

Russia's Reply to the Japanese Terms Indicates an Early Rupture

CZAR'S MINISTER WITTE REFUSES TO MEET THE DEMANDS OF JAPAN'S ENVOY AND THE NEGOTIATIONS FOR PEACE MAY FAIL

Cession of Island of Sakhalien and Payment of a Large Indemnity are the Great Stumbling Blocks That Threaten to Put an End to Peace Conference at Portsmouth

WITTE BELIEVES PROSPECTS OF REACHING AGREEMENT ARE NIL

Russian Minister is Already Making Plans for Action When the Expected Rupture Comes—Matsumoto Declares Japanese Will Not Give Way to Single Step as to Demands

PORTSMOUTH, N. H., AUG. 11.—RUSSIA'S REPLY TO THE JAPANESE TERMS FOR PEACE CONDITIONS WILL BE DELIVERED TO BARON KOMURA AT 9:30 O'CLOCK TOMORROW MORNING. THE REPLY IS WRITTEN, THERE BEING TWO TEXTS, ONE IN FRENCH, THE OTHER IN ENGLISH. UPON THE TWO CRUCIAL POINTS, INDEMNITY AND THE CESSION OF THE ISLAND OF SAKHALIEN, THE REPLY IS AN ABSOLUTE NON-POSSIBUS. OTHER POINTS ARE ACCEPTED AS BASIS FOR DISCUSSION, WHILE STILL OTHERS ARE ACCEPTED CONDITIONALLY.

The reply is rather long, because in enumerating the conditions discussion is admitted, and in those upon which decision is declined reasons and arguments are given. The Japanese plenipotentiaries are expected to ask for an immediate adjournment to examine and prepare their reply.

Mr. Witte will probably intimate that the Russian plenipotentiaries expect the Japanese to do as much expedition as they (the Russians) have shown in the preparation of their response. Monday, therefore, is expected to be the day on which the real discussion will begin. Neither side wants to indulge in diplomatic sparring. The time for fencing is over and less than a week must decide whether a basis of peace is possible. The tactics of the Japanese are inscrutable. They have shown throughout the war their ability to guard their secrets, military, naval and diplomatic, and now not the remotest clue comes from behind their closed doors as to whether they are prepared to make substantial concessions. Silence and secrecy are their watchwords. But if the conditions as submitted constitute their last word, hope of peace may be regarded as having disappeared, if the feeling reflected in Russian circles is a true criterion. And that no substantial concessions on the main issues will be made is the belief both in Russian and Japanese circles.

Russians Gloomy.
Tonight in the inner camps of both plenipotentiaries the deepest pessimism reigns. Mr. Witte, it is positively known, believes the prospects of an agreement are so remote as to be practically nil. He has no desire to prolong the agony, and instead of fencing when the plenipotentiaries come together after the Japanese have had the opportunity to examine the

reply, there is strong reason to believe he will not only welcome, but will insist upon an immediate discussion of all the proposed basis. So optimistic is he that he has already been talking to his colleagues of his plans when the rupture comes. Before sailing for home he contemplates a brief visit to Chicago.

Know All About It.
That the Japanese terms, insofar as they touch the main points, will not be withdrawn or materially modified is the opinion of the most competent Japanese who will talk for publication, namely Mr. Juti Matsumoto, a member of the Japanese parliament, who is here as a financial emissary of Japan, and who is in close communication with Baron Komura and Mr. Takahira.

"The terms, in their broad outlines," said he, "have been substantially known to us in Japan. If Baron Komura should yield on the chief points, public feeling in Japan would be so strong that he could be overruled on his return to Japan. We must be reimbursed for the costs of the war, and we have national claims against Russia which we have never forgotten. The terms are looked upon by us as moderate. A strong party in Japan favored claiming not only Sakhalien, the Liao Tung peninsula, the protectorate over Korea and evacuation of Manchuria, but the cession to Japan of the territory around the mouth of the Amur."

RUSSIAN'S SURPRISED

St. Petersburg, Aug. 12.—3:45 a. m.—The news of the speedy completion of Mr. Witte's reply came as a surprise to the Russian public, as a delay until at least Monday was anticipated, to permit a consultation at Peterhoff. Mr. Witte's initiative and decision have evoked the admiration of the Russians, accustomed as they are to delays in matters of a similar nature.

Japan's demands, as predicted, have served to array the Russian government and people under the same banner for the first time since the beginning of the war and it is evident that Mr. Witte will find almost solid support at his back in whatever answer he may make to Baron Komura's communication.

Favored Associated Press.

The government permitted and encouraged the publication of the full Associated Press dispatches containing the Japanese conditions, which like a fiery cross rallied Russia's disunited clans, Beate-Jonary, Conservative Liberal and Radical. With scarcely an exception every voice is raised in urging the government to hold out against Japan's principal demands.

IN A HURRY.

Washington, Aug. 11.—The cruiser Gayevston, which arrived in Hampton Roads, Va., this evening, is taking on coal under hurry orders, preparatory to taking a trip to Santo Domingo.

ALDERMAN'S REMARKS SHOULD HAVE RAISED BLUSH OF SHAME SAYS BAILEY

McGregor, Tex., Aug. 11.—United States Senator Joseph W. Bailey was the speaker at the Confederate reunion here yesterday, his subject being a defense of the south. His father was a Confederate and his grandfather a Federal soldier, being in battle against each other. Among other things, Senator Bailey said: "I have been pained within the past few months to learn that a southern man, seated on the presidency of the University of Virginia

should speak disparagingly of southern traditions." He remarked that the Virginia university, being founded by Thomas Jefferson and being in a state with such a reputation as Virginia, should of all educational institutions be expected to teach the truth about the south. But Dr. Alderman, at a banquet in New York, had made a speech which, Senator Bailey declared, should have caused a blush of shame to mount to the cheek of every southern man at the table.

TRIUMPH FOR THE ASSOCIATED PRESS

Portsmouth, Aug. 11.—One of the biggest features of the day at the Wentworth hotel was the publication of the Japanese terms by the Associated Press. Efforts were made to discredit their authenticity, but neither the Japanese nor Russians would discuss the subject, and before midnight all those interested became convinced of their accuracy. Both Mr. Sato and Mr. Korostovitz, the spokesmen of their respective sides, declined to say anything officially about the terms, which, by mutual agreement, were to be kept secret, but Mr. Korostovitz, in the name of Mr. Witte, did not hesitate to confirm the accuracy of the Associated Press statement this evening that the Russian reply was completed and would be delivered tomorrow morning. He even went to the extent of saying that it would be an agreement on some points, conditional agreement on some and rejection of some of the terms. He also took occasion to confirm the statement that Mr. Witte had received no instructions from St. Petersburg regarding the nature of the reply to be given, as his powers were ample.

REYES DECLINES TO LEAVE HIS COUNTRY

San Antonio, Tex., Aug. 11.—A special to The Daily Express from the City of Mexico says: General Bernardo Reyes will not go to Germany as minister for Mexico to that country in a wardrobe with plans made some time ago. He has positively declined to accept the post and leave Mexico. As far as is known he will continue as governor of the state of Nuevo Leon.

General Reyes is the first Mexican in many years to decline a post selected for him by President Diaz.

FIGHTERS IN GREAT DANGER

One Eminent Surgeon Now Numbered Among Fever Sufferers

SPREAD OF DISEASE IS BEING CHECKED

Thought That Some Progress Is Being Made In Fight at New Orleans

YESTERDAY'S RECORD.

New Orleans, Aug. 11.—Official report to 6 p. m.
New cases, 61; total cases to date, 808. Deaths 9 total to date, 133. New subject, 12; total to date, 163.

New Orleans, Aug. 11.—The day's record is something of an improvement over that of the day before, both as to new cases and new points of infection, and is taken as an encouraging sign. A large majority of the subject are above Canal street, one of them being in Carrollton. The proportion of Italians is much larger than the day before.

The fact that Assistant Surgeon G. M. Berry of the marine hospital service is now down with the fever has not dampened the ardor of his colleagues. Those who have never had the fever, while they take every possible precaution against it, know that being thrown continuously into buildings which may be harboring infected mosquitoes, they run a good chance of being bitten at one time or another, so they expect to get it. Dr. Berry, since his arrival here ten days ago, has been working right in the midst of the central focus of infection, and has done yeoman service there. He had a high fever tonight, but, as his physical condition is good and as he has youth on his side, the chances are all in his favor. Surgeon White has put the district headquarters in operation and assigned a contract surgeon and assistant surgeon to each.

Must Hold Bananas.
Surgeon White will not allow any bananas to be shipped out of here to any of the southern states. Cargoes of fruit are coming in here, but they

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PAGE IS NOT TO BE FIRED

Alderman Fitzpatrick's Black-mailing Charges Were Not Proved

ALDERMAN, HOWEVER, IS HIGHLY PRAISED

His Desire to Have a "Clean" Police Force Recognized by Board

The final chapter of a rather sensational investigation that has been going on under the direction of the police committee of the board of aldermen for the past month, and which has been considered at several meetings of the board of aldermen in executive session, was written last night at the regular open session of the board. It had to do with the charges of attempted blackmail made by Alderman Fitzpatrick against Patrolman Page of the local police force, and as the matter now stands the charges will probably be allowed to drop on account of the impossibility of obtaining the testimony of two material witnesses, who are not within reach of the investigating committee.

Fitzpatrick Praised.
The report on the matter, filed last night, recognizes Alderman Fitzpatrick's pure motives in bringing the charges against Patrolman Page and commends him for his apparent desire to have none but the best men on the police force, but adds that the evidence advanced is of itself insufficient to warrant the committee in recommending Mr. Page's removal. This report was unanimously adopted, with one amendment.

The report set forth that Alderman Fitzpatrick himself admitted that the evidence was insufficient to warrant a removal and that he did believe Page was guilty of the attempted blackmail charged. This statement Alderman Fitzpatrick denied stoutly last night when the report was submitted, although Mayor LaFollette said it was his recollection that this remark was made to him in a conversation with the alderman, the report was amended to remove the objectionable feature.

The Charges.
The charges against Patrolman Page were made several weeks ago by Alderman Fitzpatrick, who asked for an investigation. He charged that the patrolman, several months ago, conspired a scheme by which he intended to get the alderman and ex-Chief of

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TEXAS MOB BURNS NEGRO ACCUSED OF ATTEMPTED ASSAULT AT THE STAKE

KOMURA IS IN PREDICAMENT

His Credentials do Not Give Him Powers Equal to Those of Witte

RUSSIAN ASKS FOR A CERTIFIED COPY

Remarkable State of Affairs Exist Which Must be Cleared Away

Portsmouth, N. H., Aug. 11.—A very remarkable state of affairs exists regarding the credentials of the Japanese plenipotentiary, and the end is not yet. Notwithstanding yesterday's statement that with the exchange of credentials all differences on that point had been removed, the Associated Press learns authoritatively that the matter is still at issue.

After the failure of Baron Komura to produce his credentials at the first session on Wednesday an English copy was communicated to Mr. Witte with the statement that it was a copy, but the paper was in no wise attested. At yesterday's session Baron Komura submitted the original in Japanese, but, of course, no member of the Russian mission could read it. Mr. Witte's credentials, on the contrary, while in Russian were accompanied by a certified copy in French, which bore the signature of Count Lamedorff, the Russian minister of foreign affairs. Mr. Witte has returned to Baron Komura the copy of the latter's credentials in the expectation that he would forthwith receive an attested copy of the translation, but up to noon today he had received nothing.

Delicate Point.

The difference in the powers conferred upon the two sets of plenipotentiaries also raises a very delicate point and one of the greatest moments. In the Russian credentials the emperor of Russia pledges his word of honor to sign any treaty which receives the approval of Mr. Witte. The power conferred upon Mr. Witte to negotiate and conclude a treaty of peace is absolute. Baron Komura's credentials, on the contrary, specifically provide that any treaty negotiated by Baron Komura must receive the imperial ratification of the emperor of Japan. This divergence in the character of the credentials is so vital that Mr. Witte has communicated to Baron Komura an official diplomatic note wherein he notifies the Japanese plenipotentiary that while he stands ready to exercise the full powers conferred upon him, in view of the limitation placed upon the powers of Japan's chief negotiators, he regards it as only proper that he should consider his powers limited in the same way. In other words, unless the powers of Baron Komura are increased to make them co-equal with those conferred upon Mr. Witte, Emperor Nicholas will have the right to ratify or reject any treaty that is negotiated.

Victim of "Orderly Crowd" Saturated With Oil and Roasted to Death

MOB STANDS BY; WATCHES IT WORK

Negro Charged With Attempting Criminal Assault on Young White Girl

Sulphur Springs, Tex., Aug. 11.—Tom Williams, a mulatto negro, made an attempt to assault a young white girl in a pasture near this town about 6 o'clock this morning. Three hours later he was a blazing mass in the public square at Sulphur Springs. The whole proceeding was as orderly as such proceedings ever are. There was no excitement and the lynching was participated in by several hundred people. In less than four hours after the assault the tragedy had ended and the town had returned to its accustomed vocations, and the incident was over.

Attempted Assault.

On a farm about two miles southwest of town Mary Childs lives with her mother and sisters. About 6 o'clock this morning she started, as was her wont, to the pasture to drive up the cows to the milking lot. She had found the cows and was returning with them when Williams accosted her. He took hold of the girl and the latter realizing her predicament told the negro he had better release her, as her sisters were near by. This evidently frightened the negro, and the girl seeing that he hesitated, set up a scream, and Williams loosened his hold on her and ran off as fast as he could. The girl made her way home and told what had happened.

Posse in Pursuit.

Officers and a posse started after the negro and he was soon caught about a mile and a half east of town. He was taken at once to the scene of the attempted assault and was fully identified by his intended victim, who told in detail of her experience with him. The mob took the negro away from the officers.

When the mob arrived at the public square the tools of its trade were provided. From his head to his heels the negro was saturated with oil. A match was applied to the feet and a blaze shot high into the air. The mob stood by and watched the flames devour the man. The fire was kept going for a while, but it soon burned itself out and the body was cut down. Then more oil was poured on it and the blaze started afresh. The body was almost incinerated. Then the mob dispersed and in half an hour no sign remained of the grewsome tragedy that had been enacted, nor of the victim whose death had been compassed so quickly after his crime.

The relatives of the man were permitted to take what was left of the body. They scraped up the remains and took them away. Later they will be buried by them.

MANGLED BODIES FOUND IN WOODS

Jacksonville, Fla., Aug. 11.—Samuel Simmons, a wealthy naval stores and small man, and his son, Eli Simmons, were both shot and killed about fifteen miles from here today by Thomas Hiler, who enters the plea of self-defense. The bodies of father and son were found in the pine woods near the public road. The elder Simmons was shot through the heart by a full charge of buckshot and his heart was found on the ground about a foot from the body, having evidently been torn out by hand after the shooting. There were several bullet wounds in the body of Eli Simmons. He was also shot in the back with a charge of bird shot.

RUHLIN WINS.

San Francisco, Aug. 11.—Gus Ruhlman tonight knocked out Jim McCormick in the eighth round.

NEW YORK LIFE FIRST TO HAVE INSPECTION

New York, Aug. 11.—Insurance Commissioner Folk of Tennessee announced today that an interstate examiner of life insurance companies would commence on October 1. The New York Life is to be the first examined.

The announcement was made after a conference between the insurance commissioners of Kentucky, Minnesota, Wisconsin, Nebraska, Louisiana and Tennessee and President John A. McCall of the New York Life Insurance company.

ROOSEVELT GREETED AT CHAUTAUQUA BY 10,000 WAVING HANDKERCHIEFS

Chautauqua, N. Y., Aug. 11.—"Let us give President Roosevelt the Chautauqua salute at its best." With these words Bishop John H. Vincent today closed his brief introduction of the president to the Chautauqua assembly. Instantly 10,000 white handkerchiefs fluttered in the air over the heads of the vast audience in the great amphitheater. It was an inspiring and beautiful sight and as President Roosevelt stepped forward smilingly the audience broke as one person and cheered enthusiastically.

The president was escorted to the assembly platform by Bishop Vincent. The great audience rose and cheered for a full minute. Under the lead of the fine pipe organ the chorus and the audience sang "The Star Spangled Banner" and then at the request of President Roosevelt "Dixie" was sung amid great enthusiasm.

The president spoke for nearly one hour, and after the singing of "America" by the audience he at once started for his carriage, receiving a great ovation.



CALLED BACK.