# NO CAUSE TO YIELD

## Port Arthur Could Have Held Out for Months.

## FOOD AND MUNITIONS ABOUND

### London Times Correspondent Declares Surrender Most Discreditable in History, and Stoessel Anything but a Hero.

LONDON, Jan. 25.—The Times' correspondent at Pekin, who has returned from a visit to Port Arthur, describes the impressions he gained there and says:

Without seeing them, nobody could form any idea of the stupendous strength of the forts or the incredible heroism displayed in their capture. No foreign officer is able to explain the reason for the surrender of Port Arthur. Those who have seen the condition of the fortress believe that no more discreditable surrender is recorded in history.

There were 25,000 able-bodied men capable of making a sortie, and hundreds of officers, all well nourished, and plenty of ammunition, the largest magazine being untouched and full to the roof with all kinds of ammunition for naval guns. There was, further, ample food for three months, even if no fresh supplies could be received, and beside the waters are teeming with fish. There was an abundance of wine and medical comforts and large quantities of fuel of all kinds. The stories that the Red Cross buildings were wrecked by the Japanese fire are admitted by reputable residents to have been pure fabrications to excite sympathy.

All accounts agree in condemning the majority of the officers, who feared the failure of comforts more than ammunition, and agree that no man ever held a responsible command who less deserved the title of hero than General Stoessel.

### CHINA SAYS SHE DIDN'T.

#### Denies All Russia's Charges, and Says Russia Herself Is Guilty.

WASHINGTON, Jan. 24.—China's answer to the American Government's communication calling attention to the Russian charges that the Chinese were violating neutrality was delivered to Secretary Hay at his residence today by Sir Cheng Tung Liang Cheng, the Chinese Minister. It will later be sent to the President. Until the Chinese answer has been read by the President, its text is withheld, but the Associated Press has obtained an approved synopsis of the contents of the note, as follows:

Regarding the charge that Chinese bandits were enlisted in the Japanese army, the Chinese government calls attention to the fact that they were enlisted first by the Russians as frontier guards and fought against the Japanese army. If it is true, as alleged, that they enlisted in the Japanese army, that is a matter for the belligerents. In the opinion of the Chinese government the subjects of a neutral power have the right as private citizens to enlist in a foreign army. This is an established fact in the law of nations, for which China cannot be held responsible. Whenever these bandits entered the Chinese neutral zone every effort was made for their arrest and punishment, and in most cases they have been arrested. The answer continues:

We find no Japanese officers in our northern army at all. We do find in the government school at Taotingu several Japanese translators. All of them, however, had been engaged before the war and after hostilities broke out they were required to give their word of honor to have nothing to do with the conflict. These are on the same footing as Russians and other foreigners in educational institutions throughout the empire and in our maritime custom-houses. China further regards this as a matter of internal administration, of which no other government has cause to complain.

Regarding the iron ore said to have been furnished the Japanese army, this ore is from certain mines owned by Chinese merchants separate from the government mines at Manyan. The iron sold has not gone through the furnace process. Transportation is entirely between Japanese and Chinese merchants, and in fulfillment of a contract made in 1900. The transactions are not recognized by the Chinese government. International law does not include this article under the head of contraband of war.

The Miaotan Islands are said to have been used by the Japanese as a base for their navy. The Chinese government for the past year has stationed the swift cruiser Haikl to watch these islands, and the local Prefect summoned there the gunboat Haipu to patrol these waters. No sign of any landing of Japanese has been reported to the government, and it is unnecessary to add that no such permission has been given by the Chinese government to Japan.

Regarding the articles of contraband alleged to have been sent to Dalny, no ships have left Chefoo with the knowledge of the Chinese government for Dalny, and no clearance papers for that port have been issued by the Chinese custom officials. If ships have run the blockade that is the belligerent's lookout. China is doing all she can to maintain it.

Regarding the Ryeshitelni incident, the seizure was as unexpected by the Chinese as by the Russians. The Chinese government later requested Japan to return the vessel, and, while the incident is not yet closed, China considers that her government has done all possible in the matter.

The Chinese government considers that Russia has violated neutrality in a number of instances. Bridges have been built by the Russians west of the Liao River, and Russian troops have encamped on the west side of the river, which is supposed to mark the boundary line of the neutral zone. In many places in the neutral zone the Russians have forced the sale of provisions. The Chinese have made many arrests of Russians smuggling ammunition, arms and other contraband articles. The Captain of the Ryeshitelni, while going to Shanghai under military escort, made his escape from the authorities in whose charge he was.

It is stated, in conclusion, that, in view of the baseless charges made by a belligerent, China feels it incumbent upon her to make this answer and let the truth be known; that the Chinese government has not swerved one iota from her neutrality, and that the general attitude of her people is peaceful and has been appreciated as such by the powers.

### Japanese Win Two Skirmishes.

TOKIO, Jan. 24.—The Japanese headquarters at Sienchang, Manchuria, reports that a Japanese force dislodged about one company of Russian cavalry northwest of Weiat Zuku on Monday, occupying the position and capturing some horses and arms.

Another Japanese detachment routed a force of Russians in the neighborhood of Chancheng, inflicting over 20 casualties. The Japanese captured five officers and men, with their horses.

### Being Changed Into Warships.

VENICE, Jan. 24.—On representation from Japan, the Italian government has inquired about the Russian merchantman Kniaz Gagarin, which is being transformed here into a warvessel. It appears that the work is not being done for Russia, the Gagarin having been bought by the Republic of Hayti.

### Long Sentence for a Traitor.

YOKOHAMA, Jan. 24.—H. B. Collins, of Portuguese descent, but long a resident of Japan, who was publicly tried January 19 and found guilty of disclosing military secrets, was today sentenced to 11 years' imprisonment at hard labor.

### To Feed the Russian Tars.

KIEL, Prussia, Jan. 24.—The Danish steamer Kronborg is loading here with 20,000 bags of flour for the Russian second Pacific squadron. She will sail for her destination by way of the Suez Canal.

## HAILS THE RISING WITH JOY

### Japan Sees in Russian Revolt Harbinger of Peace.

TOKIO, Jan. 24.—The Japanese are keenly watching the developments at St. Petersburg. The newspapers publish extras with accounts of the riots, which are eagerly read. The people were shocked at the death roll, and there is a widespread feeling that the bureaucracy will be powerless to stem the tide of reforms, and that the downfall of the bureaucratic system must end the war. A member of a foreign legation said:

"The war is over unless the Russian people are crushed with an iron heel. It has brought about a crisis. The Japanese army is now fighting the battle of the Russian people."

## ANARCHISTS BUSY IN LONDON

### Big Meetings Called to Raise Funds—Revolt of Army Predicted.

LONDON, Jan. 24.—A number of anarchists are known to be here who attended an international anarchist meeting in London on January 20, commemorating the death of Louise Michel. The police say several minor gatherings have been held in these quarters since the reception of the news from St. Petersburg and that a big meeting is called for January 29 in a notorious hall in the East End for the announced purpose of expressing indignation at what the circulars term the "St. Petersburg massacre."

The Society of the Friends of Free Russia met this afternoon and decided to raise a fund for the St. Petersburg sufferers. An appeal will be made through the newspapers. The same society is arranging for a mass meeting in Queen's Hall on February 2.

It is firmly believed and confidently stated by many Russians in London that the army will quickly become disaffected. These Russians say that much depends upon Moscow, which is the true center of the revolutionary spirit, and assert that a declaration of independence will be issued at Moscow, probably at a meeting of Social Democrats there tomorrow, to celebrate the 150th anniversary of the foundation of Russia's first university.

### Petty Outrage at Russian Embassy.

LONDON, Jan. 24.—A big brass plate at the entrance of the Russian Embassy here was wrenched off at 2 o'clock this morning. A special Constable on duty at the Embassy witnessed the act, but was unable to get to the spot in time to arrest the man, who eluded pursuit. The incident is regarded as simply the act of a common thief. The Embassy is guarded by two policemen tonight, but this is merely a precaution against a repetition of what is considered as the annoying act of an individual rather than in expectation of any demonstration. The detective force of London, however, is closely watching the Anarchist quarter.

### Britons Sympathize With Rebels.

LONDON, Jan. 24.—War Secretary Forrester, speaking at Croydon tonight, expressed the sympathy of the people of the United Kingdom with the people of Russia. He said the Britons desired the peasants of Russia to enter upon the heritage of liberty and freedom which all Britons enjoyed and obtained through the sacrifices of their forefathers.

### Must Not Denounce Russia.

VIENNA, Jan. 24.—Workmen held a meeting in a hall here last night to discuss the strike situation at St. Petersburg. As soon as the first speaker mentioned the word St. Petersburg, the police official who always attends such meetings ordered the meeting to be dissolved. His order was carried out amid considerable tumult and protestation, but there was no disorder.

### Italian Socialists Speak Out.

ROME, Jan. 24.—In the Chamber of Deputies today the Socialist members gave notice of an interpellation of the government asking if the Ministry had communicated to St. Petersburg the feeling of indignation and horror of Italy for the "butchery of the strikers in St. Petersburg."

### Austrian Mob Hoots Czar.

TRIESTE, Jan. 24.—Several hundred workmen assembled before the Russian Consulate here last night, crying "Down with the Czar," "Down with tyranny," "Down with absolutism." The police dispersed the crowd without difficulty. A few arrests were made.

### Paris Students Express Sympathy.

PARIS, Jan. 24.—The students of the Latin Quarter, including a number of Russians, held a meeting today in sympathy with the St. Petersburg strikers, and attempted to make a demonstration. The police broke up the meeting. No serious incident occurred.

## BRIEF TELEGRAPHIC NEWS.

The Rogers Locomotive Works, at Paterson, N. J., have been sold to the American Locomotive Company.

Alfred G. Vanderbilt is suffering from a badly wrenched ankle as a result of a fall while riding horseback during a military drill.

The bills providing dental surgeons for the Navy and to increase the efficiency of the Navy Hospital Corps will be reported favorably to the House.

B. J. Yoakum, a director of the Rock Island Road, has bought the Colorado Springs & Cripple Creek District Railroad, which runs between Colorado Springs and Cripple Creek.

The Supreme Court of Hawaii has decided that six miles of the Trans-Pacific cable, which lies within the three-mile limit below low-water mark, is taxable, and values it at $16,000.

E. Geneau, master-at-arms of the United States gunboat Wheeling, has been convicted at Honolulu of manslaughter in the third degree in killing "Useless" Harris, a negro pugilist.

A. G. Chaplin, fireman, was killed and several passengers were injured yesterday in the wreck of an Illinois Terminal Railroad train near Alton, Ill. A car containing 30 passengers turned over.

Domingo Valles has confessed that he murdered Colonel J. Francisco Chaves, a prominent politician of Pinas Wells, N. M., out of revenge for being convicted of horsestealing. He has been in jail on suspicion for some time.

Campbell Russell, one of the best-known stockmen of the Southwest, has filed a petition in bankruptcy at Muskogee, I. T. His liabilities are placed at $113,166, and assets at $89,747. He founded the town of Russell, I. T.

The annual meeting and dinner of the American Irish Historical Society was held in New York last night. President Roosevelt, a member of the society, had been expected, but sent his regrets.

While Policeman Ennis, of New York, on a bicycle was pursuing an automobile in which four men were running 40 miles an hour, the machine suddenly stopped and backed up. Ennis' bicycle came in violent collision with it and was smashed and Ennis was thrown into the road and seriously injured.

# IN STATE OF SIEGE

(Continued from Page 1.)

men to use bombs, dynamite and other weapons, invites the students to join and absolves the soldiers from their oaths of fealty. The destruction of government property is recommended, but the proclamation requests the followers of Father Gopon to spare private property and ransack only shops containing victuals and arms, and urges all to continue the fight until they succeed in obtaining a national assembly.

## TREPOFF WILL RULE CAPITAL

### Appointed Governor-General of St. Petersburg With Unlimited Powers.

ST. PETERSBURG, Jan. 24.—The appointment of General Trepoff, the former Chief of Police of Moscow, to be Governor-General of St. Petersburg was accompanied by an imperial decree announcing the creation of the post of Governor-General. The incumbent of this office, the decree states, will be in control of all the departments of administration of the city government of St. Petersburg, with power to demand the assistance of the military and possessing all the rights of the Minister of the Interior over appointments to the Municipal Council and the Zemstvos and also the right to forbid individuals to remain in the city.

The decree, which is addressed to the Senate, says:

Recent events have shown the necessity for the adoption of measures for the preservation of state institutions and public security adapted to the extraordinary circumstances of the times. On this account we have considered it necessary to create the office of Governor-General of St. Petersburg on the basis of the provisions of the law prescribing the duties of Chiefs and Governors-General and of the following regulations:

First—The city and government of St. Petersburg are to be placed under the authority of the Governor-General.

Second—On the questions where the maintenance of state institutions and public security are at stake, all the local civil authorities and all the educational institutions are made subject to the Governor-General.

Third — The Governor-General has the right, with the assent of the Minister of the Interior, to enforce measures sanctioned by article 140 of the censorship statute.

Fourth—Apart from the right of making obligatory the regulations in accordance with a law providing for stricter maintenance of order, the Governor-General will be empowered to make obligatory the regulations affecting objects of property of any kind in the interests of the public tranquility and order in his jurisdiction; while in cases of violation of these regulations the penalties and method of procedure prescribed in articles 15 and 16 of the law for the stricter maintenance of order are to be adopted, whereby the Governor-General can commission the government and the Prefect of St. Petersburg, who are subject to him, to deal with said cases.

Fifth—The Governor-General is empowered to summon the civil authorities to support him militarily as soon as he deems it necessary, and the forces he considers needful will be placed at his command.

The sixth section subordinates to the Governor-General all the gendarmes in the administration.

Under the seventh section, for police purposes, all Government factories and workshops in his official district are subordinated to the Governor-General.

Under the eighth section all the rights of the Ministers of the Interior, with reference to the confirmation in office of members of the communal authorities and Zemstvos in the territory of the St. Petersburg government, are transferred to the Governor-General.

By the ninth section the Governor-General is empowered to prohibit individuals remaining in his official district.

At his own request General Fulton has been relieved of the office of Prefect of St. Petersburg, and is given the rank of aide-de-camp-General.

## GORKY IN A DUNGEON.

### He and Four Others Appealed to Witte on Behalf of Workmen.

LONDON, Jan. 25.—There are conflicting reports about Maxim Gorky. The Standard's St. Petersburg correspondent says the novelist narrowly escaped capture, but the Daily Telegraph's correspondent, who was himself arrested but subsequently released, says that Gorky was among those associated with those whose only crime consisted of having been members of the delegation that visited M. Witte, President of the Council of the Empire, after a vain attempt to interview Minister of the Interior Sviatopolk-Mirsky. They are all, the correspondent adds, now interned in a secret section of the St. Peter's and St. Paul's fortress. The correspondent says:

"They are guilty of no illegal act except being present at a meeting including five persons. Not one of them would have anything to do with secret committees or underground agitation. It was they who, in my presence, refused to listen to a suggestion that a permanent committee should be formed to direct a revolutionary movement. A young woman who had been collecting money for hungry workmen was arrested."

The Daily Telegraph's correspondent adds: "I am able to state emphatically that neither Witte nor Sviatopolk-Mirsky had any hand or part in the deeds of the last three days which they both sincerely deplore as blunders and crime."

The Daily Chronicle's correspondent at St. Petersburg also states that Minister of Finance Muravieff appealed to the Emperor not to appoint General Trepoff to the Governor-Generalship of the city and government of St. Petersburg or to declare the city in a state of siege.

## CAPITAL STILL IN PANIC.

### Stores Sacked in Darkness—Leaders of Revolution Arrested.

ST. PETERSBURG, Jan. 24.—Cossacks, while dispersing a crowd of strikers at 4 P. M. drew their swords and wounded several men. Work has been suspended at the works of the Belgian Electrical Company, which furnishes the majority of the electric supply of St. Petersburg.

The crowds in the streets are sullen, and several additional bodies of troops were brought in at daylight and housed in barracks. Machine gun batteries were also placed at several points for emergencies.

Many foreigners are leaving Russia. Traffic between St. Petersburg and Moscow and St. Petersburg and Warsaw is uninterrupted. The Northern Express arrived on schedule time.

During the day several of the smaller mills resumed work, and the men at other mills assured their employers that they were anxious to return, but that the strikers threatened to kill them if they did so.

In certain quarters where the woes of Russia are always laid to the door of Great Britain, the feeling against the British had become intense, it being charged that the British are furnishing money to bring about a revolution.

The correspondent of the Associated Press drove up the Nevsky Prospect and with the help of daylight realized that the damage done to the storefronts was more considerable than appeared last night. A large number of business premises were wrecked, the mob having devoted itself principally to confectioners and pastry cooks.

Father Gopon's popularity is unimpaired. He has sent a letter to the Social Democrats in the following terms:

"They have fired upon and massacred us, but we are not vanquished and the day of our triumph is nigh. Do not spoil our triumph by taking up arms and resorting to violence. Content yourselves with destroying the portraits of him who is no longer worthy to be our Emperor."

This pacific admonition irritated the Social Democrats, and does not meet with a response from the workingmen, who apparently are thirsting for vengeance and are clamoring for their leaders to distribute arms.

M. Hessen, editor of the Pravo, whose advanced liberal views are well known, has been arrested.

The Workingmen's Club has been closed by order of the Prefect of Police.

Professor Karsaff and William Annensky and Pechsechonoff, three well-known writers, and Town Councillors Kedrin and Schnitikoff, who are also lawyers, were arrested during the night.

There is no truth in the report circulating that strikers 30,000 strong are marching upon Kolpine, 20 miles from St. Petersburg, for the purpose of seizing the small-arms factories there.

A meeting of 350 barristers and solicitors has passed a resolution of sympathy with the strikers, protesting against the action of the government in provoking bloodshed, declining to plead in the courts and deciding to open a subscription in aid of the propaganda.

## TO ARMS! IS THEIR CRY.

### Revolutionists Denounce Rulers as Murderers, and Urge Rebellion.

ST. PETERSBURG, Jan. 24.—The correspondent of the Associated Press this afternoon noticed several men distributing proclamations. The people were formerly shy of accepting such documents, now they are eagerly accepting them, and have nicknamed them "lastofchke" (swallows), an allusion to the Spring, which has become a synonym of revolution. The correspondent secured a number of copies. They are all signed by the "Russian Social Democrat Labor Party." One proclamation, dated January 22, reads:

"Comrades: So long as autocracy exists no improvement in our condition is possible. Therefore, we continue to inscribe on our banners the following demands:

"The immediate cessation of the war.

"The summoning of a constitutional assembly of representatives of the people, elected by universal and equal suffrage and direct, secret ballot.

"The removal of class and race privileges and restrictions.

"The inviolability of the person and domicile.

"Freedom of conscience, speech, the press, meetings, strikes and political associations."

A second proclamation, dated January 22, says:

"The proletariat of all countries are united. Citizens, you yesterday witnessed the bestial cruelty of the autocratic government. You saw blood flowing in the streets. You saw hundreds slaughtered, defenders of the cause of labor. You saw the death and heard the groans of wounded women and defenseless children. The blood and brains of workingmen were spattered around where their heads had lain. Who directed the soldiers to aim their rifles and fire bullets at the breasts of the laborers?

"It was the Emperor, the Grand Dukes, the Ministers, the Generals, the nobles of the court. They are the murderers. Slay them.

"To arms, comrades! Seize the arsenals and the arms at the depots and at the gunsmiths. Lay low the prison walls. Liberate the defenders of freedom. Demolish the police and gendarmerie stations and all the government and state buildings.

"We must throw down the Emperor and the government, and must have our own government.

"Long live the revolution! Long live the constituent assembly of the representatives of the people!"

A third proclamation appeals to the people not to attempt to injure private property.

## JACOBIN CLUB IS FORMED.

### Leaders of Reform Movement Tell the World Their Plans.

ST. PETERSBURG, Jan. 24.—Maxim Gorki, M. Hessen, M. Arsenieff and other well-known men have formed a true Jacobin club, aiming at the overthrow of the present Russian dynasty and the adoption of a provisional government. These men have already issued a remarkable statement of their policies, in part as follows:

"We are ready to respect Russian traditions, pay interest punctually on loans heretofore negotiated and leave nothing unaccomplished to avoid repudiation of the public debt, or measures that would discount obligations already undertaken. Foreign loans contracted after January 22 we will repudiate, however.

"No nation can now lend money to the Russian government in good faith or remain in ignorance of the fact that the people are struggling with the bureaucracy. If it should turn out that the people win only a partial victory over the government, and constitutional rule should be substituted for autocracy, the representatives of the nation will insist upon the same financial policy heretofore stated, being carried out by the National Assembly. It has been resolved by the Russian people to repudiate all debts contracted by the autocracy from the day when civil war began."

## OFFICIAL STORY OF MONDAY.

### Belittles Disorder and Reduces Estimate of Killed and Wounded.

ST. PETERSBURG, Jan. 24.—An official account of yesterday's events is as follows:

"During Monday there was no collision between the rioters and the troops. Detachments of soldiers had no need to use their arms, as the crowds dispersed when the troops appeared. In the course of the day an attempt was made to attack the Gostinny Dvor Market, but it was repulsed.

"Workmen at the electric stations joined the strike in the evening. Then some groups, taking advantage of the darkness, began to break windows in the shops, but order was everywhere quickly restored.

"No person was killed or wounded on Monday. The exact number killed on Sunday was 96; wounded, 333, of whom 53 were treated at the ambulance stations."

## INFANT CZAREVITCH ILL.

### Czar's Hope Has Pneumonia, and May Not Recover.

SPECIAL CABLE.

LONDON, Jan. 25.—The St. Petersburg correspondent of the London Daily Express wires that the infant Czarevitch has been taken seriously ill with pneumonia and that his condition is grave. The correspondent states that this information emanates from the highest authority.

## RADOM IN STATE OF SIEGE.

### Mobs Return Soldiers' Fire and Blow Up Buildings.

BRESLAU, Prussia, Jan. 24.—Special telegrams from Radom, European Russia, describe that city as being in a state of siege, with military patrols in every street. The soldiers occasionally fire on gatherings of thhe people, who have returned the fire, killing three officers. The people are also said to have blown up several buildings with dynamite.

### Machine Guns to Shoot Rebels.

BERLIN, Jan. 24.—The Russian government has ordered the Ludwig Loewe Arms Factory to supply as soon as possible 500 machine guns.

### Admiral Called to Cronstadt.

LIBAU, Jan. 24.—Admiral Berileff left here today for Cronstadt.

## MRS. DUKE IS ARRESTED.

### Almost Faints When Taken to Court on Charge of Swindling.

NEW YORK, Jan. 24.—Mrs. Alice Webb-Duke, wife of Brodie L. Duke, was arrested at an office in Broad street today, on requisition papers issued by the Texas authorities. Mrs. Duke had been indicted by the grand jury at Nacogdoches, Texas, on the charge that she and Charles L. Taylor, of Chicago, had made false statements in an instrument, on the strength of which a stockholder in one of the National banks in that place was induced to indorse their notes for $20,000.

Mrs. Duke was arrested as she was alighting from a cab to enter an office in Broad street. When she was notified that she was under arrest, she became hysterical and screamed and wept. She declared: "I'm the wife of Brodie L. Duke. His family is trying to hurt me. I have done nothing wrong."

She insisted upon making a call in the building as she had intended, but the detective would not permit it and took her to the District Attorney's office in a cab. She sat weeping in that office until her counsel arrived.

The proceedings are entirely distinct from her matrimonial difficulties.

When Mrs. Duke was arraigned in Police Court she was held in $3000 bail. This her counsel was unable to secure and she was taken to a cell in the Tombs. Mrs. Duke appeared to be very much distressed during her brief stay in the courtroom and several times seemed to be about to faint.

### Nature of the Charge.

NACOGDOCHES, Tex., Jan. 24.—Investigation here develops the fact that the indictments against Charles L. Taylor, of Chicago, and Miss Webb (now Mrs. Brodie L. Duke) were returned because of the alleged falsity of statements which they made in an instrument upon the strength of which a stockholder in one of the National banks here was induced to indorse their notes for $20,000, which were cashed in Dallas, Tex., and Shreveport, La.

### Will Improve East Stark Street.

Owners of property on East Stark street reached a partial agreement concerning its improvement at a meeting held last night in the East Side Justice Court, Ogelsby Young presiding. On motion it was decided that East Stark be graded and paved with crushed rock between Twelfth and Sixteenth, and redressed with crushed rock between Sixteenth and Twentieth streets. A motion to fill up with solid earth between East Ninth and East Twelfth resulted in a tie, 4 against 4. In order to reach an agreement whether a fill or elevated roadway should be used in this portion of the street, it was decided that the property owners should come together next Monday evening at the home of W. H. Mosher, 68 East Tenth street. Councilman J. P. Sharkey was present with estimates from the City Engineer showing cost of filling up the street. He made the statement that inasmuch as East Stark street was a general highway connecting with outside roads the Executive Board had consented to give 5 cents per cubic yard toward the embankment. The meeting adjourned to come together again next Tuesday evening in the same place.

### Five-Mile Auto Record Broken.

ORMOND, Jan. 25.—Arthur E. MacDonald, an Englishman, driving a 90 horsepower American machine, smashed the world's record for five miles on the Ormond-Daytona racing course today, covering the distance in 3 minutes and 17 seconds flat. The world's record for the distance was held by W. K. Vanderbilt, who last year covered five miles in 3:21 1-5. The time was made in a speed trial between the regular races.

### Eastern Freight Agent Here.

A. W. Street, general Eastern freight agent of the Great Northern at New York, reached the city last night and will visit with the railroad colony here for a day or two. He will perhaps be present at the conference between the traffic men and the North Pacific Coast Jobbers' Association on Thursday or Friday and will then return towards Puget Sound and his home.

### Union Iron Works Reincorporated.

SACRAMENTO, Cal., Jan. 24.—New articles of incorporation of the Union Iron Works Company of San Francisco, were filed today with the Secretary of State. The principal place of business of the works is given as Newark, N. J. The capital stock is $2,000,000. The directors are G. R. Sheldon, Pliney Fisk, J. E. Borne and Charles W. Wetmore, all of New York.

# ALL FROZEN HARD

## Middle West Has Coldest Weather of Winter.

## MERCURY IS OUT OF SIGHT

### High Wind With Temperature Far Below Zero Causes Intense Suffering—Roads in Michigan, Wisconsin and Iowa Tied Up

CHICAGO, Jan. 24.—Reports from many cities and towns in the West and Northwest show that the most severe cold of the Winter is prevailing, and in the majority of the places the low temperature is intensified by a high wind.

In this city the mercury fell from 22 degrees above zero to 4 degrees below in 24 hours. All of today and through the greater part of the night a gale of 40 miles an hour was blowing. There was but little snow, and traffic was not interfered with, although there was much suffering in the poorer districts of the city.

From the copper district of Northern Michigan and Wisconsin, it was reported that the most severe storm of the Winter came today and tonight. The snowfall was heavy, blockading railroads and crippling communication generally.

The temperature in this section, however, was not as low as at places farther to the south. From Burlington, Ia., 15 degrees below zero was reported, with a high wind. Around Marshalltown, Ia., business on the Iowa Central and the Great Western Railroads was practically at a standstill.

The same general conditions prevailed throughout Indiana. At several points in the natural gas belt the supply of gas entirely failed, and there were numerous reports of damage to steam and electric railroads and telegraph and telephone lines. All navigation on the Ohio River has been suspended.

The most severe cold in several years is reported from Southern Indiana and Kentucky. Five degrees below zero was reported from Louisville, as the prediction for tomorrow morning. Ten degrees below, with a fierce wind from the north, was reported from Southern Illinois, with the probabilities of a further drop of 5 degrees before morning. It is expected that the cold wave will continue over the greater part of the West until tomorrow night.

Omaha during the past 24 hours experienced the coldest weather of the year. At Omaha the official register at 9 o'clock tonight was 10 degrees below, and at Lincoln 9 degrees below. Reports from outside points state that the thermometer had reached from 10 to 22 degrees below. Accompanying the cold snap is a brisk wind.

### All Tell the Same Story.

ST. PAUL, Jan. 24.—The temperature in St. Paul today was 16 degrees below zero. This was the warmest spot in the Northwest. At Winnipeg and Battleford, across the Canadian line, the mercury went down to 36 below, with 24 below at Minnedosa, and 20 at Moorehead, Minn., and 18 below at Bismarck, N. D.

PLATTSBURG, N. Y., Jan. 24.—The thermometer registered 20 degrees below zero at Saranac Lake today, 24 below at Upper Chateaugay Lake and at Paul Smith's, and 17 below at Addison Junction. Lake Champlain is completely frozen over, the ice being from five to twenty inches thick.

TOPEKA, Kan., Jan. 25.—Zero weather prevails throughout Kansas tonight. The cold is made more severe by a gale from the Northwest. A light snow fell this afternoon.

## PLEADS FOR HIS $50,000.

### Bryan Argues Appeal of Bennett Will Case in Connecticut.

NEW HAVEN, Conn., Jan. 24.—Arguments were heard in the Connecticut Court of Errors today on the appeal of William J. Bryan from the decision of the Superior Court, denying his authority to receive $50,000 mentioned in the famous sealed letter left by the late Philo S. Bennett, of whose estate Mr. Bryan is executor. Mr. Bryan spoke eloquently for three-quarters of an hour. He said it was due him in this case to say a few words as to the intent of the testator. This intent, he thought, was very plain, and he hoped the court would be explicit as to whether the sealed letter could be received as a declaration of trust, even if not a part of the will.

He said that most will contests turned on two or three questions—usually on the capacity of the testator to make a will, on the question of undue influence, or on the intent of the testator in making bequests. In this case he thought Mr. Bennett ideally competent to make a will.

As to the question of undue influence, he cited the fact that Mr. Bennett traveled 1500 miles to Nebraska, carrying with him a will to be used as a model, and afterwards traveled 1500 miles back to New York, where he duly executed the will. The question, therefore, turns on the intent of the testator.

Mr. Bryan, referring to his personal interest in the case, said:

I trust that the decision of this court will be so explicit that it will be instructive to all who hereafter draw wills. No matter what this court may think of the purposes of this bequest, the right of a man to make his property go to the person or for the purposes he wishes is sacred to us all.

With Mr. Bryan's remarks the case closed.


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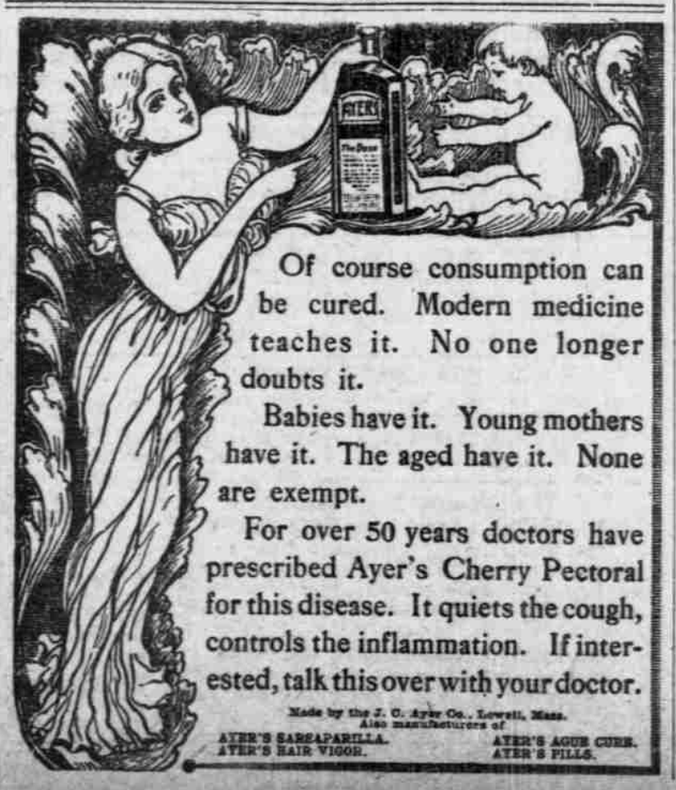

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