

MINNESOTA HISTORICAL SOCIETY

PROBABLY LIGHT SNOW WITH RISING TEMPERATURE TO-NIGHT AND TUESDAY.

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16 PAGES—FIVE O'CLOCK.

THE PRESIDENT STOUTLY DEFENDS PANAMA POLICY

Sends a Message to Congress Detailing the Various Steps in Recent Isthmian Developments.

Declares that the New Republic is an Accomplished Fact with Which Congress Has Now No Concern—Asserts that the United States Has a Mandate from Civilization to Dig the Canal—International Law, the Various Treaties and Spooner Resolution Cited to Show that Administration Course Has Been Fair, Open and Just.

Washington, Jan. 4.—President Roosevelt sent to congress to-day his message on the Panama question. It is a vigorous defense of the administration's course, and documentary evidence is cited to show that the revolution on the isthmus was in good faith and not aided in any way by this government. The president, in conclusion, declares that the republic of Panama is now an accomplished fact and that the congress is as the acceptor of the treaty and the building of the canal. The message in full follows:

To the Senate and House of Representatives: I lay before the congress for its information a statement of my action up to this time in executing the act entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," approved June 28, 1902.

By the said act the president was authorized to secure for the United States the property of the Panama Canal company and the perpetual control of a strip six miles wide across the isthmus of Panama. It was further provided that "should the president be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal company and the control of the necessary territory of the Republic of Colombia... within a reasonable time and upon reasonable terms, then the president should endeavor to provide for a canal by the Nicaragua route. The language quoted defines with exactness and precision what was to be done, and what, as a matter of fact, has been done. The president was authorized to go to the Nicaragua route only if within a reasonable time he could not obtain a satisfactory title to the territory of the Republic of Colombia."

What Cass Said in 1858. While the rights of sovereignty of the states occupying this region (Central America) should always be respected, we shall expect that these rights be exercised in a spirit befitting the occasion and the wants and circumstances that have arisen. Sovereignty has its duties as well as its rights, and none of these local governments, even if they were more cases than they have been, would be permitted, in a spirit of eastern isolation, to close the gates of their territory to the rest of the world, and justify the act by the pretension that these avenues of trade and travel belong to them and that they choose to shut them to the rest of the world.

That the government of the United States will not interfere with the construction of a canal across the isthmus of Panama, and that it will be the duty of the United States to guarantee the neutrality of the canal, with a less degree of control than was stipulated for in the Hay-Herran treaty. A refusal to grant such degree of control was necessarily a refusal to make the canal a part of the territory of the United States, and therefore raised the question whether Colombia was entitled to bar the transit of the world's traffic across the isthmus.

That the canal itself was eagerly demanded by the people of the locality through which it was to pass, and that the people of this locality no less eagerly longed for its construction and the transit, the Columbia government, after having rejected the Hay-Herran treaty, and in spite of our protests and warnings when it was in her power to accept it, has since shown an almost eagerness to accept the same treaty if only the status quo could be restored. One of the men standing highest in the official circles of Colombia, on Nov. 6, addressed the American minister at Bogota, saying that if the government of the United States would land troops to preserve Colombian sovereignty and the transit, the Columbia government would "declare martial law; and, by virtue of vested constitutional authority, when public order is disturbed, (would) approve or decree the ratification of the canal treaty signed; or, if the government of the United States prefers, (would) call an extra session of the congress with new and friendly members—next May to approve the treaty." Having these facts in view, there is no shadow of question that the government of the United States proposed a treaty which was not merely just, but generous to Colombia, which our people regarded as arising if at all, on the side of overgenerosity; which was hailed with delight by the people of the immediate locality through which the canal was to pass, who were most concerned as to the new order of things, and which the Colombian authorities now recognize as being so good that they are willing to promise its unconditional ratification if it be in a spirit of generosity with the people through whose land we might

FACE \$12,000,000 IN DAMAGE SUITS

Proprietors of the Iroquois Theater May Be Mulcted in Heavy Damages.

The Company Was a Partnership Affair and Hence Each Partner Is Liable.

Klaw and Erlanger and Nixon and Zimmerman of the Theatrical Trust Interested.

Chicago, Jan. 4.—Facing the financial peril of damage suits for between \$10,000,000 and \$12,000,000 as the result of deaths and injuries in the Iroquois theater fire, officials of the Iroquois theater company spent most of yesterday examining the stage employees and members of the "Bluebeard" company; in short, preparing

IOWA'S CAPITOL IN GRASP OF FIRE

Structure Costing Three Millions of Dollars Is Threatened with Destruction.

Loss at 2 This Afternoon Was Over \$250,000—Officials Moving Out to Save Effects.

Des Moines, Iowa, Jan. 4.—Fire caused by an electric wire in the northwest attic of the capitol building to-day has already done over \$250,000 damage and caused the indefinite postponement of the twenty-ninth general assembly. The fire is still burning. Eleven fire companies sought in vain to prevent a spread of the flames, but owing to the altitude the pressure was insufficient and the firemen had to abandon the upper floor. Officials are endeavoring to save their effects and are making preparations to move to other quarters. The ceiling of the house of repre-

TO ENFORCE FIRE LAWS

Mayor Harrison Declares That Unless City Ordinances Are Revised He Will Act.

Declares That Wholesale Violations of Fire Regulations Will Be Tolerated No Longer.

Chicago, Jan. 4.—The notice served by Mayor Harrison of a possible wholesale closing of theaters, but of churches, stores, office buildings, factories, hotels and private residences, has aroused the city. Before the mayor proceeds to extremes, the city council will be given a chance to revise the laws and strike out provisions which are held

BENNETT BURLEIGH PREDICTS GRIM WAR

Famous British War Correspondent Declares that Hostilities Probably Will Begin Within Ten Days.

British Warship at Chemulpo Is Ready to Send Marines to Seoul Should the British Consul Request Permission—Danger of an Uprising There Is Imminent—China, It Is Said, Will Fight on Japan's Side in the Impending Conflict for Supremacy in the Far East.

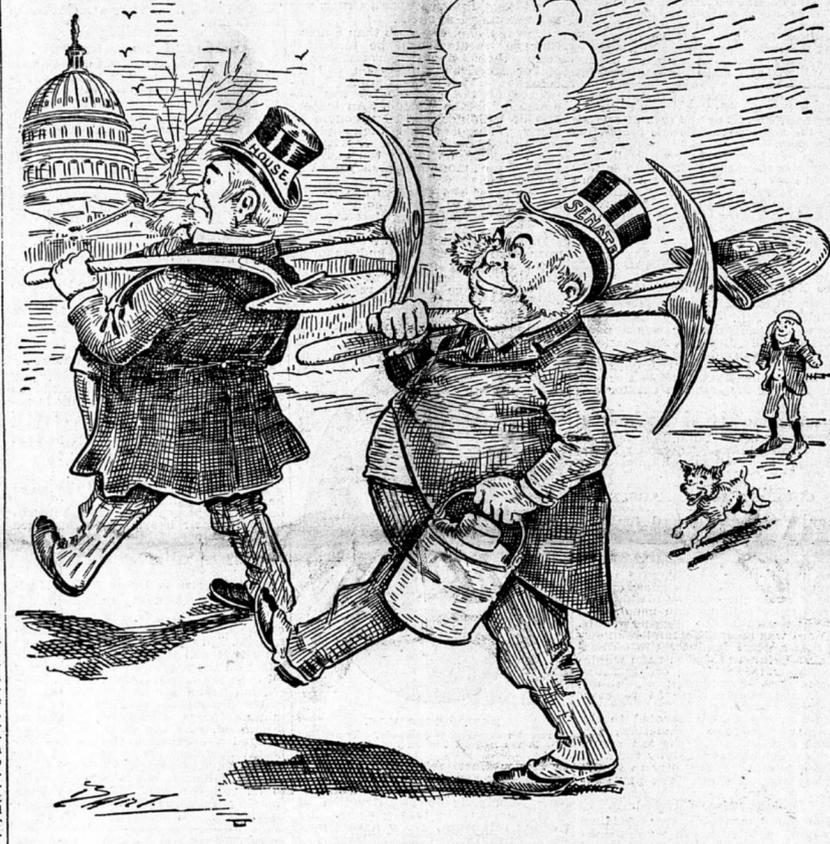
CHINA WILL AID JAPANESE London, Jan. 4.—A dispatch to the Standard from Tientsin says that the throne, in response to inquiries from Japan, has secretly ordered Chinese troops to assist the Japanese to oppose the Russians. If war breaks out 40,000 Chinese troops under Japanese officers will proceed to the Liaotung peninsula.

London, Jan. 4.—Bennett Burleigh, telegraphing from Tokio to the Daily Telegraph under Sunday's date, predicts hostilities between Russia and Japan within ten days. He says: "The Japanese are quite determined. Days ago they took steps to secure certain Korean interests. They do not look for a declaration of war, but Russia will not be allowed to occupy Korean ports, certainly neither Makpo nor Masampo, both of these being protected against seizure."

JAPAN MEANS BUSINESS. "Japan means business without waiting for others' convenience. If Russia feels aggrieved a fortnight should show much, and to that extent I will venture to predict that interest should begin at a center near Seoul than Tokio within ten days, but a naval overture may retard the peace."

RUSSIAN REPLY IS NON-COMMITTAL. "Russia has sent a further reply to Japan. I understand it is of the usual non-committal character, making merely for delay. Within the last week there have been some curious phases of the situation, the Russians declaring at Peking and elsewhere in China that Japan is an insignificant foe, inferior to Russia as regards ships and numbers and quality of soldiers. Such speech by Russian officials would seem intended to intimidate the Japanese, but still more the Chinese."

PEACE PARTY IN RUSSIA. Dispatches from St. Petersburg, Peking and Tokio indicate that the czar finds himself amid divided councils, while the Russian dispatches show that there is an influential party that is disposed to regard war as too high a price.



THE WORK IN HAND Congress Begins a New Session with the Canal Job on Its Hands.

the case for the inquest that will begin next Thursday. Attorney Thomas Hogan and another lawyer were present to interrogate the witness and point out where their stories failed to agree. The gathering was in the office of Manager Will Davis.

Fifty witnesses were examined and a list of the Iroquois stage hands at the time of the fire was prepared. "We are in harmony and are not trying to cover up anything. I know nothing of any attempt to destroy evidence by lying or by smashing sky lights over the stage as Attorney Jesse A. Joseph says he saw done."

Company Not Incorporated. Whether by intent or thru an oversight the Iroquois Theater company was not incorporated. That leaves it in the eye of the law, with the standing of a partnership. Every partner is said thereby to have become liable for all the debts and obligations of the company and any one who shared in the profits of the concern is to be considered a partner.

Reconstruction of the Iroquois theater has not even been considered by the stockholders. Under the advice of their lawyers their attention has been centered on avoiding damage suits. Half a dozen lawyers already have been enlisted in this matter, which has not even been considered by the action of the last legislature in raising the "death limit" of damages to \$10,000 from \$5,000.

Here is a table that shows what the stockholders face:

30 debts of \$10,000 each	\$3,000,000
30 persons injured, suits for \$20,000 each	6,000,000
Total possible liability	\$12,000,000

Fireproof Curtains Demanded. Lincoln, Neb., Jan. 4.—Labor Commissioner Busch to-day decided that all the opera-houses in the state must put in fireproof curtains and take the utmost precautions against fire.

MASON STRIKES IT RICH. Saldia, Cal., Jan. 4.—Former Senator William B. Mason of Illinois has struck it rich in the Turret mining district. In his Misoc tunnel drive he cut a good vein of gold. The first haul was 100 lbs. of gold. The principal vein is in gold, and, while no assay has yet been made, the strike is considered a rich one.

representatives has fallen in, and the flames are spreading to the senate chamber. The capitol was erected twenty years ago at a cost of about \$3,000,000. At 2 o'clock the flames were not under control.

REPORT FAVORS GENERAL WOOD

Senate Committee Reports Favorably On His Nomination by a Vote of 7 to 2.

Washington, Jan. 4.—The senate committee on military affairs to-day decided to report favorably the nomination of General Leonard Wood to be major general. The vote stood 7 to 2, the affirmative senators being Proctor, Warren, Foraker, Quarles, Alger, Cockrell and Pettus; the negative, Scott and Blackburn. Senator Proctor was not present, but authorized his vote to be recorded. Hawley and Bate were absent.

APPOINTMENTS

The President Nominates Taft for the War Portfolio and Wright as Governor of Philippines.

Washington, Jan. 4.—The president to-day sent to the senate the nomination of William H. Taft of Ohio to be secretary of war. The president also nominated Luke E. Wright of Tennessee to be civil governor of the Philippine islands, Scott and Blackburn. Senator Proctor was not present, but authorized his vote to be recorded. Hawley and Bate were absent.

Consul general, Henry D. Saylor, Pennsylvania, at Coburg, Germany. Assistant secretary of commerce and labor, Lawrence O. Murray, Illinois. Postmasters—Minnesota, Larson G. Townsend, Black Duck; William B. Strom, Hector; Haken E. Glascoe, Lansboro; Barker C. Grover, Zumbrota.

Chicago, Jan. 4.—Fire traps in the shape of public halls will be the next assembly place to be shut by the authorities. With the closing of thirty-six playhouses until they comply with the building code, the knell also started to ring for more than 300 lesser halls, in which assemblies are threatened with calamity each time the doors are thrown open. This will

to be unjust to property owners and not essential to safety. The council once having acted, or having decided not to act, then the laws are to be enforced.

CHURCHES VIOLATE LAWS

Churches are mentioned as flagrant offenders against the building laws. They are accused of over-crowding, placing chairs in the aisles, of having inflammable material on the platforms, especially at such celebrations as Christmas, and of not having the proper number of exits in some cases.

PUBLIC HALLS ALSO

Mayor Will Act Promptly in Cases of Violations. New York Sun Special Service. Chicago, Jan. 4.—Fire traps in the shape of public halls will be the next assembly place to be shut by the authorities. With the closing of thirty-six playhouses until they comply with the building code, the knell also started to ring for more than 300 lesser halls, in which assemblies are threatened with calamity each time the doors are thrown open. This will

INTERCEDED FOR COLOMBIA

Pope Pius Tells an English Interpreter That He Wrote to President Roosevelt.

London, Jan. 4.—In W. T. Stead's the Daily Paper, the first issue of which appeared to-day, is printed an interview which George Lynch, the war correspondent, had with Pope Pius, in which he appealed to the pontiff to use his influence with the powers in behalf of the Macedonians. "Perhaps I have done more," said the pope, "than you know of. I do not wish to interfere in politics unless I know it will be effectual for good. Only the other day, when there appeared to be a prospect of war and bloodshed in Colombia, I communicated with President Roosevelt and received a most courteous and cordial reply from him."

TEN YEARS AND A FINE

Gravelle, the N. P. Blackmaller, Sentenced at Helena. Helena, Mont., Jan. 4.—Isaac Gravelle, convicted of sending threatening letters to the Northern Pacific Railway company, was sentenced to-day to ten years in the penitentiary and to pay a fine of \$5,000. This is the maximum penalty for the crime. Gravelle will be tried for burglary next.

PLANNED TO FREE BANDIT

Brothers of Emil Roeski Arrested on Suspicion of Plotting a Jail Delivery.

Chicago, Jan. 4.—Otto Roeski, 23 years old, and Herman Roeski, 33, brothers of Emil Roeski, under indictment for the car barn murders, were arrested here to-day, probably on suspicion that they had planned to blow up the county jail to liberate their brother. They are said to have had nitroglycerin, candles, steel saws and files in their possession when arrested. The police refused to admit that the Roeskis were suspected of having given their brother the saw with which he made his almost successful attempt to escape a week ago, and it was hinted that the Roeskis were wanted in connection with robbery committed since the arrest of their brother.

ROESKI CONFESSES

After his arrest Otto Roeski confessed to smuggling saws to his brother, Emil, in the county jail. The saws used by Emil Roeski in attempting to escape were found in his cell, concealed in a slight crevice in the steel plating in the ceiling. They had been ingeniously concealed between the ceiling proper and the steel plating, soap being smeared over the crevice. The two brothers were held under \$2,500 bonds to the criminal court on the sworn confession of Otto Roeski. Otto broke down under the examination. He told in detail how he and Herman on the night set for the escape waited outside of the jail with a rope to assist the imprisoned bandit in his descent from the roof.

DIETRICH'S CASE BEGUN AT OMAHA

Arguments on the Demurrer Heard by the Court and Taken Under Adversement.

Merging of Conspiracy Count with the Original Charge and Other Errors Alleged.

Omaha, Jan. 4.—The trial of United States Senator Dietrich, charged with conspiracy to violate the law by an alleged agreement with Postmaster Jacob Fisher of Hastings, whereby the latter paid money for his appointment, began to-day in the federal court, with Judges Vandeverter and Minger presiding.

Senator Dietrich with his counsel, General John Cowin of Omaha and J. R. Batty of Hastings, sat at a table opposite District Attorney Summers and his counsel.

Immediately there began a legal battle over the sufficiency of the indictment. General Cowin said Senator Dietrich was ready for trial under the indictment charging the violation of the law. District Attorney Summers stated that the government had prepared for trial of the conspiracy charge under an impression that if this charge were not proved, all probability there would not be shown any direct violation of the statute. He said that if the plan proposed by the defense were followed it would have the effect of trying the case backward.

General Cowin denied this and said that proof in both cases was necessary the same, and then interposed his demurrer. Judge Vandeverter remarked that if this were true, Senator Dietrich should be ready to meet the conspiracy charge. General Cowin said that he was ready to meet the charge under the proper indictment.

Ready for the Demurrer. Judge Vandeverter announced that arguments on the demurrer would be heard at once. After an hour's argument Cowin took the matter under advisement. The demurrer alleges the insufficiency of the law in the indictment; a misjoinder, and merging of the conspiracy count with the original charge.

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FEAR TYPHOID EPIDEMIC

ANOTHER PENNSYLVANIA TOWN SCARED BY THE PREVALENCE OF THE DREAD SCOURGE.

Kittanning, Pa., Jan. 4.—Grave fears exist that Kittanning may have an epidemic of typhoid fever that will rival Butler. A month ago there were but four cases reported.

There are already 100 cases and the disease is increasing rapidly. So far the death rate has been small.

MARINES AT COLOR. Colon, Jan. 4.—The United States steamship Colon arrived here yesterday with 800 marines on board. These officers are on a special train to inspect the camp that is in preparation for them on the line of the railway.