

JAPANESE
SITUATIONJapan Will Not Agree
to Immigration
Treaty

SACRIFICE OF HONOR

Mayor Schmitz Talks on Japs
in 'Frisco Schools--Law of
Segregation an Old One But
Its Enforcement Has Creat-
ed an Agitation.

TOKIO, Feb. 8.—While ignoring the anti-Japanese feeling in a portion of the American press, the Japanese public is almost unanimous in demanding that the solution of the San Francisco question must not involve the labor question. A mutual treaty restricting the immigration of laborers is condemned here as a one-sided concession, sacrificing Japan's honor without any recompense. It is felt that nothing derogatory to national honor, however slight, must be admitted in the diplomatic relations of the two nations.

CHICAGO, Feb. 8.—Mayor Eugene Schmitz, of San Francisco, who, with four members of the Board of Education and the superintendent of schools of that city, is en route to Washington, in response to an invitation from President Roosevelt, said last night that he would concede his position on the Japanese school question rather than see it become injurious to the country.

"We have prepared no 'case,' because we do not even know exactly what is the purpose of our mission," he said. "The president did not say what the nature of the hearing would be, further than that we were to have a discussion 'on the matter.' I cannot say that the matter will reach an entirely satisfactory ending as a result of our visit, but hope it will. The law, as a matter of fact, is nothing new, but the enforcement of it seems to have created an agitation. The law to segregate the Mongolians in the schools was made in 1871, but the Japanese claim they are not Mongolians. The Chinese have always been segregated in the public schools. The Japanese think they are better than the Chinese. I don't care to criticize President Roosevelt. It is simply a question of national treaty rights and state rights."

THE AMBULANCE
DID NOT HURRYIt Took Twenty-five Minutes
to go From Golding's Stable
to Ferry Building.

The slippery condition of the sidewalks during the past few days has been the cause of many narrow escapes from injury to pedestrians.

A rather serious accident happened shortly before one o'clock today, when an Englishman, who gave his name as Arthur Gee, slipped and fell while going down Princess street hill, alongside the post office, and fractured his ankle badly. He was carried into the ferry building and the ambulance sent for. After about fifteen minutes, the vehicle not having arrived, another call was sent in, and finally a third time was the request sent, the team finally arriving from the ferry building, which is only a trifle over four blocks away from the ambulance stable, in about twenty-five minutes. Meanwhile the man was suffering considerable pain from his injured leg. When the ambulance arrived the unfortunate man was placed inside and taken to the hospital. He said he had engaged passage on the steamer Empress of Britain, and appeared greatly concerned lest he should miss the boat on account of his mishap. A companion, who was with him, accompanied him to the hospital. They have been living in the west and were going to the old country on a visit.

It could not be learned whether the man would be able to be taken on board the steamer or not.

SNOW HIDES
THE TRAGEDYBelieved that Full Story of
Western Hardships this
Winter Will Only be Known
in Spring.

WINNIPEG, Feb. 8 (Special).—A. F. Rutter, of the firm of Warwick Bros. & Rutter, Toronto, is in the city returning from a trip west. He takes a serious view of the situation, resulting from the unusually heavy winter. Every hotel between Winnipeg and Regina, he says, is filled to overflowing, and beds are being improvised in every hole and corner. Many of these people tell harrowing and heart-rending tales. There are whispers that the full tragedy of the present winter will be known only when the thaw comes and the snow gives up its dead.

N. S. BARRISTERS SOCIETY

HALIFAX, N. S., Feb. 7 (Special).—At the annual meeting of the Nova Scotia Barristers' Society held this afternoon R. E. Harris, K. C., was elected president, and J. J. Ritchie, K. C., vice-president. The new council consists of: H. A. Lovell, H. McMillan, K. C.; W. B. A. Ritchie, K. C.; John J. Power, J. A. McDonald, K. B.; B. B. and J. C. O'Mullin.

REFORM OF
THE LORDSBritish Attorney Gen-
eral Speaks Plainly
at Leeds

THE LORDS MUST GO

Speaking Presumably With
Knowledge of His Govern-
ment He Says House of
Lords is Out of Harmony
With Modern Institutions.

LONDON, Feb. 8.—The attorney general, Sir John Lawson Walton, who, presumably spoke with the full knowledge of the government, made an important declaration in a speech at Leeds last night, foreshadowing the government program for a reform of the house of lords. In his remarks the attorney general said that the "grim and serious work" upon which the liberals were entering "would mean a revolution and involve two or three dissensions. He added that the house of lords was "entirely out of harmony with modern democratic institutions and must go." The government were endeavoring to give effect to the will of the people by bills which the peers would probably throw out, leading to a combination of the crown and people to defeat the aristocrat. Sir Walton recognized that the struggle would be a prolonged one and called for a re-arrangement of constitutional and political forces.

MR. JONES IS
NOT ALARMEDLiquor License Inspector Talks
of Complaint Made to
Government by Temperance
Federation.

In connection with the complaint made by a delegation of the Temperance Federation yesterday, that the inspector had not enforced the law regarding the sending of liquor into Scotland, a Times man called on Inspector Jones this morning and asked him regarding the matter.

The inspector said it was true that a case had been reported to him and he had obtained the opinion of a gentleman whose advice in such matters he had been largely guided by, and after consultation with him they were not satisfied that the case reported was in direct violation of the law and that the question of jurisdiction or the extent of his power in following the goods had also been raised and it was decided that there was something more specific than that reported was placed in his hands he would not undertake prosecution.

He further added that in all matters of complaints put in his hands, he has endeavored to sift them to the bottom and whenever he had considered he was warranted in taking the matter to the court he had done so.

He had no fault to find, he said, with the action of the Temperance Federation delegation which appeared before the government, as no doubt they were acting in the belief that there had been a violation of the law and were naturally concerned about having it enforced.

He said he had no reason to feel alarmed over any action the government might take regarding his position in the matter.

POLICE COURT

Raphael Barrosse Again Re-
manded on Charge of Theft.

Raphael Barrosse, who was arrested Wednesday at the instance of John Roberts, second steward of S. S. Canada, charged with stealing \$21.50, was again in court this morning and after hearing of testimony was remanded till tomorrow morning.

The prisoner declared he was innocent, and said he could produce witnesses to prove that Roberts was drunk on Tuesday night and with his own hands opened the envelope he had intended sending to his wife, and which contained \$5, and two chains. He added that they had coats alike, but failed to see why even this would be ground for suspicion.

The plaintiff denied being drunk, and stated that he had been paid off in St. John, told how much he had, and how he had missed the \$21.50 when he awoke Wednesday morning. He had suspected nobody until he found that Barrosse was missing from the vessel.

Sgt. Baxter told of arresting the prisoner.

Robert Carr was in court this morning, charged with fighting with Wm. Goldstein, on Mill street, yesterday. Goldstein also appeared and like Carr, declared they were only fooling and there was no fighting of a malicious character.

Patrolman Perry, who made the arrest, stated that he knew Carr had had Goldstein down and kicked him twice in the ribs.

This his honor regarded as a peculiar kind of fun. He gave the young men their liberty on suspended sentence of \$20 or two months each.

Lawrence Keller and John McGuire were fined \$4 each for being drunk, and paid up.

Chief of Police Clark reports that Policeman Belyea is still confined to his house, and investigation into the charges against him cannot be taken up until he is able to get out.

EVELYN NESBITT THAW
GOES ON WITH THE SAD
STORY OF RUINED LIFE

Accused Man, Prosecutor and Witnesses in the Thaw Case.

NEW YORK, Feb. 8.—Public interest in the Thaw murder trial grows with its progress. Evelyn Nesbitt Thaw's ordeal has only begun. Although she was on the witness stand practically all of yesterday's session, she had only brought her narrative down to the time when after repeatedly refusing to marry Thaw she had returned to Chicago. This was in 1902. Today she will take up the story where she left off. That Attorney Delmas of San Francisco, who is so skillfully conducting the defence, will attempt to take up the entire day with her direct examination was the general opinion when adjournment was made yesterday. If he will also give District Attorney Jerome a chance to look up witnesses whose names Mrs. Thaw whispered to him in telling her story yesterday. Although the story Mrs. Thaw told was simply the story as she had told it to Thaw, and which is supposed to have unhinged his mind, Mr. Delmas announced that the defence would not take advantage of the law which would make it impossible for the district attorney to attack the truth of any statement in it, but would give the prosecution every opportunity to refute it.

A Terrible Ordeal

It is doubtful if any woman ever went through a more terrible ordeal than did Evelyn Thaw yesterday. This delicate, frail little woman with childlike face is only a few weeks over 22 years old. She began yesterday what is probably the most revolting story ever told in a court room. Yet is to come the worst ordeal of all—cross-examination at the hands of District Attorney Jerome.

While today's testimony will probably lack the dramatic and sensational features of yesterday's, it will be no less important, for everything that has so far been told occurred before Thaw met Evelyn Nesbitt his wife. The defense will now try to show that subsequent acts of Stanford White so inflamed the mind of the young husband that he became mentally unbalanced, that while in this condition he fired the shots which made him as he believed, the instrument of Providence in avenging those wrongs. This is

the theory of the defense, and Harry Thaw's wife must prove it, if it is to be proved at all.

Whether Evelyn Nesbitt Thaw can bear up under the strain is a question. When court adjourned last night the strain was plainly noticeable. She tottered as she left the court room and placed her hand against the wall for support. But she has evidently nerved herself for the ordeal, and it is possible that her physical and mental condition will be overcome by her will power and her determination to hesitate at nothing that will assist the man for whom she has already braved so much.

In an effort to offset the effects of the testimony given by Evelyn Nesbitt Thaw yesterday by attacks on her credibility, since she will have no opportunity of more direct refutation, the district attorney searched the city last night for those chorus girls whose names he has long had as being able to throw light on the relations that existed between Evelyn Nesbitt and Stanford White.

Under the leadership of Inspector Beery of Asst. Dist. Atty. Garvan's office, and P. L. Bengoff, nine of the county detectives were sent to the Tenderloin last night and told to "bring in" the witnesses. Two hours after midnight the three young women had been found and spent the night at an uptown hotel.

Today's Session

Great crowds today besieged the doorway to the criminal courts building where the trial is in progress. The corridors soon became thronged with the curious, who clamored for admission to the room, where it was expected Evelyn Nesbitt Thaw would continue the story of her life, bringing the narrative from late in 1903, where she left off yesterday, down to date. One of the windows of the Bridge of Sighs, which leads across the street from the street to the criminal courts building, was up about six inches today. The crowd in the street soon noticed this and gathered several hundred strong, and waited patiently in the hope that they might catch a glimpse of Harry Thaw on his way to the court room.

The doors of the court room were not opened until 10 o'clock and care was taken to see that those whose business compelled their attendance at the trial had the first opportunity to enter. Then enough of those who had found their way through the outer police lines to fill the

room to its utmost seating capacity, were admitted. There were about a score of women among the spectators. They waited with evident impatience for the prisoner and his wife to appear.

Justice Fitzgerald took his place on the bench at 10:35 and Thaw was called to the bar. The defendant, for the first time since the trial began, had lost the spring in his step, and instead of walking briskly to his place at the table of his counsel, he moved hesitatingly and looked constantly from left to right about the court room. The big crowd seemed to know his pale face broke into a faint smile, as he recognized his brother, Edward Thaw, who was the only member of the family in court.

"Call Mrs. Evelyn Nesbitt Thaw to the stand," requested Mr. Delmas of the clerk. When she took her place in the big witness chair she was dressed precisely as yesterday. She was very pale and her lips trembled as she answered the first simple question asked by her counsel. This was after Mr. Delmas stated that before any oral testimony was taken he would continue to read the postscript of the last letter offered in evidence yesterday. The letter was addressed to Attorney Longfellow:

"No one could have made me believe since I first saw her that she would show anyone except me, whom I first thought she cared for, any letters. It is true, that after trusting each other, no hypnotism can make you forget all, but it is impressively sad."

A Pathetic Letter

Mr. Delmas' first question to the witness was as to whether or not the "Her" in the letter referred to the witness.

"Yes, sir," came the tremulous reply. The letter continued "I have been asked not to have anything to do with you because you are a dangerous woman. He never told you. From the first time he ever saw you he wanted to do his best for you to send you to school in Paris with your mother or to send you both to school and he never did anything but respect."

"To make you sure I'll explain. After I saw the poor ill-advised angel I was so sorry, she meant to do right and was right had she only kept the purest things with your mother or to send you both to school and he never did anything but respect."

(Continued on page 3)

THE TIMES NEW REPORTER

THE COMING BOUT.

FREDERICTON, Feb. 8 (Special).—Great interest is manifested in the coming bout in this city between teams from the St. John city council and board of trade. Ald. McGoldrick has secured training quarters on Queen street for his team, and supplies are now being provided. It is not yet known where the board of trade team will make its headquarters, but negotiations are in progress, as it is generally conceded that though the board of trade men have more weight, the aldermen know more about the stages of the game. The fact that the new filtration plant has not yet been installed here is also regarded as favorable to the aldermen.

THE NEW REPORTER'S MAIL.

Times New Reporter:
Sir—I am sending you a specimen of

the sand I picked up on Jeffrey's Hill this a. m., and there are hundreds of similar size still there, in fact more rocks than sand. Kindly advise for a new street superintendent. The city is giving the Street Railway Company a benefit, at the expense of Summer street residents. The electric light there has not been burning for the past two or three evenings, but the city will pay just the same.

SUFFERER.

JOHN D. AND THE PEOPLE.

NEW YORK, Feb. 8 (Special).—Mr. John D. Rockefeller was asked today if it were true that he had decided to reduce the price of oil, so that all the people could rise up and call him blessed. "Certainly not," said John D. "The wretched people would only spend in some foolish way the money this saved to them. It is much better that I should accumu-

late the money and make spectacular gifts with it. The common people are not sufficiently intelligent to be trusted with money, even in small sums."

John D. added that it was his intention to increase the price of oil a little at an early date, as he was contemplating the gift of another million to a worthy cause. His income now is only a few millions per day, and further generosity without increased receipts would cramp his household.

A WORD OF APPRECIATION.

HALIFAX, Feb. 8 (Special).—The calmness with which St. John regards all matters affecting the interests of that port is much appreciated here. A leading business man said today that the respectful attitude of St. John reflected great credit upon its people, and he hoped their slumber would not be disturbed.

HOT FROM
THE WIRESNews of the World
Told of in Today's
Despatches

RAILWAY ACCIDENT

Serious Collision on Chicago
Road—The Situation in
France—Jewish Excesses
in Russian Elections—Duke
and Duchess of Marlborough

CHICAGO, Feb. 8.—Two men are said to have been killed and a dozen or more seriously injured, some fatally, when train No. 5, on the Chicago and Milwaukee and St. Paul road collided today within the city limits with a switch engine drawing empty passenger coaches.

The "Champion Flyer," which runs between Chicago and St. Paul, was well filled with passengers, who fought savagely to get out of the cars. Many were cut about the face and head. The two men killed are said to have been railroad employees.

PARIS, Feb. 8.—Government circulars do not credit reports from Rome that Vatican authorities have decided to reject outright Education Minister Briand's regulation on the subject of leasing churches. It is pointed out that the government would accept such a rejection as a proof that the church has no desire to effect an understanding with the government on the question of church and state.

TANGIER, Feb. 8.—The insurgent chief, Zella in whose fortress Raisuli is a refugee, came in today and tendered his submission.

ST. PETERSBURG, Feb. 8.—The elections at Gornel yesterday were accompanied by general anti-Jewish excesses, organized by the local reactionists. Jew baiting began on the eve of the elections and continued all day. Bands of reactionists patrolled the streets in the vicinity of the polling places, clubbing the Jewish voters. The chief of police refused to intervene. It was feared that the excesses might precipitate a massacre, but so far as known, no one was killed, though several persons were seriously hurt.

LONDON, Feb. 8.—The Duchess of Marlborough and her two sons left London for the South of France yesterday, accompanied by Mrs. O. H. P. Belmont, at Beaulieu. This was in accordance with the arrangement by which the children spend half of each year with their mother and half with their father.

A QUARREL
ABOUT RENTJoseph McAfee and Bennett
Bellman the Principals in an
Amusing Case.

"He coaxed me up stairs to the room and was going to murder me."

With these words Joseph McAfee opened his case against Bennett Bellman, a Hebrew resident of the north end, which came up for hearing at this morning's session of the police court.

The case went through quickly, but while it lasted the situation was, to say the least, amusing.

Bellman, who resides at 611 Main street, was charged by Joseph McAfee with assaulting him on Wednesday last. It seems that Mr. McAfee and his wife claim to own certain properties, including the house in which Bellman resides.

Mr. Bellman claimed that he had been paying his rent to Mrs. McAfee and backed up his statement by producing the receipts in court. He also has in his possession a written agreement between himself and Mrs. McAfee for the rental of the house.

Bellman declares further that he does not know anything about Mr. McAfee, who, he adds, has been calling on him nearly every day, demanding his rent, and on one occasion during his absence the old man threatened to strike Mrs. McAfee if she did not pay.

On Wednesday Mr. Bellman was obliged to show Mr. McAfee out the door and the latter consequently charged him with assault.

A. W. Macrae, who appeared in Mrs. McAfee's interests, said that the whole matter really hinged on a question of right and title. Mr. and Mrs. McAfee were living apart and the former's lawyer had written Bellman telling him not to pay the rent to Mrs. McAfee and the tenant declined to comply. Mrs. McAfee, he added, possessed a legal title to the property and was therefore entitled to the rent.

"Yes, but did she ever pay a cent for it?" angrily demanded Mr. McAfee. "That doesn't matter, she's got it," replied his honor.

"Did she ask you to call for the rent?" queried Mr. Macrae.

"You can go and ask her," was the hot retort. "She's robbed me!"

The old man waxed wrathful and, turning to the counsel for the defence, shook his stick menacingly and said: "You ought to be ashamed of yourself, Macrae."

As Mr. McAfee could not satisfy the court that he was authorized to collect the rent from Bellman, the matter was dropped for the present at least.

His honor informed the irate plaintiff that he would have to bring his wife to court if he would proceed further.

"She won't come," he replied.

The old man declared that Bellman, with his wife and others, had kicked him down stairs.

A VICTIM OF
TERRORISTSGov. of Penza Shot
and Killed by
Assassin

WAS LEAVING THEATRE

When Terrorist Approached
and Shot Him -- Assassin
Killed Two More Men,
Wounded Third and Shot
Himself.

PENZA, Russia, Feb. 8.—S. A. Alexandrovsky, governor of Penza, was shot and killed by a young man as he was leaving the theatre last night. In trying to escape, the assassin also killed the assistant chief of police and a policeman and wounded the manager of the theatre. The terrorist then shot himself and died in a hospital.

The assassin was not identified. The bullets which he used were subsequently discovered to be poisoned.

M. Alexandrovsky, who was well known as the chief commissioner of the Red Cross in the field in the war between Russia and Japan, had just stepped out of the theatre when a man pushed his way through the crowd and shot the governor through the neck. He fell dead on the spot. When the assistant chief of police, who was standing in the door of the theatre, tried to draw his revolver he was shot dead by the terrorist. Seeing that it was impossible to get through the crowds around the theatre, the murder dashed into the building, firing wildly. The manager attempted to grapple with the murderer, who fired at him, but missed, and killed a policeman, who was in the line of fire. A second attempt to capture the assassin resulted in the severe wounding of the manager.

WOULD GIRDLE
WHOLE GLOBEAn All-World Government
Cable Service Proposed by
Principal Gordon to Empire
Club of Toronto.

TORONTO, Feb. 8.—(Special).—Principal Gordon of Queen's University, in lecturing before the Empire Club yesterday, said what imperialists wanted was closer union, and more friendly intercourse among the various dominions and possessions of the crown.

Principal Gordon pointed out how little Canadians knew of other possessions of Britain, and these possessions probably knew as little of Canada. The ignorance of otherwise fairly informed people in Britain on Canadian affairs was so well known that it was not necessary to give instances. The Canadian press, excellent as it was, did not supply the information required by the Canadian relative to British colonial affairs. What was required to insure a better knowledge of each component part of the empire was, first, an all British cable service conducted and operated by the governments interested, and the establishment of bureaus to gather news in Australia, India, New Zealand, South Africa, Canada and other parts of the empire.

What the imperial federationists desired was that the cable now running from Vancouver to Australia should be supplemented by the completion of three other sections of cables. The first section should be a cable from Britain to Nova Scotia, and across Canada to Vancouver, to join the Pacific cable there, then from Australia and New Zealand to India, and the third stretch from India to Cape Town, South Africa, thence to the West Indies, with branches from these latter islands to Nova Scotia and Great Britain. The greatest opposition at present came from the Eastern Telegraph Company, which had practically a monopoly. The influence of that corporation was used in Britain, Australia and India to prevent the construction of this all-British cable service, which, if properly used, would form a bond of union binding all parts of the empire more closely together and giving information which would be valuable in trade and commerce. The cost of such a cable would be about \$25,000,000, not a sum which should prevent its construction by the united empire.

SMOTHERED BY
A SNOW SLIDEYoung Man at Wellwood,
Manitoba, the Victim of a
Peculiar Fatality.

WINNIPEG, Feb. 8 (Special).—Word has been received here of a peculiar fatality at Wellwood, Man. A young man, Norman Hueston, while engaged in loading straw from a stack in a field, was smothered by a huge bank of snow toppling over on him. A man who was assisting him was unable to dig him out in time to save him.

Board of Health officers report that the city is comparatively free from infectious diseases, there being only a few isolated cases of diphtheria. Doctors report a good deal of cold and influenza as a result of the changeable weather, but otherwise the city's health is good.