

VOLUME LXXXVIII.—NO. 80.

CONVENTION OF MINERS.

Delegates Complete Their Labors and Adjourn Sine Die.

CONGRESS TO BE ASKED TO BUILD IMPOUNDING DAMS.

Resolutions Adopted Requesting the State Legislature and Federal Congress to Use Their Best Efforts to Secure the Early Completion of the Nicaragua Canal Under the Auspices of the National Government.

The Convention Addressed by Governor-Elect Budd and Congressman-Elect Johnson.

Special to the RECORD.—UNION.

SAN FRANCISCO, Nov. 21.—It was 10 o'clock before the Miners' Convention was ready for business, though the adjournment was made to 9 a. m. President Neff remarked that an address from Congressman-elect Grove L. Johnson had been on the programme this morning, but as the hall had to be relinquished at 12 o'clock noon, he feared that there would scarcely be time for the dispatch of the necessary business.

The report of the committee on Legislation was first called for and read by State Senator Ford, and, on motion of Judge Belcher, ordered adopted by a unanimous vote. The report proceeds as follows in relation to hydraulic mining:

Your committee would suggest an amendment to the Code of Civil Procedure in this State to the effect that in all civil actions in which a temporary injunction is issued at the time of filing the complaint, such injunction shall be dissolved at the expiration of one year unless the party in whose service thereof unless the parties to the action consent to its continuing in force for a longer time, or unless the action be set for a hearing upon its merits.

Your committee would further recommend that the following Act be presented to Congress and its passage urged:

"An Act to appropriate money for the construction of works to impound mining debris, and thereby to protect the navigable streams of California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled: "Section 1. That there is hereby appropriated out of any money in the Treasury not otherwise appropriated the sum of \$1,000,000, which sum shall be expended under the direct supervision of the Secretary of War, in accordance with the plans, specifications and recommendations of the California Debris Commission, authorized by the act of Congress entitled 'An Act to create the California Debris Commission and regulate hydraulic mining in the State of California,' approved May 10, 1889, for the purpose of constructing works for the restraining and impounding of mining debris upon the tributaries of the Sacramento and San Joaquin Rivers in California and the branches of such tributaries.

"Section 2. Whenever any such works for the restraining and impounding of mining debris shall have been constructed, or shall have reached such a stage as, in the opinion of said commission, it shall be expedient to use the money provided by this commission to make the order provided for in section 13 of said Act (relative to the issue of permits to mine by hydraulic process) applicable to the same, being first had and taken in accordance with the provisions of Sections 9, 11 and 12 of said Act, but in such cases the orders shall not be bound by the proviso to said section 13 of said Act, nor by the provisions contained in section 16 thereof.

"Section 3. The said commission shall also have the power to make the order provided for in section 13 of said Act as to any mine or mines wherever it shall appear to be necessary to give effect to the purpose of this commission, and in any case other than the means already provided by nature to protect from material injury the navigable streams of California, in said Act and the land adjacent thereto, upon proceedings had in accordance with sections 9, 10 and 12 of said Act.

Your committee further recommends that section 22 of an Act entitled 'An Act to create the California Debris Commission and regulate hydraulic mining in the State of California,' approved May 10, 1889, be amended so as to read as follows:

"Section 22. That any person or persons who willfully or maliciously injure, damage or destroy, or attempt to injure, damage or destroy any dam or other work erected under the provisions of this Act for restraining, impounding or settling purposes, or for any other purpose therewith, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed the sum of \$500 or be imprisoned not to exceed one year, or by both such fine and imprisonment, in the discretion of the court, and any person or persons, company or corporation, who shall be guilty of such offense, shall be liable to the same penalties as shall be imposed upon any person or persons who shall be guilty of such offense, and upon conviction thereof shall be punishable by a fine not exceeding \$500.

On motion of the Secretary of Nevada, the following resolutions were adopted, demanding the early completion of the Nicaragua Canal under Government auspices:

"WHEREAS, The early completion of the Nicaragua Canal, under the auspices of the Government of the United States, substantially as provided for by the so-called Morgan bill, now pending before Congress, is a measure of very great importance to all the industries and interests of the country, and especially so to the Pacific Coast States and Territories; now, therefore, be it

Resolved, That our State Legislature and our Federal Congress be memorialized and urged to use their best efforts to secure the earliest possible enactment of laws to enable and insure the early building of the Nicaragua Canal.

"Resolved, That the Secretary of the Convention be requested, and it be made his duty, to properly bring this resolution to the attention of our Legislature and of the Congress of the United States.

President Neff then announced the appointment of ex-State Senator C. W. Cross, E. H. Benjamin and Thomas C. Merrill as delegates from the Miners' Association to the Transmississippi Congress, which assemblies in St. Louis next Monday.

On motion of Fulweller of Placer County the Chair requested the following committee of five to formulate plans for a Miners' Bureau, to furnish trustworthy information to parties seeking investment in mining property. The committee was instructed to report sixty days before the next annual meeting.

Congressman-elect Grove L. Johnson then addressed the convention, and followed by the Secretary of the State is carried on in the second District, which I have the honor to represent. It is also a rich agricultural district. What I can do legitimately to advance the inter-

ests of the miners will be heartily done. I believe the National Government should aid in the restoration of hydraulic mining. In Congress I will endeavor to have the Government take hold of this matter, and to secure the appropriation asked for by your resolution of last evening. I disagree with those who say consistently that I think this is not proper. Their view of national policy is not mine. I believe it to be the duty of the National Government to come to the rescue of the hydraulic miner, whose industry has benefited the State and nation. I want the people of the mountains and of the Pacific Coast to know that I mean what I said before election on this subject.

"In reference to the other matters of mining legislation embraced in the report of your committee, I shall do my best to promote your interests.

"In regard to the hydraulic mining subject, let me suggest that it is best to proceed not to excite antagonism, but to aim to achieve the best result with full protection to agricultural interests. I rejoice at the spirit which animates the miners, for I believe that there is no occasion for any antagonistic feeling over this matter. It needs only a broad and liberal view to settle the question with fairness to all concerned. If the means already adopted suggested are not sufficient, I have the most faith in the ability of engineers to solve the problem. We of the valley believe in hydraulic mining, and we do not want the mountain to come down on us in the past. It seems to me that Mr. Rose last evening presented a proposition which is in his proposal to use the American basin as a settling basin for debris. It appears to be only a question of obtaining the money sufficient to carry out the project.

"The effort of every man in California should be devoted to getting out all the gold possible from the mountains of this State may be and remain the land of gold, as well as the land of fruit and flowers."

The speaker was heartily applauded, and at the conclusion of his speech the convention gave him three cheers.

There was tremendous applause when the resolution was adopted that James H. Budd was present, and introduced him as the next Governor of California. Mr. Budd spoke as follows:

"I am glad to have the opportunity of addressing you on the matters which you are deliberating. I desire to assure you of my hearty sympathy and support. My belief is that the Government should aid in the construction of works to impound mining debris, and thereby to protect the navigable streams of California.

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MOUNT RAINIER.

The High Peak of the Cascade Range Reported in Eruption.

SMOKE AND STEAM SEEN ISSUING FROM THE CRATER.

Four Members of the Mediation Board of the A. R. U. at Los Angeles Convicted by the Jury in the United States District Court of Conspiracy to Obstruct the United States Mails and Interstate Commerce.

Special to the RECORD.—UNION.

SEATTLE, Nov. 21.—Great excitement has been caused throughout the Puget Sound country by what is looked upon by many as an eruption of Mount Tacoma, or Rainier, 14,411 feet high, and one of the loftiest peaks in the United States. The mountain has certainly been strangely transformed. The crest of the mountain of the Cascades has entirely changed, and a new peak has appeared in its center.

Soon after sunrise this morning, the sky and air being remarkably clear, clouds of black smoke were soon curling from the southwestern part of the peak, where the crater is located, coming at intervals of about fifteen seconds. The dome-like top had disappeared, and a rounded peak by a flat top with a large crevasse extending down the side, while in the center of its summit a new peak had appeared on the northern side. The snow was all gone from the summit, as though melted off or as if some falling mass of rock had started down the mountain and leveled the jagged points of rock, stripped of their white covering, could be plainly discerned. Steam was also seen mingling with the smoke, which rose 100 feet above the summit.

Mount Rainier is a cone-shaped peak, and stands slightly to the west of the Cascade range, sixty-five miles southeast of Seattle. It rises fully 900 feet above the range. It has three craters, of which the principal and most perfect is the scene of the present volcanic disturbance. This crater is half a mile across, with walls of rock fifty feet high, and thousands of jets of hot air and steam issue from this rim. The inside of the crater is filled with a mass of lava, which the smoldering volcano and steam jets have formed innumerable caves, one of which has been penetrated by explorers to a depth of 100 feet, while they have used the steam jets for cooking.

It is supposed that the walls of the crater, having been gradually weakened at the base, have fallen in, and the composition of the rock on which the snow cone named Columbia's Crest had formed, and that the internal fires thus set free burst forth in great quantities, and the eruption became hidden by a cloud soon after 8 a. m.

But a very few people have ever ascended the mountain, and at the close of the year the ascension is absolutely impossible, so there is no way of making a thorough investigation of the phenomenon.

To-night exactly at 6:30 several slight shocks of earthquake were felt here. Windows were rattled throughout the city. The first shock was most severe, being accompanied by rumbling noises, as of a distant explosion, and simultaneously a sheet of flame was observed in the heavens. The second shock was not so severe, but it was felt throughout the city.

Inquiry to-night develops the fact that several persons here saw the smoke arising from Mount Tacoma this morning. Mrs. L. L. Lova, a visiting friend, says she saw a black smoke, which, she says, was a good-sized column of smoke rising from the mountain top. Its color was gray, and she thought it rose too rapidly to be a cloud.

Professor Fred G. Plummer, a local scientist, who has made a study of earthquake phenomena in the Northwest, says: "Old Hutton, the oldest geologist in Puget Sound, said through an interpreter before the Tacoma Academy last September 6, 1883, that he had many times seen a black smoke coming out of Mount Tacoma when a boy, General John C. Fremont reported in 1845, that Mount Tacoma was in eruption. The oldest geologist in the Hutton of the Lick Observatory a slight eruption of the mountain occurred October 10, 1875, at 10 a. m. In May, 1881, volcanic smoke was observed rising from the crater. On June 17, 1884, jets of steam were observed shooting upward from the mountain at intervals of one minute. Floating above the steam was continually issuing from the crater's peak, in volumes varying with the height of the barometer."

Relative to the resolution passed respecting the passage of navigation to Redding, Judge Bush of Shasta said that in the early days steamers were run within six miles of Redding. It is an interesting fact that the same conditions are favorable to earthquakes and volcanic phenomena. There have been so far twenty-two large earthquakes throughout the world during the months of October and November of the present year."

THE STORY DISCREPITATED AT TACOMA. Tacoma, Nov. 21.—The story of Mount Tacoma's eruption is regarded here as having little foundation. Tacoma looks at the mountain from a different point of view than Seattle. No steam or smoke was observed here, but the side nearest the city was covered with the largest glaciers in the world, seems to be covered with snow to a greater depth than anywhere else in the summer time. Most always some steam can be seen arising from the mountain's crater, and it is thought here that the eruption has given rise to the story. Persons that have been in the crater for a few hours at a time, but cannot remain too long, on account of the dense fumes of sulphuric acid which are constantly rising, and which has had some travelers to suspect that the interior of the mountain was in close proximity to the place known in literature as "Hades."

FOUND GUILTY. A. R. U. Strikers Convicted of Conspiracy to Obstruct Mails. Los Angeles, Nov. 21.—W. H. Clunie, B. T. Johnson, Isaac Ross and Philip Stanwood, Board of Mediators of the A. R. U., who were indicted in this city during the strike, were today guilty by the jury in the United States District Court here this morning. Sentence will be passed Monday. Their offense was conspiracy to obstruct the United States mails in transit and obstruct interstate commerce.

The charge brought against these men was more serious in its nature than any that has been preferred against any of the men who participated in the strike in Los Angeles last summer. A conspiracy to violate the Federal laws is charged with treason, though the purpose of the conspirators may not be to subvert the Government. The maximum punishment is two years in the penitentiary, or a fine of \$10,000, or both.

The case was given to the jury at noon yesterday, but they were unable to agree until this morning, having been packed up during the night to deliberate. Defendants were convicted on the messages and orders issued by themselves during the strike, and they offered no

evidence on their side to contradict that offered by the Government.

THE CASES BEFORE JUDGE MORROW.

SAN FRANCISCO, Nov. 21.—Attorney Monteith is preparing some affidavits to be filed tomorrow in connection with the strikers now on trial for obstructing the mails and interfering with interstate commerce. It is his purpose to make every effort possible to sustain gain in the cases now pending before President Cleveland and the managers of all the principal Eastern railroads which were involved in the big strike. If the affidavits of the defense for these distinguished witnesses be refused, the matter will be carried to the Supreme Court of the United States for final adjudication.

Monteith, speaking of the case, said: "We hold that the President of the United States and the managers of the Eastern railroads were technically guilty of obstructing the United States mails when they put forth the Presidential and managerial proclamations concerning the strike. If the affidavits of the defense are accepted, the testimony of Mr. Cleveland's testimony is essential. I do not believe there is any law which would prevent a witness from coming and testifying as a witness. The matter will be decided by District Judge Morrow to-morrow."

THE COUNT FOR GOVERNOR.

All Official Returns in Except Those from San Francisco. SAN FRANCISCO, Nov. 21.—The official returns from Humboldt County, which were received this morning, they give Estee a plurality of 523. These figures, however, as compared with estimates previously made, increase Budd's plurality 57. This again is partly offset by revised figures received from Los Angeles County, where the corrected figures of the other side show a gain of 30 votes over the figures reported yesterday.

San Francisco is the only county now to be heard from, including estimated returns from San Francisco the result is: Budd 111,526 Esce 110,256 Budd's plurality 1,270

Berkeley's Football Team.

SAN FRANCISCO, Nov. 21.—Football enthusiasts are afraid that the big match to be played on Thanksgiving Day between the Berkeley and Stanford teams will be robbed of much of its interest by the disabilities sustained by the players during practice games. Six of Berkeley's best men—Hunt and Whittemeyer, tackles; Kett, guard, and Wilson, end, cannot possibly take part in the game. No less than fourteen men have had the ligaments of their knees torn, and the Stanford men have had accidents, but fortunately they happened earlier in the season and are now fully recovered. The Stanford men say they are discounting an admitted defeat for they don't give up.

The Loss of the Crown of England.

SANTA MONICA, Nov. 21.—The investigation of the loss of the Crown of England was concluded here to-day. The only testimony introduced was the deposition of Second Officer Parsons, showing the existence of a strong northern wind during the first of November, which was blowing from the north-northwest, and which was blowing across the water, with walls of rock fifty feet high, and thousands of jets of hot air and steam issue from this rim. The inside of the crater is filled with a mass of lava, which the smoldering volcano and steam jets have formed innumerable caves, one of which has been penetrated by explorers to a depth of 100 feet, while they have used the steam jets for cooking.

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JAPAN'S REPLY TO GRESHAM.

The Action of the United States for Mediation Appreciated.

BUT CHINA SHOULD MAKE FIRST OVERTURES FOR PEACE.

Special to the RECORD.—UNION.

WASHINGTON, Nov. 21.—The State Department has received a cable reply from Japan, through Minister Dunn, at Tokio, to the United States, to the suggestion of mediation. The Japanese Legation at Washington has also received from the Foreign Office in Japan a cablegram stating a reply had been made, and giving its terms. Both were received by the State Department on Saturday afternoon. The fact that they had been sent first became known through a dispatch to the Associated Press from Tokio. This much having become known, the officials here make no further concealment of the details of the reply. The cablegram to Secretary Gresham is accompanied by unusual dignity and formality, having the imperial sanction of His Majesty, the Emperor of Japan. It is rarely the Emperor speaks in diplomatic negotiations, so his action in this case is evidence of Japan's interest in the mediation of the course of the United States.

The message is in two parts, the first bringing imperial expression of good will and the second expressing the Japanese army had been such that China should approach Japan directly. The second part is more directly from Minister Dunn and expresses the view of the Japanese Foreign Office that China, having no Minister at Tokio, should submit a direct proposition through Minister Dunn. The cablegram to Minister Kurino is substantially the same as the foregoing.

The replies were decided on at a special meeting of the Japanese Cabinet on Saturday and were sent from Tokio Saturday night, but the transmission delayed them until Sunday. The tone of the reply and the expressions of good will given by the Emperor are especially here, and now that the facts are known, no further reserve is maintained as to the terms of the negotiations, which have already been widely reported.

It appears that at the outset Secretary Gresham desired Minister Kurino, as there was no desire to take action which would be otherwise than a possible Japan. At a conference between the Secretary and the Minister, at which Secretary Carlisle was present, the entire subject was discussed, and it was decided that the Japanese should make the first overture to the United States, and that the Secretary should mediate the trouble, but, on the other hand, felt that the exercise of the good offices of the United States might entail a loss of honor and prestige to the Japanese possibly excite feeling by one party or the other. Under these circumstances no action would be taken if Japan thought it would create an awkward situation. Particular stress was laid on the fact that Japan would be entirely free to act as she saw fit; that there was no pressure to accept American mediation, and that the entire project was due to the belief that this country was in a position to render a service to both belligerents.

It is said the best course would be for the State Department to notify Mr. Dunn that it is so content with the position that they are at liberty to transmit from China or Japan such direct peace overtures as the former desire to make. It would be interesting to note, said Mr. Dunn, that the report that Gresham would not prosecute if Guntst was returned is a mistake. Guntst was returned to the United States, and it is undoubtedly true that the action of the action of Messrs. Denby and Dunn, and would not be the channel of their communication. It is the belief of the Japanese proposition that the offer come direct from China and not through the mediation of the United States. The reply of Japan is so content with the position that it is pointed out that Minister Dunn's skill as a diplomat has scope for conspicuous service in terminating the war.

The action of European Powers upon the new phase of the question is now awaited with much interest. Japan's suggestion that Minister Dunn will be an acceptable medium of communication from China in effect eliminates Great Britain, France and the other Powers from being a factor in the negotiations. It is believed, however, from official information received here, that Russia, Italy and Germany will certainly look with favor on China's decision. Mr. Dunn, however, is charged with having attempted to make the same source indicate that the proposition will probably give her adherence, as her membership in the Triple Alliance makes her foreign policy similar to that of Germany and Italy. The position of Germany has been so closely analogous to that of the United States that it has been a question of doubt within the last few days whether Germany might not be substituted for the United States in the office of mediation. As there is to be any mediation, Germany's proposition is equally favorable to the United States along the lines suggested by Japan. Italy has already notified the allied Powers that she will consent to the forcible intervention, which is equivalent to a declaration in favor of a peaceful settlement, such as would come through China's offer to Minister Dunn, and can also be stated positively that Great Britain has favored the recent offer of mediation by the United States, on the ground that it is presumed that it would save China from other destruction, and thus preserve the British trade with China.

Under these circumstances, it is believed by officials and diplomats who are here that the correspondence, that the European Powers cannot, with propriety, interfere with any offer which the United States might make directly through the United States Minister Dunn.

WOULDN'T ACCEPT THE CHALLENGE. LONDON, Nov. 21.—A dispatch from Hiroshima says Admiral Ito reports that he refused to accept the challenge of the Chinese to a duel for two days. The Chinese refused the challenge.

YAMAGATA'S VICTORY AT SUYAN. WASHINGTON, Nov. 21.—The Japanese Legation here received the following

France Executed.

The Anarchist Who Caused So Many Deaths in a Barcelona Theatre.

CAUGHT IN THE ACT OF DISSECTING A STOLEN BODY.

Special to the RECORD.—UNION.

BARCELONA, Nov. 21.—Jose Salvador Franch, the anarchist who threw the dynamite bomb at the Lyceum Theater in this city November 7, 1893, was executed this morning. Franch was undoubtedly one of the most dangerous anarchists in recent years. This became generally known at the time of his arrest for conspiracy in the Barcelona outrage by which over twenty people were killed and about fifty seriously injured. Franch was about 32 years of age, a native of Catalonia, province of Tarrat. He came of a respectable family. At the age of 14 he left his home to go to Barcelona, where he specifically became a leader among the anarchists. Twice after capture he attempted suicide.

Franch displayed the utmost bravado. He shouted: "Down with religion!" and died almost with the words of an anarchist song on his lips. The wife and little daughter of the condemned man were admitted to see the execution, but their tenderness and sympathy were utterly thrown away upon him. He scoffed at the supplications of the priests to pray for himself for the sake of his relatives. He made a reference to his future life. The anarchist's wife made a last effort to soften his heart, but he roughly told her to