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DESERET EVENING NEWS.

The Great Percentage of the Prosperous Farmers, Ranchers, Stockmen of the West See No Other Paper Than the Semi-Weekly News. Ad.

10 PAGES—LAST EDITION WEDNESDAY, MARCH 9, 1904. SALT LAKE CITY, UTAH. FIFTY-FOURTH YEAR.

Senator Hoar Springs a Great Surprise in Smoot Hearing

RELIGIOUS FAITH AS A SENATORIAL TEST

People of Utah Have a Right to Send Anyone They Choose to The U. S. Senate,

IF HE DOES NOT VIOLATE LAW

And is Not Associating With Persons For the Purpose of Violating The Law.

SO SAYS SENATOR GEO. F. HOAR.

His Announcement in the Committee Room Almost Upset the Anti-Smoot Protestants.

(Special to the "News.")

Washington, D. C., March 9.—"I think I will say, now, that in putting questions to the witness which seem to imply a strong conviction in my mind of the inconsistency and delusion of the religious faith of the witness, I must not be taken to imply, one way or the other, that I question the right of the people of Utah to send one of his religious faith to represent them in the senate provided he has not violated the law himself or is associating with persons for the purpose of violating the laws."

Robbed of its somewhat involved phrases the above is, in substance, the statement made by Senator Hoar during the morning session of the Smoot hearing. It created a ripple of surprise on the protestants' side of the room and few of the constant attendants who have already reached a verdict agreed that the Massachusetts senator had upset all their calculations. Senator Hoar is one of the most potential members of the committee. So he is, according to his own statement yesterday afternoon, acting in the capacity of a grand juror. His opinion as to the proper course of the senate after all the evidence shall have been produced and digested will, in consequence, have great weight. Senator Hoar certainly has not yet decided that Senator Smoot is not entitled to occupy a seat in the senate on an equal footing with any other senator and the protestants have fired their heaviest guns. Members of the committee were later than ever in reaching the committee room this morning. It was exactly 23 minutes after the time fixed for assembly that Senator Burrows, Dillingham, Pettus and Dubois were jolted by Overman and Hoar and three minutes after Dewey arrived. The attorneys were all present except Carlisle, who has not been seen in the committee room since last Wednesday. It is understood that he has abandoned the case and that he returned to New York today. Nineteen names ranged along one side of the room gave a touch of color to the scene with their ribbed millinery, and three artists standing in squeezing into seats near the witness chair that they might again sketch President Smith and other principal witnesses, while an old gentleman totally blind occupied a seat directly behind Senator Smoot and next to that which Mr. Howell fills at each session.

The most conspicuous document in the room was a bound volume of the Deseret News, which was obtained from the library of Congress to enable Mr. Taylor to refresh the memory of Mr. Smoot concerning an interview had with him pending the senatorial campaign. The hearing itself was devoid of anything of a sensational or startling nature. President Smith was the only witness examined. He was questioned concerning the marital affairs of Benj. Cluff, Jr., and of Abraham H. Cannon. He related the substance of a conversation with George Teasdale explaining how and why the latter came to believe that he had no wife living at the time of his marriage to Marion Scholes, and in answer to question by Senator Dubois: "Was there a warrant out for your arrest during your residence in the Sandwich Islands between '84 and '90?" Mr. Smith created laughter by quickly replying: "I'll make you a present of it senator."

The remainder of the morning was given up to reading extracts from the Book of Mormon and from the statutes of Utah, concerning the rights of children of plural marriages born since 1890 to inherit from their father's estate.

PREST. SMITH DISCHARGED

He and His Son Prepare to Return to Utah.

(Special to the "News.")

Washington, D. C., March 9.—Today was rather dull for the sensation-seeking crowd which filled the committee room until Loren Harmer took the stand. Just why he was called by counsel for the protestants may be known to those gentlemen, but to outsiders it would appear that the only possible excuse was to be found in the

fact that he has served a term in the penitentiary, not for the crime of polygamy, but because he was convicted as an adulterer. It was scarcely necessary to send to Utah at heavy expense to find men who have violated the seventh commandment, but Harmer was compelled to tell of his crime and to admit that he has had adulterous relations with the same woman since his discharge from the penitentiary and that a child was born to her as the result of such relations within the past two years. Perhaps the elimination of everything salacious from the testimony would reduce the attendance of those having no business in the room. In that case those compelled to attend would enjoy better atmosphere in every sense of the word.

The afternoon session started off with every evidence of an early conclusion of the hearing. Andrew Jensen was the first witness. He was detained but few minutes and was followed by Loren Harmer who, after explaining his marital affairs, succeeded on the witness stand by Apostle Hyrum M. Smith. He proved an excellent witness. An Apostle, a monogamist and a missionary, he gave a clear, succinct account of the duties of missionaries and explained their methods of spreading doctrines. At the conclusion of his testimony both Apostle Smith and his father were finally discharged and after President Smith had promised to try to secure the attendance of witnesses not yet reached the two gentlemen left the committee room to prepare for their return to Utah.

COMING HOME. President Smith said after his discharge as a witness that he would remain to see that the books for which he has sent are received, and that he will return to Utah at the earliest possible moment.

PREST. SMITH RECALLED.

Asked Regarding Giving Statistics On Polygamous Marriages.

[By Associated Press.] Washington, March 9.—The seventh day of the hearings in the Senator Smoot case was opened before the senate committee on privileges and elections by Atty. Taylor for the prosecution recalling President Joseph F. Smith, of the "Mormon" Church, to the stand. Mr. Smith was questioned as to the interview he gave to a representative of the Associated Press in 1902, giving statistics in regard to the Church and the number of polygamists in Utah. Mr. Smith had said the entire interview consisted of statistics and that in that statement he had said nothing for the purpose of supporting the candidacy of Reed Smoot for the United States senatorship. Upon hearing the interview read Mr. Smith admitted he had been quoted correctly in regard to Mr. Smoot and had urged his election.

B. CLUFF, JR.'S FAMILY.

Mr. Smith said he was acquainted with Benjamin Cluff Jr., president of the board of faculty of the Brigham Young academy and that he is reputed to be a polygamist. He also was asked about Abraham Cannon and if the general charge had not been that he took a plural wife, Lillian Hamlin, since the manifesto of 1890.

Mr. Smith said that he had been a newspaper charge and he had paid no attention to it. "The officers of the Mormon Church are sensitive in regard to the charge that plural marriages have been performed since 1890, are they not?" Mr. Taylor asked.

Mr. Smith said he thought they were sensitive on the subject. He was asked then whether he had taken any steps to run down the stories that the laws had been violated by officers of the church. He answered that he had public charge did not concern him and that if he took the time to answer all the charges made against himself and other officials of the Church, he would not have time to do other work.

DUTY OF BISHOPS' COURTS.

"The question is, do you?" said Chairman Burrows. Mr. Smith then explained that it is the duty of the bishops' courts to pass upon the morals of those who live in their wards or districts.

"Does that include officials of the Church?" was asked.

"It includes all members." When asked if the rules apply to officials who are above the bishops in authority, Mr. Smith said it did not. "Then in the interest of the Church you would feel inclined to investigate such cases, would you not?" "Not such vicious charges as have been made against us."

"Well, now, suppose it was charged that Francis M. Lyman, president of the apostles, had performed a plural marriage ceremony since 1890, would you not investigate that?" "It is not a supposable case, and if it was I could not answer," he said.

Chairman Burrows insisted upon knowing from the witness whether he would have investigated such charges against any of the apostles and the witness answered again: "It is not my business to do it." Then he said: "All of the charges made are of cases which are said to have occurred before I became president and I know nothing about them."

"But now that you are president, what would you do if such charges were made against the chairman?"

The Japanese Bombard Port Dalny.

After That They Attacked Port Arthur—Their Squadron Appears Off Vladivostok—Russians Seize Korean Telegraph Station at Yong Won—News of Naval Battle Unconfirmed.

Tokio, March 9.—Japanese warships bombarded the forts at Talien-Wan (Port Dalny), on the night of March 8 and then attacked Port Arthur.

Port Arthur, [Tuesday], March 8.—It is rumored here today that a Japanese squadron has re-appeared off Vladivostok.

Seoul, March 9.—A party of nine Russians seized the Korean telegraph station at Yong Won today.

It is reported that a fight has occurred between Koreans and Russians on the Korean side of the Tumen river.

St. Petersburg, March 9.—[5:50 p.m.]—The Associated Press is informed on the highest authority that up to 5 o'clock this afternoon no word of a naval battle between the Reitenstein and Urei squadrons had been received. It is evident, however, that news of a sea fight off Vladivostok would not surprise the authorities here. They naturally decline to say whether Cap. Reitenstein's squadron was outside of Vladivostok when the Japanese appeared, but it is now firmly believed here that it was outside.

Sunflower Stops Cars and Shuts Off Light

Throwing of a Single Stalk of the Weed on a Feed Wire in Davis County Caused Many Salt Lakers to Walk and Left Their Homes in Darkness—A Little Thing With Far Reaching Results.

There was a marked meteorological display last night, in and around this city, that attracted considerable attention, and interfered with the operation of the street railway service. The weather had been threatening all the afternoon, and shortly after 7 o'clock a steady rain set in which developed into a thunder and lightning storm—the signal of the final breaking of winter, some claimed. The storm seemed to have been wide spread, for later reports stated that it covered the entire northern half of the state, and the wind registered a maximum velocity of 36 miles, although down in the Modena country it registered as high as 64 miles an hour.

The power suddenly went off shortly after 8 o'clock, and remained off for 25 minutes, and it was thought the storm was responsible; and so it was, but in an indirect way, as was subsequently ascertained. Manager R. S. Campbell immediately dispatched four gangs of linemen to different points along the system to locate the trouble and it was not long before the gang that started from Beck's Hot Springs discovered a sunflower stalk lying

across the high tension wires near Wood's Cross. Some one had thrown it up there early in the day, and being entirely dry it had not affected the current until the rain came early in the evening. Then the stalk becoming wet became also a fine conductor of electricity, and there was a short circuit in short order. The stalk was brought down town, and there was an immediate relief along the line. Manager Campbell said this morning, that this throwing of that little sunflower stalk over the wires was a state prison offense, and he proposed securing the confinement in prison of any person he could catch interfering with the wires. The effect of the stalk was precisely the same as the catching of a pleasant on the wires south of this city, last October, when for a short time the entire street railway system was stopped. The stalk was considerably burned. There was another, but slight interference at 8 o'clock when lightning burned out a number of fuses; and a slight halt this morning, when it was found necessary to temporarily curtail the street car service. The lightning was found this morning, to have set fire to a number of electric light poles in different parts of the city. The wet wires and wet poles had made good lightning rods,

and the fluid from without reached the ground often by that route. This set the poles on fire. The lightning also did considerable damage in the central station. Through some unknown way, the lightning got into the new \$30,000 generator, and burned out some of the coils; but just how much damage was done could not be ascertained this morning, as the machine must be taken to pieces. The west side station was brought into use last evening, immediately on the occurrence of the failure of the current from the north, and is being used today. The rain changed into snow late in the night, and those inches of the "beautiful" descended and covered the scenery with what country newspapers describe as "a mantle of white." The entire precipitation for the storm was 34 of an inch. The storm reached over the center of the storm was found in Colorado and Grand Junction had a touch of it. Pocatello had over a third of an inch of rain. The day has been cloudy and threatening, but the center of the storm was moving eastward. As a high barometric area is approaching from the California coast, the local weather office expects clearing weather tonight and for tomorrow. While it may be cold, the sun has got so high that winter weather from now on must be very brief.

Utah Japs Assessed \$10,000 for War.

Levy is Made by Patriotic Society of Mikado's Subjects Who Have Headquarters in San Francisco—Japs of That City Have Given \$280,000—Prompt Response in Utah.

Utah will contribute the sum of \$10,000 to the aid of the Japanese war fund. To be correct it is the little brown men in the Beehive State who will send that amount of cash to the motherland to assist in curbing the "Bear that Walks Like a Man." Nevada, Wyoming, Montana and Colorado are each assessed a similar sum by the Fokugikai (literal translation, patriotic society) a branch of which is now being organized in this city with E. D. Hashimoto, the Rio Grande labor agent, as local representative. This means that every Jap in the state will at least give \$20, possibly more.

Mr. Hashimoto this morning stated to the Deseret News that he thought Utah would exceed her assessment. "Times are rather bad just now," he declared, "but just as soon as the boys all get down to work the money will come in all rights. Everybody is anxious to contribute to the fund. I have something over 400 of my countrymen under me and there are about 100 more in the state. I think that in Utah there are about 500 Japanese people. Oh, there will be no trouble to get the money. In San Francisco, where the headquarters of the society are located, a letter tells me today, that they have already raised \$280,000 in that city and

expect to get as much again from outside throughout California. Portland and Oregon is easily good for \$100,000, while the state of Washington will send \$150,000 with a same amount from Vancouver and British Columbia. Letters have been written to the leading men of our country in all the big cities and in every state in America asking to organize branches of the Fokugikai and send in funds to help them out at home with the war fund."

only, and asked if the latter is not called "sealing."

"They are all called sealing," was the response.

"Is this sealing for eternity ever performed for living persons?" "I believe I have heard of one or two such cases," said the witness.

To Inspect Turkish Prisons.

Constantinople, March 9.—Dr. Thorn, a member of the American mission at Mardoon, Asiatic Turkey, has been appointed by the porte to inspect the prisons at Diarbekir, (Asiatic Turkey), and arrange for the medical treatment of the prisoners, in consequence of the complaints of Sir Nicholas O'Connor, the British ambassador here, regarding the condition of the Bulgarians who are confined at Diarbekir.

AGAINST ROCK ISLAND.

Judgment Rendered in Chicago Commanding Presentation of Co's Books. Chicago, March 9.—Judgment was rendered in the circuit court by Justice Dunn against the Chicago, Rock Island & Pacific railroad company, commanding the presentation of the company's books and the minutes of the stockholders' meeting, showing the contracts and terms by which the Moore brothers and associates secured control of the Rock Island. The judgment was in the case of C. H. Venner, of Boston, representing the minority stockholders, James Hamilton Lewis, counsel for the minority stockholders, stated that the decision would compel the company to let all the stockholders know what profits the Moores and associates made out of the re-organization, and also show what the stockholders are entitled to.

FRANCE MAKING WAR PREPARATIONS

Orders Issued to Begin Active Work of Putting Coast Defenses in Readiness.

THE HERO OF FASHODA TALKS.

Col. Marchand Says Van Waldersee Wanted to Annex Part of China As German Hinterland.

Paris, March 9.—In pursuance of orders issued by Minister of War Andre, active work has been begun with the view of placing the coast defenses in a state of readiness. A hundred coast artillerymen have arrived at Marseilles and are occupied in perfecting the harbor batteries, a force of naval mechanics is working on the island approaches and the trials of various kinds of heavy ordnance are progressing actively at Marseilles and elsewhere. These measures are not considered significant except as an indication of

the determination of the officials to have the coast defenses in a state of preparedness.

VON WALDERSEE'S AMBITION.

Col. Marchand, the hero of Fashoda, in the course of an interview published in the Matin today, is quoted as saying that the late Field Marshal von Waldersee, while in command of the allied forces at Pekin, had the purpose of making the province of Chi Li part of the hinterland of the German possessions in Shan Tung and was presented only through repeated representations of Russia to Germany.

The colonial, who accompanied the French forces to Pekin, describes his intimate personal relations with the field marshal during the operations of the allies, and adds that von Waldersee complimented Marchand on the latter's African achievements and invited him frequently to be a guest at his private table. They discussed the organization and merits of French troops.

JAP LAND FORCES.

They Appear at Che Foo, Opposite Port Arthur. Washington, March 9.—The government here has received advice by cable from Chefoo opposite Port Arthur

to the effect that Japanese land forces have appeared at Fung Wang Chang and at Tashan. No details are given. The first named place is 2 1/2 miles north of An Tung in Manchuria and the latter is a few miles inland from the mouth of the Yalu river. According to the calculations of the authorities here they believe that this movement has placed the Japanese on the Russian flank and perhaps in the rear and on their line of communication. It is believed that yesterday's attack upon Port Arthur and Talien Wan was a diversion perhaps to cover the expeditious land movements of the Japanese who were probably landed from transports at some point west of the Yalu river.

Senate Proceedings.

Washington, March 9.—The army bill was passed and the Philippine shipping bill taken up. A resolution offered by Mr. Hoar and adopted directs the committee on post offices to consider the report whether any further legislation is needed to secure, either by providing for an appeal to the courts or otherwise, the rights of persons whose correspondence is excluded from the mails under any discretion now exercised by the authorities of the postoffice department. Mr. Hoar said in explanation that complaint had been made to him by persons who have correspondence relative to medical advice and remedies that their letters are interfered with under the regulations of the postoffice department. He thought it probable that some methods for the relief of such persons could be devised.

The Retvizan Repaired.

Port Arthur, March 9.—The hole in the hull of the Russian battleship Retvizan, which was made by the first attack by the Japanese, has been repaired and the battleship has been re-floated. She is now anchored in the inner roadstead along the Cascaevitch. The other necessary repairs to the ship will be completed shortly.

Lord Augustus Loftus Dead.

London, March 9.—Lord Augustus Loftus, the former British ambassador at Berlin and St. Petersburg, is dead. He was born in 1817.

Land Slides Cripple Railroads.

Redding, Cal., March 9.—Continued slides in the Siskiyou mountains are badly crippling railroad traffic. About the time delayed trains get through one, another slide again blocks traffic. Yesterday and today the company has been running special trains south of Dunsmuir to replace the regular trains. The specials consist of a boxcar for baggage and one coach for passengers.

MRS. DYE RELEASED.

Was Accused of Sending Poisoned Candy to Miss Rena Nelson. Boone, Ia., March 9.—Mrs. Sherman Dye, accused of sending a box of poisoned candy through the mails to Miss Rena Nelson of Pierre, S. D., was released from custody today. Judge Whitaker framing his decision in the habeas corpus proceeding in accordance with the decision of Gov. Cummins in the requisition matter. Mrs. Dye will be molested so long as she remains outside the state of South Dakota, although the death of Miss Nelson makes the charge there that of murder.

Upon her release Mrs. Dye stated that she was very desirous of having herself cleared of the charge and intimated that she might go to South Dakota to stand trial.

FLOOD SITUATION.

At Wilkesbarre it is More Serious Than Yesterday. Wilkesbarre, Pa., March 9.—The flood situation here today is more serious than it was yesterday. Today the river is 30 feet 6 inches above low water mark. This is within nine inches of the high water mark in the worst flood of 1902. The temperature had fallen 20 degrees within the last five hours and this should bring some relief.

The people living in the lowlands who remained in their homes, thinking the worst was over, had to be rescued today by the police in boats. The water entirely surrounded their houses and as there was danger that they might topple over the authorities insisted that they be evacuated.

Practically the same condition prevails all along the river as far as Louisiana 50 miles below here, and the loss to property will be greater than that sustained in any previous flood. No town along the river front has escaped. At Shickelmy the people living in the lower portion of the town were forced today to leave their homes.

At Plymouth the greatest damage was done. Hundreds of houses in the southern part of the town have had their foundation walls weakened and it is feared that the high water will carry the superstructures away. Main street, the principal business thoroughfare of the town, is a small river and all traffic is conducted by boats. Every merchant in the town has sustained heavy loss.

At Nesquepeck 30 families had to leave their homes. The village of Espy, near Bloomsbury, is completely surrounded by water and the residents are imprisoned in their homes.

The ice gorge at Clark's Island, below the town of Catawissa, has forced the water into Front and Water streets and scores of families have been compelled to leave their homes. At Bloomingtown many of the industries are flooded, rendering hundreds of persons idle and cellars and first floors of hundreds of dwelling houses are under water. The danger to property will be heavy. There is almost a complete suspension of mining throughout the valley. Eight thousand miners are idle.

Montana Railroad Blocked.

Butte, Mont., March 9.—A Lewiston, Montana, special says: The blockade on the Montana railroad still continues. Since Feb. 24, when four snow plows managed to show a mixed train through, neither freight or passenger have arrived here. The chinook that set in Monday, however, is expected to melt the heavy snows in the mountains by Sunday. If not, Lewiston will be in serious need, for provisions and fuel are low. There are a score of deer cuts from Lombard to Lewiston, all filled with snow and at present impassable, even to five snow plows and a string of "buckers."

Communication with the outside world is very hampered by stage, the roads being fairly passable and some freight and a few passengers are hauled over the ranges by six-horse teams.

Robert Tabor Dead. Saranac Lake, N. Y., March 9.—Robert Tabor, the actor and divorced husband of Julia Marlowe, died here last night.

HAY'S DIPLOMACY IS AGGRESSIVE.

In Russian Official Circles Much Misgiving as to Policy of United States.

THE ONE UNKNOWN QUANTITY.

Famous Neutralization of China Note Almost Proved Disastrous.

MUCH DOUBT ABOUT SECRETARY.

What He May Do Next is Said to be a Veritable Nightmare to the European Chancelleries.

St. Petersburg, March 9.—The misgiving existing in high quarters regarding the ultimate aims and purposes of the foreign policy of the United States were verified today in the following remarkable statement to the Associated Press: "Were it not for a single unknown quantity the European situation at present would be as perfect as possible. For the avoidance of one thing, every chancellery in Europe has been straining every nerve—namely, to prevent the entanglement of an outside power in this war. That unknown quantity is your state department. The situation following the outbreak of hostilities was exceedingly delicate and surcharged with dangerous possibilities to the peace of the world, and the level-headed statesmen of Europe instantly co-operated to avert a general catastrophe when almost at the inception Secy. Hay's circular note for the neutralization of China almost dethroned them. But, happily, he did not press it to a point where differences were sure to arise and as it turned out, owing to the length to which the powers gave adhesion to its principle, it really contributed to the treaty to which all desired. The note might have proved disastrous did not the present moment find all of Europe practically in accord as to what should be done. The only place where uncertainty exists is in Washington. We are at present at a disadvantage from Mr. Hay's diplomacy, which in these latter days is so aggressive, so startlingly sudden in the way it proposes preparations for the remainder of the world and we have not time to prepare for the shock. It is a veritable nightmare to Europe. The present situation is like an algebraic problem—every quantity of the equation is known except one and that one is Mr. Hay. If we knew what he stood for or what he intended to do, the solution would be easy."

SEATTLE GOES REPUBLICAN.

The Democrats Only Elected Three Councilmen. Seattle, Wash., March 9.—The Republicans carried the city election yesterday by a large majority. Every councilman being elected by the Democrats. The new city officers are as follows:

Mayor, R. A. Ballinger, Republican; comptroller, John Higginson, Republican; corporation controller, Mitchell Gilman, Republican; treasurer, Samuel F. Rathban, Republican. Councilmen at Large—David W. Bowler, Republican, Charles H. Burnett, Jr., Republican. Ward Councilmen—First ward, James Conway, Democrat, Second ward, J. S. Johnston, Republican, Third ward, Hiram C. Gill, Republican, Fourth ward, Irving T. Cole, Republican, Fifth ward, Scott Benjamin, Republican, Sixth ward, Arnold Z. Binden, Republican, Seventh ward, T. M. Daulton, Democrat, Eighth ward, Dr. J. E. Cicholson, Republican, Ninth ward, William H. Murphy, Democrat. Judge Ballinger was knifed throughout the city as a result of the charges that he had accepted a fee from the city of Ballard to work against the Lake Washington canal and the fact that he was instrumental in securing the defeat of Harold Preston who was Seattle's candidate for senator last winter.

The Republican plurality on the ticket at large, exclusive of Ballinger was 4,573. Ballinger's plurality was only 1,268.

It is not yet known whether any of the four proposed amendments to the city charter passed.

The Prohibition and Socialist tickets received an inconsiderable vote.

No Grazing in Bull Run Reserve.

Washington, March 9.—The senate today passed a bill prohibiting the grazing of stock on the Bull Run forest reserve in Oregon. The measure includes the water supply of the city of Portland.

ATTACK ON PORT ARTHUR.

Russian Torpedo Boat Destroyer Strikes a Mine and Sinks. Tokio, March 9.—It is reliably asserted that when the Japanese attempted to block Port Arthur Feb. 24, a Russian torpedo boat destroyer, while trying to re-enter the harbor, struck a mine and sank.

Of the 13 Russian warships inside the harbor of Port Arthur, it is added, all are disabled except five.

Finally, it is asserted that Whang-Kiehan fort, at Port Arthur, was half destroyed by the Japanese shells and that only three batteries are available there.

About 800 Chinese and Russian workmen have been rushing the repairs on the warships.

SENATOR TILLMAN III.

His Friends Are Very Much Concerned About Him. Washington, March 9.—Senator Tillman of South Carolina is very ill, with a serious throat trouble. His friends are much concerned, as it is impossible for him to swallow and a little liquid nourishment is all he can take.