor of Korea, Japan binding herself to observe the territorial integrity of Korea and it is believed the policy of the "open door."

Mutual obligation to evacuate Manchuria.

Japanese obligations to restore in Manchuria Chinese sovereignty and civil administration.

Mutual obligation to respect in the future "the territorial integrity and administrative entity" of China in Manchuria and to maintain the principle of equal opportunity for the industry and commerce of all nations (open door).

The surrender to Japan of the Russian leases of the Liao Tung peninsula, including Port Arthur, Dainy and the Blond and Elliott islands.

The surrender to China by arrangement with Japan of the branch of the Chinese Eastern railroad, running south from Chutefu to Port Arthur and New Chwang, together with the retrocession of all the privileges obtained under the concession of 1898.

The limitation of the Chinese concession obtained by M. Rothstein and Prince Ukhomsky in 1896, under which the "cut off" through Northern Manchuria was built to connect the trans-Siberian and the Usurri railroads so as to provide for the retention of the ownership and operation of the line by the Chinese, but with provision for the eventual substitution of Chinese imperial police for Russian "railroad guards."

The grant to citizens of Japan of the right to fish in waters of the Russian littoral from Vladivostok north to the Bering sea.

Pay for the maintenance of Russian prisoners in the custody of the Japanese.

## What Japan Yields.

Japan yields the following demands: Remuneration for the cost of the war.

The surrender of the Russian warships interned in neutral far eastern waters.

The limitation of Russia's naval power on Pacific waters.

As to the island of Sakhalin it has been agreed that Russia shall take the northern half and Japan the southern half.

## Roosevelt the Main Factor.

PARIS—The unwavering conviction of France that President Roosevelt's notable initiative would culminate in peace has received its reward. The news of the successful termination of the conference at Portsmouth which was first made known through the Associated Press bulletin, produced a profound impression when it was communicated to the members of the diplomatic corps and the high officials of the government, who unanimously expressed the keenest satisfaction that the heavy strain and anxiety had been removed and President Roosevelt's unrelenting persistency was generally considered to have been the main factor in bringing about the happy results.

## PRECIPITOUS HILLS AND ALKALI FLATS

SALT LAKE CITY—Many prospective settlers on government lands in the Uintah reservation are reported to be returning, having become discouraged by the scarcity of good lands available. William S. Gray of Lehigh, Utah, is one of these. Mr. Gray drew No. 13 in the allotment and expected to secure a good farm. After looking carefully over the land he has returned, determined not to file upon any land. Mr. Gray says all that is left for settlement after the Indians have taken their allotment is precipitous hills and alkali flats. He reports that men with low numbers who went out to get farms are returning by hundreds.

## AVAILABLE SUPPLY OF GRAIN.

Omaha in List of Increases with 55,000 Bushels.

NEW YORK—Special cable and telegraphic communications received by Bradstreet's show the following changes in available supplies as compared with last reports:

Wheat—United States and Canada, east of the Rocky mountains, decreased 303,000 bushels; afloat for and in Europe, increased 1,600,000 bushels; total supply, increased 1,497,000 bushels.

Corn—United States and Canada, east of the Rocky mountain, increased 453,000 bushels.

Oats—United States and Canada, east of the Rocky mountains, increased 1,246,000 bushels.

The leading increases reported this week are 375,000 bushels at Manitoba, 241,000 bushels at Chicago private elevators, 56,000 bushels at Omaha and 55,000 bushels at St. Joseph. Stocks held at Depot Harbor decreased 128,000 bushels.

## Dr. Garey Dead.

BALTIMORE, O.—Dr. Henry F. Garey, the eye specialist, died tonight of Bright's disease. Dr. Garey invented the ophthalmoscissor in 1859, which marked a new era in scientific eye surgery.

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