DESERET EVENING NEWS: MONDAY, AUGUST 22, 1904.



American Torpedo Boat Destroyer Chauncey Anchors Close to The Askold.

JAP DESTROYER ON OTHER SIDE

Monitor Monadnock Ordered to be Ready to Protect the Neutrality Of Shanghai.

Shanghal, Aug. 21 .- Shanghal was thrown into a fever of excitement this fternoon by the arrival of a Japanese perpedo boat, which was sighted coming in from the south at half past 4 c'clock. She passed Woosung at full speed and started up the river of the la for Shanghai. The United States torpedo boat destroyer Chauncey slipped her cable and followed the Japanese destroyer. The Japanese boat was deared for action. She anchored off the Cosmopolitan dock, where the Rusfan cruiser Askold is undergoing repairs. The Chauncey came to anchor practically between the dock and the

Japanese destroyer. There are at present no Chinese menprevar in this port, but the faotal has telegraphed that a Chinese cruiser be tent immediately. The Russian consul-general here flatly refuses to disum the Askold and the Russian torpedo boat destroyer Grozovol, or to or-jer them to leave the harbor.

The taotal has notified American Consul Goodnow, who is dean of the consular body, that China cannot prosensular body, that china cannot pro-set the foreign settlements. He con-sends that Russia ignores the orders issued by China and that China hus no means of making her obey them. Consul Goodnow has called a meeting

of the consular body for 10 o'clock to-morrow morning, to take joint action for the protection of foreign interests it is believed that the foreign consulwill then arrange means to strengthen the hands of the taotai in dealing with the matter of the Russian warships

The Askold is docked adjacent to the warehouses of the Standard Oil com-pany, which are valued at over \$1,000,-00. The Standard Oil company has demanded protection for its property from Consul Goodnow, The dock from Consul Goodbow. The dock where the Askold lies is owned by British interests. On one side of this dock is German and Dutch property. There are eight American, one Ger-man two British and four French warshiups here. The steamer Haiting, which arrived here today, reports having sighted a Japanese squadron last night off Gutzlag island, about gixty-five miles southeast of Shanghai. The

squadron showed no lights. The United States monitor Monad-The context states monitor Monad-nock and two torpedo boat destroyers-have been ordered to be ready to pro-tet the neutrality of Shanghai. Later reports declare the Japanese squadron to be twenty miles from Woosung. Woosung is the outside harbor of Shanghai Shanghal

CAUSES SURPRISE IN LONDON.

London, Aug. 21 .- The Intervention of Be American squadron at Shanghal in the Japanese operations against the Russian cruiser Askoid created consid-cable surprised official and diplomat-is dicles here. The Japanese legation



no safety until the blood is made pure. Dr. Pierce's Golden Medical Discovery purifies the blood, and removes the effete matter which clogs and corrupts it. It cures pimples, boils, eczema, scrofula, sores, ulcers and other consequences of impure blood.

impure blood. "I feel greatly thankful for what your medicine has done for me," writes Mrs. The second second second second second fered with scrofulia of the head for twelve vears. Tried every kind of medicine that heard of but found no cure. Every one that looked at my head said they never has docked at my head said they never that looked at my head said they never worse every day. Was so miserable that worse every day. Was so miserable that thaking two or three bottles of your Golden thating the prescribed for me, I was used and my head was entirely free from scrotta."

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shall take measures to compel respect for China's neutrality.

MORE TIME FOR THE ASKOLD,

Shanghal.Aug. 21.-The consular body Shanghai, Aug. 21.—The consular body will meet again this afternoon. The Japanese torpedo boat destroyer which entered the harbor yesterday has left the harbor with dispatches for the fleet. The taolai has, by order of the wai-wou-pon (ministry of foreign affairs), again taken a hand in the affairs, and has issued another extension of time to has issued another extension of time to the Russian vessels which have been ordered now to leave at noon Tuesday.

At low tides the Askold could not get over the bar this week. Therefore repairs must cease, The American men-of-war in the harbor, while retaining the outward appearances of inaction, have for sev-eral days been practically cleared for

action, with gun sights in position and action, with gan again and a strain of steam up. Rear-Admiral Stirling is determined that the Japanese shall not interfere with the Russian vessels. He has, it is reported, offered to escort the Askold grad Grozovoi beyond the three-mile limit.

The Japanese torpedo hoat destroyer is expected to return to the harbor tonight.

JAP LEGATION DOUBTS.

Washington, Aug. 21.-Some doubt vas expressed at the Japanese legation tonight that a United States torpedo boat should have deliberately put herbetween the Russian ships Askold and Grozovoi and a Japanese torpedo boat, which arrived off the port today. The opinion was expressed that the Japanese vessel had a perfect right to

go in and reconnoiter to ascertain if the Russian ships had disarmed, and this is believed by the legation officials to have been her object rather than to attack the Russian vessels lying at Shanghai, and thus violate neutrality. The Japanese legation officials were lined to construct he action of the commander of the American for-pedo boat in the light of intervention and said the effort might be to protect American business interests at Shanghal from some danger that it had been apprehended might occur. Attempts tonight to reach neval officials having knowledge of the move-ments of the United States naval veseis in the far east as well as the orders governing such movements were unasovering such movements were una-valling. Both Secy, Hay and Asst, Secy, Loomis of the state department are out of the city, and Acting Secy, Adee had retired for the night.



Attitude in the Capture of the Russian Ship.

CHINA'S STATUS IS UNIQUE.

Her Neutralily is Held to be Imperfect -Applicable to Places Not Occupied by Belligerents.

Tokio, Aug. 20 .- The Japanese government today gave to the Associated Press a statement defining its attitude In the capture of the Ryeshitelni and declaring its position on the entire question of Chinese neutrality as follows:

The status of China in the present trouble is wholly unique. Nearly all of the military operations are carried on within her borders. She is not a party to the conflict, nevertheless herterritories are in part belligerent and in part neutral. That condition of things, in the contemplation of international law, is an anomaly and a creature of special understanding to

which the belligerents have given adhesion with a view to limit the area of hostilities in the interest of foreign intercourse and the general tranquility

The Japanese government engaged to respect the neutrality of China outside of the regions actually involved in the

of the regions and that Russia made a sim-ilar engagement and carried it out in good faith, "The Japanese government isidered that they were precluded by this engagement from occupying or making use for warlike purposes of any kind of territory or ports of China out-side of the zone which has been made the theater of war, because it seemed to them that any such occupation would "ipso facto" convert the places thus occupied and used from neutral to It equally seemed to them that any

Such occupation and use of neutral Chinese territory or ports by the Rus-sian forces would give effect to the provise in the Japanese engagement and justify her in considering territory or ports so occupied and used as beligerent.

In other words the Japanese govern-ment holds that China's neutrality is imperfect and applicable only to those places which are not occupied by the armed forces of either beiligerent, and Russia cannot escape the consequences of an unsuccessful war by moving its army or navy into those portions of China which, by arrangement, had been

China which, by arrangement, had been made conditionally neutral. A Rusisan warship from Port Arthur sought in the harbor of Chefoo asylum from attack which her home port had ceased to afford her. In taking that step she was guilty of a breach of the neutrality of China as established by the agreement of the belligerents, and Japan was fully justified in regarding the harbor of Chefoo as belligerent so far as the incident in question was confar as the incident in question was con-cerned. With the termination of the incident the neutrality of the port was revived. The action taken by Japan at

Chefoo was a direct natural consequence of Russia's disregard of her en-gagement, but it is not alone in this

disarmament would not fulfill the re-quirements of China's neutrality regu-lations and it was for China, not Rus-sia, to decide whether the alternative if disarmament was acceptable. of disarmament was acceptable. It has been suggested in many quar-ters that the present case is comparable with the case of the Florida, among others, but the Japanese government drew a clear distinction between the two events. The neutrality of Brazil was perfect and unconditional and Port Pable was a long distance from the

Babin was a long distance from the seat of war, whereas the neutrality of China is imperfect and conditional. The port of Chefoo is in close proximity to the zone of military operations. The reports of the Japanese and Russian of-floers who took part in the Chefoo in-cident agree that the Ryeshitelni was cident agree that the Ryeshitelni was the aggressor and the first to commence the hostilides which resulted in her capture. This act would, the Japanese government believes, deprive Russia of any grounds for complaint which she might possess if the lawfulness of the capture were otherwise in doubt. In this respect the case resembles the cases of the American privateer Gen-end Armstrong and the British ship The Anne. (The case of the Ryeshitelni is in fi-selt of truffing importance. Experience

solt of triffing importance. Experience has shown that China has taken no adequate steps to enforce her neutral-ity laws. If in these circumstances the Rycshitelni could make Chefoo a harbor of refuge, then the great ships of the Russian navy might do the same and nothing would prevent those ships from issuing forth from their retreat to attack Japan. The necessity of guard-ing against such an eventuality was too commanding, too overwhelming to per-mit the Ryeshiteini incident to stand as a precedent. The end of this incident vill not affect in any way foreign commerce or disturb the general situation in China, but will merely serve notice to Russin that she must keep her engagements in the future.

RIOT IN STOCKYARDS.

One Man Killed and a Number Wounded.

Chicago, Aug. 20.—During a riot in the stock yards tonight one man was shot and instantly killed and three oth-er men were injured by bullets.

DEAD.

Andrew Nebroutski, shot in forehead, lied immediately.

WOUNDED.

Barry Hanson, wounded in abdomen. Dennis Ryan, shot in side, serious. Daniel O'Meara, shot in leg, not riously

A crowd of men and women strike sympathizers had gathered at Fortleith streetand Emerald avenue, where, ac-cording to the rules of the rallroad com-pany, it is necessary for all trains leav-ing the stock yards to stop. A long train filled with Greeks and negroes from the yards stopped, and when the strike sympathizers commenced to hoot and jeer the non-union men and press closer to the sides of the car, the men inside

pened fire. Nebroutski was killed at almost the first shot. Hanson, who was standing close to him, was wounded a second later, and Ryan and O'Meara were hit as the crowd ran away from the cars.

CLAIM JUMPING.

Result of it is Two Men Dead And One Man Missing.

St. Maries, Ida., Aug. 21.-Two men are dead and a third is missing, as the result of a row over alleged claim jumping on Marble creek, near here, Last night the bodies of P. Bouley and N. Lindsay were found on the trail be-tween Marble creek and Gordon, Bouly's body had 13 bullet holes. The bodies were some distance apart. The

bodies were some distance apart. The third man, Tyler, is missing. Only the most meager information has been obtained here. It is said Bouly and Lindsay were claim jump-ers. Nothing is known about Tyler. The sheriff and coroner left for the scene this afternoon and have not yt rturned. Excitement prevails in St. Marles as there has been threatening

Marles, as there has been threatening valk about alleged claim jumping for



The District.

Tokio, Aug. 21 .- After a severe en-Denver, Colo., Aug. 21 .- Six of the gagement with the protected cruisers men driven from Cripple Creek last Chitose and Tsushima, the greyhounds night by the mob arrived in Denver toof the Japanese navy, the fleet Russian lay. They are J. C. Cole, former depcruiser Novik has been vanquished. uty district attorney of Teller county. The fight occurred today. After it the Novik, in a sinking condition, was run ashore in Korsakovsk harbor on the island of Sakhallen. Korsakovsk is a port on the southern coast of Sakhallen, off the coast of Siberia, and about 550 miles northeast of Viadivatok n which Cripple Creek is located: Frank J. Hangs, attorney for the Western Federation of Miners; H. N. Heinerdinger, J. C. Higens, T. H. Parfet and F. J. Hall. miles northeast of Vladivostok. The details of this sea fight are not

A conference with officials of the The details of this sea fight are not known here, but it is evident that the Chitose and Tsushima caught up with the Novik yesterday, and that a run-ning fight ensued. The contest was resumed and terminated early this morning. Capt. Sukeichtro Takahashi, who is in command of the Chitose, re-ports the engagement in a brief tele-gram which reached the navy depart-ment here this afternoon. He says he first attacked the Rus-sian cruiser Saturday afternoon, and Western Federation of Miners will be held tomorrow to determine on the course to be pursued as a result of their eviction from the gold camp. It is almost certain that an appeal will be made to the federal court, and two propositions along this line are being onsidered.

One is that the Western Federation He says he first attacked the rus-sian cruiser Saturday afternoon, and that on Sunday morning he inflicted heavy damage upon her. The Novik struck the Tsushima in a bunker. Tem-porary repairs, however, rendered the Japanese cruiser seaworthy and she continued to fight. The Japanese suf-fered no casualties. of Miners ask the federal court to resstore all its deported men to the district. The way in which this aid will be sought has not yet been determined upon. The other plan concerns more particularly the case of Mr. Heinerdin-ger, who is a citizen of Montana, and The fate of the crew of the Novik is not known, but it is thought they abandoned their yessel and landed at Korsakovsk. It is generally thought here that the Chitose and Tsushima steamed in close to the Novik early this monitor and application the destruction an official of Silver Bow county of that state

Mr. Heinerdinger is the manager of the Intermountain Mercantile company, which owns the former union store, demolished by the mob last night. morning and completed the destruction commenced yesterday. The news of the destruction of the Novik has been received in a curious manner by the Japanese public. From a practical standpoint it is highly satis-factory, for the Novik could have been most dangerous as a commerce destroy-er; but, considering the matter from a sentimental standpoint, much regret is expressed at the loss. The Novik has been splendidly handled and bravely fought throughout the war, and Japa-nese naval officers and the public gen-erally have frequently expressed ad-miration for the cruiser, her command-er and crew. This company is incorporated in Montana and, according to the arrange-ments semi-officially announced, will appeal to the federal court to issue an injunction restraining any one from interfering with the company's property in the Cripple Creek district, and also to reimburse it for losses already sus-tained at the hands of the mob.

It is reported tonight that several of the men sent out of Cripple Creek last night will appeal to Gov. Peabody to reinstate them in the district and give them protection in the pursuit of their respective vocations. President Moyer of the Western Federation of Miners says, however, that no further requests of the governor will be made by the federation officials.

J. C. Higens, who is a well known contractor of Cripple Creek, says that the only offense charged against him by the mob was that he was a bondsman for one of the unionists recently released from jall. He asserts that sever-al of the leading busines men of Cripble Creek recently requested him to withdraw from the bond, which he delined to do.

The Novik was next reported headed for Vandiemen strait at the southern end of Japan, evidently in an effort to reach Viadivostok via the eastern consts of the Japanese islands. Yes-terday it was reported from St. Pe-tersburg that the Novik had reached Korsakovask. From the fact that the Japanese cruisers met the Novik off the southern end of Sakhalien it would outers, that the Pussian cruiser had Mr. Higens names two of the wealth-est mine-owners of the district as leaders of the mob, and says that no at-tempt was made to conceal their leadrship

The deported men walked from Crip ole Creek to Flowisant, where they took a train for Denver. Their guards eft them at Spring Creek. Higens was the only one of the party that suf-fered from the experience. He was

Planned the Deportation of Men from Cripple Creek

7

Sheriff, Mayor and City Marshal Were Very Conveniently Out of Town.

Cripple Creek, Colo., Aug. 21 .- No secret is made here of the fact that the deportation of Atty, Eugene Engley, Frank J. Tangs and J. C. Cole and 12 other men from this district last night was planned by members of the Mineowners' association and Citizens' Alli-

ance and was carried out under their

direction. The El Paso, Vindicator, Findlay and other large mines were closed down when the day shift stopped work and the miners of both day and night shifts were requested to assemble in Cripple Creek as trouble was brewing. A report had been in circulation that several hundred deported union men were returning to the camp in a body and it had been determined to drive them

had been determined to drive them away again should they come. This re-port proved to be groundless. However, other work had been laid out for the 2,000 or more miners who swarmed into town and, acting under orders given by leading citizens, they proceeded to "round-up" the federation attorneys, employes of the Intermoun-tain Mercantile company's store and others who have openly expressed sym-pathy with the Western Federation of Miners, and escort them beyond the city Miners, and escort them beyond the city imits.

During the entire proceedings the sheriff of Teller county and the mayor and city marshal of Cripple Creek were out of town. Under-Sheriff L. F. Par-sons and Deputy Thomas Underwood attempted to control the mob, but wers easily overpowered. Many of the deputies who have been regularly employed in the district since the riots early in June, it is alleged, were active as leaders of the mob

City Marshal Charles N. Crowder arrived from Victor while the looting of the Intermountain company's store was in progress and essayed in vain to stop the destruction of property. The store is completely wrecked and the en-tire stock, valued at several thousand dollars, destroyed or stolen. Sheriff Edward Bell arrived from Den-

sheriff Edward Bell arrived from Den-ver after the mob finished its work and took measures for the protection of the prisoners in jail. He said today that he had no jutention of asking the gov-ernor to send troops to the district. He had advised President Moyer and Sec-retary Haywood of the Western Feder-stion of Miners he said not to carry ation of Miners, he said, not to carry out their announced purpose of sending the deported miners back to this camp, would be powerless to protec them.

FOUND ARMED MEN.

Cripple Creek, Colo., Aug. 21.—Upon hearing a report that a mob was being organized in Victor for the purpose of marching to Hollywood and lynching four men who were reported to be there, Sheriff Bell today, with five dep-uties, went to Victor, where he found a big cread on the streat. The sheriff big crowd on the streets. The sheriff left two deputies in Victor and with the two other officers started for Hollyvood, where he found Rob Murphy two brothers named Grant and a man named Nichols. The three latter, declared they were British subjects. Sheriff Bell says that the men were heavily armed and their houses stocked with ammunition. The men, according to Sheriff Bell, said they had come there to fight and would figh After much persuasion, the sheriff induced the men to leave the district, and left deputies to protect them until the evening train left for Canyon City. The men were allowed to take their guns and ammunition with them. A dense fog has settled over the distriet tonight, making acts of violence easy, but the sheriff's force and the police are on the watch constantly and will take strenuous measures to stop

was at first inclined to believe that the report that the United States torpedo. boat destroyer Chauncey steamed into a position between the Japanese tor-pedo boat and the Russian cruiser was "Shanghai fake," as it had underwould not object to offensive action sgainst Russian warships in case of their failure to observe Chinese neutraility. An official of the legation

"If the report is not untrue, the American commander must have had good reason for his action, such as the protection of American interests which would have been endangered by flying phalls.

Japan has been very reluctant to send ships into the harbor, for she rec-ognized that the laws of neutrality dended that .China should order the manded that, China should order the Askold and Grozovoi to dismantle or leave the port, and that, she having given the order and the Russian ships having refused, it was then incumbent upon Japan to act, thereby protecting Chinese neutrality and at the same time exerting her rights as a belliger-ent.

It would never have done to permit Russian ships to remain in a Chinese port deliberately and avowedly violating the neutrality of the country.

Whatever reason "Whatever reason actuated the American commander, if he really did as is reported it is certain that no com-plications and the second cations will follow

It is believed at the Japanese legation that if the American commander Interthe American government will take

the American government will take measures to enforce if. The foreign office has asserted from the time of the arrival of the Askold and Grozovoi at Shanghai that it was not the business of Great Britain to anterfere, but that it was China's duty to observe strict neutrality, and it has gone so far as to unce her to adopt this gone so far as to urge her to adopt this

the opinion of British officers, it the Russian ships fall to dismantle they must take the consequences. At the same time, innocents cannot be the same time, innocents cannot be permitted to suffer the effects of mis-directed firs in a case of battle, and it is said that the British consul-general will probably be instructed to support the American consul the American consul-general in urgent representations to the taotal that he



NEGRO KILLS MARSHAL,

Was Taken from Jail and Stoned and Shot to Death.

Cordova, Ala., Aug. 21.-Town Mar-shal McNicoll was killed this afternoon, and his slayer, a negro named Avery, was taken from the fail by a mob and put to death by stones and pistol bulets. McNicoll had gone to the home of the negro, when Avery fired on him, killing him instantly.

WAR IN PARAGUAY.

Artillery Engagement Fought With the San Jocomino Battery.

Buenos Ayres, Aug. 21 .-- An artillery the San Jocomino battery of the Para-guayan army and a bedy of revolution-ists, in which the latter succeeded in dislodging the guns of the government orce. The losses on either side are not given

There has been no bombardment of Asuncion, the capital of Paraguay, since last reports. The insurgents have established a

provisional government with the cap-ital at Villa del Phar (12 miles from Asuneton), and have nominated Gen. Ferreira, their leader, for president and Gonzales Novero for vice president. Four secretaries also have been named. One of these, Deputy Soler, has started for Rio Janeiro and other capitals to endeavor to secure the recognition of he revolutionists as belligerents by the

arious governments. This is taken to indicate that rapid operations by the insurgents have been mpeded through the non-bombardment of the capital, owing to the intervenon of the diplomatle corps at Asun-

Despair is felt in the capital over the fallure of the negotiations for a set-tement of the difficulties.

All imports have been suspended and articles of prime necessity are hardly obtainable at famine prices. The arrival of the Argentine gunboat, which was dispatched last week for the scene of the trouble, has not yet been reported and a torpedo boat destroyer

us been in search of the missing yes-

Healthy Summer in Chicago.

Chicago, Aug. 22 .- The weekly bulletin issued by the health department says that "no such healthful summer as this was ever reported for Chicago." Favorable and equalable temperature a good milk supply and absolutely pure water are the principal factors contri-buting to this result. Of the water sup-ply the bulletin says:

"There is no obvious or plausible rea-son for the purity except the continu-ous action of drainage channel. This bus action of drainage channel. This is the fifth year that an average of more than 200,000 cubic feet a minute, night and day, has been flowing from the lake down the Desplaines and Il-linois valley and during this time there has been a steady reduction in deaths from the impure water diseases."

matter nor not alone in Chefoo that Russia has flagrantly violated China's neutrality and ignored her own engagement Shortly after the investment and iso-

lation of Port Arthur a system of wire-less telegraphy was installed between the beleagured fortress and the Rus-sian consulate at Chefoo. The system is still in operation, notwithstanding the repeated protests of the Japanese government. At Shanghai at the be ginning of the war the Russian gun-boat Mandjur, in defiance of China's neutrality, remained in the port for weeks after receiving notice to leave. Finally after long negotiations she consented to disarmament. Again Russian cruiser Askold and the the the destroyer Grozovol have now been at Shanghal for more than a week and still refuse to leave or disarm. The

still refuse to leave or disarm. The Japanese government has no intention of disregarding China's neufrality as long as it is respected by Russia, but it cannot obnsent that Russian war-ships, as a result of a broken engage-ment and a violated neutrality, shall unchallenged find in the harbors of China safe refuge from capture or de-struction. truction The statement of the commander of the Ryeshiteini that she was disarmed upon arrival at Chefoo is untrue. The vessel was fully armed and manned when vis-ited by Lieut. Terashima early on the

morning of Aug. 13, but in any event JUST ONE DAY.

Free From the Slugger Brought Out a Fact,

"During the time I was a coffee drinker," says an lowa woman, "I was nervous, had spells with my henri, smothering spells, headache, stomach trouble, liver and kidney trouble. I did not know for years what made me have those spells. I would frequently sink away as though my last hour had come. "For 27 years I suffered thus and used bottles of medicine enough to set up a drug store-capsules and pills and everything I heard of. Spent lots of money but I was sick nearly all the time. Sometimes I was so nervous I could not hold a plate in my hands; and other times I thought I would surely die sitting at the table.

"This went on until about two years ago when one day I did not use any cof-fee and I noticed I was not so nervous and told my husband about it. He had been telling me that it might be the coffee but I said 'No, I have been drink-ing coffee all my life and it cannot be.' But after this I thought I would try

nd do without it and drink hot water, did this for several days but got tired of the hot water and went to drinking coffee and as soon as I began coffee again I was nervous again. This proved that it was the coffee that caused my

troubles "We had tried Postum but had not made it right and did not like it, but now I decided to give it another trial so I read the directions on the package

arefully and made it after these directions and it was simply delicious, so we quit coffee for good and the results are wonderful. Before, I could not sleep but now I go to bed and sleep sound, am not a bit nervous now but work bard and can walk miles. Nervous headaches are gone, my heart does not bother me any more like it did and I don't have any of the smothering spells

and would you believe it? I am gettin fat. We drink Postum now and noth ng else and even my husband's headaches have disappeared: We both sleep sound and healthy now and that's a blessing." Name given by Postum Co. Battle Creek, Mich.

Look for the book, "The Road to Wellville," in each package. "World's Fair exhibit, Space 103, Agricultural Building.'

everal months.

Rain Puts Out Forest Fires.

Butte, Mont., Aug. 21.-A Mine pecial from Kalispell says that special from heavy rain fall yesterday, the first o any consequence in the past two nonths. The downpour aided materi ally in helping to extinguish the fores fires which have been raging in north ern Montana for the past ten days. The outlook is for more rain. Stockmen are rejoicing over the storm, as stock has been in distress as the result of the great scarcity of water, the waterng holes in the majority of instances eing dry.

The ground being comparatively flat in this vicinity, the Japanese were un-able to hold it in the face of the Rus-sian artillery fire and they retired north, an eighth of a mile beyond the The rain comes too late to be of any great benefit to the hay and grain crops. Hall accompanied the rain. Missoula and vicinity were also ted by the rain storm yesterday, which helped to check the spread of the forest fires there,

Thrown from Horse and Killed.

Boise, Ida., Aug. 21 .- William Owens, a ranchman living three miles from Meridian, was fatally hurt last evening by being thrown from his horse. He and Lauisa bays. The fighting resulting in the capture of this fort was severe. The position was first subjected to a bombardment struck on a rock, badly fracturing his skull. At last accounts he was alive, but there is no hope for his recovery. of more than 48 hours. Then the Jap-anese infantry assaulted it and com-

Patrick Aided Fellow Prisoner.

New York, Aug. 22 .- It has just developed that Albert T. Patrick, the lawyer who is in Sing Sing prison un-der sentence of death in the William Marsh Rice case and who has an ap-peal pending, recently aided a fellow has an apprisoner in securing a temporary stay which has served to prolong his life. Patrick took up the affairs of Michae Brusch, convicted of having killed Po-liceman Enright, who, it was claimed caught Brusch in the act of commit-ting a burglary in Harlem last March Brusch's lawyers refused to appea from the verdict of murder and their client was sentenced to death in the chertic chair. The prisoner soon be-gan to explain his affairs to the other prisoners and Patrick finally took them in hand. He dictated a notice of appeal which Brugch mailed to the district attorney's office as well as to the

This acted as a stay against the excution of the sentence; but the appeal shortly comes up for argument and whether Patrick will be permitted to appear as counsel is doubtful.

Two Young Men Drowned.

Chicago, Aug. 22 .-- In sight of scores of bathers, many of whom attempted to rescue them, two young men have been drowned in the lake at the foot of Robbina terrace. The victims Martin Zeronsin, 22 years old, and John

Vinan, 19 years old. Zeronsin and Vinan, both of whom were members of the Second regiment, Illinois national guard, decided to go in bathing. Neither of the young men could swim, but both dived into the water with the intention of staying close to the beach. The two ventured out farther than they expected, where they saw scores of persons swimming and it is believed they were attacked with cramps.

Before rescuers were able to reach them, the young men sank.

Agreement to Maintain Peace.

Corinto, Nicaragua, Aug. 25.-The conference between President Escalon of Salvador: President Bonilla of Honduras and President Zelaya of Nicara-gua came to a close here last night. The three presidents signed an agree-ment to maintain peace in the republics of Central America of Central America.

struck on the head with a revolver by one of the guards, who accused him squadron, when it raided the eastern

r and crew. The Novik was one of the Russian

fleet that steamed out from Port Ar-thur on the morning of Aug. 10 to force its way through the Japanese lines.

She entered Tsingtau the night of Aug. 12, having remained less than 24 hours.

She was then erroneously reported to have been sunk 40 miles from Tsing-

The Novik was next reported headed

appear that the Russian cruiser had passed through the Kurile islands and

was endeavoring to reach Vladivostok by way of La Perouse strait, avoiding

the passage of the Tsugai strait, which

The Chinese declare that the Japan-

ese captured one important fort, locat ed on the Itzshan hills, midway be

pelled the Russians to retire. The Russian artillery then directed a heavy fire on the spot, compelling the Jap-

Wakeful?

Sleeplessness Is a

Sign of Nerve Trou-

ble and Should

Be Looked To.

There are three different manifesta-

First, hardly to sleep a wink all night,

second, to lie awake a long time before failing asleep; third, to fall asleep soon,

waking up after several hours and then

They mean that somewhere in the

nerve fibres, somewhere in the brain

cells, somewhere in the blood vessels

that carry blood to the brain, something

is radically wrong, and must be righted,

Some other symptoms of nerve trou-

ble are: Dizziness, Headache, Back-

or the end may be worse than death. To right it, take Dr. Miles' Nervine.

tions of sleeplessness.

find it hard to sleep again.

nese in their turn to retire.

used by the

fire.

fire on the

oast of Japan.

of attempting to draw a weapon which he had on his person. Higens denies the charge. He says that had he at-tempted to use his weapon the whole party of deportees would have been BIG BATTLE RAGING. Chefoo, Aug. 21.-The first detailed news of the general assault on Port Arthur indicates that a tremendous

ronflict is raging and that victory is hanging in the balance. shot jo death by the guards. Higens admits that he protested against having his revolver taken from him and this aggravated the assault upon him. Higens tonight held a tel-ephone conversation with his wife, who remains in Cripple Creek, and she told him that armed more watched by the hanging in the balance. Chinese who left Port Arthur yester-day and arrived here today say that the Japanese, by making desperate charges, which were reinforced by an artillery fire from Shushlyen and Louisa bay, swept from the north into the Pigeon bay territory and drove the Russians back from the main forts. im that armed men watched his house ill night to prevent his returning home.

Lightning Causes a Bad Fire.

Chicage, Aug. 21.-Fire, the result of lightning, caused a loss of \$75,000 to the plant of the Nubian Paint & Varnish company, Fifty-first avenue and Motfatt street, tonight.

Explosions of tanks of oil and varn-ish endangered the lives of firemen five ween the west seacoast and the ral-ray, on a line drawn approximately rom a point midway between Pigeon and Lauisa bays. of them and a volunteer being over-come by the gas and smoke. None of the men will die, but Daniel Lysaught s in a serious condition.

Largest American Built Steamer

New York, Aug. 22.—Coming direct from the yards of her builders at New London, Conu., the steamer Minnesota, the largest American-built vessel afloat and, in point of tonnage, ranking forth largest vessel in the world, has arrived off this port. The Minnesota will ply between Tacoma and Scattle and the far east. While the Minnesota is to be classed as a pas-senger ship, she is intended to carry freight. She has a speed of 15 knots, is 630 feet long, 731/2 feet broard, and has a net tonnage of 13,323.

Entry to Olimypic Games.

New York, Aug. 22.—Although the en-try list for the third modern renewal of the Olympic games to be held at the world's fair in St. Louis next week, does not close until tonight, enough en-tries are in to show that there will be a tries are in to show that there will be a strong showing on the part of the New York athletic organizations. Teams will be sent by the New York Athletic club, the Greater New York Irish Athle-tic association and the Pastime Athletic the association and the Pastime Athletic club of this city to take part in all the events, while the Metropolitan as-sociation of the Amateur Athletic un-ion will send eight local runners to com-pete in the Marathon race.

ATTACHES WELL TREATED.

But Were Not Allowed to Witness Naval Battle.

Tsing Tau, Aug. 22.-According to what Maj. Hoffman, the German millary attache at Port Arthur, who has ust arrived here, said in a guarded nterview today, the foreign naval ataches during the last few days of helr stay there, were quartered on the Tigers-Tail, where a battery 600 feet high prevented them from witnessing the naval battle on Aug. 10. Shells of-ten burst in their vicinity, but they did not consider themselves in a dangerous position on that account. The at-aches were treated with great consideration, but were allowed no place from which to view the naval operations. Before leaving, Lieut, Newton A. Mc-Oully, U. S. N., the American naval attache, was quartered in the old town. Shortly after starting for Pigeon bay to take a junk for Chefoo, a shell hit his house and wrecked it. Maj. Hoff-man, in commenting upon the affair, emarked that it was lucky for this eason that Lieut. McCully left when ie did.

But few women and children are at Port Arthur,

any such work. Sheriff Bell says he is convinced that had the four meh not left the district there would have been a great loss of life.

GOVERNOR RETURNS HOME.

Colorado Springs, Colo., Aug. 21.-Gov. Peabody passed here at 9:20 to-night for Denver from Canyon City. He said:

"I am returning to Denver a day earlier than I expected in order to be ready to control the Cripple Creek situation if necessary."

Windstorm Passes Over Chicago,

Chicago, Aug. 21 .- A severe windstorm passed over the city tonight do-ing much damage in the suburbs. Several small fires were started by the Several small lifes were stilled of rain was so heavy that many basements were flooded and much damage to property done. Northwest of the city hundreds of acres of corn were beaten down by the wind and rain and much of it will be lost.

YACHT FOR KAISER.

Disagreement About it Causes a Delay in Constuction.

Bristol, R. I., Aug. 21,-Owing to a disagreement between the designer, Nat Herreshoff, and representatives of the German emperor over plans for a new schooner yacht after the model of the schooner yacht Ingomar, construc-tion has been delayed. It is believed the boat will be started in the fall or winter of 1905.

Hurt in Rear End Collision.

St. Louis, Aug. 22.—Nineteen persons were injured in a rear-end collision be-tween two Creve Couer street cars. One car had stopped to repair a defect in the gearing when the second car came around the curve at full speed and crashed into the first. Motorman Littrew received the most severe in-juries. The passengers received cuts and bruises. The street car company's physician states none will die. physician states none will die.

Von Plehve's Assassin is Dead.

St. Petersburg, Aug. 21.-Jt is ru-nored here today that the assassin of Von Plehve, minister of the interior, died a few days ago.

TEA

If weary, tea is rest : good tea. If wakeful, sleep. If dull, animation. If silent, talk.

ache, Worry, Fretfulness, Irritability, Melancholy, Lack of Ambition. They indicate diseases which may lead to Epilepsy, Fits, St. Vitus' Dance, Nervous Prostration, Paralysis, Insanity, Nothing will give such quick and last-

ing relief as Dr. Miles' Nervine.

FREE Write to us for Free Trial Pain Pilis, the New Scientific Remedy for Pain. Also Symptom Blank. Our Specialist will diagnose your case, tell you what is wrong, and hew to right it, Free. DR. MILES MEDICAL CO., LABORATORIES, ELKHART, IND.