habeas corpus.

BINDING AMERICAS

Among Nations.

DIPLOMATS' READY RESPONSE

South America Welcomes

United States Citizens.

PRICE FIVE CENTS.

WRECK OF THE DIX

VOL. XLVI.-NO. 14,337.

Taken From Sound Near Alki Point.

FORTY-NINE REPORTED MISSING

Sunken Vessel Lies in 100 Fathoms of Water.

MANY BODIES IMPRISONED

President Roosevelt Is Urged by the Seattle Chamber of Commerce to Order a Searching Inquiry Into the Disaster.

ADDED TO LIST OF MISSING.

C. T. Bennett, bartender, residence unknown.
Axel Corison, planerman, Port Blakeley mill

J. W. Geal, Sherlock, Wash. Frank Gordon, Port Blakeley George Lubbering, Port Blakeley.

George Lubbering, Port

Mrs. H. Lubbering, Port Blake-Miss Lubbering, her daughter.

Albert McDrury, tallyman, Port Binkeley. William McEnight, Seattle. William Maher, Port Blakeley

A. C. Raynolds, Port Blakeley

James Sloan, tallyman, Port Joseph E. Conway, lumber sur-

Edward Jones, foreman Rothechild & Jones, Port Blakeley. Ivan Read.

Charles Williams, sawyer, Bal-

SEATTLE, Wash., Nov. 18 - (Special .-The first body of the 49 victims of the disaster which occurred within right of the Seattle waterfront and West Seattle Sunday night, in which the steamer Dix was run down by the Alaska steamship Jeanie, sinking instantly, was recovered between West Seattle and Alki Point today. The body was that of Albert Mc-Donald, a lumber surveyor, of Port Blakeley. Of the known missing the names of 10 have been vouched for, The Commercial Club of Seattle has passed strong resolutions, addressed to President Roosevelt, urging that special inthe United States marine officers to conduct a searching inquiry into the disaster statute, governing the case." The reso lutions call for the extreme penalty for violation of rules if the responsibility can be placed.

Port Blakeley is in mourning, the mills are not running and special preparations are on foot to hold memorial service.

Long Swim for Life.

Two Filipino boys claim to have awar ashare from the wreck to a Seattle dock a distance of six miles. Manuel Repetr and Bazzintia Garcia are the names They claim to be sallors. The story has or yet been confirmed

Marine Inspectors Whitney and Turner decided this afternoon to hold a rigorous investigation into the loss of the Div Their inquiry will begin as soon as witnesses can be summoned.

The Dix lies in nearly 100 fathoms of water and it is doubtful whether she will ever be raised. The owners of the boat have turned her over to the underwriters, who expect to make some effort to recover the steamer. Whether they licans"? will drag for the boat or try blasting is "No," unsettled, but little hope of success is His intention on that score has been entertained.

Dix Was About to Be Sold.

Had General Manager Grant, of the gested. Seattle Electric Company, returned in time the Dix would have been sold to that company. Negotiations were pracrically completed a week ago, but were held up to await Grant's return. As it is J. E. Chilberg and A. B. C. Denniston owned the boat. The Port Blakeley Mill

Company operated her under a lease. By a curious coincidence, the Hoods Canal steamer Perdita passed over the scene of the wreck early this morning without knowing of the catastrophe. Chief Engineer Parks, of the Dix, who drowned that boat, was the builder and part owner of the Perdita.

Boats Can Find No Bodies.

All of the boats sent out to look for hodies have returned and one cork fender picked up by the tug Tyee is the net result of their search. The tides off the Seattle docks and from Alki Point met half a mile north of the scene of the disaster and the natural trend of the drift is toward Jefferson Head.

Two log jams have broken off Duwamish Head and nine-tenths of the ogs were picked up at Jefferson Head. With the view that if any bodies ever come ashore they will be found in that vicinity, a patrol has been started from

All but one of the filers in the big Port Blakeley mill were drowned in the accident, and the lumber plant will have to be idle until more help is secured. Almost the entire force of lumber surveyors was aboard the boat, returning to Port Blakeley, and half were drowned. Flags of every nation in the city are

hanging at half-mast in Port Blakeley today, and the entire population of 2000 has temporarily abandoned business pursuits to emphasize its grief over the loss of the Dix. It is likely Fort Ward will observe with military exactitude the loss of its men.

COOPER KILLED BY AUTO

Noted Automaniac Meets Sudden Death in Collision.

NEW YORK, Nov. 18 .- Tom Cooper, of Detroit, well known as a bicycle rider and automobilist, was instantly killed in an automobile accident in Central Park late onight. Three companions were seri-usly injured and one of them, it is be-

eved, will die. The four were riding in Coopers automobile when the machine collided with another automobile on the drive. Cooper was hurled 20 feet and struck upon his head. He was lifeless when picked up. Daniel Barclow, of Paterson, N. J., a cotton broker, was also thrown from the machine and sustained a fracture of the skull. At the hospital tonight it was said he would probably die.

Miss Virginia Vernon, of Jersey City.

N. J., and Miss Helen Hall, of this city.

the other occupants of the autom



James H. Peabody, ex-Governor of

suffered severe injuries. All were removed to Roosevelt Hospital.

The occupants of the car with which
Cooper's machine collided were arrested.

GEORGIA CAYVAN IS DEAD

Noted Actress Passes Away in Retreat on Long Island.

NEW YORK, Nov. 18-Min: Georgia Cayvan, for years one of the most popular actresses in this city, died today in a sanitarium at Flushing, L. I., where she had been a patient for several years. Miss Cayvan, who was 45 years of age, was formerly a member of the old Lyceum Stock Company of this city, of which Daniel Frohman was manager. About seven years ago the actress was taken ill and was compelled to leave the Federal stage. A benefit was held and sufficient money was raised to pay her expenses the remainder of her life.

During her career on the stage, Miss Cayvan took the prominent parts in the "Charity Ball." "Sweet Lavender," "Americans Abroad." and "Squire Kate." Miss Cayvan was one of the prime movers in the Actors Fund Fair, which was held about 17 years ago in Madison Square Garden. At the close of the fair she was awarded a diamond star, having received Pa actress on the stage.

C. G. Lorillard-Spencer, Paris. PARIS. Nov. 19 -- Charles G. Lorillard-Spencer, of New York, brother of Prin-cess Cenci-Bolognetti, is dead.

WOULD NOT ACCEPT AGAIN

Root Speaks for Roosevelt and Is Not Candidate Himself.

KANSAS CITY, Mo., Nov. 19 .- Secre tary of State Elihu Root during an interview, in which he alluded to political conditions and Presidential possibilities for 1908, was asked:

Will Roosevelt accept a nomination if tendered to him by the Repub-

"No," replied Mr. Root. He will not. definitely and absolutely drawn out. No, he won't accept it again." "Your name is mentioned," was sug-

"I am not a candidate and won't be," was the reply.

Gillette Must Stand Trial.

NEW YORK, Nov. 19 .- Justice Green naum in the Superior Court toda the application of coupsel for R. Gillette, of the Mutual Life Insur for perjury against Gillette.

Federal Court Declares Governor of Colorado Is Supreme.

RIGHT OF SELF-DEFENSE

Moyer's Suit Against Peabody and Bell Fails, State Having Same Right as Individual to Self-Preservation.

DENVER, Colo., Nov. 19 .- (Special.) -Ended is the latest chapter of the Telluride Charles H. Moyer president of the Western Federation of Miners, has lost the suit growing out of alleged Illegal imprisonment by the state militla under orders from Governor Peabody and General Bell. Judge R. E. Lewis, of the United States District Court, today delivered an important decision, in which he sustained demurrer by the defendants. Governor Peabody, ex-Adjutant-General Sherman M. D. Bell and Bulkely Wells, now Adjutant-General, to the effect that Moyer had no right to bring suit before the United States Court to recover \$100,000 damages.

Power Under Martial Law.

The opinion is of importance because It expresses at length the belief that it is clearly within the power of a state executive and of the military acting under his orders to imprison without trial, and because it declares imprisonment and detention in prison during martial law as within the con-

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Church inventories resumed in France without disturbance Page 3.
Threatening letters sent to the Pope.
Page 3.
National

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notifies Thaw to prepare for trial. Bark Harry Morse, from Portland, arrives at Boston, Page 2. Woman murders employer in dispute about wages. Page 4

Commerce Commissioner Prouty discusses car shortage and rates. Peary's steamer sighted off Labrador coast. Page 4. Federation advocates state laws Rain causes floods in Mississippi Valley; deep show in Texas. Page 4.

Pacific Coast. List of the missing in the Dix disaster has grown to 49. Page 1. bnett land fraud case goes to the jury at Moscow, Idaho Page 6. S. M. Driver, formerly of Oregon, is driven instant by drink. Page 18

C Doiley Seattle timber dealer, indicated for subornation of perjury Page 6, orthern Pacific has trains running between Seattle and Tacoma Page 7, Portland and Vicinity. suicides committed in one day in

Ex-Superintendent Cook of Portage Rail-way arrested on graft charge Page II. M O Lownshale of Tambill County chal-lenges Hood River apple-growers to a test. Page II incil committee draws up electric wire ordinance. Page 10.

Southern Pacific will put on third passenger train between Portland and San Francisco Sundas. Page 11.
Will's high licence ordinance reported favorably by council committee. Page 10. New pipe line to North Albina and Ports-mouth opened. Page 10. Walter Stanley, aged 16, who says he is son of Morrow, Or. bank cashler, caught in act of robbing telephone box. Page 10.

Commercial and Marine. War is on between best and cane sugar re-finers. Page 15. Bullish sentiment in Chicago wheat market Page 15. Advance in call money checks rise in stocks. Page 15.

Owner Peterson says steamship Geo W. El-der will not sail tonight. Page 14. barkentine denies a spar. Page 14.

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stitution of the United States. Moyer ad claimed that his detention in the Telluride bull pen was a violation of the 14th amendment to the constituion of the American political system and an infringement of the right of Starting with the preface that it had been agreed by both parties to the con-

troversy that the United States Court should consider the proceedings of the Colorado Court in all its phases, a short history of the proceedings is given and then Judge Lewis says: State's Right of Self-Defense.

"There is nothing in the Colorado constitution to conflict with the 14th amendment to the United States constitution. It is obvious that the provisions above quoted from the constitution of Colorado (referirng to the power given the executive in time of insurrection) are but the emanation of a sovereign power founded on necessity and inherent in every government It is sometimes likened to that of self-defense. The life of a government is like that of men. The latter has a right to kill, in case of natural defense; the former has the right to wage war for its own preservation. When the dominion of the mob becomes so powerful that it cannot be stayed by the civic authorities, it has the same

right to protect itself.

Government Only Can Decide. "There is only one department of the overnmental organization that has the right to determine the question whether there is insurrection or not. Governor Peabody had that power. The political departments of the government have always had that power. The courts have never had it and it would be absurd for them to try to exercise it. Should a court say there was insurrection in a community, the insurrectionists dould say there was not. and there would be no way for the court to enforce its declaration. That the executive has the power to pass upon this question of fact, and he alone, is the principle advanced during the Rhode Island trouble many years ago by Chief Justice Taney and Justice Treat of the highest court of the United States. I therefore conclude that the existence of insurrection as tion is not issuable," rules Judge

RAILROAD MAN'S YOUNGEST DAUGHTER TO MARRY.

Michael Gavin, New York Lawyer, the Happy Man-Bridal Tour to Japan.

ST. PAUL, Nov. 19 - (Special) - Miss Gertrude Hill, the youngest daughter of Mr. and Mrs. James Jerome Hill, and Michael Gavin. Jr., of New York City. will be married at II o'clock Thursday morning in St. Mary's Catholic Church

There are only 40 pews in the church. out the Hills have always attended this small edifice. The list of guests, therefore, could not be large, and only 300 invitations have been issued to the wed-Archbishop Ireland will officiate and will be assisted by Rev. Father Gibbon and Rev. Father McNulty.

Miss Bachel Hill will be the maid of bonor and the bridesmalds will be Misses Nanette Paschall of Seattle, Miss Mary Hill of Washington, Miss Abbott and Miss Clara Hill, Kenneth Clark, of New York, who is a friend of the young attorney, will be the best man, and the ushers will include Mr. Gavin's brother, John Gavin, of Memphis, Tenn.; John F. Talimade, Graham Douglas, Evander Schley, James N. Hill, of New York, and Walter Hill, of St. Paul.

Louis W. Hill will give a dinner in his new country place near St. Paul temorrow for Mr. Gavin and his friends, and Miss Gertrude Hill will give a luncheon at J. J. Hill's farm, North Oak, to her sister. Mr. Gavin and the members of their bridal party Wednesday afternoon After services on Thursday, there will be a wedding breakfast at J. J. Hill's restdence on Summit avenue, to which the Immediate members of the family very near friends have been invited. Then will follow an extended tour, which may be to Japan, it is stated.

HEART OF TOWN BURNED Fayette, Mississippi, Has Nothing

Left of Stores. JACKSON, Miss., Nov. 19.-Practically

the entire business section of Fayetta Miss., was destroyed by fire tonight, entailing a loss of about \$75,000, partially covered by insurance. The fire originated McGinniss' cafe, which was destroyed, flames rapidly spreading to the adpoining buildings. The telephone exchange was destroyed

Harriman and Root Have Debate at Kansas City Banquet.

BREAK FROM PROGRAMME

Railroad President Wants More Power for Railroads and Less Criticism - Statesman Says More Control Is Needed.

KANSAS CITY, Mo., Nov. 19.-The most interesting feature of the Commer cial Club banquet last night had not been announced beforehand. It being Edward H. Harriman's criticism of Government regulation of railroads and Secretary of State Root's vigorous reply. Mr. Harrimon in his address said:

"I saw in the papers that President Hill, of the Great Northern, in an address before the commercial bodies of Chicago, said that the country needs 100,-000 miles of railway. I feel sure Mr. Hill was misquoted Two men now here who heard his speech confirm me in that belief. As they understood it and as he probably said, the railroads need sidings, terminals and double tracks equal to 100,000 miles of new railway

Give Railroads More Power.

"In his speech in Harrisburg recently. President Roosevelt said that the xecutive and legislative departments of the Government should be given addeclared in the Governor's proclama- ditional power to deal with public organizations. If we are going to continue to prosper, the power President Roosevelt desires added to the Government, I hope, will be added to the other organizations. I hope that some of it will come our way. It is impossible for a railway company or large organization to carry on its ; business properly, if the people are constantly criticising. In the Union Pacific Company no one man says what the company will or will not do. I am untiring only because I must be on hofer's "Silence in the Forest," saying: hand to hear conferences and try to bring a body of men to one conclusion. Justice to others but injures himself. It bring a body of men to one conclusion. It is not easy if you always have to good until they prove themselves to be turn to the legal departments and find whether you may or not " "According to this principle," said the Here Mr. Harriman paused and turned Emperor, "I have always treated every-to Mr. Boot, who sat two seats rear-body with whom I have had to deal. Of

"It is often important to a city or a country whether we do certain things, whether we develop a territory." Mr. The Emperor added: "One gets on much Harriman continued, "or leave it dor-mant Often we cannot give development a start because of the action of certain people for political prestige. I believe doubt, the German people who have a fuople for political prestige. I believe there is to be a change of attitude which soon is to be felt. The people are coming means fair play."

Root Accepts Challenge. Mr. Root accepted Mr. Harriman's

challenge promptly and prefaced his prepared speech by saving:

Before I begin my talk on the subject which has been assigned. I desire to make a few remarks in answer to Mr. Harriman. Mr. Harriman. I believe, in his speech tonight would have us give more power to the railroads.

"The experience I gained from a knowledge of railroad business in the State of Missouri at a time when the railroads were competing for business led me to traffic and railroad affairs is through the railways themselves. I believe it is just to say that a wise law would be one that would force the railroads to combine in keeping the law-a law that would prevent the railroads from breaking the law "I repeat that the best regulation can he brought about by the rallroads themif they will only do it power. Mr. Harriman, should be supplemented by Governmental control, such that would prevent them from doing

Need Control to Protect Weak.

It is doubtless the case that a rail road, by special compensation or special rates can help to build up a bigger and better business. Nevertheless the science of Government always gives a chance The privilege of the railroads in discrim inating in the matter of special rates and compensations is too often abused, as we have seen.

roads to give advantage to the wealthy shipper against the weaker or smaller It is that tendency so often disand the grounding of the Western Union one. It is that tendency so often distinction of the Chicago wires makes it impossible to get details. played—a tendency to crush the weak being named.

ence that the railroads should be held under control to prevent discrimination The slight advantage that the railroads would gain by more power-the power that Mr. Harriman asks for-would be so greatly offset by the evil that such a roposition would not be considered oment.

KAISER IS AN OPTIMIST Root Speaks for Justice

Talks Frankly to Dr. Ganghofer of Views of Life.

MUNICH, Nov. 19.—Emperor William received Dr. Edward Ludwig Ganghofer, the author. November 12, during His Majesty's visit to Munich and talked with extraordinary freedom regarding his way of looking at life. Dr. Ganghofer, writing to the Muenichener Neuste Nachrichten today, says that the Emperor, referring to the optimitatic vein pervading Dr. Ganghofer's book, "Hoherschein" (High

'I am an out-and-out optimist and noth-Ing will prevent my continuing so to the end of my life." The Emperor described himself as a

man fully occupied with his work and who believed in his work, and added:

Sherman Bell, ex-Adjutant-General

of Colorado.

course one will have some unpleasant ex-

ally when I go into Scandinavian waters,

country. I thing the feeling of homeo-

I often feel inclined to jump into an

-indeed, doubly-necessary, because I am exposed to many misunderstandings and

adviser?" and if I fail they say, 'he did not

ok on as a matter of course, in the case

f other Princes, in my case they ask,

Why did he do that? and the only pos

the good of the German empire and the

ferman people." The Emperor's utterances to Dr. Gang-

nofer are regarded as a reply to the fre-quent criticisms recently of the excessive introduction of the Emperor's personality in the conduct of German affairs.

Receiver for German Insurance.

FREEPORT, IIL, Nov. 19.—The German Insurance Company, which reinsured in the Royal of Liverpool last week, was

placed in the hands of a receiver today, the Chicago Trust & Title Company

ible answer is, 'Because I'am worki

understand the matter."

look to the future."

weighs on me.

OUR PLACE AMONG NATIONS

Minister Cortes, of Colombia, Predicts Soul of America Will Triumph Over Pelf in Upholding International Justice.

KANSAS CITY, Mo., Nov. 12 - A world-wide peace, substantial and enduring, made possible by closer commercial and friendly relations among nations, was the keynote of a notable speech delivered here tonight by Elihu Root, Secretary of State. Following Mr. Root, the diplomatic representatives of Latin-American republics made speeches along the same line, offering trade extension between the countries of North and South America as a means of bringing these countries into closer and lasting friendship. The occasion was the twelfth annual banquet given by the Kansas City Commercial Club in commemoration of the signing of the John Jay commercial treaty. Five hundred plates were laid and many notable persons were present.

bI am determined to make progress, and I would be pleased if others rightly understood what I am aiming at and sup-Besides Mr. Root, the speakers, in the order of their rank, were Ignacio Calderon, Minister of Bolivis: Felipe Pardo, Minister of Peru; Enrique His Majesty referred to the difficult position in which a man got when he was suspicions and he quoted Dr. Gang-Cortes, Minister of Colombia: Sylvino Gurgel do Amaral, first secretary of the Brazilian legation; Alberto Toacham, Charge d'Affaires of the Chilean legation, John Barrett, United States Min ister to Colombia; Dr. William Jay Schieffelin, New York, great-grandson of John Jay, who spoke to the toust The Value of the Life and Example of John Jay," E. H. Harriman, president of the Union Pacific Railway, who talked informally on trade conditions n general.

Mr. Root, who addressed himself to the teast, "Our Relations With South America," spoke in part as follows: America's Field Widening.

America's Field Widening.

Since John Jay made the tariff treaty which is commemorated by the annual dinner of this culb, the United States has passed through a period of comparative isolation and indifference in foreign affairs. Now, however, our growth has been so great as to bring us again on the wider field of the worlds trade and constructive enterprise, into contact with all the great and active nations of mankind. We have entered anew, whether we will or not, by the necessities of our development, into the field of intimate relations with all the Nations of the earth. It is a field in which the guiding principle laid down by Washington, of friendship for all with entangling alliances with none, is as wise a rule of conduct as if was in Washingtons time. It is an irrue now as it was them that Europe has certain primary interests in which we are not concerned and into which we should not permit ourselves to be drawn, yet it is a field in which we care no longer to be indifferent or to be ignorant.

In this time of vast immigration of inture, and there is one word that annoys me whenever I hear it—reichsverdrossen-heit—(translated as 'unwillingness of the people to support the empire'). What is the good of this? Let us rather work and The Emperor, mentioning his frequent ourneys, said: "When I travel, especiam freed for a few weeks of all that eighs on me. Yet people often take amiss that which gives me such pleasure. I know I am called the traveling Emperor, but I have always taken it as 'I love traveling, especially in my own many Germans have no idea how beauti-ful our native land is and how much there is to be seen. I am always glad when

different or to be ignorant.

In this time of vast immigration, of intensional lavestment and ownership, of
opportunities for enterprise and of enlarged
peaceful intercourse and shows all, of become acquainted with a new part of peaceful intercourse and, above all, of steadily progressing popular government, a new diplomacy has found place. It is a representative diplomacy, and answers not to the judgments of courts or avereigns, but to the judgment of great popular masses. It grows continually more true that the sentiments, feelings and opinions of the people determine policies: decide upon the issues of peace and war, and establish those sympathies between nations which are more powerful than written and signed trastice of alliance. A new responsibility rests upon the people whose representatives answer to their with in shaping their treatment of foreign nations. automobile and dash off for a couple of days, returning full of energy and con-tentment. Such recreations, especially to one in my responsible position, are very am always in a thankless position, as I am conceded no independence. If I suc-ceed the whole world asks who was his "Regarding happenings which people

Right Principles in Democracy.

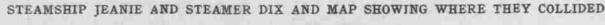
Right Principles in Democracy.

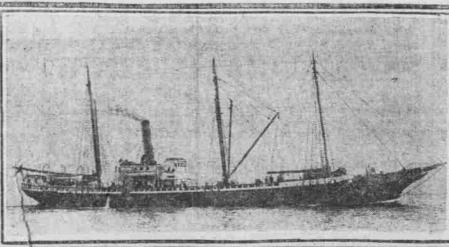
Nations have souls and consciences as truly as individual citizens. The life of the just and faithful and kindly man who is respected and beloved by his neighbors is the type of what every citizen should wish his own country to be in its relations to all other countries. To be narrow and hard, selfash and grasping, to be arrogant toward the weak and timid in maintaining the right against the strong, to be unrevilling to give kindly consideration to the rights and interests and feelings of others, to be without sympathy or helpfulness for the rest of mankind—all these things make an individual despised and hated in the community. We should take the same pains to nelp our country avoid them that we would take to avoid them curselves. The greater part of the controversies and wars between Nations arise from the tendency of the people of each Nation to assume that upon every question which arises all the right is upon their own side and to incist upon having their own way without tratuend a several country and their own way without tratuend a several country and the right is desired to be a sould be read to be a sould be a sould be right to super having their own side and to incist the right is their own way without tratuend and the right is their own way without tratuend and the right is their own way without tratuend and the right is the right in their own way without their own and the right is the right in the right in the right is the right in the right in the right in the right is the right in the right in the right in the right is the right in the people of each Nation to assume that upon every question which arises all the right is upon their own side and to insist upon having their own way without that deliberate and kindly consideration of the rights and interests of the other side of the question which a just man would give to his neighbor.

Justice as Security for Peace.

America has given to the world an example of a democracy made up of individuals capable of that self-control and self-restraint which enables the defeated contestants in a most excited political controversy to accept peacefully the judgment of the majority and leads the entire community. however deep may be its feelings, to how with respect to judicial judgments. The same spirit reinforced by the sentiment for humanity and the desire to help on the progress of civilisation, the rule of peace and justice throughout the world, may exert a powerful influence not only upon our affairs with other Nations, but upon the international intercourse of manicing Mediation and arbitration are useful methods of solving international controversies without recourse to war, but the true preventive of mar is the willingness of the people of the world to be just towards one another; the strong desire or the people of the sorid to be such cowards one another; the strong desire or the people of the sorid to be such one another; the strong desire or the people of the world to be just towards one another; the strong desire or the people of the world to be just towards one another; the strong desire or the people of the world to be just towards one another; the strong desire or the people of the world to be just towards one another; the strong desire or the people of the world to be such other. The true and final autidate for war is the just ndividual treatment of each other. The

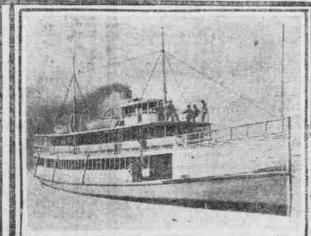
(Concluded on Page 2.)





- STEAMSHIP JEANIE -





- STEAMER DIX.