

If anything went amiss at the office to-day which you want to fix up, may remedy—and you hastened to fix up the want—may stop worrying about the matter.

# THE SALT LAKE CITY EVENING NEWS.

From the view-point of the man who wants to buy a house the paper is not complete unless it carries the ads. of all houses in the city that are for sale.

10 PAGES—LAST EDITION.

WEDNESDAY, AUGUST 9, 1905. SALT LAKE CITY, UTAH.

FIFTY-SIXTH YEAR.

## MILLIONS IN THE SMELTER BATTLE.

What the Utah Consolidated Mining Company Says as a "Further Answer."

### ITS GREAT DAILY TONNAGE.

Claim that Ores of its Immensely Rich Mines Cannot be Profitably Shipped Out of Utah.

### MUST OPERATE ON PRESENT SITE.

Not to Do So, It Avers, Will Compel The Suspension of its Mines— Outlook for Hearing.

#### POINTS IN ONE ANSWER.

Points in the answer of the Utah Consolidated Mining company are as follows:

That its mines are located in Bingham canyon.

That these are worth not less than \$10,000,000.

That the average daily wage of 750 men at average daily wage of \$2.75.

That its salary schedule is in excess of \$5,000 each month.

That 700 tons of ore are shipped from mines to smelter each day.

That this ore cannot be profitably shipped out of the state.

That if it is profitable to ship, it must suspend operation.

That the damage which the farmer alleges is very greatly overestimated.

That it is willing to pay all damages for which it is really responsible.

That the property is far more valuable than that of the farmers making complaint.

That it pays \$25,000 a year in taxes and supports 50,000 people in Utah.

That complainants offered no objection to the location of its smelter in their midst.

That it is perfectly willing to experiment with a view to rendering less harmful the smoke from its plant.

That as a result, the plaintiffs be given no relief, and that they be estopped from further efforts at redress.

Tomorrow is the day set for the United States Smelting company and the American Smelting and Refining company to file answers to the suit for permanent injunction against them, instituted by the allied farmers of Salt Lake valley last April. With the two answers already made by the Bingham Consolidated and Utah Consolidated, these will complete the replies of the smelter people, and the case will then await argument before Judge Marshall.

The evidence in the case will be the most extensive and complicated of any case yet argued in the state, it is thought, and will no doubt consume a long period of time. Should Judge Marshall decide not to hear the evidence himself, he may appoint a master in chancery to listen to the evidence, and in this event, the taking of testimony will probably begin within the next few weeks. But should Judge Marshall hear the case, it is not thought that it will begin until after his return from Kansas City, where he goes to hold court Sept. 6th.

Some slight impression of how extensive are the interests involved may be gained from the statement which the Utah Consolidated Mining company makes in its answer, of the size of its plant, and the men employed.

#### THE MILLIONS INVOLVED.

Under the heading of a "Further Answer" the document goes on to state, after answering all the allegations of the bill of complaint, that it owns mining properties in Bingham canyon, and a smelter in Salt Lake county, Utah, and has been and now is engaged in extracting ore from the mine, shipping by railway to the town of Bingham, and from there to the smelting plant by rail. The smelter is used almost exclusively to reduce the ores from the Bingham mines.

#### GREAT DAILY TONNAGE.

About 700 tons of ore are shipped every day from said mine to said smelting plant, and said ores cannot be profitably shipped away from Utah, nor can ores be shipped to any place in Utah and profitably worked without complaints being made as to damages such as are made by the ore in this case. If the defendant cannot operate its smelter at the present location it will be compelled to suspend the operation of its said mines, smelting plant, tramway and cease its business. This defendant in the operation of its mines and smelting plant consumes each day about 275 tons of coal, and other material in proportion.

This defendant's smelting plant is located in the vicinity of the town of Bingham, and has been for many years engaged in reducing ores. The population of the vicinity is thin and scattered, and but little property is injured by such smoke, and then only to a slight extent.

This defendant should be compelled to suspend the operation of its plant even for one day. It would sustain large financial loss, at least 700 men would be directly thrown out of

employment, besides the losses that would accrue in other ways.

#### CAN PAY DAMAGES.

If any property belonging to any of the allied farmers is damaged by this defendant it is only to a slight extent, and such orator can be readily and adequately compensated in damages. On the other hand the damage to this defendant if compelled to suspend as aforesaid, would be irreparable. This defendant is solvent and will respond in whatever damages any of said orators may recover.

#### ITS BIG TAXES.

This defendant pays annually in taxes in the State of Utah the sum of about \$25,000, and all of said defendant's pay taxes far in excess of the taxes paid by said orators, and the value of the property of said defendant is of far greater value and benefit to the State of Utah and to the welfare and prosperity of the people of the state than all the property of (all) complainants, and the benefits derived by said state and its people generally from the taxes paid by said defendant, and from the incidental benefits derived from said defendant far exceed any benefits that may come from said orators to the State of Utah or to its people generally.

#### THOSE WHO ARE DEPENDENT.

There are about 50,000 in Utah who are directly and indirectly dependent upon the operation of the smelters by defendant and such people as well as the state, derive far more public good from the operation of said smelters, taking into consideration the damage done by them, than would result to the people of Utah and its public welfare and prosperity if said smelters were closed down and said orators injured in any way by said defendant.

#### WILLING TO EXPERIMENT.

The machinery and devices used in smelting change from time to time, and defendant is willing to experiment with all necessary money in the improvement of its smelting plant or upon new devices which will in any way render less injurious the operation of its plant.

Smelting plants have been erected, maintained and operated in the vicinity of this defendant's plant since the year 1870, and such smelters from the beginning have done more or less injury to the animals and crops of said orators and other persons. Said orators, or many of them, knew of such damage long before this defendant operated its smelting plant. Nevertheless they stood quietly by and made no objection to the erection of the plant, or its later enlargement or improvement; many of said orators and other persons located there donated either land or money, or both, for the purpose of inducing said smelters to locate there, and to erect, maintain and operate smelting plants. Said orators, or many of them, knew many years ago as much about the spreading of said alleged area of damage as they know at the present time. Nevertheless they not only quietly acquiesced in and witnessed the erection of said smelters, but in many ways improved and encouraged the construction, maintenance and operation of such plants.

#### WANTS NO RELIEF GIVEN.

Wherefore the defendant prays in closing, that said complainants may be given no relief, that said complainants may be held to be estopped and guilty of laches, and that this defendant may be dismissed hence without harm and with its costs, and for such other and further relief as it may be just and equitable in the premises.

## ALBERT EDWARD REVIEWS FLEETS.

King of England and Emperor of India Celebrates Anniversary Of His Coronation.

### ANGLO-FRANCO NAVAL LINE.

Guns of Combined Warships Roar Out Royal Salute of 10 Cannon on The Solent.

Portsmouth, Eng., Aug. 9.—King Edward celebrated the anniversary of his coronation by reviewing the combined French and British fleets, aggregating some 70 ships. As a spectacle, the event was somewhat marred by gloomy and showery weather, but the enthusiasm of the crowds was undiminished. Enormous masses of people thronged both shores and there was a fleet of excursion boats filled to their capacity. The royal yacht Victoria and Albert weighed anchor at 10:30 o'clock, and followed by a few private yachts, slowly passed down the lines of the fleets. As King Edward approached the French and British flagships, the firing of a royal salute commenced and the entire combined fleets joined in a salute of 101 guns. His majesty, wearing the uniform of an admiral, stood alone on the bridge of the royal yacht at salute. All the ships were dressed and manned and their bands played "God Save the King."

The review lasted an hour and then the Victoria and Albert returned to her moorings. Later the king proceeded to the battleship Massena. The French flagships, where he was the guest of Vice Admiral Caillaud at luncheon. The Prince of Wales and the Duke of Connaught accompanied his majesty.

#### Chapter of Accidents.

Oklahoma City, Okla., Aug. 8.—In a series of unusual accidents during the past 24 hours, Joe Hobbs, a boy and James Hines, are dead, and Chester Harned and a son of Mr. Pullman, all farmers living in Caddo county, are probably fatally injured. During a wind storm yesterday evening Hobbs was killed by a house being blown on him. While driving home from town Hines was instantly killed by falling from his wagon and the wheels passing over his body. Harned was riding over a wet bridge and his horse slipped and fell, throwing his pistol on the boards, discharging it, the bullet entering his body. The Pullman boy was fearfully burned about the head by an explosion of gasoline. These accidents happened within a range of five miles and within a few hours.

## THIRTEEN BODIES RECOVERED SO FAR.

All Men and all but One Woman In Department Store Accounted For.

### TWENTY DEAD IN THE RUINS.

About Thirty Cash Boys Are Still Missing Following the Albany, N. Y., Disaster.

Albany, N. Y., Aug. 9.—A thorough search carried on since early morning has revealed the fact that all men and all but one woman employed in the department store of the John G. Meyers company, which collapsed yesterday, are accounted for. About 30 cash boys out of 75 have not yet reported, but it is thought scarcely possible that many of them are in the ruins for the proportion of boys thus far known to be killed and injured is small.

#### DEATH LIST DOUBLED.

This morning found 200 men still tolling over the wreckage of the John G. Meyers company department store, where 24 hours ago occurred the saddest catastrophe in the history of old Albany. Eleven dead bodies, many of them mangled beyond recognition, have been taken from the ruins thus far and one woman died after being carried to the hospital. The known dead list which last night numbered only five, has been more than doubled by the addition of the following, all employees: Mary McAvoy, died at hospital.

Anna Cashman, Theresa Spahnauer, Etta Sprinks, Grace B. Erner, Helen Malone, John E. Powers, cashboy.

In addition to these it is almost certain that 15 or 20 bodies still remain in the twisted mass of beams, wires, plaster, brick and lath, that was once the main portion of one of the city's largest stores.

#### HALF OF DEBRIS RAISED.

A day's work by skilled hands from the wreckage crew of the New York Central and Delaware & Hudson railroads has resulted in raising barely half the debris.

Shortly after daybreak the searchers found the twelfth body. It was Miss Helen Malone, a young girl who shared the cashier's gallery on the main floor with Anna Whitbeck, Minnie Bell and Alice Sharp and was crushed beneath the same debris that killed her three companions.

#### CONDITION OF INJURED.

The injured in the hospitals are doing well with two exceptions. Miss Ed. Donohue, one of the first survivors to be taken out of the wreck, has her spine fractured and cannot live. Mrs. Horst, of Windom, Minn., who was one of the few shoppers injured, is also reported to be in a critical condition. She was visiting Mrs. Richard W. Brass, wife of a well known attorney. The two women were out on an early shopping tour.

Mrs. Brass was also injured but after being in the wreck several hours, was removed without serious wounds.

The only addition to the list of injured is Thomas Rogers, a fireman, who was painfully though not seriously bruised and cut while at the work of rescue.

#### CORPSES DISFIGURED.

It is thought scarcely possible that any of those now imprisoned in the debris can be alive. Since midnight only disfigured corpses have been taken out. Fifty women employees are still unaccounted for, and as the firm has a complete list of those, grave fears are expressed for the safety of the majority. A large percentage of those in the central portion of the building, which collapsed, were women.

The number of men unaccounted for is about the same but the loss of the men's books makes anything like a complete record of the male employees inaccessible. It is thought that nine-tenths of the bodies remaining in the ruins are those of women.

#### WHO IS RESPONSIBLE?

Now that the first shock of the horror is passed the people of Albany have begun to ask who is responsible. Mayor Gaug, Chief Higgins of the fire department and Commissioner Cantine of the department of public safety, believe that the accident was caused directly by workmen excavating beneath the basement floor, who undermined one of the key brick piers in the center of the building and their belief is generally shared. Mayor Gaug said today:

"Every guilty person will be prosecuted as soon as we have placed the responsibility for this disaster, which is the worst of its kind that has ever befallen the city."

#### INVESTIGATION DUE.

An investigation will be begun as soon as the work of rescue is over. The work under way when the building collapsed was in charge of Contractor John Dyer, Jr. Of the 31 men employed by him on the building, every one escaped. In view of the fact that nearly all of them were in or under the basement in the very center of the structure, their escape is almost miraculous.

Shortly after 10 o'clock the thirteenth body was found and identified as that of Miss Winifred Kelly, by her father, who had watched by the wreckage all night.

#### Two School Teachers Drown.

Spokane, Wash., Aug. 8.—News has been received from Cascade, B. C., of the drowning of two school teachers, Miss Agnes Ruckel of Vancouver, B. C., and Miss Anderson of Cascade. While attending a picnic yesterday they went swimming in Christina lake and lost their lives.

## PRELATE DIES OF YELLOW FEVER.

Archbishop Chappelle of the Catholic Diocese at New Orleans Succumbs.

### QUARANTINE REGULATIONS.

Sentiment Now Growing to Modify the Restrictions Governing the Movement of Passengers.

New Orleans, Aug. 9.—Archbishop Chappelle, of the Catholic diocese of New Orleans, died this afternoon of yellow fever.

New Orleans, Aug. 9.—A great street cleaning campaign was inaugurated here early today and will continue until tonight. Besides the paid laborers of the city and the prisoners of the jails and houses of detention, thousands of volunteers took off their coats, rolled up their sleeves and went to work to give New Orleans a thorough scrubbing. Hundreds of carts and wagons were employed in carrying off the refuse.

The state board of health was in receipt of advice from a number of parishes today notifying it of their intention to modify quarantine regulations. A number of boards have conferred at Lafayette and decided not to interfere with the movement of passengers by land or water. Some have health certificates and from infected points if they have served time in detention camps and been released by marine hospital services. Restrictions have been taken off freight, provided it is shipped in fumigated cars. Full confidence was expressed in the marine hospital service. Additional appeals have been made for relief so that they may obtain food supplies and ice.

#### SUPPLIES GETTING SHORT.

Guyard, La., and Logansport, La., are among the towns thus complaining. The latter is on the Texas border and because of the Texas quarantine has not had a train for seven days. Its supplies are nearly exhausted. Had Rouge been guarding against possible infection by the erection of an isolation hospital, Alexandria, La., having lessened the severity of her regulations, has been able to receive supplies of delayed mail.

Gov. Blanchard has received an appeal for assistance from Bon Ami, La., where two cases were reported. One has died, and the other is moribund. There are 1,200 people in the settlement and only one doctor.

#### IMMIGRATION STOPPED.

All foreign immigration into New Orleans is to be stopped until after the 15th inst. The large numbers of Italian immigrants expected here in September and October will be diverted to other ports unless by that time there is no longer a trace of the disease here.

Dr. White and his staff are gradually organizing a fine force of labor assistants. No grafting is to be tolerated, and the 15th inst. is set for the cases of those who do not come fully up to the requirements of the service.

#### HEALTH LECTURES.

A large meeting of representatives of colored people has been addressed by leading physicians of the city, and an address has been issued to the colored race urging them to observe the sanitary measures that are put forth by the authorities.

Through the large numbers of new cases announced during the past 24 hours had a discouraging effect, the reason given "that many of them were the result of cases already reported are not of the violent type which has played havoc in the ranks of the ignorant Italian population."

ALMOST STARVED.

Chester, Pa., Aug. 9.—Thirteen Scottish sailors, taken from the fever-stricken British steamer Barnton, and now in the Chester hospital, tell an unusual tale of suffering. They say that stores could not be procured in the foreign ports, and when they were at sea, all the meat became unfit to eat, but they either had to accept it or starve.

After the men entered the Chester hospital, they began to rave for food and insisted on being given a full meal. The attending physicians, however, their sufferings consisted in being nearly starved to death.

#### HANKOW & CANTON R. R.

J. P. Morgan & Co. Propose to Sell Property to Chinese.

New York, Aug. 9.—Speculation concerning the future control of the Hankow & Canton railway, and the concessions for further construction, now owned by the China-American Development company, were at rest yesterday by the positive statement made in well-informed quarters, according to the Herald, that J. P. Morgan & Co. are continuing their negotiations for the sale of the property, and concessions to the Chinese. It was learned further that the offers for the control of the China-American Development company made by various European syndicates are not being considered by the Morgan firm. From a financial point of view, several of these offers are understood to have been very tempting.

If the attitude of the various Chinese governments had been different, the Herald continues, and more in harmony with the spirit in which the concessions were granted it might have been possible to sell the control to European bidders. At the present time, however, the negotiations for the sale of the property and concessions are intertwined with diplomacy. While a large banking profit will likely be sacrificed by the sale of the concessions and railroad to the Chinese, it is asserted that the majority interest is actuated by a view to promoting better and more cordial relations between this country and China than now exist and at the same time eliminate some of the friction.

Delay in completing the sale to the Chinese is stated to be due to the difficulty in determining just which of the provincial governments, or it may be the imperial government, is the correct and proper quarter with which to deal. Precautions safeguarding the transfer of the concession and the payment therefor necessitate a great deal of time and attention.

## LOCATIONS TO ORDER AT PROVO.

Grafters Have Scheme Whereby To Make Easy Money From Lucky Ones.

### MINERS ARE REGISTERING.

Large Representation from the Various Camps of Utah Visited the Garden City Yesterday.

#### ABOUT PROSPECTORS.

Richards Doesn't Know Whether They Can Go on Reservation.

(Special to the "News.") Provo, Utah, Aug. 9.—A 1,124 application for land on the Utah reservation, registered this morning. About 500 people are here from Salt Lake and Ogden.

The question has been raised locally as to whether prospectors and others can go on the reservation lands for the purpose of looking them over as mineral properties. Commissioner Richards, when asked for his opinion on the matter, stated to the "News" representative that he did not know definitely, as he had no connection with either the forest reserve, the reclamation, or the geological survey departments. Mr. Finchot, he stated, was in charge of the forest reserves and his rangers were in charge directly of the Utah lands. He stated, however, that ordinarily prospectors can go on reserves.

The only logical conclusion from this is that unless special rules are issued covering prospecting on the reservation, prospectors may enter the reserves, and may locate mines if they so desire.

Provo, Aug. 9.—Yesterday's afternoon work in the registration office here did not keep up with the forenoon, only 400 registering after 1 o'clock which made the total for the day 1,524. There was a large representation from mining towns in the crowd registered yesterday. The Tintic district supplied about 100 and Bingham and Park City were also well represented, with a number from Rock Springs, Wyoming. Those who came in yesterday from mining towns reported that there were more to follow.

#### MAPS NEXT WEEK.

The maps of the reservation lands which will be open to entry are not yet completed. Commissioner Richards expects to receive them next week. They will show the lands allotted to the Indians, reserved for the reclamation service, selected by the Raven Mining company, etc. There will not be enough of them for general distribution, but each applicant who draws a number that will entitle him to enter land will be given one of these maps after the drawing. Until the applicant knows what portions of land are allotted to Indians and reserved for other purposes, he cannot make a selection even by going on the reservation with any degree of certainty that the piece of land he selects can be obtained by him. He will have an advantage in becoming acquainted with the topography of the country the character of soil, water courses, etc., but that is about all. After the drawing when he obtains an official map he can go on the reservation and select the land he desires with some certainty that he will get it with entire certainty except that some one who has a number that will entitle him to enter the land first may select the same piece.

The homesteader will have the advantage of the land, being lately surveyed, and the surveyor's stakes should be in such condition that there will be no difficulty in getting the legal subdivisions of the land he may desire, for use in describing the land at the Vernal land office when he makes his entry.

#### SHARKS ARE RUBY.

It is reported that some sharpers expect to make money dishonestly by "locating" settlers—that is, directing them in the selection of the land. The scheme has been outlined by a Provo man who claims he was approached by one of these locators with a proposition of partnership, is to take a settler on the land and point out to him some desirable piece of land, whether that land has already been taken up or not, and in giving him the description for his application for a homestead to describe some other piece of land, which may be comparatively worthless—that is, when the land he really desires is already taken.

A good fee was to be charged and when the homesteader discovered the fraud the "locators" would be gone. This scheme, if it is contemplated, should not be successful for the reason that if a homesteader goes on the ground to make his selection he can by the use of ordinary caution ascertain from the stakes and monuments the correct description of the land.

#### PLENTY OF WORK FOR THEM.

Locators will no doubt do a good business and their services will be of great value to persons who are not acquainted with the country, but only men or firms known to the settler personally or through reputation as reliable should be employed.

The homesteader who gets one of the government maps mentioned will have 10 days or longer to make his selection. Those who draw the first 111 numbers at the drawing on the 17th will have till the 28th, when they are required to file on the land in Vernal to make their selections, while those who draw higher numbers will have a longer time, the drawing being conducted at the rate of about 2,000 a day.

and the filing at the Vernal land office at the rate of 111 a day.

#### THAT WITHDRAWAL.

Commissioner Richards was asked by the "News" if he could give any information in regard to why 200,000 acres of land, as reported, have been withdrawn from entry on the reservation. He stated that he did not know. The act of March 3, 1905, authorizes the department of the interior to reserve land for irrigation projects, and forest reserves, on the recommendation of the geological survey and the reclamation service, which is an adjunct to the geological survey, and the land in question had been reserved on such recommendation, but as to the amount, what for and the kind of land he did not know. The secretary of the interior would have this information, but Commissioner Richards did not, as he had not yet received the maps showing the lands reserved for various purposes, and the lands that will be open to entry.

#### SOME WHO ARE REGISTERING.

Mayor Glassman and a party of Ogden business men came down to register yesterday.

Many of those who have registered are pushing out for the reservation, expecting to return for the drawing. Some of them will go on the forest reservation in prospect of a draw, and find anything good may let their chance for a farm go. There are so many going that it is difficult for them to find teams, as the farmers are now very busy harvesting their crops.

Large numbers file their declaration of citizenship each day with the county clerk, as a preliminary step to registering.

#### PRESS ASSOCIATION.

President D. P. Felt, of the State Press association, was here yesterday and registered, so that he will be in line for the Utah newspaper drawing. He will start a newspaper in a virgin field. Register Hobbs, of the Salt Lake land office, was here yesterday, calling on Commissioner Richards.

The number of strangers here have been increased by a colony of gypsies, who are not here to draw land but coin.

W. McAllister, the popular Salt Lake traveling man, came down yesterday to register for a farm.

Several of the members of the Salt Lake department yesterday were down yesterday to register, preparatory to becoming granters in Utah county.

#### MISSING MIDSHIPMAN.

Located in Quebec Where He Tells a Strange Story.

New York, Aug. 9.—Midshipman Robert Jackson, who was reported missing since a week ago in a Friday, when he left his ship, the Missouri, then lying in the North river, has been located by his father in Quebec. He is said to have been working for money to pay his way back to the battleship. The midshipman is now being taken to Bar Harbor, Me., by his father.

Jackson is understood to have told his father that he did not account for his actions since leaving the ship. As if he were in a trance, he says, he wandered away from New York. When he recovered his senses and realized the seriousness of his situation, his first thought was to secrete himself until he had made enough money to return to the ship.

#### COUNT KILLED IN COLLISION.

Berlin, Aug. 8.—Henry Palas, Count von Platen, son of Prince Henry XXVI of Prussia, belonging to a colonial branch of the younger Reuss line, was among 29 persons killed in a railroad collision yesterday between Spremburg and Goeritz, Prussia. The count had only a remote possibility of succession to the government of Reuss-Gera.

## DENVER BANKS EXPERIENCE RUNS.

Central Savings and Denver Savings Both Paying Their Depositors.

### THE WESTERN CLOSES DOORS.

Henry M. Beatty, Assistant Cashier, Is Appointed Assignee for the Unlucky Institution.

Denver, Aug. 8.—The Western bank, a state institution, failed to open this morning. A notice was posted announcing that Henry M. Beatty, assistant cashier of the bank, had been appointed assignee. W. G. Brown is president, and W. T. Perkins cashier of the Western bank.

#### STATEMENT PROMISED.

No statement from the officers of the bank was forthcoming during the forenoon, but they announced that one would be made public later in the day. According to the bank's statement made on July 1, 1905, its resources and liabilities had shrunk during the previous year from \$28,356, to \$18,465. The amount of deposits on July 1 was \$41,676, and the loans and discounts were \$542,635. The bank's capital is \$100,000, and its surplus \$10,000. It is said L. M. Imboden, one of the principal stockholders of the Denver Savings bank, on which a run is being made, recently acquired an interest in the Western bank.

#### RUN ON DENVER SAVINGS.

The run on the Denver Savings bank, which began yesterday, was resumed today. There were about 300 people in line when the bank opened at 1 o'clock. The bank continued paying ten per cent of the deposits. Vice President F. P. Jones made the following announcement:

"The public is assured, on the honor of the management of this bank, that there is absolutely no occasion for any uneasiness as to the bank's condition. The Denver Savings bank has cash on hand to pay to its depositors every cent due on commercial deposits and all that the savings depositors can call for up to the full limit."

CENTRAL BANK ALSO.

The Central Savings bank is also experiencing a run, but is paying all depositors in full on demand.

## FIRST SESSION OF PEACE CONFERENCE.

Russian and Japanese Envoys Got Together For an Hour This Morning.

### AGREEMENT UPON A PROGRAM.

Official Minutes of the Meeting to be Recorded in English and French.

#### CREDENTIALS ARE SATISFACTORY.

Each Was Examined Respectively by The Other and Pronounced to Be in Order.

Portsmouth, N. H., Aug. 8.—The first session of the peace conference between the Russian and Japanese plenipotentiaries has been concluded. The meeting lasted about one hour, during which time the credentials of each mission were found to be entirely satisfactory.

The only other business transacted was the agreement upon a program for future sessions. The next meeting will be held at 2:30 a. m. tomorrow.

After the conference the envoys spent some time in their respective offices leaving the general stores building shortly afterward. The return to Newcastle was by launch. Baron Komura and Mr. Takahira were the first to leave the navy yard landing. The Russians followed shortly afterward, the trip to the hotel landing being made by the Russians and the Japanese in separate boats.

The envoys have agreed that the English and French languages shall be used jointly and that the official minutes of the meeting shall be recorded in both languages. Wilson and Captain Gibbons will call officially today on the plenipotentiaries at their hotel. The exchange of official calls between the two divisions will occur probably this afternoon.

The official details of the daily program have not yet been made public.

#### NO TERMS DISCUSSED.

A correspondent of the Associated Press was received by one of the plenipotentiaries within 10 minutes after the mission returned to Newcastle and in reply to questions about the conference he said:

"You can say that this morning's meeting was entirely satisfactory so far as it went. Our plenipotentiaries will be held tomorrow morning. Provided all goes well we will get down to business then."

Terms were not discussed at today's meeting.

#### OFFICIAL STATEMENT.

On behalf of Baron Komura and Mr. Takahira, Mr. Sato handed the following official statement to the Associated Press regarding this morning's meeting:

"Today's meeting was informal for the purpose of settling the method of procedure and in that meeting it was decided that formal meetings will commence tomorrow morning at 2:30. Meetings will be held twice a day, the first from 2:30 to 12:30 and the other from 3 to 5:30 or 6 o'clock in the afternoon, subject to modifications as may be agreed upon later. No serious business was transacted at this morning's session."

#### DELIGHTFUL WEATHER.

The day which was to bring the informal meeting of Russian and Japanese plenipotentiaries at the navy yard, here, opened with delightful weather conditions.

The members of both the Russian and Japanese missions were early about the hotel and with the exception of Mr. Witte and Baron Rosen, breakfasted in the main dining room. A number of the Russians were coming out of the dining room this morning they met two of the Japanese entering. They exchanged profound bows but did not shake hands. Baron Komura and Mr. Takahira and Secy. Adachi left the hotel Westworth in an automobile for the navy yard at 2:55. They were greeted on the way by Acting Secy. Peirce and Gov. McLean.

Mr. Witte and Baron Rosen departed shortly after to another automobile, leaving by a secondary entrance which led to the rear of the hotel.

There were many people waiting on the veranda of the hotel to witness the departure of the envoys.

#### NO ARMISTICE.

With the approach of the hour of meeting the feeling became more pronounced than before that an armistice would not be agreed upon until the success of the negotiations was assured. The known opposition of Japan to this formality, and the hearty support which London is understood to have given to it, is believed has operated to minimize the wish of the Russians for a signed truce. Another cause for their willingness not to press for an armistice at the first meeting is believed to be the recent opposition said to have manifested itself among the Russian forces at the front against peace negotiations. It is felt that to ask them to sign a truce might have a bad effect upon their spirits and serve to increase their opposition to the ending of the war.

#### TICUP IN AUTOMOBILES.

It was arranged that the plenipotentiaries should make the trip in two big automobiles which had been sent for their use. Instead of by launch, which is expected to be the usual method, it took about half an hour to cover the six miles from the hotel to the navy yard and it was 10:30 o'clock when the envoys arrived at the naval stores building, where the sitting was to take place. The foreigners accompanied no party of the Russian plenipotentiaries to the city today.

At the navy yard the careful arrangements made by Rear Admiral Russell, the commandant, for excluding all persons not connected with the peace proceedings, operated perfectly, every outsider being stopped at the entrance of the yard. Several business will stand on watch just outside the conference building throughout the time the envoys are in session.