All Europe Wondering What Is

Subject and Effect of

Conference.

Nations Suspect New Combina-

tion--Russians Fear Ces-

sion of Provinces.

Emperor reviewed the guard of honor

and the yacht's crew and the two suites

were presented, after which their majes

"At II o'clock at night Emperor Nicho-las and Grand Duke Michael accompanied

Emperor William to the Hohenzollern,

May Form New Alliance.

An afternoon paper quotes a significant

ditorial in the semi-official Berlin Post

minting that France has grown cold

toward Russia, that the Russo-French

alliance is on the verge of dissolution and

that there is increasing feeling in Russia.

in favor of concluding an alliance with

Germany, even at the cost of great sac

But the idea of a Russo-German al-

liance is distinctly rejected at the Foreign

on the subject of the Emperors' meet-ing, Foreign Minister Lamsdorff not be-

ing consulted and no representative of the

Foreign Office being present. It is known,

however, that a representative of Chan-cellor von Buelow was on board the Ho-

henzollern. Count Lamsdorff's spokes-

man pointed out that the monarchs were

personal friends and that they probably

discussed many subjects, but he ex-

views would have a more important bear-ing on the internal affairs of the two em-

The Socialistic movement," the repre-

assumed great proportions in both coun-

German King for Norway.

What Kaiser Was Expected to Talk

About With Czar.

BERLIN, July 24.-The Foreign Office

here is advised that a meeting between Emperor William and Emperor Nicholas took place early today off the Swedish coast, near the Island of Bjoerkoe.

the latter's yachting in the Baltic Sea

he should approach the Russian shore, he (Emperor Nichotas) would be pleased

Emperor Nicholas wrote to Ex William several days ago that if during

pires than on their external relations.

pressed the opinion that the exchange of

Office, where, however, it is admitted that the officials have no specific information

where they remained until 2:30 in the

ties retired to the salon.

Bjoerkee:

rifices.

# WITNESSES ADMIT THEIR PERJURY

Confess Swearing to False Affidavits.

GESNER TO BUY THE CLAIMS

Claimants to Timber Land Were to Make \$75 Profit.

TESTIMONY IS SHORTENED

Judge Bennett Is Pugnacious Cross - Examination and Endeavors to Tangle Government Witnesses.

first day's work in the William son trial has shown two things; one, that son trial has shown two things; one, that the time consumed will in all probability not be so long as in the first hearing; the other, that the defense is going to use the testimony of the first trial as a club with which to chastise the witnesses for the Government, throw them into confusion if possible, and thus weaken the force of their testimony before the second force of their testimony before the pres-

ent jury.

Judge Bennett's pugnacious cross-examsation of the three witnesses Campbell Duncan, Ben F. Jones and Frank Ray, was the feature. Upon the opening of the trial the Government first called Duncan, who told the same story related at the first trial of having taken up a claim at the suggestion of Gesner and with the understanding that he should get \$75 for it when patented. The direct examina-tion was short and to the point, Mr. Heney taking advantage of the knowledge witnesses were turned over to the de-fense they were given an unpleasant time by Judge Bennett, who questioned them as to their testimony and brought them face to face with what they had said in

the former trial.
This catechism related particularly to the cross-examination at the previous trial when the questions had been asked by age Bennett. These questions were

On the other hand, the witnesses seemed. told his story in a clearer manner and more directly and without so many prompting questions or lapses of memory in the grand jury before the second witness, was called just before the noon adcross-examination the defense was un-able to shake him or to confuse him to any extent by the extracts from the for-

Judge Bennett tried to weaken the testiof Duncan in regard to the story by him of having met Williamson and Gesner in the office of the latter when the witness was given a copy of The Oregonian of November 24, 1997, in

An amusing passage took place during the afternoon session between Hen F. Jones and Judge Bennett while the witness was being proper and could get no very satisfactory answers out of him. At last he asked the witness if he remembered at all of having been to could get no very satisfactory answers out of him. At last he asked the witness if he remembered at all of having been to could get no very satisfactory answers out of him. At last he asked the witness if he remembered at all of having been to could be amount lent him or that he ever and bered at all of having been in court and

I remember that I was here and that you accused me of being a sheep-shooter." answered the witness.

am not asking you about sheep-ting now," retorted Judge Bennett,

affidavits when they were false, and you knew you were swearing falsely, and that you perjured yourself and got your wife to do the same, just for \$75

also said the claims were near the old shearing plant, and that Gesner would give \$160 each to those who would file on the claims he selected.

Duncan had taken the advice of Biggs and had gone to the shearing plant, meeting Gesner on the road and being told to look at the timber as it would be some of that to be filed upon. At the shearing plant Gesner had told those assembled that he would lend \$460 on the claims and would give \$500 for them after title had passed. He had said he wanted to get hold of the land to use for a sheep range, and that the mortgage which he would require of the claimants would run for the length of time it took to pass the claims through the land office. Gesner had also told them where to select their land, and that the descriptions would be at Biggs' office when they went to file.

Before going to file the witness had

went to file.

Before going to file the witness had met Gesner on the street in Prineville and had asked him for money to pay his filing fees, which Gesner had at first refused to give. Afterwards, however, he had come to the witness and told him that it would be all right for him to file and that Biggs would attend to the filing fees. The witness attend to the filing fees. The witness contended that his object in taking the land was to sell it to Gesner after

"Hitchcock Was Mad."

Duncan testified that he and his wife had signed a note for \$19.50, the amount of the filing fees and notice of amount of the first proof and notice of publication. Two or three days before the date set for the final proof, the witness stated that Gesner had come to him where he was working in a livery stable, and had asked to speak to him. He had told him he had better relinquish his claim, and the two of them had gone to Gesner's office, where they had met Williamson. Gesner resd a story in the Oregonian about the statement of Secretary Hitchcock, where that official had promised to make deep investigation into all the imber entries and bring oriminal actimber entries and bring criminal ge-tion against all violators of the law. Gesner had said that Hitchcock was mad, and that it would be best for the witness to relinquish his claim, and that if he would go to Biggs the com-missioner would fix the papers up for him. Gesner had told him that Biggs would give back the copy of the note signed by Duncan and his wife. On cross-examination the witness

On cross-examination, the witness did not remember whether or not the note was executed in favor of Gesner, or of Williamson Wakefield & Gesner, or of Williamson & Gesners Judge

Judge Bennett brought out the new point by his questions that the witness had been a timber locator, who selected claims for prospective applicants for \$100 a claim. He also got the witness to testify that he intended to locate gained at the first trial to eliminate all new people on the claims mentioned superflows matter and recitation. The same was the case with the evidence given by Jones and Ray, but when the said that he had no written contract with Gesner and could have sold the claim to anyone else, but he still main-tained that he felt bound, and intended to sell the land to Gesner when title passed to him.

Denies That He Was Threatened.

Judge Bennett questioned the witness about having been threatened with imprisonment by Mr. Burns should be not testify to suit the Gov-Judge Benacit. These questions and ran many of them leading in nature and ran with the preceding testimony, so that when the witnesses, particularly Ray, were asked if they had made certain answers they denied them, though holding still to the intent and purpose of the first statement made. The meaning in many instances was accepted as what had been meant though the exact language was denied.

Hency's questions that it seemed to him that all the talk about the use them. the other hand, the witnesses seemed interest on his money had arisen since the visit of Mr. Neuhausen to Princh the visit

He stated that he journment. been engaged with Gesner in running borses in 1907 and that Gesner had sug-gested to him that he file upon a timber claim. Gesner had also told him that if he and his wife would take a couple of cialms he would buy the land of them ween patented at \$500 each or at a clear gain of \$75 a claim. He had therefore, gone up to the meet. The Oregonian of November 24, 1992, in which it was stated that Secretary Hitch-cock would investigate timber iand frauds in Oregon. In his cross-examination the witness argued that he had remembered the headlines of the article and had been able to recognize the story when it was shown to him at the trial.

An amusing passage took place during soon as patented. On January 25, 1904, the witness and received a check from the land office for the amount pall

> amount lent him or that he ever had a talk with Gesner or Biggs relating to giving a mortgage. The witness admitted that he had perjured himself in making his affidavit, and stated that he had done so and had induced his wife to do so because he had been

Judge Bennett forced him to admit that he had perjured himself and had induced his wife to do the same, in hopes of securing the \$75 promised by Gesner for each claim secured from the Government.

"Do you want the jury to understand," Mr. Bennett asked "that you swore to all these statements in the affidavits when they were false, and you knew you were swearing falsely, and that you perjured yourself and core to have the use of the money windut interest in exchange for the

Great Boulder Crashes Down a Steep Slope Beside the Cowlitz Glacier.

SWIFT SCRAMBLE FOR LIFE

General Stevens Stumbles and Falls in Mountain Stream. While Carrying His Sister, Miss Bingham, of Portland.

PARADISE VALLEY, Sunday, Longmire Springs, July 34.-(Special.)-The very fact that so large a gathering could do such perilous climbing and have no accidents to record speaks olumes for the efficient management of the four great mountain-climbing parties now encamped in Paradise Valley. There have been several harrowing adventures when, but for the coolheadedness of the climbers, death must have resulted.

The narrowest escape thus far occurred when a party of eight, led by Professo Landes, of the University of Washingon, was saved from death by rolling boulders. The party had tramped some ten miles over fields of snow and ice, finally to reach a huge rocky cliff, which shut them out from Cowlitz glacier, the bjective point. The rest of the journey would have been considered impossible by amatsurs, but these Mazamas picked their way around among the great rocks and boulders and found themselves on Bennett asked the witness if he was an almost perpendicular mountain side, sure that the note had not been given to Biggs, and he replied that he did not of Cowlitz giacier, which spread out bean almost perpendicular mountain side, descending full 1300 feet down to the top fore their view, a magnificent sheet of crevames.

#### Beauty of the Deathtraps.

Little by little, holding to the short, ough heather, the party made the de-Then came the tramp over the ice field, around death traps of such wonderful beauty in formation and coloring as to lure and fascinate, while they from bilities. The return trip over the glaciers was made without accident; then came the ascent. Slowly the five women and three men pulled themselves up the steep incline. When hair the ascent had been made, when the eight human beings were elinging by their fingers and toes, files to a ceiling, there came upon their They looked up and mw an immense boulder which had loosened far, far above, coming with a tremendous roas and lightning speed directly upon them.

### Saved by Professor Landes

There seemed absolutely no escape, and him that all the talk about the use for a moment every heart must have Then, almost instantly, came the ringing notes of Professor Landes' voice be ahead-arousing the climbers from momentary paralysis:

"Make for the right bank." And they did make for it. scrambled over that mountain side at a him rate utterly impossible if chased by any-

thing short of death. The farthest young woman was grazed by a piece of the boulder, which had burst into a dozen smaller ones, which were crashing and tearing their way over the very path they had left. But for Pro fossor Landes' cool bead, and clear, quick, commanding order, it is doubtful if a single member of this little party

### would have lived to tell the story.

The Ducking of Mrs. Bingham. General Stevens, the real mountain goat the camp, in attempting to carry sister, Mrs. K. Stevens Bingham, of Portnd, across a mountain stream, stur of them seemed to mind it in the least, however, after getting safely out. All arrangements are being made official climb, which will begin next Tuesday.

Did It With His Little Hatchet.

shooting now," retorted Judge Bennett, "though I may later."

The witness was then questioned about his associations with the Government officials and was asked how many times he had been with and conversed with Mc. Hency, Burns, Neuhausen and other officials and detectives of the Government. Mr. Jones denied having been with them, other than cusually. "Now is it not a fact," asked Judge Bennett. The witness stated that Gesner had, "that you and a Government detective spent the evening in a tour of the Knorth End and that he took you out to dinner."

The witness stated that Gesner had said that he would give \$5500 for the claim, that it would take about \$416 to prove up, so that the witness would make about \$150 on the transaction.

The witness stated that Gesner said he would five \$1500 for the claim, that it would take about \$416 to prove up, so that the witness would make about \$150 on the transaction.

The witness stated that Gesner said he would five \$1500 for the claim, that it would take about \$416 to prove up, so that the witness would make about \$150 on the transaction.

The witness stated that Gesner said he would give \$1500 for the claim, that it would take about \$416 to prove up, so that the witness would make about \$416 to prove up, so that the witness stated that Gesner said he experienced a warm half-hour before he summit of Mount Rainier, will be summit of Mount Rainier.

The witness stated that Gesner had said that he had followed the advice. Gesner had said that he had followed the advice of the summit of Mount Rainier.

The would give \$5500 for the claim, the summit of Mount Rainier, will be summit of Mount Rainier.

T "if he did, he didn't pay for it." answered the witness. "Usually when a man takes me to dinner, I expect him to pay the bill, and if he does not do it, I don't count that he has taken me to dinner at all."

At the close of Jones' testimony, Judge Bennett forced him to admit that he had perjured himself and had induced his wife to do the same, in hopes of securing the \$75 promised by Genner. Here there was a jangle between the didner and threw with his little hatchet and chop down the claim in order to make everything he would have to take a mortgage on the claim in order to make everything look all right and keep out of trouble with a party of mountain-climbers endured himself and had in the forest reserve has t Friday night. The witness stated that Gesner said he would have to take a mortgage on the claim in order to make everything look all right and keep out of trouble with a party of mountain-climbers endured have to fake a mortgage on the claim in order to make everything look all right and keep out of trouble with a party of mountain-climbers endured have to take a mortgage on the claim in order to make everything look all right and keep out of trouble with a party of mountain-climbers endured have to take a mortgage on the claim in order to make everything look all right and keep out of trouble with a party of mountain-climbers endured have to fake a mortgage on the claim in order to make everything look all right and keep out of trouble with a party of mountain-climbers endured have to commend that he had remained he would have to take a mortgage on the claim in order to make everything look all right and keep out of trouble with a party of mountain-climbers endured have to commend that he had a party of mountain-climbers endured himself to commissioner clifford, was with a party of mountain-climbers endured have to commend to commissioner clifford, was commend to commend to commissioner cl a tree, which he brought in and threw on the fire. The act was witnessed by William McCullough, a Government forest ranger, who came to Tacoma and swore

Special of the same than he did at the first trial. He said that he had been working for gener than he did at the first trial. He said that he had been working for Gener than he did at the first trial. He said that he had been working for Gener in 1962, and that at about that time he had seen Higgs, who told him that Gener would lend money on timber claims, and that he was looking for men to file. Biggs had

the matter at Baron Komura's auggestion, the best time heretofore made was 18 days, when the Canadian Pacific, auxious for a mail contract, brought an Empress liner over in 11 days from Yokohama and sent a special train through to New York in five more. If Komura reaches New York tomorrow morning as he plans, his party will have spent 17 days on the road. Almost two days have been lost by lying over for connections. He took a slow train out of Seattle because it was the next one offering and made no unusual next one offering and made no unu

## THEY FAIL TO SEE BETTING

ST. LOUIS POLICE MAKE FRUIT-LESS RAID ON TRACK.

Constable's Posse Attempts to Arrest Captain, but Police Protect Their Commander.

ST. LOUIS, July 24.—About 100 police-men under command of Captain McNamee, acting upon orders from Chief of Police Kiely, who, in turn, received instructions from Governor Folk, forced an entrance from Governor Folk, forced an entrance into Deimar racetrack today to see that there was no violation of the anti-poot-selling law and to arrest any persons actually seen making bets. No arrests were made.

were made.

With a squad of about 30 officers Captain McNamee appeared at the racetrack
entrance at the time of the first race
and demanded admittance. This was not
granted, and he and his men marched in.

reserved, and me and me marched in, meeting with no resistance.

Fearing attempts might be made to resist the officers if arrests were made, Captain McNames ordered a second squad Captain McNamee ordered a second squad from the reserves and the squad had just arrived when Constable Lentz, with a posse and a warrant charging trespass and destruction of property, endeavored to arrest Captain McNamee. Chief Kiely had ordered that none of the officers should submit to arrest and Captain McNamee refused to consider the endeavors of Constable Lentz to take him into custody, his own men surrounding him in

tody, his own men surrounding him in protection until Lentz desisted.

The races were run on schedules before an interested crowd of citizens and po-lice, and when the last race had finished

lice, and when the last race had finished everybody departed.

After the running of the first race, at I o'clock, 30 policemen pushed through the gates. The gatekeeper tried to keep them back but offered no resistance. The police were then stationed in the betting ring and the grandstand. Fearing that a number of Deputy Sheriffs might be sworn in and resistance to the police attempted, Captain McNamee sent in a call for extra police reserves. About 30 additional officers were at once sent to reinforce Captain McNamee's squad, rushing through the gates and joining the officers already inside.

Word was sent to Sheriff Hernel to com Word was sent to Sheriff Herpel to come to the track immediately. Constable Lents tried to arrest Captain McNamee on a warrant charging trespass and destruction of property. McNamee refused to submit to arrest. Constable Lents thereupon gathered a loose of Deputy Sheriffs and Constables to enforce his warrant, but the police surrounded Captain McNamee and refused to permit his arrest. After some little parley the possed dispersed and Captain McNamee stationed men throughout the betting ring, grandmen throughout the betting ring, grand-stand, paddbck and before the grand-stand. The betting ring was quiet and the races were run according to schedule

## FUNERAL AT ALTAMONT

Cleveland Asked to Pay Last Respects to Lamont.

POUGHKEEPSIE, N. T., July 24 .-The funeral of ex-Secretary of War Daniel S. Lamont, who died suddenly last night, will be held on Wednesday at 12:20 P. M., at Altamont, the Lamont home at Mill Brook. It will be a quiet ceremony. The interment will be in Woodlawn Cemetery, New York

would not permit a member of the house Former President Cleveland has been of Bernadotte to assume the scepter, and asked to come to the Lamont home as soon as possible.

War Department Mourns

WASHINGTON, July 24.-The War Department took cognizance of the death of ex-Secretary Lamont today by issuing an order, signed by Acting Secretary of War Oliver, announcing "with deep sorrow the death of the Hon Daniel Scott Lamont," eulogizing als official and private life and direct official and private life and direct ing that "as a mark of respect to his memory the flags at all military posts be displayed at half mast on the day of the funeral."

Chautauqua Pays Expenses.

OREGON CITY, Or., July M.—(Special.)

Secretary, Harvey E. Cross states that while the attendance at this year's seed alon of the Willamette Valley Chahtausion of the Willamette Valley Chahtau-qua Association was not up to expecta-tions, the management will be gible to meet all expenses, a condition that in-sures the holding of another assembly next year. Too many counter-attractions were responsible for the decrease in at-tendance and the receipts of this year's meeting, although the programme was up to the high standard of excellence estab-lished by preceding sessions.

### Trial of Test Case Begins.

ST. LOUIS, July M.-The cases of Max Gumperts and George Ehrlich, charged with violation of the laws probibiting poolselling and betting on borse races, were called for trial in the St. Louis County Circuit Court at Clayton today. The state is represented by Prosecuting Attorney R. L. Johnston, of St. Louis County, and Attorney-General Hadley. The trial is a test of the anti-betting law, and it is considered that upon the outcome will depend the future of horse-racing in the state.

BUTTE, Mont., July M.—The Anaconda Company filed notice today to the effect that it had lowered its capital stock from II.000.000 to II00.000. The move is made preparatory to the closing up of the af-fairs of the company. The Anaconda Company is one of the early corporations organized by the late Marcus Daly and out of which the present Anaconda Com-pany of the Analgamated Copper Com-pany was formed.

of the correspondence which has already taken place.

Emperor William went to the meeting, as the Associated Press is officially informed, prepared to say, if he were asked, that he thought Emperor Nicholas could attain a full understanding and reconciliation with the discontented portions of his people only through reforms. The German government is interested in having the neighboring country peaceful and prosperous, for it is toward the Russian Empire that Germany's manufacturers look for great trade expansions in the future. ture.

The German Emperor is most reluctant to have either the Russians or others think that he is volunteering angestions regarding the international affairs of Russian. He is not doing so, but will only give his personal views on their being asked for. Emperor William has the fullest information regarding the Russian situation, and may be able to give Emperor Nicholas statements of fact and deductions from them that are unknown J. J. Eakins, Newspaper Man. COLORADO SPRINGS. Colo., July 24.—
Joseph J. Bakins aged 50 years, is dead
here of consumption. Mr. Bakins was
born in Louisville. Ky., and entered newspaper work there with the Courier-Journal. He went to New York about in
years ago as amintant sporting editor on
the World, and advanced to the managing
editorship, which he held up to the breakdown which caused him to come to this
city a few days ago.

denied explicitly. Germany's policy of noninterference, as often declared, re-mains the same.

WILL SEARCH OUT FACTS

Bonaparte Orders Strict Inquiry Into Bennington Disaster.

WASHINGTON, July M .- Secretary Bonaparte, in a statement issued today, said the public may rest assured that the Bennington disaster will be thoroughly inves tigated and that whatever action the reults of the investigation may show to be proper will be taken by the depart ment, promptly and effectually.

Mr. Bonaparte showed the deep intereste has taken in the Bennington disaster he has taken in the Bennington disaster by immediately taking up the subject on his return today. He held an extended conference with Assistant Secretary Dar-ling and found that Mr. Darling had done-everything possible to alleviate the suf-ferings of the wounded and for the proper care of the dead, as well as to lay the foundation for an investigation of the ex-plesion. When advised that Rear-Ad-miral Goodrich had been ordered to San Diego, the Secretary asked as to the MAY MEAN NEW ALLIANCE Czar and Kalser Separate and Other Diego, the Secretary asked as to the number of officers that would be available upon the Admiral's arrival, from among whom a proper investigation body could be convened. The Secretary was assured that with the officers on the ground and those who will come with the flagship Chicago and the supply ship Iris there will be ample material for a board or for a court of inquiry. The Secretary ST. PETERSBURG, July M.-The Marshal of the Court, Count Benckendorff, has sent the following from the Island of or for a court of inquiry. The Secretary expectes a most thorough investigation. When Admiral Goodrich reaches San Diego, all facts developed pending his arrival will be reported to him, and it is expected that the board of investigation which Captain rDake ordered to determine the extent of the damage to the hull and engines, will also report the results of its investigation to the Admiral. Admiral Goodrich then can determine the "At 19 o'clock in the evening of July 23 the German imperial yacht Hohen-zollern dropped anchor near the anchorage of the Russian imperial yacht Polar Star. Emperor William, accompanied by Prince Albert of Schleswig-Holstein and his suite, was rowed to the Polar Star. miral Goodrich then can determine the steps to be taken, but it was made mani-Emperor William was received at the head of the ladder by Emperor Nicholas and Grand Duke Michael, and cordial greetings were exchanged. The German

steps to be taken, but it was made manifest today that Mr. Bonaparte expects the inquiry to be exhaustive and such as will develop every possible fact.

It was suggested at the department today that some of the steam engineering records of the Bennington may have been destroyed when the ship was blown up. The quarterly report covering the period from March 20 to June 20 had not been received at the Brezen of Steam France in the Steam of Steam Control of the Steam of received at the Bureau of Steam Engi-neering up to the hour of closing today. It is probable, it is stated, that the mali-ling of the report may have been delayed and that it was aboard the ship at the ime of the explor

The department today telegraphed to Captain Drake for a list of the survivors. This was done because of the numerous inquiries that have come from the relatives of the sailors who have not been re-ported among the dead or injured. The department has directed that a report be sent to the department daily from San

ONLY ONE MAN IS MISSING

All Others of Bennington's Crew

Accounted For. Accounted For.

SAN I IEGO, Cal., July 24.—Shocking and pathetic as have been the occurrences accompanying and following the explosion of the United States gunboat Bennington in San Diego harbor, the story of the frightful accident has reached the point where the strain of suspense may give way to the relief of knowing that the extent of the disaster has been defined. The most important development of today is the certainty that no member of the crew of the Bennington remains unaccounted for, and that no gruesome find ed for, and that no gruesome find awaits the exploration of the depths of the hold, now being rapidly emptied of water. The summary of the situa-

sentative of Count Lamsdorff added, "has tion early this morning was: Fifty-eight identified dead; wounded; I missing; 90 uninjure

tries and it is a matter of most serious In another quarter it was suggested that the German Emperor may have asked Emperor Nicholas to support a of the Associated Press on board the or the Associated Press on board the Bennington this morning resulted in the location of the last man whose name appeared in the list of missing—C. A. Mumper—who is found to be alive and uninjured. Moreover, this German Prince for the throne of Norway. King Oscar having announced that he

morning's investigations have resulted the only other candidate being Prince in definitely establishing the identity Charles of Denmark, who is married to an English Princess. C. Nelson.

ADVISE PEACE AND REFORM C. S. Carter.

R. J. Ogles.

A visit to the hospital shows that the sufferers are being well cared for and some hopes are expressed for the recovery of some doubtful ones. Those in a critical condition are: W. V. Kennedy, George Hakett, C. S. Shaltz, H. Mettles, S. Pakate, L. A. Griese, Walter Martin

Of toese, Walter Martin, this morning, was at a critical point, with temperature at 104. A turn for the better, with reduced temperature, followed the dressing of his wounds. The one now most seriously iii is L. A. Griese, who shows aventows of near Griese, who shows symptoms of pneu-monia. Martin may recover, but some of the others may die at any hour.

BOILERS KNOWN TO BE WEAK

to meet him. The Garman Emperor replied that he would be glad to cruise to any convenient point, and the Island of Bjoerkoe was suggested. It was understood that the conversation was to be entirely personal and intimate, and therefore no Minister of Marine is in Emperor Nicholas' suits.

The meeting is a sequence of the correspondence that has been going on between the two Emperors concerning peace is which Emperor William urged Emperor Nicholas to take steps toward peace. Emperor William was then co-operating with President Roosevolt in seeking to bring the belligerents to a discussion of the terms of peace and in the present meeting the Associated Press is authoritatively informed Emperor William will continue to advise peace should the Russian Emperor ask for his further views, and it would be very natural that Emperor Nicholas should do so as a development of the correspondence which has already taken place. SAN FRANCISCO, July M .- Con

SAN FRANCISCO, July M.—Commander Lucien Young's last log lotter to Commander-In-Chief Goodrich, of the Pacific, has been picked up on the deck of the gunboat Bennington. In it is the following paragraph about the condition of the ship, which shows that the Commander knew the boilers were defective:

"The engines and everything worked beautifully on the trip from Honolulu, as the result of the overhauling alongside the dock at Honolulu, and everything in now in extellent condition, with the exception of the boilers, which although tested for a water pressure of 25 pounds, I find will not be safe to be subjected to a steam pressure over 130 to 125 pounds. I find will not be safe to be subjected to a steam pressure over 10 to 15 pounds, but that will enable us to make from 11 to 12 knots full speed. In every other respect the vessel is in a very high state of efficiency and in excellent condition."

This will form the plan of the evidence before the board of inquiry. It is understood that under the conditions it was not imprudent for Commander Young to go to sea under orders.

Ransom Called as Witness.

WASHINGTON, July 24.-Comman washington, July 14.—Commander George B. Ransom, Chief Engineer Officer at the Mare Island Navy Yard, where the last repairs to the Bennington boilers were made, was today ordered to proceed to San Diego. It is expected he will be able to give Admiral Goodrich valuable information regarding the condition. regarding the condition of the ves-

LEWISTOWN, Moot, July M.—While awimming with several friends in the Missouri River at Rocky Point, Albert Meyersick, aged E years, was drowned in the prescoce of his father, William Meyersick, and his sister, Miss Ada Meyersick, and his sister, Miss Ada Meyersick County Supermits dent of Schools.

## JACKASS' BRAY UPHELD BY LAW

Court Says No Power on Earth Can Still His Unmelodious Voice.

**EXPEDIENTS** 

Kansas Postmistress Vainly Pleads for Relief From Noise Made by Asinine Neighbors, Who Lift Voices at Night.

TOPEKA, Kan., July 24.-(Special.)-'No power on earth can prevent a jackans from braying. This court is powerless to afford relief in this case and the injunction is dissolved," said Judge Dana in dismissing a suit brought by the postmistress of Richland, Kan., against the owners of a number of jackasses to prevent their braying.

Tiboetts & Hotz own a livery stable in Richland and it is the next door neighbor to the postoffice. The postmistress resides in the apartments over office and she has been sorely annoyed during the night by the rancous braying of the discontented jacks in the livery barn. Whenever she sought to while away the tedious hours by singing softly to herself, the jacks would break in and agitate the atmosphere with their distracting noise. At night, when raised her windows to get a breath of fresh air, her ears would be benumbed by the bee haw of the jacks,

Appeals to Court for Relief.

She appealed to the owners of the stable suppress the animals, but they politely informed her that to bray was the chief delight and function of a jackass and they could not prevent it. Furthermore the nature of their business precluded sending the offending animals away for the night.

Finally she appealed to the court and secured from a judge in Shawnee County a temporary injunction against Tibbetts & Hots. Then she gave final warning to them that the noise must cease. immediately took the case before Judge Dana and it was argued today. It was one of the most unique hearings history of Kansas even, which is the author and scene of many unique things.

Plea for the Jackass.

In their reply to the injunction Tibbetts & Hotz set up that the courts, and, in fact, all human machinery, stood absolutely powerless to prevent the braying of a jackass. They cited instances various expedients had been tried, such as dynamite, muzzling, solitary confinement, etc., but all efforts proved futile It was ably argued before the court that 45 It was ably argued before the court the deserter, which brings the total up to was a unique feature in the eyes of the that of the number of the officers and world and entitled to consideration. It was shown that pages of comic weekl Inquiries made by the representative are devoted to this peculiar animal and his predeliction for braying and kicking. These had been peculiarities of the jack

ass from the beginning of the world and would be so to the end thereof. While they regretted that any of their property should prove annoying to the postmistress of Richland, for which lady they had profound esteem, they could no prevent their jacks hee-hawing nor could they cripple their own business by disposing of the animals-"and your peti-

tioners will ever pray etc."

Beyond Human Power. Judge Dana pondered at some length over the case and finally announced that he would dissolve the injunction.

"It is apparent to any student of a mal nature," he said, "that human agencles are helpless to prevent braying of a jackass. It is his nature and the courts can afford no relief. Let the order dis-missing this case be entered."

HAILED AS JAPAN'S FRIEND

Warm Welcome Awaits Taft as America's Representative.

Count Okuma's newspaper organ, tomorrow will publish a leading article welcoming the Taft party and gratefully recalling what the United States has been to the Japanese since the time of Commodore Perry—an unerring guide and friend.

The policy of the United States toward Japan, the article will say, has been one unbroken record of kindly assistance, pulitically and commercially. In fact, in all departments of the progress of modern departments of the progress of Japan, America's help is clearly able. Especially President Roos successful endeavor in bringing the plentipotentiaries together adds a rable chapter to the already mag-

able chapter to the already magnificent record of America's invaluable aid to Japan.

The paper regrets that the shortness of the party's stay will not admit of an adequate manifestation of the general feeling of gratitude and appreciation toward the government and people to which the distinguished party belongs.

The Hoch leader is typical of the feeling throughout the empire.

TWO CASES ON FRUIT STEAMER

Reported Taken Off at Quarantine on Mobile Bay.

on Mobile Bay.

Mobile, Alá., July H.—There is a rumor current that two of the crew of the Columbia, from Colon via Bocas del Toro, which unloaded fruit last flight, were taken off the vessel when she arrived inward bound at the quarantine station, himles below Mobile. The men are reported to have yellow fever. The Columbia was not allowed to coal here.

Dr. Henry Goldthwalte, health and executive officer of the quarantine board of Mobile Bay, went down there lonight, but has not returned. It is reported one of the men died, but this lacks confirmation.