

MORSES WOULD BE REUNITED.

C. W. MORSE SUES TO REESTABLISH HIS MARRIAGE.

seeks, as an injured person, to open decree that set aside Dodge divorce—Refuses again to answer before Grand Jury—Brought before the court Charles W. Morse and Mrs. Clemence Dodge-Morse, whose marriage to Morse was recently annulled, after Charles F. Dodge, her former husband, had got her divorce decree set aside, will remarry or reestablish their marriage just as soon as the way can be cleared by proper legal proceedings. This statement was made yesterday by ex-Judge Furman, counsel for Mrs. Dodge.

Mr. Morse applied yesterday to Justice Clarke of the Supreme Court for permission to intervene in the original divorce action and asked that the order vacating the divorce be set aside and the decree of divorce reinstated, so that the petitioner's marriage may be reestablished.

Mr. Morse's lawyers are Guggenheimer, Utermeyer & Marshall. The papers were served yesterday on Howe & Hummel, counsel for Dodge, and on Furman, Schwarzkopf & Little, counsel for Mrs. Dodge.

It is asked that the proceedings before Justice Hall, as a result of which Dodge got his wife's divorce set aside, be reopened and that Mr. Morse be permitted to submit proof in those proceedings, or that the application to vacate the divorce decree be reheard by some other referee. The motion will be argued next Monday.

In support of the application Moses Weinman of Guggenheimer, Utermeyer & Marshall makes affidavit that Mr. Morse consulted the firm on Feb. 11 and asked to be advised "in respect to his status and his domestic relations with the above mentioned plaintiff (Mrs. Dodge), and the effect and validity of the order entered Dec. 3, 1903." Mr. Morse submitted copies of the letters produced by William A. Sweetser, Mrs. Dodge's first lawyer, to show that Dodge had acknowledged service in the original divorce suit, contrary to his testimony on which the divorce was set aside. The affidavits say:

I verily believe, and have so advised Mr. Morse, that if the latest submitted herein had been before Referee Hall and before Mr. Justice Clarke (provided the genuineness of said letters be established) the order setting aside the decree of divorce in this action, upon which order the annulment of the marriage with the plaintiff was granted, would not have been made. I believe that it is in the public interest as well as that of my client that the existing situation be remedied at the earliest possible opportunity.

Mr. Weinman said that Mr. Morse believed he had a perfect right to intervene in the case on the ground that he was an "injured person."

"Should our application be granted," said he, "and the divorce decree be reinstated, as we ask, it would leave matters as they were with the exception of the decree of annulment of the marriage, which would still stand. We should at once apply to have this set aside and this being granted, Mrs. Dodge would then again be the wife of Mr. Morse without the necessity of going through any marriage ceremony. It is as a preliminary to that that this application is made."

Mr. Furman said yesterday that Mr. Morse and his former wife have been animated solely by the desire to be legally bound to each other and that the new divorce suit he has instituted for her was begun at the request not only of Mrs. Dodge, but also at the request of Mr. Morse, who has been defraying all the expenses. Mr. Furman said:

"Mr. Morse and his wife were on the most affectionate terms and have been since this litigation arose. They have met many times in my office here and their affection toward each other has been plain. Their only wish has been to do what was right before the law. When the letters were produced by Mr. Sweetser, which, if genuine prove conclusively that Dodge had been served in the original divorce suit, Mr. Morse, Mrs. Dodge and her sister, Mrs. Long, were in my office. At that time I advised Mrs. Dodge to proceed at once to have the annulment of her divorce set aside, basing such an application on the letters found by Mr. Sweetser. I said that this would leave Mrs. Dodge just as she was before. Mr. Morse agreed with me, and at that time begged his wife to allow me to take this action.

"Mrs. Dodge asked me if she would have to act as a witness in such proceedings, and when I told her that in all probability she would she refused to begin the proceeding. It was afterward decided to bring the action for a new divorce from Dodge, in which testimony has already been taken by Atlanta by a commission. I was retained as Mrs. Dodge's counsel by Mr. Morse." [A divorce suit, if defended, may be heard in secret.]

Mr. Morse refused again yesterday to answer questions put to him by the Grand Jury. Samuel Utermeyer, his counsel, advised him not to answer. Upon his refusal the Grand Jury, Mr. Morse and his counsel and Mr. Rand went before the Recorder and Foreman Beatty handed to the Recorder a list of the questions put to Mr. Morse and asked if the Grand Jury had the right to ask the questions.

Mr. Rand said that the jury and the District Attorney were extremely anxious not to invade the constitutional rights of the witness, and for that reason had decided to ask merely for instructions. He explained that Dodge had been indicted for perjury committed in getting his wife's divorce decree annulled last after her marriage to Morse.

"The record of the Supreme Court, which was before the Grand Jury, indicated or caused them to suspect," said Mr. Rand, "that Dodge had not acted alone, and was furthering the interests of others than his own. They wanted new light to find out if some one had suborned perjury, or if there had been a criminal conspiracy to defeat justice and deceive the Court. Morse was summoned to give what information he had about the case. He claimed constitutional privilege. If that claim is made in good faith the Grand Jury does not wish to harrass the witness. If it has not been made in good faith, but to shield and cover the acts of others than the witness, the Grand Jury wish to know what power they have to compel him to answer. I submit that the questions

COMMITTEEMEN A-DUCKING?

PLATT HAS 5 YEARS TO SERVE, ODELL HAS 8 MONTHS.

Ask a State Committeeman When He's For—Who Can Deliver the Goods?—They'd Rather Not Be Lined Up, Either on Saturday or at the Spring Convention.

William Barnes, Jr., of Albany, chairman of the executive committee of the Republican State committee and committeeman for the Twenty-third Congress district, which comprises Albany and Schoenectady counties, was asked a short time ago: "Who is to be Republican leader of the State?" With a penetrating wisdom beyond that indicated by his peevish checks, he replied: "The fellow who can deliver the goods."

It was discovered yesterday that Republican State committeemen do not want a situation to develop either at the meeting of the State committee on Saturday or at the spring convention which will require them to take sides with either Senator Platt or Gov. Odell. This feeling exists among committeemen both above and below the New York city line. Mr. Woodruff and his friends in Brooklyn have declared their intention to stand by Senator Platt and Col. George W. Dunn, and Mr. Barnes has just uttered similar sentiments.

Mr. Barnes's utterance was considered important yesterday in view of the fact that several weeks ago, when Gov. Odell issued his "feeler" in a New York city newspaper announcing that he would himself take the chairmanship of the State committee, Mr. Barnes's Albany Evening Journal cried "Hurroo!" and "Bully for the Governor! He's the stuff!" and similar words of encouragement.

Other State committeemen have not been quite so candid, and if you mention Platt or Odell to them they ask you to have a highball and a bit of cold ham. You see, Senator Platt has until March 3, 1904, to serve as United States Senator, and Gov. Odell has only until Monday noon, Jan. 7, 1905, to serve as Governor of the State. In other words, Senator Platt has five years in which, as Mr. Barnes thoughtfully put it, "to deliver the goods," and Gov. Odell has, all told, eight months. A Republican State committeeman is human, and if he is rabid for post offices and internal revenue collectors and other Federal jobs, and so their committeemen beg and plead not to be put in a position which even remotely could be construed as an affront to Senator Platt.

Then there is the Governor—he can veto thirty day bills and can lop off some political heads, and besides he can direct his canal machine to hand out "the goods" between now and January.

So the committeemen ask, What is a humble follower of The Goods to do if Senator Platt and Gov. Odell either on Saturday or at the spring convention have a conflict for supremacy?

Some of Senator Platt's friends have advised him to slice up the Governor at once, and Gov. Odell's "wiser heads" have pumped it into him that now is the accepted time for him to punch the political daylight out of the Toga chieftain. The Republican State committeemen shrink behind the aforesaid highball and bit of cold ham when they hear this talk and think of The Goods yet undelivered.

MUST PAY SLEUTHING BILLS.

Policeman's Expenses at Disorderly House O. K. by Court.

Supreme Court Justice Leventritt decided yesterday to mandamus the Comptroller to audit an item of \$2.25 which former Police Commissioner Greene paid out of the contingent fund to meet an expense incurred by Stinson McIver, a patrolman, when seeking evidence against disorderly houses. The \$2.25 McIver spent in obtaining admission to a resort where lewd and immoral scenes were enacted.

The \$2.25 item was only one out of hundreds in a total bill of \$4411 for similar expenses, including the purchase by plain clothes men of wine, cigars and cigarettes and also for cab hire and for women. Comptroller Groot audited all the bill except certain items, aggregating \$696, which he held were spent in an unlawful diversion of the public funds, contrary to the public policy and morals, as tending to the moral degradation of the policemen.

SENT CHILD FOR POISON.

Wife Child Would Buy None, but Could Not Turn Her Mother's Purpose.

Margaret Smith of 431 West Thirty-fourth street sent her nine-year-old daughter Maggie out to buy carbolic acid yesterday. The nine-year-old knew what carbolic acid is for and wouldn't buy any. She came back and said the drug store wouldn't sell it to her. She hadn't tried.

Mrs. Smith went out and bought the acid herself.

"I tried to get the bottle away from her," said Maggie afterward, "but she pushed me away and said she was only going to do some cleaning. She sent me out on an errand afterward, and when I came back mother was dead."

Mrs. Smith was not dead then but was unconscious. She died in Roosevelt Hospital. She leaves a husband.

ODD DEATH FROM STARVATION.

Lambley's Esophagus Contracted by Poison Taken by Mistake.

John Lambley, 53 years old, of 310 West Ninety-fifth street died yesterday afternoon in the Post-Graduate Hospital of starvation. He was taken to the hospital three weeks ago from his home, after his wife had given him by mistake for cough medicine some chlorides used for disinfectant purposes.

His stomach was badly burned and his esophagus contracted. He was fed through a tube. On Monday he underwent an operation, which did not relieve him. He leaves a widow and three children.

YALE STUDENT KILLED.

Young Rich's Body is Found at the Foot of a 75-Foot Cliff.

New Haven, Conn., Feb. 23.—Robert John Rich of Fort Dodge, Ia., a member of the sophomore class in the academic department at Yale, was found dead this afternoon at the foot of a 75-foot cliff in West Rock Park by two divinity students. Rich had been missing from his room in Fayerweather dormitory since yesterday afternoon.

His student friends think that while climbing near the edge of the cliff he lost his balance. Dr. C. J. Bartlett, the medical examiner, who is also a professor in the Yale medical school, declined to-night to say whether it was a case of accidental death or not. Young Rich's father is E. H. Rich of Fort Dodge. The young man was considered one of the brightest members of his class.

Deputy Coroner Philip Pond, 2d, who investigated the death of young Rich, said to-night that he had learned that Rich had had two mental breakdowns from over-study in the past and had been subject to fits of mental aberration.

It is his opinion that it was during one of these fits that he met his death. Edward Rich, a brother of the dead student, will arrive here to-morrow from Boston, and will take the body to the family homestead in Fort Dodge.

TUFTS STUDENT MISSING.

Young Abbe Did Not Return From a Walk on the Ice in Marion Harbor.

New Bedford, Mass., Feb. 23.—Arthur James Abbe of Springfield, a sophomore at Tufts College, has been missing from the town of Marion since yesterday afternoon.

About 4:45 yesterday afternoon he started for a walk on the ice in Marion harbor, agreeing to be back for supper at 6 o'clock. He had not put in an appearance at noon to-day, and his friends organized a searching party to look for him.

They say he had a lame knee and that becoming played out during his walk he may have gone to one of the farmhouses on the shore of the harbor. There is danger, however, that the breaking up of the ice during yesterday's thaw may have caused him to be drowned.

\$15,000 DIAMOND ROBBERY.

All the Burglar Alarms Failed in Henry Fatton's House at Mamaroneck.

MAMARONECK, N. Y., Feb. 23.—The home of Henry Fatton in Hawthorne Park was entered last night by a burglar, who got away with from \$12,000 to \$15,000 worth of jewelry. The theft was not discovered until to-day, when Mrs. Fatton went to her bureau to get some money. She then found that a purse containing \$150 and a camoufled bag filled with jewels were gone.

The burglar is supposed to have got into the house last night when the family was at dinner. Mrs. Fatton's room is on the second floor. The house is fully equipped with burglar alarms, but the visitor knew how to avoid them all.

Mr. Fatton is a feather trader at 48 East Eighth street. He admitted to-day that his home had been robbed and that the thief got about \$12,000 or \$15,000 worth. The stolen jewelry, which Mr. and Mrs. Fatton had been collecting for the last thirty years, included six pairs of diamond, pearl and opal earrings, a bracelet set with fifteen diamonds, three large diamond studs, a gold watch and diamond studded fob, a diamond pendant, two diamond brooches, a coral and diamond breastpin, four rings set with diamonds and opals, a diamond necklace and five diamond stickpins.

The thief is supposed by the police to be the "twentieth century burglar" who has been operating in Westchester county recently and using an electric light instead of the old-fashioned dark lantern.

MORE TROUBLE FOR MME. PATTI.

Discharged Cellist \$675 \$2,500 Pay Is Due Him—Gets an Attachment.

PHILADELPHIA, Pa., Feb. 23.—Baroness Cederstrom, better known as Adeline Patti, is confronted with a lawsuit. To-day Anton Hegner, a former member of the Patti company, had an attachment issued to collect \$2,800, which he says is due him for salary. The attachment is directed against Robert Grau, Incorporated. Through the aid of the law complainant expects to get what money is coming to him by seizing the receipts from the sale of tickets.

Hegner declares that he joined the company when it started on its present tour. He is a cellist and, according to his contract, was to receive \$150 a week. When the company reached San Francisco he was told that he was not needed any longer, and upon coming to this city, he decided to bring action to recover the money that he claims his contract entitles him to. Mme. Patti refused to be interviewed in reference to the suit.

Adeline Patti announced to-night that the performance scheduled for to-morrow had been indefinitely postponed. The suit instituted by Hegner, together with the fact that the sale of tickets had not come up to expectations, is said to be responsible for the refusal of the diva to appear. It is doubtful if the company will give a performance in this city during its present tour.

DEWEY AND LOOMIS SAIL.

Admiral and the Assistant Secretary Leave for the West Indies.

CHARLESTON, S. C., Feb. 23.—Admiral Dewey, Rear Admiral Taylor, their staff officers and Assistant Secretary of State Loomis sailed from here this morning on the Mayflower for Culebra, where the naval officers go to review the winter manoeuvres of the fleet and whence, it is said, Mr. Loomis will make a visit to Santo Domingo to investigate the disturbed political conditions in that republic.

The party came to Charleston by rail from Washington, reaching here shortly before 7 o'clock. The Mayflower came from Norfolk, reaching here about half an hour after the Admiral and his companions. Admiral Dewey and his party went aboard and she put off at once to sea. Admiral Dewey said his time was very limited for the review. Mr. Loomis wouldn't discuss his mission.

SIX HURT IN B. R. T. COLLISION.

SMASH-UP AT THE VAN SICKLEN AVENUE ELEVATED STATION.

Lights Were Being Shifted on a Steam Train When an Electric Crashed Into It—Two Empty Cars Demolished—Passengers in Rear Train Thrown Down.

Six or more persons were more or less injured last night in a smash-up between two trains on the Lexington avenue line of the Brooklyn elevated railway. A motor train bound for Cypress Hills crashed into the rear car of an East New York train that had just discharged all its passengers at Van Sicken avenue.

The train that was hit was drawn by a steam engine and was about to start on the return trip to Broadway ferry. All of those injured were on the motor train with the exception of the engineer on the other train, who was knocked out of his cab.

The motorman on the electric train says that he saw no lights on the rear of the train he ran into and having got a clear signal he ran into the Van Sicken avenue station at full speed. The steam train was about to be switched into a centre track. The crew were making preparations for the return trip and were changing the lights from one end to the other.

Cornelius Winters, the motorman of the electric train, escaped serious injury, but just how he doesn't know. The two front cars of the train were badly smashed, and Winters was picked up on the structure some distance from the station. The two rear coaches of the steam train were totally demolished. The force of the impact shoved the latter train ahead a distance of nearly 100 feet.

Alexander B. MacDonald of 34 Clinton avenue was in the front car of the motor train. He was thrown from his seat, and when dragged out from the wreckage was found to be suffering from injuries to his back and limbs. He was taken home in a cab.

Florence Love of 479 Ridgewood avenue, who was in the second car, received internal injuries and a fractured leg. Elna Louise Wright of 349 Railroad avenue was in the front car with her mother. The two were about to start for the door to get off the train and were standing when the crash came. They were thrown in a heap toward the front of the car.

The daughter received injuries to her chest and back. Mrs. Wright suffered from shock. John Middleton, the engineer of the steam train, was knocked from his cab by the force of the collision and sustained injuries to his head and back.

Frank Otten, the conductor of the motor train, was calling out the station when the train struck the one ahead. He was badly bruised and was out by flying glass. All of the injured passengers were removed to their homes in cabs.

The police of the Liberty avenue station say many others were injured slightly by flying glass. Traffic on the line was tied up until early this morning.

HANNA'S LAST LETTER.

Text of His Note to the President and the Latter's Reply.

WASHINGTON, Feb. 23.—Elmer Dover, private secretary to the late Senator Hanna, returned from Cleveland to-day. Before leaving there yesterday he was authorized and requested by Mrs. Hanna to make public the last letter written by Mr. Hanna. It is the one referred to in THE SUN of Feb. 19 as having been written with a lead pencil by Mr. Hanna to President Roosevelt. The letter is:

MY DEAR MR. PRESIDENT: You touched a tender spot, old man, when you called personally to inquire after me this morning. It may be worse before it can be better, but all the same such "drops" of kindness are good for a fellow. Sincerely yours, Friday, P. M. M. A. HANNA.

The next day a reply was received from the President with a note saying that it was to be shown to the Senator when Mrs. Hanna thought best. The Senator never saw the reply, which was:

DEAR SENATOR: Indeed it is your letter from your sickbed which is touching—not my letter. May you recover soon be with us again, old fellow, as strong in body and as vigorous in your leadership and your friendship as ever. Faithfully yours, THEODORE ROOSEVELT. Feb. 6, 1904.

During the afternoon of Feb. 5, the day Mr. Hanna wrote his note, Mr. Dover had been called to the Senator's room to take up some business matters with him, and it proved to be the last time that the Senator was able to do such work. After these affairs had been disposed of, Mr. Dover told the Senator of the President's call. Mr. Hanna then wrote his letter.

COCKRAN, CONGRESSMAN-ELECT.

Election Resembled the Real Thing in the Gashouse—Calm Elsewhere.

W. Bourke Cockran got 7,979 of the 8,289 votes cast yesterday in the special election in the Twelfth Congress district. James T. Hunter, Socialist-Labor, got 224, and Edward Cassidy, Social Democrat, 128. There was no Republican candidate.

The gashouse district polled 4,420 of the votes, Mr. Murphy having told his followers to get busy. The other districts did not get excited over it. There are more than 20,000 votes in the Congress district. Mr. Cockran, who lives on Long Island, will go to Washington as soon as he gets his certificate from the Governor.

RIOTING IN MADRID.

Crowds Shout "Long Live the Republic!"—Many Wounded by the Police.

Special Cable Dispatch to THE SUN. MADRID, Feb. 23.—A crowd congregated outside the Cortes on Monday shouting "Long live the Republic." They were charged by the police with drawn swords. Many of the crowd were wounded, and a number of arrests were made.

Meanwhile the Premier, in the Chamber, declared that cheering for a republic was illegal. This added fuel to the fire and caused a scene.

The crowds again gathered before the Cortes to-day and kept a strong force of police employed. The Prime Minister got a hostile reception. There were further uproarious scenes in the Chamber when Deputy Soriano asserted that cheers for the republic were legal.

ROBBED OF \$30,000.

Wells Fargo Express Company Suffers the Loss of That Sum in Mexico.

EL PASO, Tex., Feb. 23.—It has become known here that the Wells Fargo Express Company was robbed of \$30,000 two weeks ago at Irabusto, Mexico. Details of the robbery are lacking, because the officials of the company have used every means to keep the affair secret. Officials of the company and several deputies are now in Mexico trying to run down the thieves.

MRS. HARRISON ILL.

Widow of the President Has Bad Attack of Measles, but is Out of Danger.

INDIANAPOLIS, Feb. 23.—Mrs. Mary Lord Harrison, widow of the former President, has been very ill for the last two weeks with measles, and at one time her condition was such that it was regarded as critical. She contracted the disease from her child, Elizabeth, whom she attended through a protracted illness.

Dr. Kahle, the attending physician, said to-night that Mrs. Harrison is much better and he did not anticipate a return of the symptoms which caused so much alarm last week. Mrs. Harrison's illness was exceptionally severe, but he thinks that she is out of danger.

NO CIGARETTE SMOKERS

Or Heavy Drinkers as Firemen, Says Commissioner Hayes.

Fire Commissioner Hayes, in examining a batch of candidates for appointment as firemen yesterday, looked at each man's hands to see if they were stained from nicotine.

"Cigarette smokers and heavy drinkers," he said later, "have no place in this department. We want only men whose nerves can stand the strain."

ANOTHER BRIDGE PINCHER.

Several Men Begged the Detectives for an Interview With This One.

A man who said that he was Frank Garroni, a fruit dealer of 185 1/2 Mulberry street, was arrested during the rush hour last night by Detectives Lauterborn and Meehan for annoying women on the Bridge stairs and at the trolley car terminals.

Lauterborn and Meehan followed Garroni for some time, they say, and saw him insult several women. A group of angry men surrounded the prisoner and begged the detectives to turn him over to them. The men said that Garroni had crossed the loop several times and had mingled with the crowds that were boarding the cars. He was taken to the Oak street police station.

L. SUMMERFIELD ANEW.

Arrested, of Course—Charge is Non-Support This Time.

Larry Summerfield, the bunco man, was arrested yesterday on a charge of non-support made by Mrs. Carrie Summerfield of 234 East Twenty-third street. He was captured just outside the Criminal Courts Building after he had left the Tombs police court on learning that his examination on an attempted mining stock swindle had been postponed until March 1.

Summerfield was in a great rage when informed that he was under arrest.

"I have paid that woman \$10 a week during the past year because I am the biggest sucker in town," he said, "but she'll get nothing more from me. I've got something else to do with my bank roll."

He gave bail for his appearance in the Yorkville police court to-day.

PLOT TO BLOW UP A THEATRE.

Dynamite, With Exploding Contrivance, Found in Basement of a Playhouse.

SALT LAKE, Utah, Feb. 23.—Dynamite that had been placed in the basement of the Dewey Theatre at Park City with the evident purpose of destroying the building while a performance was taking place, was discovered yesterday. The explosive had been properly thawed and was in condition to be exploded by a time contrivance attached to it.

Police officials who have been working on the case say they have discovered evidence of a plot to blow up the theatre and cause loss of life. They say they will make arrests within forty-eight hours.

RUSSIA PROTESTS.

Tells Powers Japan Has Acted Treacherously.

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