Attempts to Settle the Trouble Over Japanese in Schools.

TWO ACTIONS WERE BROUGHT

Claim Is Made That the Mikado's Subjects Are Not in Any Sense "Mongolians."

The United States has begun two suits in San Francisco for the purpose of enforcing the provisions of the treaty with Japan, giving to the Jap-anese equal school advantages.

anese equal school advantages.
One of the actions is brought in the Supreme Court of the State of California in the name of a Japanese child for the purpose of obtaining a writ of mandanus to compel his admission

of mandamus to compel his admission to one of the public schools from which he is excluded by the action of the Board of Education.

The proceeding in the second suit is a comprehensive bill in equity filed by the United States in the Federal Circuit Court in which the members of the Board of Education, the Superintendent of Schools and all of the principals of the various primary and grammar schools of San Francisco are made defendants.

made defendants.

In both proceedings the Government alleges the execution of the treaty with Japan in 1895, which provides with Japan in 1895, which provides that "in whatever relates to the rights of residence and travel," the subjects of each party to the treaty shall enjoy in the territories of the other "the same privileges, liberties and rights as citizens or subjects of the most favored nation."

The State of California having expressly provided that every school in a district must be open to all children of school age resident within the

a district must be open to all chiral-dren of school age resident within the said district, the privilege of such attendance is alleged to be clearly one of the said "rights of residence" for Japanese children resident in that State, to be enjoyed on the footing of the most favored nation.

The bill alleges that the Japanese are not in any sense "Mongolians," but form a separate and distinct race and it is asserted that for more than years, and until recently, the au-nrities in California have conceded it the Japanese are not included in term "Mongolian," and have admitted them to all public schools

U. S. ADMIRAL WITHDRAWS

Governor of Jamaica Refuses Aid at Kingston.

Order is being restored in Kingston, but there is much need of food sup-plies and good water.

The governor of Jamaica refused the aid offered by United States Admiral

Rear Admiral Davis' mission of mercy to stricken Kingston came to an abrupt and painful conclusion in consequence of Governor Swettenconsequence of Governor Swetten-ham's objection to the presence of American sailors engaged in the work of clearing the streets, guarding prop-erty and succoring the wounded and sick, culminating in a letter to the admiral peremptorily requesting him to re-embark all parties which had been landed.

Admiral Davis was greatly shocked and pained and paid a formal visit to Governor Swettenham informing him that the United States battleships Missouri and Indiana and the gun-

Missouri and Indiana and the gunboat Yankton would sail.

To the press correspondents Admiral Davis said that immediate compilance with Governor Swettenham's request was the only course consistent with the dignity of the United States.

There is much doubt of the number of dead, the estimates running from 1,000 to 1,700.

Big Fire at Youngstown.

High winds were responsible for the greatest fire loss in the history of the city of Youngstown, O., when crossed wires, blown down by the gale Sunday morning, set fire to the H. L. McElroy Company's furniture establishment in West Federal street. Before the flames were under control fire and water had done fully \$700,000 damage.

REMEDY FOR CAR SHORTAGE

Wants Powers of Inter-State Com-

merce Commission increased powers to enable that body to deal with such emergencies as that now existing with regard to the car shortage question. The commission already has submitted to the President a preliminary reshowed 23.3 feet. port of the investigations made by some of its members in the Northwest into this matter, and it will submit recommendation very soon. When these are ready the President will prepare a special message to be sent food.

Town Appeals for Aid. Mayor George W. Guthrie of Pittsburg, received a telegram from the authorities of Augusta, Ky., stating only in night dresses. that that town had been almost wiped out by a serious flood and storm. An appeal was made to Pittsburg for aid, homeless

Banker Walsh Indicted.

John R. Walsh, former President of
the Chicago National Bank, which was
closed by the Government, December 16, 1905, was indicted by the Federal

Convict Heir to \$15,000

William Shepley, a former business man of Latrobe, Pa., who is serving a seven-year term in the Western Penitentiary for the murder of Robert Gallagher, has fallen heir to \$15,000 left by an uncle in Ohio.

ONE WRECK WAS CAUSED BY FOG

The Engineer Was Unable to See the Signal and Ran Past the Station.

Twenty-three persons perished and 11 were injured in the wreck of the Big Four railroad's "Queen City Special" and a freight train on the same line near Fowler, Ind.

The train was running 50 miles an hour when it crashed into the freight. The dense fog made it impossible for the passenger engineer to see semaphone light directing him to stop as the freight had the right of way Though the operator, seeing the train dash by, frantically waved his lant ern and emptied his revolver into the air in the hope of attracting the engi

neer's attention, the train did not slacken speed.

When the passenger and freight trains met the two locomotives plunged down a steep embankment into the ditch. The combination baggage and passenger coach at the front of the special was crushed like an eggshell by the impact of the Pullmans, and the private coach of Vice President and General Manager Schoff of the Big Four, which followed. The Pull mans and private car kept the rails but the passengers were hurled helt-er-skelter from the berths amid the smashing of wood and rattle of glass. The wreckage took fire instantly following the crash.

following the crash.

Twenty-two charred, broken, mutilated bodies were taken from the smouldering ruins of the accommodation passenger train on the Cleveland, Chicinnati, Chicago & St. Louis (Big Four) railroad following its destructions. tion Saturday night by the explosion of a carload of powder as it passed afreight train at Sandford, Ind., five miles west of Terre Haute. The number of injured will total at least

The cause of the disaster has not been fully explained, but several theories are advanced. The resuit was terrible. The shock was felt for many believing it to be an

The entire train, including the locomotive, was blown from the track, the coaches were demolished, the engine was hurled 50 feet and the pasengers were either blown to pieces, consumed by fire or rescued in an injured condition

Some of the 35 injured will die. The most severely hurt are in hospi at Terre Haute and at Paris, Several others are being care for a Sandford.

The explosion took place at the instant a Big Four passenger train was passing a side-tracked freight, in which was the car of dynamite.

A large section of the freight train was smashed to splinters and at least one of the passenger coaches was completely demolished.

completely demolished.

The passenger train left Terre
Haute for the run to Indianapolis with
three coaches, a baggage and express
car. The freight had run upon a
siding at Sanford to allow the passenger train to pass, and it is believed
the jar of wheels exploded the dynamite

MINE WORKERS CONVENTION

Secretary Strauss Charged With Partiality to Employers.

Partiality to Employers.

The convention of the United Mine Workers at Indianapolis, adopted a resolution demanding the division of the department of commerce and labor and the establishing of a department of labor. The resolution attacked Oscar Strauss, the new secretary, charging him with aiding employers to violate the contract labor act. It was also declared that the department was being conducted more in the interest of capital than labor,

FLOOD IN OHIO RIVER

Portsmouth, O., Suffers from Breaking

merce Commission Increased.
Congress will be asked by President
Roosevelt to give the Inter-State Commerce Commission increased powers

of Leves.
The highest water recorded at Herrs
Island dam in the Allegheny river
was Sunday morning at 11 o'clock,
when the record stood at 23.8 feet.

commendation very soon. When ease are ready the President will epare a special message to be sent Congress urging necessary legislarush of the waters from river came, and scores had a remarkable escape from drowning. Many fled from sick beds, dozens of shrick-ing women and children staggered aimlessly through the streets, clad

The river reached 61.3 feet, which t by a serious flood and storm. An is the highest record since the flood and storm and peal was made to Pittsburg for aid, many people have been rendered people in Portsmouth and suburbs have been driven from their homes.

> Ammonia Fumes Overcome Thirty. The breaking of a carboy of ammonia in the four-story building in Suffolk street. New York, sent fumes through the dezen offices and sweat-shops. Thirty persons were over-come. Three were so nearly suffects ed that they were taken to the hospit-

District Attorney Jeroine told a committee of New York clergymen that he wanted the assistance collaboration in the committee of the committee of New York clergymen that he wanted the assistance collaboration in the committee of New York clergymen that he wanted the assistance collaboration is not supported by the committee of New York clergymen that he wanted the New York clergymen that he wanted the New York

GOVERNMENT SUES FRISCO FORTY-FIVE KILLED IN WRECKS FIVE KILLED BY EXPLOSION

Locomotive Boiler on Philadelphia & Reading Blows up.

ENGINEER'S MIRACULOUS ESCAPE

Was Blown 75 Feet from Engine and Unconscious When He Came Down.

The boiler of a Philadelphia & Reading railroad freight engine exploded at Bridgeport, near Norristown, Pa., and five trainmen were killed.

The engineer of the train, J. D. Blanik, escaped. He was stunned by

Blank, escaped. He was stunned by the explosion, but walked to Bridgeport station and boarded a train for Reading, where he said he would re-port the accident.

The explosion is thought to have

en due to low water in the boiler. All the men killed were on the engine. The dead are: Charles M. Stein, conductor; John Knoblech, fireman; Ray Schrader, brakeman; Elmer J. Kain, brakeman; Alfred Krause, Secretary of the local wood-

carvers' union.

The rear portion of the boiler was hurled about 150 yards, while the wheels of the engine remained on the track. Schrader received the full force of the explosion and was torn to pieces. The others were shocked and scalded to death.

Jacob D. Blank, the engineer of the engine which blew up at Bridgeport, arrived at Reading and reported the accident to the officials. Being unable to proceed to his home in Allentown, he was admitted to the Reading

town, he was admitted to the Reading Hospital. Engineer Blank said:
"How I escaped I don't know. We had plenty of water in the boiler and I was in the regular position occupied by the engineer. There was a roar like a cannon and I knew nothing more until I was at the Bridgeport railroad station. All is a blank to me from the time I went up with the boiler until I found myself at the depot. The holier was blown about 150 feet. The boiler was blown about 159 feet and they tell me that I landed about 75 feet from the locomotive. I must have been unconscious when I came down for of that I know absolutely nothing. It was almost a miracle that I was not blown to atoms."

Fear that England and Japan Will Outstrip Our Navy.

Fear that our navy will soon be out-stripped by those of Japan and Gerstripped by those or Japan and Germany in the matter of great battle-ships of the class of the English Dread-nought has led the President to take the unusual course of addressing a jetter to Chairman Foss, of the House naval committee, calling his attention in a very outspoken manner to the need of making immediate provision for another monster battleship in addition to the one authorized last session, the plans for which were sub-mitted to Congress by the navy de-partment not long ago.

The President's letter is the result

of the urgent representations made to him by the experts of the navy de-partment concerning the danger to our naval supremacy involved in the rigid strides Japan especially is making in naval construction along the most

modern lines.

The President feels that the views of the naval experts are based on sound sense of a real appreciation of the sit-

sense of a real appreciation of the situation, and he believes they should be heeded by Congress.

The element of time is everything and if a year is allowed to go by without making provision for another new battleship of the most powerful kind, it will, the naval experts believe, put us at a disadvantage that can never be made up.

The "Jiji Shimpo" says that in aecordance with the present plan the ordance with the present plan the

cordance with the present plan the efficiency of the Japanese navy by 1915 will be double what it was be-fore the Russo-Japanese war.

Congressman Charles Curtis nominated for United States Senator from Kansas to suceed Senator Benson by the caucus of Republican Legislaequivalent to election.

VERDICT ON BRIDGE HORROR

Grand Jury Acquits Atlantic City Senate Also Approves Appointments Bridge Tender of Blame.

The Atlantic county grand jury, after an investigation of the electric railway accident at the Atlantic City drawbridge last October, made a pre entment in which it says that no evi-

Sea-Short Railroad Company had been senting to the view that the Pres negligent and recommends that company be instructed to repair defective rail connections and not exceed eight miles an hour.

TELEGRAPHIC BRIEFS.

The rivers and harbors committee

of the Great Kanawha.

Albert B. Cummins was inaugurated governor of lowa for a third term. In governor of Iowa for a third term. In his inaugural address Governor Cummins declared that he stood for the election of United States senators by to the authorities. An epidemic is

Six Weeks in Prison for Shepard.

New York, who was sentenced in France in October, 1905, to three months' imprisonment, \$120 fine and to pay \$4,000 damages to the parents of Madeline Martiel, who was killed by Shepard's automobile, has finely

TO TAX CHILD LABOR

Bill Offered Which Will Make Such Employment Unprofitable.

A plan to tax child labor in mine and factories out of existence is proposed in a bill introduced in the House by Representative Brumm of Pennsylvania. He offered it because there is no question that the national Government can lay taxes upon busi-ness, as was done during the war, whereas there is some question as to whether the products of child labor can be kept out of inter-State com-merce, as proposed by Senator Bev-eridge. The Brumm plan is to license all mine and factory owners who wish to use the labor of children un-der 14 years of age. The license fee is to be \$200. In addition a fee of \$20 is to be paid for every such child employed, and in addition to that a tax of 10 per cent of the value of goods produced by child labor is to be imposed upon the goods made in such mines or factories. Taxation so heavy as that, Mr. Brumm thinks, would make it unprofitable to employ children in the mines and factories

B. & O. ATTACKED

Independent Coal Companies Charge Railroad With Discrimination.

A suit was instituted in the United States circuit court at Baltimore, by the Pitcairn Coal Company, of West Virginia, representing many independent operators in Maryland, West and Pennsylvania, agains Baltimore & Ohio Railroad Com

up the alleged discrimination against it and other independent shippers by the railroad company in the matter of the distribution of coal cars. The contention is that the railroad com-pany in the allotment of its cars favors certain large coal companies. Judge Morris signed a writ of mandamus in the proceedings, returnable February 28: Among the defendants is the Pittsburg Fuel Company, of Pittsburg

It was said that an effort was made to prove that the sale by the Balti-more & Ohio of its holdings in the coal companies claimed to have been favored, was not a bona fide one.

PROSPERITY PREDICTED

WANTS ANOTHER BIG WARSHIP President Addressed Convention for Extension of Commerce.

Extension of Commerce.

In a speech at the banquet of the convention for the extension of commerce held in Washington City, President Roosevelt urged the adoption of the treaty with San Domingo, reform of the consular service and the passage of laws by the present congress that will carry American trade to every section of the globe. He declared that in the civil and military service he keeps open "the door for the ready exit of the output," and no one but himself had power to close that door. He said power to close that door. He said there is no doctrine advocated by any nation that compares with the Monroe doctrine in advancing the cause of peace. He predicted a continued reign of prosperity, not only for America, but for Europe and Asia.

TOWN DAMAGED BY FLOOD

Government Dam in Allegheny River Dynamited.

Great damages to the town of Springdale, Pa., resulted from the current of the Allegheny river being diverted by the government dam at that point. The water gradually cut away a large strip of land on which buildings stood. The people living in the houses escaped, but the houses stables and shons were carried away stables and shons were carried away.

part of the dam gave way. The erty loss is estimated to be \$30,000.

Pursuing the campaign against gambling the French Cabinet has instructed the prefects to enforce rigoron only the law on the subject. The la-question whether an exception shall of the caucus is be made in favor of water places will

CORTELYOU IS CONFIRMED

Herbert Knox Smith.

dence was found to warrant the grand jury in holding Daniel Stuart, the bridge tender, responsible.

The jury finds the West Jersey & mended the confirmation of both, asrecommends that the dent should be allowed to select his company be instructed to repair the defective rail connections and that the speed limit over the bridge should of Arthur S. Statter of Washington to be assistant secretary of the treas-

Diphtheria Closes Schools

Diphtheria is the cause of the closprovided for the construction of dam No. 26 in the Ohio river, at the mouth of the Great Kanawha.

Albert B. Cummins was inaugurated Albert B. Cummins was inaugurated to bring the officers of the board to bring the board to bring the officers of the board to bring the officers of the board to bring the board to bring the board to bring the board to be a board to bring the board to be a board to bring the board to be a board to bring the board to bring the board to be a board to be a board to bring the board to bring the board to be a board to bring the board to be a board to bring the board to be a board

Tin Mill Men Get Increase.

inded to six weeks imprisonment.

India has 25,000,000 acres of irrigation in the time. It is expected, however, it of figure at about 2.6 per cent.

The North German Fire Insurance and according to a decision rendered by the court at Hamburg, in a test case, must pay the losses which it incurred as a result of the San to figure at about 2.6 per cent.

Emma Goldman, who was arrested January 6 on a charge of delivering an alleged incendiary speech at a publication rendered by the court at Hamburg, in a test case, must pay the losses which it incurred as a result of the San John R. Coryell, who have been under ball also were released. by Shepard's automobile, has finally been settled. The damages were paid immediately and the sentence was rebe granted an advance March 1, the

LEVELED BY EARTHQUAKE

City of Kingston, Jamaica, Dev astated-Fire Follows.

DISASTER CAME IN CALM DAY

Many Burned to Death-As Many as Could Get Away Fled to the

Hills. The city of Kingston, Jamaica, with

its 55,000 inhabitants, has been practically destroyed as the result of an earthquake shock which passed over the island and came without warning soon after 3:30 o'clock on Monday, January 14. It is conservatively estimated that

It is conservatively estimated that the list of dead may be 100, probably many more, with hundreds injured, and the property loss will run into the millions. Sir James Fergusson, of London, Eng., is reported among those who lost their lives, but no other Americans, Englishmen or Canadians are reported missing at

homeless. The damage to Kingston alone is placed at fully \$10,00,000.

All people have been warned to keep away from Kingston. The stench there is described as awiul. There is no fodder for animals, and famine is imminent. Money is useless. The banks have been burned, but the vaults are supposed to be safe.

The misery on all sides is indescribable. Fight and two all is not all the safe.

able. Rich and poor allike are homeless. Provisions of all kinds are urgently needed. It is impossible to say where anybody can be found.

The day had been a perfect one and the inhabitants of the city were

going about their business in their usual manner when, absolutely without warning, an earth tremble, apparently passing from northeast to southwest, swept across the island, the center of disturbance apparently being the city of Vingston

being the city of Kingston.

Within 10 minutes after the initial disturbance fire broke out in almost every part of the ruins and the flames vorked without effort being made to

worked without effort being made to check them.

For more than three hours the flames worked their will without effort being made to fight them. The negro portion of the population seemingly lost their heads, and the few Europeans and Americans who were in the city were unable to do anything to bring order out of chaos.

Very soon bowever Sir Alfred.

Very soon, however, Sir Alfred Jones and the governor, Sir Alexander Swettenham, rushed into the heart of the city all of the troops available. The advent of the disciplined caval-Alfred cade had its effect, but it was neces ary for the troopers to use their weapons to control the mob. Many people were burned to death in the ruins, being caught like rats in

The flames spread to the big military hospital, which was totally destroyed. Thirty British soldiers, who were confined to their cots in the hospital, were burned to death in their beds.

All efforts to rescue them proved unavailing and a number of soldiers were badly burned in the attempt.

The inhabitants fled to the hills, where they are now being housed un-der military tents and makeshift structures under the protection of the governor. The great need at pres-ent is food supplies, the government warehouse having suffered severely.

HUMAN FLESH ON SALE

Famine-Stricken Chinese Devouring

Their Children.

flesh being sold.

27,000 Engineers Get Raise.

Committees representing the railway managers and the locomotive of gineers entered the wage agreement at Chicago which includes all roads The senate in executive session unanimously confirmed the nominations of George B. Cortelyou to be To the Marien, bother leads and New Orleans to the Pacific coast and south to the Marien, bother Theorem 1997. schedule of increased wages goes into effect February 1 and will affect about twenty-seven thousand engineers.

Relief for Kingston.

Admiral Evans left Guantanamo for Kingston on swift torpedo boat destroyer Whipple and ordered battleships Missouri and Indiana to follow The war department prepared to s supplies to the stricken island and establish distributing agencies. British coloniai office arranged for lief and for the landing of soldiers and marines for police duty

Vote for Larger Salary.

Vermont Overrun With Wildcats.

GOV. STUART INAUGURATED.

Pennsylvania's New Executive Assumes the Duties of His Office.

Edwin S. Stuart was inaugurated twenty-seventh constitutional Governor of Pennsylvania on the 15th. The ceremonies were witnessed by about 20,000 people. Harrisburg was gaily bedecked with flags and bunting for the inauguration. Although the day was damp and chilly, thousands of persons from surrounding towns poured into the capital to witness

the ceremonies. Philadelphia sent a large delegation. The oath was administered by Justice Newlin Fell of the Supreme Court.

GovernorStuart read his inaugural address, in which he repeated much of what he said in his public speeches during the campaign. The pledges of the platform upon which he was elected he promises to carry out in good faith

In regard to the new capitol build-ng he said:
"If investigation develops that

those who lost their lives, but no other Americans, Englishmen or Canadians are reported missing at this writing.

Later reports received from Jamaica say it is estimated that 1,000 persons have been killed by the earthquake and fire, and that 90,000 persons are homeless. The damage to Kingston alone is placed at fully \$10,00,000.

All people have been warned to keep away from Kingston. The stench there is described as awuil. There duplicated, or that the State has been charged with and has paid for work not done, civil suits should also be commenced and the defendants compelied to make restitution.

ACTED WITHOUT AUTHORITY

Committee Finds Secretary Hitchcock Had No Right to Withdraw Indian Lands.

The special committee appointed by the Senate to investigate all matters connected with the Five Civilized Tribes, made a partial report, which among other things, recommends as

That no immediate action be taken toward the leasing or sale of the min-erals in the coal and asphalt lands, but that the surface be sold for homesteading; that regulations to prevent monopolies are approved, but they should be modified to encourage more pipe lines and that Congress act

speedily The report finds that the secretary of the interior had no legal authority to issue a recent order withdrawing from allotment lands in the Choctaw, Chickashaw and Cherokee nations.

RAILROADS NEED CAPITAL Vast Sums Required to Handle Busi-

ness in Sight. James J. Hill, president of the Great Northern railroad, in a letter to Gov. John A. Johnson, of Minnesota, declares it will require a permanent investment of \$1,100,000,000 for five years to provide the railroads of the country with means to handle properly the business already in

properly the business alfea sight, and not allowing for growth. President Hill says the business of President Hill says the business of the country is so congested the people are face to face with the greatest business problem that has ever confronted the nation. He says business is increasing with extraordinary rapidity, causing freight blockades because the railroad terminals are not equal to the demands made upon them.

Pennsylvania Is Leader in Glass. A census bureau bulletin shows that in 1965 there were 399 glass manufacturing establishments in the of United States, with a total capital of A \$89,389,151. The manufacture of cts. glass was reported by 21 states, among Further advices received from Shanghai tell of increasing horrors of the great famine in Central China. A correspondent says in two districts, Sinchow and Paychow, starving people are eating their children.

Famine-stricken people are being driven back to the cities in the famine district, officials refusing to allow refugees to take the roads. In the absence of ordinary food he found human flesh being sold.

in 1905 there were 399 glass manufacturing establishments in the United States, with a total capital of \$89,389,151. The manufacture of \$89,389,151. The manufacture of \$90 control of \$100 contr

at only 20.2 per cent of the Ohio was the leading state production of clay products.

The Idaho Legislature elected William E. Borah United States senator to succeed Mr. Dubois. The two houses voted separately and Mr. Borah received 50 votes as against 18 for Mr. Dubois.

The house of the Texas legislature passed a resolution calling upon the attorney general to submit to that body for consideration all documentary evidence he has in his possession implicating United States Senator Bailin certain dealings with the Waters

Half a million dollars' property was destroyed by a fire which partially burned an eight-story building at 407-429 Dearborn street, Chicago, occupied principally by M. A. Donahue & Co., printers and publishees.

By a vote of 133 to 92 the members of the House of Representatives voted to increase their salaries to \$7,500 a very large for the House of Representatives with the theory of "Jack and Jack," said to be the world's champion team of hose wagon horses, died from insures received in a collision with a street correction.

To the horrors of famine in China has been added an outbreak of small-