THE EVENING STAR
WITH SUNDAY MORNING EDITION.

Business Office, 11th Street and Pennsylvania Avenue.

The Evening Star Newspaper Company.
S. H. KAUFFMANN, President.

New York Office: Tribune Building.
Chicago Office: Tribune Building.

The Evening Star, with the Sunday morning edition, is delivered by carriers within the city at 50 cents per month; without the Sunday morning edition at 44 cents per month.

By mail, postage prepaid:
Daily, Sunday included, one month, 60 cents.
Daily, Sunday excepted, one month, 50 cents.
Saturday Star, one year, $1.00.
Sunday Star, with Sunday Magazine, one year, $1.50.

The Evening Star.

No. 16,271. WASHINGTON, D. C., THURSDAY, APRIL 13, 1905—TWENTY PAGES. TWO CENTS.

Notice to Subscribers.

The Sunday Star will be included in the subscription to The Star, which after April 1 will be 50 cents per month for the daily and Sunday issues. All subscribers to The Star will be served daily and Sunday unless orders are given to the contrary.

NOT GOING TO SAIGON

Course of Russian Fleet Has Changed Opinion.

REPORTED BY STEAMER

SQUADRON IS TRAVELING AT SPEED OF 8 OR 10 KNOTS.

Seen 300 Miles Northeast of Natuna Islands — Rojestvensky's Movement Portends Battle Soon.

SINGAPORE, April 13.—The Russian fleet was in latitude 8 degrees north, longitude 108 degrees 55 minutes east at noon, April 11. The peninsular and oriental steamer Nubia, which has arrived here, reports having passed no less than forty-two vessels there. They were steering north-northeast at a speed of eight or ten knots.

The position of the fleet was then about 300 miles northeastward of the Natuna Islands (which lie between the Malay peninsula and the west coast of Borneo) and more than 200 miles southeast of Cape St. Jacques. This course indicates that the fleet was not going to Saigon, French Cochin-China.

Ready to Accept Battle.

ST. PETERSBURG, April 13.—The news of the northward movement of Admiral Rojestvensky's squadron and his evident intention to accept battle whenever Admiral Togo chooses to offer it has for the present stilled all activities in the direction of peace and the foreign dispatches relating to the voyage of the squadron are followed with the most intense interest.

The admiralty volunteers no information regarding Rojestvensky's plans, whether his immediate destination is or is not Cape Padaran (on the east coast of Cochin-China), but in naval circles the impression prevails that the squadron will continue northward to the Straits of Formosa, where, if Admiral Togo does not elect to give battle or is defeated, Admiral Rojestvensky may seize a temporary base in Japanese territory and if it is considered advisable he could there await the arrival of Admiral Nebogatoff's division.

It is rumored that there is a force of riflemen on board the Russian transports which could be landed for the purpose of co-operating with marines in the same fashion that the United States established a base at Guantanamo, Cuba, in 1898. Other naval men think that Vladivostok is the only base the Russian admiral has in view.

Embargo on News.

There is an embargo on news from Vladivostok concerning the Russian cruisers Rossia, Gromoboi and Bogatyr, and it is supposed, though the admiralty does not confirm the supposition, that they have put to sea to effect a diversion and prevent mine laying.

Considerable irritation is manifested in naval circles at the activity of British ships in Chinese waters, which are reported to be steaming from Hongkong to Singapore, and their action is attributed to a desire to keep in touch with the Russian squadron and report its movements to the world at large, and to Great Britain's ally in particular, as happened in the case of the British armored cruiser Sutlej, which arrived at Singapore, Straight Settlements, yesterday, and reported having passed the Russian second Pacific squadron at daylight April 11, steaming north.

Minister of Railroads Hillkoff has left St. Petersburg for Siberia to superintend the improvements being made on the Trans-Siberian railroad and the inauguration of the river service in Siberia.

German Collier Released.

SINGAPORE, April 13.—The German collier Hindoo (at this port, loaded with 4,200 tons of Cardiff coal for the Island of Tanlong, between Borneo and Sangan, and which was refused clearance papers for Saigon unless her commander gave bonds to deliver her cargo through the British consul there) was released today, her captain agreeing to deliver his cargo through the British consul at Saigon.

Coal for Russian Fleet.

PARIS, April 13.—Herr Bekel, who is charged with the duty of gathering together supplies of coal for the Russian second Pacific squadron, has, according to a statement made to the St. Petersburg correspondent of the Matin, 70,000 tons of coal at Saigon and 50,000 tons at Shanghai, which he expects the Russian squadron to take on board.

British Naval Comment.

LONDON, April 13.—British naval men comment on the lack of secrecy regarding Admiral Rojestvensky's movements since his arrival in far eastern waters. The fact that he is keeping to the main trade route, although knowing his squadron would constantly be sighted and reported by passing vessels, they consider clearly shows that the Russian admiral is keenly anxious to meet Admiral Togo and fight it out to a finish.

Admiral Train Gets a "Tip."

The Navy Department was advised of the departure today of the cruiser Raleigh from Labuan, on the north coast of British Borneo, where she was dispatched by Rear Admiral Train to observe the movements of the hostile fleets, for Cuyo, in the Philippines, a point about 400 or 500 miles to the northeast, between Palawan and Panay Islands. It is indicated that the Raleigh's commander obtained information as to what he believed to be the contemplated course of the opposing war vessels, and has shaped his course accordingly. It is about a two-days' sail to Cuyo.

Discussing the Impending Fight.

Sir Mortimer Durand, the British ambassador, paid his usual weekly visit to the State Department today, where he had an interesting conversation with the acting secretary of state, Mr. Loomis, about the impending naval battle in the far east. From the outset the military aspect of the struggle has greatly interested the ambassador, who was a soldier before he was a diplomatist, and he is well up in the merits of the opposing fleets. The ambassador brought several routine extradition cases to the attention of Assistant Secretary Loomis.

TROOPS MANEUVER DAILY.

French Captain Reports His Observations at the Front.

PARIS, April 13.—Capt. Rode telegraphed to the Matin that he has been the guest of Gen. Kaulbars, commander of the 2d Manchurian army at the Russian front. The captain's observations showed that the Russian army had been reinforced and is prepared to renew the battle. The troops maneuver daily in battle formation.

The Japanese cavalry advance guard, the dispatch adds, is barely ten miles away, and frequently cavalry skirmishes take place. The prisoners captured have saber cuts on their heads, showing hand-to-hand skirmishing.

TO BRING PRESSURE

Transcontinental Railroads on the Administration.

REDUCTION IN RATES

CHAIRMAN SHONTS TO BE ELECTED PRESIDENT OF COMPANY.

After Next Monday Will Be Operated a Government Controlled Freight and Passenger Route.

Intimation was given today that the transcontinental railways are getting ready to bring pressure to bear upon the administration to prevent sweeping reductions in transcontinental freight rates by the Panama railway and its connecting steamships, soon to be operated by the government. Representatives of a number of roads are said to be in Washington now, but are rather discouraged at the prospect of accomplishing anything, as the administration is going ahead with its plans.

A New Yorker who is a familiar figure on Wall street and in touch with financial and railway interests, was in town today and told a Star man that the importance to shippers of the acquisition of the Panama railroad by the government has not yet been fully realized. He said the government has the power, being in complete ownership of the road and the connecting steamships, to slaughter freight and passenger rates between New York and San Francisco and to give a powerful demonstration of government ownership of transportation facilities.

Material Lowering of Rates.

This informant of the Star went on to say that the transcontinental lines are fully alive to the situation and that they will do every thing in their power to induce the administration not to put the rates too low. He expressed the opinion that the inevitable result will be the material lowering of rates by the transcontinental lines.

The meeting of the Panama Railroad Company, to be held in New York next Monday, at which Chairman Shonts of the isthmian canal commission will be elected president of the railroad company, and that property will, as a result of the election, pass, along with its steamship lines, absolutely into the control of the United States, is regarded as being a very important step in the regulation of all transcontinental freight and passenger rates. It is said that once the government takes control of the Panama railroad and steamship lines, the route will be opened to all shippers of freight and to all passenger traffic at prices sufficient to pay operating expenses, maintenance and enough to allow for the creation of a small sinking fund.

On the Pacific end of the water haul the route will be, until July 12, under the control of the Pacific Mail Steamship Company, by reason of an exclusive contract which that company has with the Panama Railroad Company. On the Atlantic end of the water haul, however, the government will take immediate control and put its full fleet of nine steamships into operation. Heretofore only four steamers have been operated between the isthmus and New York.

The Practical Result.

The practical result of this will be that, beginning soon after next Monday, there will be in operation between New York and San Francisco, and, therefore, between the Atlantic and Pacific coasts, a government-controlled, and, practically, a government-owned, freight and passenger route that will be thrown open to all shippers upon equal terms and at a freight rate that absolutely eliminates all dividends. Heretofore the line has paid 33⅓ per cent and over. The estimate now is that the New York-San Francisco freight will be, by the new route, about $4 per ton, as against something like $9 per ton heretofore charged by the transcontinental railroads. Similarly the passenger rate will be cut from about $115 to something like $65 from New York to San Francisco, meals included. Of course the capacity of the route for doing business is limited, but when the Panama railroad is double tracked, as it is announced that it will be soon, a very large volume of business can be handled.

FREIGHT RATES TO ATLANTA.

Western Railways Charged With Discrimination.

A petition was filed with the interstate commerce commission today by the railroad commission of Kentucky, against the Illinois Central Railroad Company, the Nashville, Chattanooga and St. Louis Railway Company, alleging a discrimination of freight rates on grain from certain points in Kentucky to Atlanta, Ga. The petition charges that the defendant corporations discriminate in their grain freight charges against Morganfield and Uniontown, Kentucky, in favor of other Ohio river points and that the rates charged shippers from Morganfield and Uniontown are excessive and irreparably injurious to those shippers.

The interstate commerce commission is asked to investigate the charges and to institute such proceedings as will prevent the defendant corporations from charging more than twenty-two cents a hundred on grain shipped from Morganfield and Uniontown to Atlanta.

WILL MEET AT MONS.

International Congress to Be Held by Belgian Government.

The Belgian government has decided to hold an international congress at Mons (Belgium) on the 24th of September, the topics of which will be:

Commercial and technical education, science of statistics, political economy, custom tariffs, navigation, colonization, diplomatic and consular service, and, in general, means of promoting commerce and civilization.

King Leopold, who takes great interest in this congress, will probably attend the inaugural sitting and deliver the opening speech.

Five cabinet ministers and the speakers of the Belgian senate and house of representatives have been appointed honorary presidents.

The Belgian government has formally expressed to the cabinet of Washington its desire of receiving an official delegation from the United States.

It is stated that King Leopold's government would be much gratified if some of the scientific societies and prominent citizens of this country would attend the congress and submit reports dealing with questions on the program.

The Belgian minister invites the participation of all institutions and persons interested in the study of economics, and is ready to give them full particulars in regard to the congress.

New Consul at Milan.

Mr. James E. Dunning of Portland, Me., has been apopinted United States consul at Milan, Italy.

UP! UP!! UP!!!
News Note: The Beef Trust has ordered an increase in the wholesale price of beef of from three to six cents a pound.

ANSWER TO COMPLAINT

Question of Marble for New Municipal Building.

SIDE OF COMMISSION

WHOLE QUESTION EXPLAINED IN SOME DETAIL.

Not Required to Advertise for Bids for Furnishing Stone—Reductions Made by Bidders.

The story published exclusively in The Star yesterday concerning the protest of the Blue Ridge Marble Company against the award by the municipal building commission of the contract for stone for the proposed structure has caused much comment at the District building. The commission is composed of the Secretary of the Treasury and the three District Commissioners, and from interviews with some of the members the following may be said to be the answer of the commission to the charges or allegations of the Blue Ridge Company:

"The commission was not required by law to advertise for bids, but did so, reserving the right to reject any or all bids. It has accepted the stone which it considered the best that could be had within the amount available for stone, estimated at $650,000. It did not want the cheapest, but the best that could be had. The three stones finally considered were the Hardwick white granite, original bid $872,500; South Dover marble, original bid $776,500; Cherokee marble, original bid $675,000. These bids represent the relative market values of the stones.

"As all were above the amount available, the commission asked each of the three bidders to make all the reduction possible and to suggest such modifications in the plans as might be necessary to meet such reductions in the cost. All three bidders had the same opportunity, and each knew that the others were working on the proposition. Each gave the commission what the commission supposed to be the lowest possible figure, including all modifications that could be suggested in the plan. The Hardwick white granite was reduced from $872,000 to $700,000, a reduction of $172,000, but even this did not bring it within the amount available, $650,000, and, moreover, required such extensive modifications of the plan as to make it impracticable.

"The South Dover marble was reduced from $775,000 to $645,000, a reduction of $130,000, and with such modifications in the plans as was entirely feasible. The Cherokee marble was reduced from $675,000 to $610,000, a reduction of $65,000, or just half the reduction made on the South Dover marble, and less than half of that made on the Hardwick white granite.

Modifications Practicable.

"The modifications in the plan suggested were also practicable in this case. Even if the reduction which it is now stated the representative of the Cherokee marble, the Blue Ridge Marble Company, would have made if it had been suggested the same modifications in the plans as the South Dover marble representative suggested, had been made, it would have amounted to only $114,000, as against $130,000 reduction in the case of the South Dover marble. It would not have been as advantageous, therefore, as the offer of the South Dover marble representative. The commission rejected original bids which were lower than the lowest amount proposed by the Cherokee marble representative, because they were for different stones of cheaper grade, which the commission did not want to put in such a monumental building.

"The commission chose the most expensive stone that could be obtained within the amount available for the purchase of stone. In so doing it secured the marble preferred by Cope & Stewardson, the architects of the building, and which had just been accepted for the House of Representatives' office building.

"As to the proposition for setting the stone, the commission received offers from the representatives of the three stones specially considered, including the Blue Ridge Marble Company, representing the Cherokee marble, and all these offers were practically for the same amount, namely, $50,000, differing only as to whether the commission or the contractor would furnish the cement. It was supposed by the commission that these offers were made as low as possible, but upon investigation it has discovered that the work can be done for $15,000 less than these offers, and the commission will save this amount by having the work done under the general construction contract.

Money Will Be Ample.

"The amount of money reserved by the commission for the general contract for the completion of the building, covering all the cost, except that of the foundation and that of the stone, will be ample for the purpose. The amount that should be allowed for stone was cut to $550,000, in order to make sure of this. The amount reserved is based on all experience of the national government and municipal and private builders, and the advice of the architects and of engineers and other experts consulted. The commission was very careful upon this point, because it had determined that the building must be constructed within the limit of cost of $2,500,000, and that under no circumstances would it again ask Congress for an increase of the limit of cost.

"The commission asked for separate bids for furnishing the stone in order to save time and money, and believes that it has done both. Quarry owners state that the stone prices would be higher now than they were in October, when the bids were received, and by taking action early the stone contractor has been gotten under way, so that he will be able to make deliveries of stone by the time the general construction contract is let. In a short time the interior plans of the building, delayed by the uncertainty until Congress acted at the end of the session, as to whether the limit of cost would be raised from $2,000,000 to $2,500,000 as was finally done, will be completed, and the commission will then advertise for bids for the completion of the building."

TO END HIS HUNT TODAY

PRESIDENT TO BREAK OKLAHOMA CAMP THIS AFTERNOON.

Plans Upon Arrival of Party at Frederick This Evening—Start for Colorado.

FREDERICK, Oklahoma, April 13.—President Roosevelt will end his hunt this afternoon. The President and the following members of his party will arrive here about 7 o'clock this evening:

Dr. A. Lambert, Gen. S. B. M. Young, Col. Cecil M. Lyons, Mr. Sloan Simpson, Lieut. G. R. Fortesque, Capt. S. B. Burnett, W. T. Waggoner, Tom Burnett, C. B. McHugh, Capt. Bill McDonald and J. R. Abernathy.

After meeting a number of citizens the President will make an address. Dennis Flynn and Representative John H. Stephens of Texas, old-time friends of the President, are here. The start for Colorado is scheduled for 8:25 o'clock tonight.

SELECTED FOR APPOINTMENT.

Candidates Who Have Passed the Required Examination.

The following candidates for appointment as second lieutenants in the army from civil life have successfully passed the required examination and have been selected for appointment:

Benjamin Mart Bailey, New York, qualified for infantry; William T. Carpenter, California, for artillery; Frank H. Phipps, jr., Massachusetts, for artillery; Lewis C. Leftwich, Texas, for infantry; Chester H. Loop, Tennessee, for infantry; Thomas Duncan, Pennsylvania, for artillery; William P. Currier, Virginia, for infantry; Ambrose R. Emery, Indiana, for infantry; Hewitt L. Wells, Michigan, for infantry; Albert L. Hall, Indiana, for infantry; Edmund C. Waddill, Virginia, for infantry; John H. Ellerson, Virginia, for infantry.

APPEALS TO PUBLIC OPINION.

Venezuelan Fiscal Agent Defends President Castro's Course.

PARIS, April 13.—General Velutini, the Venezuelan fiscal agent, in the course of an interview published today, appeals to the public opinion of France in the behalf of the course adopted by President Castro. He says the French Cable Company seeks to substitute force through government intervention for the usual procedure of the Venezuelan courts, and asserts that Venezuela's action against various foreign companies is due to their not fulfilling their engagements and lending support to the revolutionists.

"What would France say," General Velutini asked, "if she detected foreign accomplices of plotters against the security of the state?"

The general maintains that France should take a sympathetic view of Venezuela's resisting the encroachments of foreign corporations.

CONSPIRACY CHARGE

Nan Patterson Brought Into Court Again Today.

BASIS OF COMPLAINT

ACCUSED OF HAVING CONSPIRED WITH THE SMITHS.

To Extort Money From Caesar Young, the Dead Bookmaker—Prisoner Not Arraigned.

NEW YORK, April 13.—Nan Patterson was brought into the court of general sessions today by her own counsel to plead to a charge of conspiracy to get money from Caesar Young, the bookmaker. She is accused of having conspired with J. Morgan Smith and his wife, Miss Patterson's sister, to extort money from the dead bookmaker.

She was not allowed to plead to the charge, however, as Assistant District Attorney Rand asked Judge Foster that she be not arraigned, holding that it was unnecessary. Miss Patterson's counsel requested permission to examine the minutes of the grand jury which indicted her.

This was opposed by Mr. Rand, who asked for a delay of one day in order that Miss Patterson might be arraigned in company with J. Morgan Smith and Mrs. Smith tomorrow. Although Miss Patterson's counsel vigorously objected to the delay, the court ordered that her plea to the charge be put over until Friday.

Murder Trial Monday.

She will be placed on trial again next Monday on the charge of having murdered Young.

Counsel for J. Morgan Smith and his wife asked the court to order the district attorney to return the letters confiscated from the Smiths in Cincinnati. The lawyer declared that Mr. Rand had no right to them. Before deciding the question the court decided that formal notice be given to the district attorney.

After the court proceedings Mr. Rand asked the Smiths' counsel to allow them to come to the district attorney's office and be questioned. The lawyer reserved his answer.

The Smiths were held in $3,000 bail each by Judge Foster, in the court of general sessions, in New York, yesterday afternoon. There will probably be an application to the court to reduce the bail to $1,000 today. Even if the application is granted Smith cannot regain his liberty, as a detainer has been filed at the Tombs by District Attorney Jerome, so that in case Smith is bailed he will have to face contempt proceedings in refusing to obey a subpoena.

The result of the day's proceedings in general sessions court left in doubt the critical point as to whether Smith was identified as the man who bought the revolver with which "Caesar" Young was shot.

The attorney for the Smiths was very positive that no identification had been made, but there was a well-authenticated rumor about the district attorney's office that there had been an identification of Smith by Stern, although, acting on the advice of the district attorney, Stern refused to be interviewed.

Thomas Hewitt, the lame newsboy who saw Nan Patterson receive a slap from a big man the night before the murder and who urged the woman to do something she did want to do, was also in court. The third witness interested in the present case was John Millin, Young's racing partner.

As Smith entered the court room, Stern looked at him and, as if answering a question, nodded his head slightly. Whether this meant that he identified Smith, or did not, he refused to state. The newsboy, Hewitt, also looked intently at the prisoner, but he, too, made no sign.

Smith said he never bought a revolver from Stern and defied any one to prove that he had.

"I am willing to testify to all I know," he added. "I have always been willing. In my trunk which the district attorney obtained in the west is a diary containing every fact that I know as to my life before Young was shot. The day on which I was accused of buying that gun I put down in this book just where I was, whom I saw and what I said. This book is in the possession of the district attorney. I hope he will read it. We went away because my wife was about to be operated on and could not endure being confined in the house of detention here as a witness."

THE EIGHT-HOUR LAW

Attorney General to Decide the Question

AS TO THE ISTHMUS

LABOR LEADERS BELIEVE IT APPLIES THERE.

Alien Labor May Be Employed, but an Agreement Will Be Made With Oriental Government.

The Attorney General has before him a question brought to his attention by the isthmian canal commission as to whether it is lawful to work the employes of the commission on the canal more than eight hours daily. As a matter of fact, the employes have been and are working ten hours daily, and there has never been any protest either by them or in their behalf. But the eight-hour law seems to be so explicit on that point that the new commission thought it advisable before proceeding further to secure an opinion from the Attorney General.

The paragraph of the act of August 1, 1892, which, it is thought, may apply to the employes of the canal, provides as follows:

"That the service and employment of all laborers and mechanics who are now or may be employed by the government of the United States, by the District of Columbia, or by any contractor or sub-contractor upon any of the public works of the United States or of the District of Columbia, is hereby limited or restricted and restricted to eight hours in any one calendar day, and it shall be unlawful for any officer of the United States government or of the District of Columbia or any such contractor or subcontractor whose duty it shall be to employ, direct, or control the services of such laborers or mechanics to require or permit any such laborer or mechanic to work more than eight hours in any calendar day except in case of extraordinary emergency."

Opinions of Labor Leaders.

In the opinion of prominent labor leaders in this city there is no question as to the application of this law to the employes of the government in the canal zone. The restriction is against the employment by the government anywhere on its public works of men for more than eight hours daily.

The law also provides a penalty to be enforced against any officer of the government, contractor or subcontractor who "intentionally violates" this law of not to exceed $1,000 fine or imprisonment not to exceed six months, or both.

During the Cleveland administration Attorney General Olney rendered an opinion to the effect that this law did not apply to subcontractors on public buildings whose work is not done on the premises. That placed the contractor in practically the same position in his dealings with the subcontractor in getting out work to go into a building that he would have been had he purchased in the open market. For that reason a contractor who might purchase brick in the open market without regard to how the men worked who made them might also enter into a contract to have the brick made without regard to the conditions under which the work was to be carried on.

Can Import Laborers.

The suggestion that the isthmian commission would import 2,000 Chinese and 2,000 Japanese for work on the canal was received by prominent labor leaders in this city as a proposition that would also be in violation of the alien contract law, but upon a careful reading of that law they discovered that the act of February 26, 1885, which restricts the employment of alien contract labor, has the limitation that such labor is "to perform labor or service of any kind in the United States, its territories or the District of Columbia." Under that law there seems to be no doubt that the commission will have the fullest powers possible to contract for labor in China and Japan and to transport that labor to the isthmus and work it there. The fact is, exactly such contracts have been made since the United States began the canal work, in the case of Jamaica negroes, who have been used for laboring work at Panama. The commission has been so well satisfied as to its power to employ alien contract labor at Panama that it has not raised that question.

It is not known just how long it will be before the Attorney General will give his opinion on the subject of the eight-hour law as applying to the work at Panama, but it is expected that it will be forthcoming at an early day. It is not likely that this decision will influence the importation of Chinese and Japanese at Panama, because it is desirable to experiment with that class of labor, whether they can be worked ten or eight hours daily. It is said that if the Japs and Chinese get an eight-hour day at Panama there will be a rush among that class of labor to go there.

Will Have an Understanding.

As it is, this government will have an understanding with the Chinese and Japanese governments as to the manner in which these laborers are to be treated. The government will propose giving them great care so far as medical attention and the provision of sanitary living is concerned as would be given any other class of labor. But it will be regarded as a considerable loss to the government if it is decided that they cannot be worked more than eight hours.

The contracts for the importation of the orientals into Panama will provide for their return to their homes at the conclusion of the term of their contracts. The opportunity will be given to the orientals to go to Panama for one or two years, as the case may be, or for a much longer period if found expedient, and at the end of that time to return to their homes with the biggest fortunes they have ever contemplated in their pipe dreams.

PROMOTED AND RETIRED.

Lieut. Col. Hobbs and Maj. Bullis Made Brigadier Generals.

Lieut. Col. Charles W. Hobbs of the Artillery Corps and Maj. John L. Bullis of the pay department have been appointed brigadier generals in the army and retired.

Gen. Hobbs is from New York and in the civil war served as second lieutenant of the 113th New York Infantry and afterward as first lieutenant, captain and major of the 7th New York Artillery. In September, 1867, he was appointed first lieutenant, 3d United States Artillery, and reached the grade of lieutenant colonel in that corps in July, 1904. He has been recently stationed at Jackson barracks, Louisiana.

Gen. Bullis is also a native of New York and a veteran of the civil war. He enlisted as a corporal in the 126th New York Infantry in August, 1862, and was honorably mustered out in February, 1866, as captain of the 118th United States Colored Infantry. In September, 1867, he was appointed second lieutenant of the 41st United States Infantry, and in January, 1897, was transferred to the pay department, with the rank of major. He has been recently stationed at San Antonio, Tex.

WAS PLEDGE BROKEN?

Japan's Promise Regarding Opening Hostilities.

ASSURANCE TO GRISCOM

FACTS DISCLOSED BY THE OFFICIAL CORRESPONDENCE.

Solicitation of Subscriptions From Japanese in American Navy—Detention of the Lena.

Official correspondence made public at the State Department today discloses the fact that the Japanese government, in announcing to the American minister at Tokyo on February 6 of last year, the breaking of diplomatic relations with Russia, assured him that hostilities would not begin until after a declaration had been made. The correspondence comprises so much of the diplomatic exchanges between Washington and Tokyo as the department thinks it expedient to publish, and among the first is the following official paraphrase of a cablegram from Minister Griscom, dated American legation, Tokyo, February 6, 1904:

"Mr. Griscom reports that the minister for foreign affairs stated that a declaration of war will not be made until after the withdrawal of their legation, which will probably take two or three days, and hostilities will not begin until after the declaration of war. In an interview the minister for foreign affairs went over the whole course of the negotiations, directed special attention to the extreme patience and moderation of the attitude of Japan, and stated that after having asked the Russian government five times to expedite a reply, and waited three weeks without result, no alternative remained but to act."

On the following day the correspondence shows that Minister Griscom reported that the departure of the Russian minister would take place on February 12. On February 11, subsequent to the receipt of the news of the torpedo attack upon the Russian fleet at Port Arthur of February 9, Minister Griscom sent a brief telegram to the department, of which this is the official paraphrase:

"Mr. Griscom reports that the declaration of war was issued on the 10th instant."

No other correspondence shedding light on this incident is contained in the notes published.

Note to Japanese in the Navy.

Of interest is a note of Secretary Hay, dated May 5 last, to the Japanese minister at Washington, calling his attention to the circulation in the American navy of a note from the consul general of Japan at New York, addressed to "The Japanese serving in the United States navy," soliciting subscriptions to Japanese bonds, contributions to the relief fund for Japanese soldiers and sailors, and in aid of the Red Cross Society of Japan. While admitting the right of Japanese in this country to subscribe or contribute to the objects mentioned, the Secretary says in his note to Mr. Takahira: "Yet it is undesirable that such contributions should be sought through the naval official channels of this government," and he therefore "brings the matter to your attention with the request that you will inform the consular officers of Japan in the United States of the attitude of this government in the matter." The Japanese minister gave the necessary instructions to the Japanese consul general at New York.

Detention of the Lena.

The correspondence includes a copy of a note from the Japanese minister at Washington calling the attention of this government to the presence of the Russian ship Lena at San Francisco and saying that the "Imperial government expects that appropriate measures regarding the matter will be taken by the United States government without delay."

Several days later another note reached the State Department from the Japanese minister expressing the desire of his government that the officers and crew of the Lena be detained in the territory of the United States until the end of hostilities.

The acting secretary of state, Mr. Adee, promptly replied, acknowledging the note, and adding: "In reply I have the honor to state that the President, exercising his prerogative in carrying out the neutrality proclaimed by him, had already, before the receipt of your communication, taken the appropriate steps to detain the officers and crew of the Lena in this country until peace shall have been concluded, unless in the meantime the belligerents shall have concurred in proposing to him other arrangements in this regard."

HE MAY BE DISMISSED.

Capt. Kirkman's Case to Be Submitted to the President.

Judge Advocate General Davis of the army has received the record of the court-martial proceedings in the case of Capt. G. W. Kirkman of the 25th Infantry, stationed at Fort Niobrara, Neb. That officer was charged with conduct unbecoming an officer and a gentleman, growing out of a series of alleged scandalous actions. It is alleged that he compromised the wife of a brother officer, and as a result the lady committed suicide.

Although not officially admitted, it is understood that Capt. Kirkman was found guilty of the charge and sentenced to be dismissed. After the record has been reviewed at the War Department the case will be submitted to the President for final action.

Capt. Kirkman was appointed to the Military Academy from Texas in June, 1884, and reached the grade of captain in the infantry arm in July, 1899. During the insurrection in the Philippines he served as major of the 49th U. S. Volunteer Infantry.

RAILWAYS IN PHILIPPINES.

Secretary Taft to Confer With Capitalists in a Few Days.

Secretary Taft expects to have a conference in a few days with Frederick Delano, James Speyer and J. G. White in regard to the building of railroads in the Philippine Islands under the terms of the act passed by the last Congress, which guaranteed 4 per cent on railroad investments in the islands. Several propositions have been submitted which the Secretary has under consideration.

LADY CURZON'S CHARITY.

Invited Victims of the Earthquake to Come to Simla.

SIMLA, India, April 13.—Lady Curzon, wife of the viceroy, has invited all the Europeans and Indians injured during the recent earthquakes who are able to be moved to come to the Walker and Ripon hospitals at Simla as her guests.

The invitation was sent through the lieutenant governor of the Punjab, with an intimation that the American vicereine will gladly defray the expenses.