

News in Brief

Belle Cole, the American singer, is critically ill in London.

The New York Times building, just occupied, is thirty-one stories high.

A member of the Iowa delegation at Washington suggests a new plan for government control of freight rates.

Florence Mitchell shot and killed Ella Swisher during a dance at a roadhouse, three miles from Logansport, Ind.

Colorado supreme court decides that investigation of alleged election irregularities be on extensive scale demanded by republicans.

The British consul's residence outside of Tangier was attacked by insurgents during the night of January 4. Guards drove the attackers away.

M. Scherbatoff, the reactionary president of the Imperial Agricultural society of Russia, has resigned because of the opposition to his course.

The plague district in the Ural region has been cordoned by Cossacks and the disease has been localized. The mortality has rapidly decreased.

A national board to exercise supervision and control over corporations is provided for in a bill introduced in the senate by Senator Hepburn of Iowa.

Chief Justice Albert Mason of the Massachusetts superior court, died at his residence in Brookline, Mass., of pneumonia. He had been ill about ten days.

Senator Hepburn has introduced a bill for the control of corporations, suggesting a new department to be known as "national board of corporations."

Benjamin W. Thomas, 83 years old, prominently known both in Europe and America because of his scientific investigations and writings, died at his home in Chicago.

The question of penitentiary labor contracts in Missouri has been settled on a basis by which the prison receipts from this source will be increased at \$25,000 annually.

J. M. Cheesbrough, assistant general passenger agent of the Vandallia, has been appointed general passenger agent of the line, to succeed E. A. Ford, promoted to traffic manager.

On board the Teutonic, which arrived at New York from Liverpool, was Eugene d'Albert, the composer and pianist, to begin what will probably be his farewell tour of America.

"The College Widower," a burlesque on one of George Ade's plays, was the new offering which the Weber and Ziefeld company gave at its Broadway theater in New York.

Rt. Rev. W. O'Connell, bishop of Portland, Me., received a papal brief appointing him assistant to the pontifical throne, accompanied by a complimentary letter from Pope Plus X.

Former Governor William Claflin died at his home on Walnut street, Newtonville, Mass. Death followed an illness of a few weeks, incident to old age. He was governor in 1872, 1873 and 1874.

The sum of \$200,000 for James Smith, Jr., for acting as receiver for the United States Shipbuilding company was asked of Judge Banning in the United States district court at Newark, N. J.

In excavating for the foundation of the new National theater, at Mexico City, an ancient fountain has been found covered with hieroglyphics and on which are figures of Indian warriors, priests, etc.

The Dodge lectureship at Yale for 1906 will be filled by the appointment of William H. Taft, secretary of war. This lectureship was founded by William E. Dodge, who in 1900 gave \$30,000 for the lectures.

A call has been issued for a meeting of the Santa Fe stockholders on January 24. A vote will be taken on a proposition to increase the capital stock by \$50,000,000 and to issue bonds for that amount.

Thomas W. Hart, one of the best known criminal lawyers in Missouri, died in Los Angeles of diabetes. He was 59 years of age and for thirty years had been a successful practitioner at the bar in St. Joseph.

President Palma gave a dinner to all the foreign diplomats at the palace at Havana, the decoration of which has just been completed. The cabinet ministers and presidents of the house of congress and ladies of their families were present. Minister and Mrs. Squires were seated next to President and Mrs. Palma.

Advices from Colombia report that the projected revolution has been unsuccessful and that General Joaquin Keler and Gonzales Valencia, who were at the head of the movement, and others have been imprisoned.

Royal H. Milliron, the 25-year-old son of a Salt Lake physician, shot himself through the heart in a hotel at Provo, Utah. He had left home ostensibly to return to his medical studies at Rush Medical college, Chicago, where he was a member of the junior class. No cause known for the deed.

The steamer Dora from Colon and Panama has brought to Havana 111 passengers, three of whom are ill with what may prove to be yellow fever. They have been taken to the detention hospital.

WAR WILL GO ON

NO GOVERNMENT FRIENDLY TO RUSSIA CAN ADVISE.

REPAIR FOR SPRING CAMPAIGN

Kouropatkin Will Have 700,000 Men at His Command by that Time.—Japanese Take Many Prisoners.—25,000 Are Surrendered at Fall of Port Arthur.

BERLIN—The highest diplomatic opinion here is that the surrender of Port Arthur makes it impossible for any government friendly to Russia to advise peace or to unite with any other government for mediation. The feeling at the Russian court, it is asserted here, is so absolutely for continuing the war that probably not one person who has access to the emperor of Russia could be found who, even privately, favors Russia accepting defeat. German military opinion, while acknowledging the large moral effect of the fall of Port Arthur, inspiring the Japanese and depressing the Russians, regards it as only an incident and as having little relation to the immense field operations that will begin in the spring. General Kouropatkin, it is asserted in official circles, has 600,000 troops east of Baikal, of which more than 400,000 are already gathered at Mukden. It is impossible, the German military men aver, for the Russians to cease fighting with that army in being, which by spring, they add, is likely to number all told 700,000 men. The Japanese, being full informed of Russia's preparations, are putting forth every resource to surpass them. Field operations of a magnitude not before seen in the war it is believed will begin in a few weeks.

PARIS—The official view here continues to regard mediation between Russia and Japan as impracticable. The Temps, semi-officially, in a leading article says: Russia will not consider mediation at a moment when its self-esteem is suffering from the deepest wound, and will continue playing its strongest card, namely, the concentration of an overwhelming force under General Kouropatkin.

The same opinion is held at the Foreign office and at the Russian embassy.

TOKIO—The Japanese captured 25,000 prisoners at Port Arthur. The total number of the inhabitants is 35,000, of whom 20,000 are sick.

General Nogi reports to the army department that on January 3 the commissioners of both the Japanese and Russian armies concluded their conference and that from the morning of January 4 the actual transfer of war materials at Port Arthur as property of the Japanese government commenced.

STOESSSEL'S TERMS ACCEPTED.

Japanese Legation at Washington Notified of the Surrender.

WASHINGTON—The state department received a cablegram from Mr. Griscom, the American minister in Japan, stating that the minister for foreign affairs of Japan notified him that General Stoessel surrendered Port Arthur at 5 o'clock Sunday evening.

The legation advices add that the Russians blew up Tunk Keewanshan and "Q" forts and confirm the press dispatches of the occupancy by the Japanese of the same forts and heights "N" and "M," of the blowing up by the Russians of almost all their ships in the harbor entrance, and that hostilities had been suspended pending the conclusion of negotiations for the Russian surrender.

The advices received at the Japanese legation say that General Nogi accepted the terms of surrender proposed by General Stoessel.

Mr. Kogoro Takahira, the Japanese minister, was asked whether, in his opinion, the fall of Port Arthur would hasten the end of the war with Russia. Without directly responding to the fact that while the fall of Port Arthur was impending and its capture by the Japanese inevitable, the Russians had dispatched the second Pacific squadron to the fear east and notice had been given of the intention to send a third army to Manchuria. The further prosecution of the war now, he said, rested with the Russians. If they should continue it Japan would be prepared to meet them on sea and land.

"Will Japan now welcome any offers of peace that may now be made by Russia?" he was asked.

"Japan always has been for peace," the minister replied. "The Japanese will always be for peace, if justice can be obtained for all concerned. Japan started in this war fighting for a principle and she will continue to fight for a recognition of that principle and the just attainment of her rights."

Three States Join Hands.

SILOUX CITY, Ia.—Wholesalers of Iowa, Nebraska and South Dakota have instituted an organized movement to support Roosevelt in his appeal for more railroad legislation. Every jobber proposed to write to his congressman urging especially the passage of the Cooper-Quarles bill or legislation calculated to give much needed authority to the interstate commerce commission. The congressmen are also asked to declare the plan of legalizing pooling, declaring it will destroy competition.

TEXT OF CAPITULATION.

Conditions Under Which Port Arthur Was Given Up.

TOKIO—A telegram from General Nogi, giving the text of the capitulation convention, has been received. It is as follows:

Article 1.—All Russian soldiers, marines, volunteers, also government officials at the garrison and harbor of Port Arthur are taken prisoners.

Art. 2.—All forts, batteries, warships, other ships and boats, arms, ammunition, horses, all materials for hostile use, government buildings and all objects belonging to the Russian government shall be transferred to the Japanese army in their existing condition.

Art. 3.—On the preceding two conditions being assented to, as a guarantee for the fulfillment thereof, the men garrisoning the forts and the batteries on Elise mountain, Sunshu mountain, Antse mountain and the line of eminences southeast therefrom shall be removed by noon of January 3 and the same shall be transferred to the Japanese army.

Art. 4.—Should Russian military or naval men be deemed to have destroyed objects named in article 2, or to have caused alteration in any way in their condition, at the time of the signing of this compact, the negotiations shall be annulled and the Japanese army will take free action.

Art. 5.—The Russian military and naval authorities shall prepare and transfer to the Japanese army a table showing the fortifications of Port Arthur and their respective positions, and maps showing the location of mines, underground and submarine, and all other dangerous objects; also a table showing the composition and system of the army and naval services at Port Arthur; a list of army and navy officers, with names, rank and duties of said officers; a list of army steamers, warships and other ships, with the numbers of their respective crews; a list of civilians, showing the number of men and women, their race and occupations.

Article 6.—Arms, including those carried on the person; ammunition, war materials, government buildings, objects owned by the government, horses, warships and other ships, including their contents, excepting private property, shall be left in their present positions, and the commissioners of the Russian and Japanese armies shall decide upon the method of their transference.

Article 7.—The Japanese army, considering the gallant resistance offered by the Russian army as being honorable, will permit the officers of the Russian army and navy, as well as officials belonging thereto, to carry swords and to take with them private property directly necessary for the maintenance of life. The previously mentioned officers, officials and volunteers who will sign a written parole pledging that they will not take up arms and in no wise take action contrary to the interests of the Japanese army until the close of the war, will receive the consent of the Japanese army to return to their country. Each army and navy officer will be allowed one servant, and such servant will be specially released on signing the parole.

Article 8.—Non-commissioned officers and private of both army and navy and volunteers shall wear their uniforms, and, taking portable tents and necessary private property, and commanded by their respective officers, shall assemble at such places as may be indicated by the Japanese army. The Japanese commissioners will indicate the necessary details thereof.

Article 9.—The sanitary corps and the accountants belonging to the Russian army and navy shall be retained by the Japanese while their services are deemed necessary for the caring for the sick and wounded prisoners. During such time such corps shall be required to render service under the direction of the sanitary corps and accountants of the Japanese army.

Article 10.—The treatment to be accorded to the residents, the transfer of books and documents relating to municipal administration and finance and also detailed files necessary for the enforcement of this compact shall be embodied in a supplementary compact. The supplementary compact shall have the same force as this compact.

OYAMA SENDS HIM A LETTER.

Kouropatkin Notified of Fall of Port Arthur.

"Continued and intense cannonading has been heard since dawn along the railroad near Sinchinpu and Shakhe. A resumption of the cannonading is expected."

BERLIN—The Lokal Anzeiger's Mukden correspondent, in a dispatch dated January 6, says:

"Field Marshal Oyama has sent a letter to General Kouropatkin containing the news of the capitulation of Port Arthur and praising the bravery of its defenders. The effect of the news was especially confounding, last reports anticipating a long resistance. It is believed it will influence the situation on the Shakhe."

Warned Away, Account Mines.

WEI HAI WEI—The British cruiser Andromeda, which sailed from here for Port Arthur with hospital stores and surgeons to assist the sick and wounded, returned, not having been allowed to make a landing at Port Arthur. The cruiser proceeded to a small bay ten miles north of Port Arthur where she met with some Japanese. The latter refused all offers of assistance or stores of any kind and declined to allow the ship's officers to approach closer, the reason given being the presence of unlocated mines.

WORK THIS WEEK

CONGRESS WILL NOW GET DOWN TO BUSINESS.

THE JOINT STATEHOOD MEASURE

It Will Have the Right of Way in the Senate, Though Friends Will Not Make an Effort to Push It at Present.

WASHINGTON—The joint statehood bill will continue to be the principal topic of discussion in the senate during the present week, but other measures will receive attention each day during the morning hour, including the omnibus bill, for which Senator Warren stands sponsor. The bill comprises more than 200 pages, but the senator already has succeeded in having it read by utilizing odd hours and thus has put a large and important part of the work of consideration to the rear. There will be an effort made to get through the bill providing for the compensation of American fishermen whose vessels were seized previous to the arbitration of 1893. This measure is in the hands of Senator Fulton, who will press it as an act of justice to men who, he thinks, have been discriminated against.

The pure food bill will remain in the background for the present, not because the friends of that measure have abandoned it, but because they consider its chances will be improved by not pressing for immediate consideration. They have been assured by the republican leaders that the bill shall have first place on the calendar, aside from appropriation bills, after the statehood bill is disposed of, and therefore they will not antagonize the statehood bill for the present, if at all.

Discussion of the statehood question will begin on Monday with a speech by Senator Morgan, and he will be followed by other opposing senators. The present plan of the opposition to keep the discussion going until some of the appropriation bills are reported and it becomes necessary to take them up, or if his is postponed too long, to displace the bill with the pure food bill. Failing in all these expedients, they probably will seek a compromise. The only real fight is against the uniting of Arizona and New Mexico, and there is talk of eliminating those territories entirely from the statehood proposition. It is believed that if this were done the bill for admission of Indian Territory and Oklahoma would be passed. Thus far there has been no conference of opposing factions on the subject and possibly there would be little done to change the present status so long as the leaders are anxious to keep other matters in the background, as appears to be the case at present.

PROGRAM OF JAPS.

Naval Station Will Be Established at Port Arthur.

TOKIO—The Japanese intend to establish a naval station at Port Arthur. Vice Admiral Y. Shibayama will probably be placed in charge of it.

The military administration will only retain a small garrison as soon as the prisoners are withdrawn and order is restored. The fleet is busily engaged in clearing mines, but owing to their great number navigation will be unsafe for a long time. Only government craft will be allowed to enter the harbor. It is probable that Dally will soon be opened up to neutrals. Japanese companies are preparing to establish weekly services to that port. It is proposed shortly to float a fourth domestic war loan under the same conditions as the third was negotiated.

The transfer of prisoners was completed yesterday afternoon. The total number of officers transferred was 878; men, 23,491.

General Stoessel and the other Russian officers who have been given their parole will be brought to Nagasaki on a Japanese transport. It is probable they will remain at Nagasaki for a few days and will then sail for Russia on a French steamer via the Suez canal.

MEMORIAL FOR DEAD LEADER

Tribute of Chicago Orchestra to Theodore Thomas.

CHICAGO—Thousands of persons, eager to pay tributes of respect to the memory of Theodore Thomas, were turned away from the Auditorium theater Sunday night because every seat in the hall was occupied fully half an hour before the time set for the memorial concert by the Chicago orchestra for its dead leader.

While the public memorial service was being held in the Auditorium a program of the dead musician's favorite numbers was also being rendered in many halls throughout the city.

Sugar Bounty Law is Void.

LINCOLN, Neb.—The supreme court of Nebraska has decided that the sugar beet bounty law, enacted at the legislative session of 1895, is void. The law provided a bounty on sugar manufactured from Nebraska grown beets, but subsequent legislatures refused to make an appropriation for the payment. The Oxnard Beet Sugar company and the Norfolk company brought suit to collect \$40,000 in premiums from the state. The lower court decided against the companies, and the supreme court affirms.

SITUATION AT PORT ARTHUR

Town Not as Badly Damaged as Reported.

LONDON—Special dispatches from Tokio say that the Port Arthur garrison was marshaled at 9 o'clock Thursday morning at Yahutsui in accordance with the terms of the supplementary agreement.

The Standard's Port Arthur correspondent reports that the town appears to have been little damaged by the bombardment. Carriages and rickshas, he says, are moving about with well dressed people, who apparently are anything but starved. The ruined forts resemble hills shaken by a night convulsion, and in many cases every trace of the works has disappeared.

According to the Daily Mail's Wei Hai Wei correspondent the British cruiser Andromeda, which sailed from Wei Hai Wei Wednesday morning for Port Arthur with hospital stores and surgeons, and which was not allowed to make a landing at Port Arthur, had a narrow escape, having passed two floating mines.

Japanese officials in London consider that it was solely on account of the danger of the vessels taking mines that the Andromeda's offer was declined. It is stated, however, that the British admiral omitted the formality of first asking whether assistance was acceptable to the Japanese authorities.

RUSSIA'S FATE IN BALANCE.

St. Petersburg Editor Discusses Present Condition in East and Locally.

ST. PETERSBURG—Regarding the peace talk abroad M. Souvorin, editor of the Novoe Vremya, in a signed editorial in that paper, passionately declares that the voice of the nation should give an answer, in order that the world might understand once for all Russia's position. The emperor, he added, should consult with representatives of the land as his predecessors did before the days of John the Terrible. While papers abroad now say that peace could be concluded without dishonor if peace were made, they would declare it disgraceful. What the people want, he (M. Souvorin) cannot affirm, but the idea of ending the war at this juncture is abhorrent to him and, he believes, to the Russian people. If the inscriptions on the banners of demonstrators and the action of some of the zemstvos in favor of peace, represented the voice of the nation, it would mean the collapse of all of Russia's aspirations and farewell to its position in the nations of the world.

TAYLOR MAY LEAVE CASE

Smoot Prosecutor Receives Federal Appointment and May Retire.

WASHINGTON—Robert W. Taylor of Ohio, appointed to be judge of the United States district court of the northern district of Ohio, called on the president to pay his respects and to thank him for the appointment. Mr. Taylor expects to assume his new duties on February 1, on the retirement of Judge Francis J. Wing, resigned. At present Mr. Taylor is the principal attorney for the protestants in the inquiry which is being made by the senate in the case of Senator Smoot of Utah. It is expected that the formal inquiry by the committee will have been concluded by February 1, but if it should not be Mr. Taylor will withdraw at that time.

All Prisoners Turned Over.

WASHINGTON—The Japanese legation received the following cablegram from the foreign office at Tokio, under date of Jan. 8: "General Nogi, on Sunday, reports delivery of Russian prisoners under capitulation was completed on Saturday. The total of the prisoners were 878 officers and 23,491 men, whereof 411 officers and 229 orderlies have given parole so far. General Gubatovsky and Admiral Wilmann preferred to be sent to Japan as prisoners."

Russian Prisoners Jolly.

HEADQUARTERS OF THE THIRD JAPANESE ARMY, VIA FUSAN—The Russian prisoners, while waiting at Chanzinkinstu, a railway station, for transportation to Dally celebrated Christmas. Religious services were held in the morning at 10 o'clock and the assemblage of prisoners was addressed by a Russian priest in full canonical dress. After the services there was music and dancing on the open ground in front of the station. An 8-year-old daughter of a Russian officer was among the prisoners.

In Memory of Golden Rule Jones.

NEW YORK—A memorial meeting in honor of the late Samuel M. Jones, who for several years was mayor of Toledo, O., was held Sunday night at Cooper Union. Nearly 2,000 persons attended.

Over 24,000 Men Transferred.

TOKIO—The transfer of prisoners was completed Sunday afternoon. The total number of officers transferred was 878; men, 23,491.

Shoots Two House Breakers.

CHICAGO—Sitting on guard each night for over a week for the reappearance of burglars, who had entered his office on several previous occasions, Thomas J. Campbell, a real estate dealer, reaped the reward for his long vigil when two robbers forced an entrance to the office and were both shot by Campbell before they could make their escape. Joseph Sleer was shot in the body and will die. The other robber, name unknown, managed to escape, but not before he had been shot in the leg.

NO PEACE SOUGHT

NEITHER RUSSIA NOR JAPAN ASKING FOR IT.

THE WAR TO BE PROSECUTED

The Mikado, it is said, Has Made No Overtures and Has Not Been Approached in Regard to the Matter of Intervention.

WASHINGTON—Japan has made no overtures for peace to Russia, directly or indirectly, through the United States, or any other power, and contemplates no such action, and now that Port Arthur has fallen, proposes to press the war in the north all the more vigorously by reinforcing the Japanese armies at Liao Yang with the greater part of the troops which have been besieging Port Arthur. This, in brief, represents the views of Kogoro Takahira, the Japanese minister, who has recently resumed charge of the legation at Washington after a long illness at New York.

"The fall of Port Arthur," said the minister, "is but a step in the war which Japan is waging for a principle. Certainly it is an important step, but nothing could be further from the truth than the assumption that, because Japan has captured a stronghold, the fall of which had long been expected, the Japanese government will now make overtures for peace. Japan is too busy fighting. We are as much in earnest today as we were at the outset of the war. We have made no overtures for peace, either directly or indirectly, nor have the powers approached us with any idea of intervention."

At the Russian embassy it was reiterated that Russia would fight all the harder in view of the temporary loss of Port Arthur.

Europe, it is learned, is firmly of the conviction that, however dark the outlook for peace at this moment, when the prospect brightens it is to President Roosevelt that the neutrals as well as the belligerents will look for the intermediary through which negotiations can be made. As a European ambassador said today, the American government is practically the only government to which both belligerents will be willing to look for assistance in reaching a settlement, when the time comes, and aside from this fact the high personal regard in which the president is held, both at St. Petersburg and Tokio, makes it all the more probable that through him, when Russia and Japan have fought their fight, the powers must hope for peace.

AS TO FORESTRY.

Chief Executive Speaks Before the Congress.

WASHINGTON—President Roosevelt was the principal speaker at a special session of the American Forestry Congress held Thursday at the National theater. The president, accompanied by Secretary Loeb, arrived at the theater promptly at 3 o'clock. He was escorted to the stage entrance and as he appeared before the immense audience, which filled every part of the house, the people received him standing, while the theater rang with applause and the orchestra played a patriotic air.

President Howard Elliott of the Northern Pacific presided at the morning session. The board of directors reported action looking to the creation of an advisory board of the forest congress, to consist of representatives of various industrial bodies and to meet annually in Washington.

Charles F. Manderson, general solicitor of the Chicago, Burlington & Quincy and former United States senator from Nebraska, characterized the preservation of the timber industry of the country as "the paramount issue" and urged the planting and husbanding of timber wherever trees can be grown. He spoke of the enormous demands for ties. "Of the ties now on the railroad tracks of the country," he said, "10 per cent have to be replaced annually; their average cost is 50 cents, making an annual expenditure for this purpose of \$15,000,000, which is exclusive of the labor employed and the cost of local transportation. No feasible substitute has been found for the wooden tie." He urged the rubrication of private rights to public necessity, the study of means for eliminating waste and mismanagement, and the repeal of the timber and stone land sale act. Other addresses were made by J. T. Richards, chief engineer maintenance of way, Pennsylvania railroad; President L. E. Johnson of the Norfolk & Western railroad, and Herman von Schrenk of the Bureau of Forestry. The latter detailed the good results already announced in the preservative treatment of railroad timbers to prolong their durability.

Mr. von Schrenk also gave some facts adduced in recent experiments by the government, showing that, contrary to many reports, the injection of creosote into wood brings about no brittle and weakened condition of the wood.

Whipping Post Advocated.

WASHINGTON—The local grand jury, in making its final report for the present term of the supreme court for the District of Columbia today recommended the establishment of the whipping post in the District. The question has been considerably agitated ever since the president in his last annual message recommended corporal punishment for wife beaters in the District of Columbia. A recommendation that persons about to be married produce evidence of freedom from certain diseases also is made.