

JAPS KILLED

Report of Two Skirmishes in Which There Were Casualties

NAVAL CAMPAIGN

A Conference at Imperial Headquarters in Which the Recent Operations of the Navy Were Discussed

St. Petersburg, April 6.—All is quiet on the Yalu, is the report which General Kachitinsky telegraphed April 5 to General Kurapatkin, who forwarded the message to the Emperor.

The report added that an exchange of shots occurred between Russian and Japanese skirmishers near Wiju. The Russians sustained no losses. Five Japanese were killed. The number wounded is not stated.

The stores of a Russian village near Yungnam (south of Wiju), Korea, have been wrecked and burned by a detachment of Japanese infantry, numbering three hundred men.

General Kachitinsky also reported that opposite Turmitchen, on the island of Matuzoo, on the Yalu river some Russian volunteers had a skirmish with a Japanese outpost from Wiju. There were no casualties on the Russian side. Six Japanese were killed.

Japanese Naval Programme Discussed. Tokyo, April 6.—A conference was held at the imperial headquarters before the throne, at which Lieutenant General Kuroki, minister of war, the Admiral Yamamoto, minister of the navy, and other high officials were present.

The Helena Arrives at Shanghai. Washington, April 6.—The navy department today received a cablegram from Commander Mason of the Cincinnati at Shanghai, announcing the arrival there today of the gunboat Helena from New Chwang.

Wounded Soldiers at Vladivostok. Vladivostok, April 6.—Many wounded men from Port Arthur have been brought here. They are receiving the greatest attention from the numerous volunteer sisters of mercy.

Money for the War Fund. St. Petersburg, April 6.—The scheme for raising retrenchments in the expenditure in consequence of the war was gazetted today. It is proposed to devote the "free balance" in the imperial treasury to war purposes and to increase the funds in the treasury by economies in the budget of 1904, especially in the civil estimates.

All Quiet at Port Arthur. Port Arthur, April 6.—The Russian battleship Peresviet reports that she sighted the enemy today in Kwan Tung waters. All is quiet here.

Times Vessel Held Up by the Bayan. London, April 7.—The Times correspondent who is cruising in the vicinity of Port Arthur, calling concerning the ship, says it was the armored cruiser Bayan, flying the flag of Vice Admiral Makarov, which chased and later sank her.

An Appeal for Two Japanese. Washington, April 6.—Secretary Hay will request Ambassador McCormick at St. Petersburg to use his good offices with the Russian government in behalf of the two Japanese servants of the American correspondents, Washburn and Little, who were removed from the British steamer Pawan at New Chwang and thrown into prison.

Views of Emperor of Korea. Port Arthur, April 6.—The Associated Press correspondent has had an interview with a high personage closely connected with the emperor of Korea, who left his native land because of the administrative reforms introduced through the influence of the Japanese.

Apparently reflecting the views of the Emperor this personage said: "I saw the Japanese action. It is an attempt to apply to Korea the policy which the British have adopted in India. My country has reason to sympathize with the Russians, knowing the justice of their policy toward the natives of Amur, where many Koreans labor."

Several Russian War Vessels at Cherbourg. Cherbourg, France, April 6.—A Russian naval division, including the battleship Oslabiya, the cruiser Aurora and four torpedo boat destroyers, arrived here today and exchanged salutes with the forts.

Skirmish in Which Ten Were Killed. Mukden, April 6.—In a skirmish between frontier guards and Chinese bandits April 2nd, at a point on the Southern section of the railroad, three guards were wounded and ten bandits were killed and twenty were wounded. A force has been dispatched in pursuit of the bandits.

GEORGE JUDGE ARRESTED. Evidence of His Incendiarism is Complete—Freight Wreck on the Southern. (Special to The Messenger.) Raleigh, N. C., April 6.—Insurance Commissioner Young has returned from Rocky Mount, where he secured an important arrest, that of George Judge, fire bug, a native of Wilmington, Commissioner Young said: "Judge set fire to many buildings at Wilmington, but we could never get enough evidence there against him. He fled to Rocky Mount, under an assumed name. The evidence of his incendiarism at Rocky Mount is direct and complete. It is believed he started as many as six fires at Rocky Mount, including those at large warehouses."

The monthly bulletin of the State Board of Health reports smallpox in thirty-seven counties, and says there are 300 cases in Robeson, where the type is mild. This morning there was a freight wreck on the Southern Railway at a bridge across Walnut Creek, a mile south of here. A train of sixty empty flat cars was coming into Raleigh when a truck came way and six cars were derailed, these being towards the rear of the train. No one was injured. It required several hours to clear the track and the eastbound train was delayed.

BASE BALL. Augusta, Ga., April 6.—A special to The Chronicle from Athens, Ga., says: University of Alabama beat University of Georgia, two games of base ball here today. Anderson, of Georgia, pitched eighteen innings, struck out twenty-two men and allowed one hit in each game. Errors by teams lost both games.

At Charlottesville, Va.—University of Pennsylvania 7, University of Virginia 1. At Washington—Georgetown University, 20; St. Paul's school of Garden City, L. I., 1.

At Philadelphia—Philadelphia, Americans, 14; Philadelphia, Nationals 6. At Annapolis—St. John's college 15, Franklin and Marshall 6. At St. Louis—St. Louis, National 6, St. Louis, American 2.

At Birmingham—Southern 0, Beton, Nationals 8. The Pennsylvania Republicans. Harrisburg, Pa., April 6.—Former Attorney General John P. Elkin, of Indiana county, was nominated unanimously for Supreme court justice today by the Republican state convention.

Governor Samuel W. Pennypacker, James Elverson, of Philadelphia, O. D. Bleakley, of Franklin and Francis L. Robbins, of Pittsburgh, were elected delegates at large to the national convention and instructed to vote for the nomination of President Roosevelt.

\$500,000 Gift to Johns Hopkins Hospital. Baltimore, April 6.—John D. Rockefeller has given to the Johns Hopkins hospital the sum of \$500,000 and the amount has been accepted by the board of trustees of that institution. The income of the hospital was seriously affected by the destruction of many houses belonging to it in the recent fire, upon which there was inadequate insurance. The expressed purpose of Mr. Rockefeller's gift is to restore that income to its original proportions, which will enable the hospital to keep up the great volume of charitable treatment which it has maintained in the past.

Monument to General Mercer. Washington April 6.—Secretary Taft has approved with a few minor modifications, the design submitted by Edward B. Valentine, of Richmond, for the monument to the memory of General Hugh Mercer, a revolutionary hero, which is to be erected at Fredericksburg, Virginia, in accordance with an act of congress appropriating \$25,000 for the monument.

Restriction on Philippine Squadron Withdrawn. Washington April 6.—The following bulletin was posted at the navy department today: "The restriction on the battleship squadron of the Philippines has been withdrawn and the commander in chief authorized to permit his squadron to cruise at discretion, not going north of Fuchau on the Asiatic coast."

Root and Cannon to be Chairmen. Washington, April 6.—Former Secretary Root will be temporary chairman and Speaker Cannon permanent chairman of the Republican convention at Chicago. This is in accordance with the conclusions of leading Republican politicians in Washington and it is understood the arrangement meets with the approval of those in other parts of the country who have been consulted.

GOES TO JAIL

Senator Burton Sentenced to Prison and to Payment of Fine

CASE APPEALED

Senator Burton Was Sentenced to Six Months Imprisonment and to a Fine of \$2,500.—In Passing Sentence, Judge Adams Says the Verdict Shows That the Law is Equal to Any Emergency and That it Can be Administered Regardless of the Personality and Position of the Accused.—A Bill of Exceptions Filed and Case to be Appealed. St. Louis, April 6.—United States Senator J. R. Burton, was today sentenced to six months imprisonment in jail and a fine of \$2,500 for using his influence before the post office department in behalf of the Rialto Grain and Securities Company, of St. Louis, and for having received payment from the company for his services.

When Senator Burton, accompanied by his attorney, came into the United States district court, Judge Adams spoke of the motions that had been filed for a new trial and for arrest of judgment. The court, after briefly reviewing the motions, overruled them both. The court then said to the defendant: "Have you anything to say as to why sentence should not be passed upon you?"

Evidently suppressing his emotions with a strong effort, Senator Burton stood leaning with both hands on a chair back as he said: "Your Honor will please allow me to respectfully decline to say anything."

The court room was almost empty, with the exceptions of a few persons who had remained out of curiosity and the silence was almost oppressive as Judge Adams, in a low tone, began delivering the sentence. The court said: "I am satisfied that the jury reached the just and true result. The evidence abundantly warranted their verdict and I find no reason, either in the law governing the case or in the proceedings attending the trial for disturbing it."

"Your exalted station in life, and the character of your offence, give unusual significance to your conviction. It demonstrates that the law of the land is equal to any emergency and that it can be administered regardless of the personality and station of the accused. It also demonstrates to all the people that public office cannot be prostituted to self-serving purposes, and that public office is not a sure or safe pass port to private life."

"The humiliation attending your conviction and the salutary disqualifications resulting therefrom which forever incapacitate you from holding any office of honor, trust or profit under the government, and the punishment, for your offenses, and leave but little in the way of severity which could be added.

"It is neither my pleasure nor purpose to impose any unnecessary punishment. I think the majesty of the law will be sufficiently vindicated and the public welfare sufficiently safeguarded by imposing a single sentence, warranted as it is on any one of the six counts of the indictments on which you were convicted.

"This sentence will be that you be confined in the Iron county jail for a period of six months, and that you pay a fine of two thousand and five hundred dollars."

At the conclusion of the sentence, Senator Burton who had not taken his eyes from the court and who had scarcely moved as he supported himself on the chair back, turned and sat down, with his head bowed and his eyes on the floor. His attorney, Judge Krum, immediately filed a bill of exceptions in the case and offered a bond for \$10,000, which was accepted.

Senator Burton declined to discuss the sentence. The case now will be appealed to the United States district court of appeals.

Don't Know What to do With the Cotton. New York, April 6.—Commissioner Alexander today adjourned until tomorrow the hearing on the matter of the cotton held as collateral by the Corn Exchange bank in the Sully bankruptcy proceedings. The question at issue is what is to be done with the surplus, when the bank sells the cotton. Notification from Commissioner Gardner, of Providence, R. I., to hold the surplus for P. W. Reynolds, complicated matters and the bank applied to Commissioner Alexander to straighten them out. Mr. Sully is president of the Reynolds corporation.

A Schooner Ashore. Lewes, Del., April 6.—The life saving station at Cobb's Island, Virginia, reports that the schooner Senator Aulsebrook, of Gloucester, is ashore one mile southeast of that station. The vessel is in good condition.

THE FOSS BILL

Bishop Spalding Urges Plan of Arbitration it Provides

TO END DISPUTES

Bishop Spalding Approves of the Plan For a Permanent Board of Arbitration—Its Province Would be to Settle Disputes as to Hours, Treatment and Pay of Employees by the Employer—Condition Between Capital and Labor is Not Improving—He Does Not Think There is Any Class of Employers in America Who Deliberately Do Their Men Wrong. Washington, April 6.—Bishop Spalding of Peoria, a member of the anthracite coal strike commission, today urged the plant of arbitration contained in the Foss bill before the House committee on labor. The bill provides for a permanent board of arbitration, to which shall be referred disputes between labor and capital.

Bishop Spalding said it was not his opinion that the proposed tribunal would ever be called on to determine the question of what is a legitimate profit on the investment of capital. Its province would be to settle disputes as to hours, treatment and pay of employees by the employer. A fair wage he said, was determined in the soft coal mines of the west by the condition in the mines and the cost of living. Where a business did not permit of a living wage, according to the American standard of living, that business ought to close up, declared the bishop.

"I would say," he continued, "as Sherman said of war, that the strike is hell."

Men who had been out on strike went back to work injured morally, and not the same men. The children of strikers had been taught to taunt children of other workmen. The condition between capital and labor was not improving, he said, although he believed the anthracite coal strike commission had accomplished good results. He mentioned Colorado, San Francisco and Chicago. The conditions were blocks to bettering the general conditions of the country.

Asked if he did not think that conditions were improving as to lawlessness, Bishop Spalding said that it did not seem so to that extent. He said the riotous conditions during the anthracite strike were not as bad in this respect as the newspapers had made them, although there was picketing and always would be violence in strikes.

"I don't think there is in America any class of employers who deliberately do their men wrong," declared Bishop Spalding.

MORMONS IN CONFERENCE

Declaration by President Smith on the Subject of Polygamy. Salt Lake City, Utah, April 6.—The seventy-fourth annual conference of the Mormon church came to a close today. According to the custom of the church, the church leaders, including the first presidency, the apostles, president of the seventies and patriarchs, who nominally hold their positions only from conference to conference, were sustained by the raising of hands in the great open meetings of the followers of Joseph Smith.

A notable feature of the closing session was the official declaration by President Joseph F. Smith on the subject of polygamy. The statement follows: "Inasmuch as there are numerous reports in circulation that plural marriages have been entered into contrary to the official declaration of President Joseph F. Smith, of September 26, 1890, commonly called the manifesto, which was issued by the church at its general conference, October 6, 1890 which forbids any marriage in violation of the law of the land, I Joseph F. Smith, president of the church of Jesus Christ of Latter Day Saints hereby affirm and declare that no such marriages have been solemnized with the sanction or consent or knowledge of the church of Jesus Christ of Latter Day Saints, and I hereby announce that all such marriages are prohibited and if any officer or member of the church shall assume to solemnize or enter into any such marriage, he will be liable to be dealt with according to the rules and regulations thereof and ex-communicated therefrom."

This statement received the full endorsement of the church members assembled, who unanimously adopted the following resolution, introduced by Apostle Francis M. Lyman: Resolved, That we, the members of the Church of Jesus Christ of Latter Day Saints, in general conference assembled hereby approve and endorse the statement and declaration of President Joseph F. Smith, just made to this conference, concerning plural marriages, and will support the courts of the church in the enforcement thereof.

FIRE IN THE SUBWAY

For a Great Fifty Laborers Were in Traffic on Lower Broadway, near St. Paul's Chapel, was blocked today by a small fire in the new subway, the volumes of smoke that poured through the few openings to the street driving pedestrians away and making difficult the work of the firemen, who were called out in large force because of the location of the fire. Telephone and telegraph service were badly crippled as a result.

The fire was started by the flaring up of a small "banjo lamp," used by the laborers in their underground work, the burlap that covered some of the pipes along the sides of the subway catching fire, the blaze spreading to the temporary timbering of the tunnel. This was damp and a dense smoke resulted, soon filling the nearby workings of the subway and pouring out into the streets above. For a time fifty or more laborers were penned in and in dire peril. A few minutes hard work by axes made an opening a block away and the laborers were helped out to safety.

Through the regular opening into the subway beside St. Paul's chapel and from openings made from the cellars of buildings adjoining the subway, a flood of water was poured on the burning fire and within half an hour the blaze was extinguished and traffic on the street soon afterwards resumed.

DIED FROM SUFFOCATION

Five Persons Are Dead as Result of Fire at Mt. Vernon. Mount Vernon, N. Y., April 6.—Five persons are dead and another is dying as the result of a fire that occurred today in the Columbia hall building, a metal sheathed three story structure located in Wilson place.

The dead are Nathan Frey, 66 years old, Isadore Frey, 12 years, Henry Frey, 3 years, Gussie Dohng, 10 years, a cousin of Mrs. Rebecca Frey. Mrs. Frey is dying in a hospital. The first floor of the building was occupied by the Columbia Piano Company, on the second floor was Columbia Hall, with anterooms and on the third were apartments occupied by the Frey family and Lavien families. The flames spread through the top floor with great rapidity. The inmates were aroused by the smoke and heat and all endeavored to make their escape but the members of the Frey family were overcome before any of them could even reach windows on the third floor and were brought down ladders by the firemen.

All the dead were more or less burned, but their deaths probably resulted directly from suffocation. The property loss is stated at about \$30,000.

CARE OF THE INSANE

Board of Directors of the Central Hospital in Session. (Special to The Messenger.) Raleigh, N. C., April 6.—The board of directors of the Central Hospital for Insane here met today. President Biggs was absent by reason of sickness. R. H. Stancill, L. J. Picot and S. O. Middleton were elected as the executive committee. W. H. Crawford, Jr., was re-elected steward, C. L. Jenkins and T. B. Farebee, were re-elected assistant physicians and in their stead, a discussion of the overcrowded condition of the hospital and its inability to care for all the insane in the eastern district. The executive committee and Superintendent James McKee were directed to visit the directors of the western hospital now in session at Montgomery and confer with them. The committee left for Morganton this evening.

In February Superintendent Murphy of the Western Hospital came here to have a preliminary conference with Superintendent McKee regarding this important matter. As a result a number of insane patients from this district have been sent to the Morganton hospital.

NEW TAR HEEL SOCIETY

North Carolinians in the Philippines Have Organized. Raleigh N. C. April 6.—Governor Aycock today received a letter from Manila, saying North Carolinians had organized the North Carolina Society of the Philippines, with L. B. Alexander (formerly adjutant 1st North Carolina Regiment, U. S. Volunteers) president; J. T. Harvell, secretary. Other members being P. E. Strowd, R. F. Clayton, Althe Drake, E. W. Malone, A. J. Cassidy, Lieutenant Charles Wilcox, S. F. Drake, J. H. Burwell, H. O. Smith, Alex. Jones, H. J. Welch, Major Thad W. Jones, Lieutenant Calvin D. Cowles, Emmett C. Gudger, U. S. Navy, M. E. Mitchell, S. F. Smith, A. A. Brown, O. H. Padden, J. W. Chesborough, J. B. Barham, Alfred T. Smith, A. A. Mathews, R. E. Wallace, William N. Ray. The society was permanently organized February 22nd. A letter to the governor is signed "Tar Heel" and says his health was drunk at a banquet which followed the meeting and all present declared they were his staunch supporters. The governor is delighted at the formation of this society.

Postmaster General Payne Leaves For Old Point Comfort

Washington, April 6.—Postmaster General Payne left here tonight on the Norfolk boat for a period of recuperation at Old Point Comfort, Va. Though considerably better than he has been since his illness first confined him to his bed, he is far from being a well man. It is hoped that the seashore air will benefit him. Accompanying Mr. Payne, were Mrs. Payne, Miss Jones, his niece and maid.

PURE FOOD

Mr. Heyburn Speaks in the Senate Against Adulteration

ITS NECESSITY

A Large Proportion of Foods, Drugs and Liquors Are Adulterated—Amendment for Grading the Salaries of Rural Free Delivery Carriers Was Considered—In the House, Several Bills Relating to the District of Columbia, One Inaugurating the Carnegie Institute, and the Bowman Omnibus Claims Bill, Were Passed. Washington, April 6.—After waiting with much patience for many days, Mr. Heyburn today found opportunity to speak to the Senate on the subject of pure food. Technically the speech was in support of a resolution calling upon the secretary of agriculture to send to the Senate the results of the investigation made by his department into adulterated foods, but in reality it was in support of the pure food bill.

Mr. Heyburn contended that a very large proportion of foods, drugs and liquors were adulterated. The physicians of the country want the legislation, he said, because under existing conditions they cannot have their prescriptions filled as they wish. They often secure effects exactly the opposite of those intended. Out of fourteen samples of drugs advertised, 13 were found to be rancid. More than 50 per cent of the patent medicines, Mr. Heyburn said, deleterious to health while a large per cent were absolutely poisonous.

Mr. Heyburn also referred to the practice of keeping meats in cold storage, saying that they are often held for years while after three months they are deleterious.

The greater part of the remainder of the day was devoted to the considerations of Mr. Quarles amendment for grading the salaries of rural free delivery carriers, and it was then declared out of order. The committee amendment bearing upon the salaries of carriers and regulating their service for private individuals was accepted. This provides a salary of \$720 a year and allows carriers to deliver merchandise and periodicals for hire under certain restrictions.

Both Messrs. Quarles and Dolliver predicted that this "Huckster" system would lead to serious scandal unless great caution were exercised. Mr. Latimer opposed the restriction upon the carrying of packages and addressed such a modification of the amendments as would grade the salaries paid according to the length of the route traversed.

The postoffice appropriation bill was still before the Senate when it adjourned.

THE HOUSE

Washington, April 6.—In a five hour session the House today passed seven bills relating to the District of Columbia, one inaugurating the Carnegie Institute, passed the Bowman Omnibus claims bill, carrying approximately \$228,000, for the payment of small claims; agreed to the bill insistent on its disagreement to an amendment in that bill providing for the purchase of a submarine boat. The Alaska delegate bill was taken up. Mr. Cushman of Washington, opened the discussion with a lengthy speech on the measure setting out the necessity of the territory in the way of representation in Congress.

During the debate on the fortification appropriation bill, Mr. Hill (Conn.) spoke in favor of a provision of \$250,000 for a submarine boat. Mr. Rixey (Va.) interjected into Mr. Hill's speech the statement that the secretary of the navy said before the naval committee that the people behind the boat provided for in the fortifications bill, had not offered to put their boat in competition with other submarine boats.

"Well, the secretary of the navy is mistaken, that is all!" declared Mr. Hill, or else the gentleman from Virginia is mistaken he added. Mr. Rixey read from the hearing before the committee where the secretary said that the competition was delayed at the request of the promoters of the new boat.

Mr. Hill was positive that the delay was at the request of the promoters of the old boat. Mr. Rixey followed with an expression of surprise at the speech of Mr. Hill. He said Mr. Hill had appeared before the naval committee in advocacy of the purchase of the new boat at \$117,000 "Now" said Mr. Rixey, "he is asking \$250,000 for the boat. Why does he raise the price?"

The House voted for further conference on the provision and after discussing the Alaskan delegate bill, adjourned.

Boers on the Way to St. Louis. Newport News, Va., April 6.—General Cronje and two hundred Boers, accompanied by 120 British soldiers, who saw service in the Boer war, fifty women and children and twenty Kaffirs and Zambesis, arrived here this afternoon on the steamship Doune Castle from Cape Town, via St. Vincent, Cape Verde islands. The burghers in the party were with Cronje at Paardeburg. General Vilejeon awaits the party at St. Louis to which point the exhibit is now being moved by the Chesapeake and Ohio Railway by special train.