

## 5 JAPANESE SEALERS KILLED BY AMERICANS

### Before They Were Killed the Poachers Had Succeeded in Destroying 200 Animals.

## NO APOLOGY TO BE OFFERED

### Yankee Agent Directs the Alaskan Natives to Fire Upon Thieves Who Refused to Surrender—Many Pris- oners Taken—Rookeries Raided by Score of Boats.

(By Associated Press.)  
WASHINGTON, D. C., Aug. 8.—Acting Secretary of State Bacon has sent to Ambassador Wright, at Tokio, the substance of a dispatch received by the department of commerce and labor from Solicitor Sims, at Sitka, Alaska, regarding the killing of five Japanese fishermen and the capture of twelve others on St. Paul Island. In sending the dispatch the acting secretary states that it is forwarded for the purpose of giving information such as this government has of a regrettable incident, news of which may reach Japan in distorted form.

### No Apology Necessary.

There is no intention of offering an apology or any further regret than is contained in this dispatch as the State department regards the Japanese fishermen as poachers if they were within the three mile limit and the dispatch from Mr. Sims, emphasizes this fact.

The following contains the main features of the dispatch to Tokio:

### Seal Rookeries Raided.

"Fur seal rookeries St. Paul Island, were raided by fishermen from Japanese schooners July 16 and 17. About 200 seals were killed, but the raiders were eventually repulsed as a result of the courageous action of Chief Agent Lempke and Assistant Agent Judge at the head of the native guard.

"Five raiders were killed and twelve captured, two of the latter being badly wounded. Three boats and some small arms were also captured. The force protecting the rookeries suffered no casualties. The schooners were easily within the three mile limit.

### One Crew Captured.

"A crew of six men which had landed at North East Point on July 16 were surprised and captured by Agent Lempke and native guards without casualty on either side. On the morning of July 17, two native watchmen shot and killed two of an armed landing party. Crews from the schooner, under protection of dense fog, shot seals in water close to the shore most of the day.

"On the evening of the same day crews of at least three schooners made concerted raids on widely separated rookeries. The raid on Sea Handie rookeries was repulsed by native guards after considering firing 200 Seals Slaughtered.

"Raid on North East Point was partly successful. Owing to dense fog raiders there were not discovered until nearly 200 seals had been killed.

"The raid which was apparently participated in by an entire ship's crew in five boats, was repulsed by Agents Lempke, Judge, and native force only, and three of the raiders were killed and five captured.

"Most of the seals killed on shore by raiders were pregnant females with nursing young, only a few days old which died of starvation. A large proportion of those killed in the water were also females in search of food for young. Some of the raiders taken state they are from the schooner Teoyal Merau, Number 2, and one of the captured boats bore that name. Other prisoners say that they are from schooner Mel Maru.

### Ten Japanese Boats There.

"It is evident that at least eight or ten schooners believed to be Japanese are sailing in close proximity to islands. The twelve prisoners were taken on the revenue cutter

McCulloch to Kodiak and after a hearing were held for the grand jury."

The Japanese charge Mr. Miyaoka, called at the State department today for information about the killing of Japanese. He had received no dispatches from his government concerning the affair and Acting Secretary Bacon gave him the information which was sent to Ambassador Wright. Mr. Miyaoka agreed that it was not a case to cause an international incident.

### Raiders Only Burglars.

Seals are recognized as property by international law and the Japanese killed by American officials on St. Paul Island stand in the same position as burglars shot in the act of stealing, according to prominent authorities on international law. No international incident can result from the shooting of the Japanese poachers. It is said at the State department. This government has no amendments to make to Japan, other than a mere expression of regret that such an incident should have taken place.

### Three Other Nations Involved.

Japan has no treaty obligations which in any way require her to protect seals in the Bering Sea. The United States, Great Britain and Russia are the only nations bound by treaty to offer protection to sealing in Bering waters and these three countries must, according to the terms of the convention to which they have subscribed, patrol the waters in that part of the world and exercise every possible precaution to prevent their subjects from poaching.

The government of the United States will take no further active interest in the matter in the killing of the Japanese poachers but the prisoners must be tried by United States authorities and according to United States law.

### No More Cutters Needed.

It is not intended to send any more revenue cutters into Alaskan waters as it is understood that the ships now there are sufficient to protect the interests of citizens of this government.

The McCulloch reached the is-

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## CANTEEN HAS FRIENDS

### Many Members of the G. A. R. Oppose Recent Legislation.

## HARD BLOW TO REAL TEMPERANCE

### "Corporal" Tanner is Endorsed in His Campaign Waged in the Inter- ests of the Old Soldier Who Likes a Glass of Beer.

(By Associated Press.)

WASHINGTON, D. C., Aug. 8.—Staff officers and department commanders of the Grand Army of the Republic, by a large majority, endorse the recent utterances of Commander in Chief Tanner, that the passage by Congress of an act abolishing canteens from National Soldiers' Homes after next March was "unwise, and a blow at real temperance, besides a restriction of the personal liberties of veterans of the civil war that ought to be resented."

A number of prominent officials of the organization have written "Corporal" Tanner of their intention to bring the matter before the National Encampment, which meets next week at Minneapolis.

The resolutions censuring Congress and demanding that "the old soldier be treated as able to care for himself," will doubtless cause a hot fight, as there are a number of officials who approve the work of Congress. After the interview with Commander in Chief Tanner appeared in the newspapers, letters were sent to each staff officer and departmental commander of the organization asking his views on the question.

Of thirty answers that have been received, twenty are strong in their approval of the attitude of the commander in chief, five favor the abolition of the canteen, and five are non-committal.

## 19 TRUE BILLS FOUND AGAINST STANDARD OIL

### Federal Grand Jury in Chicago In- dicts Trust for Accepting Rebates From Railroad.

## ROCKFELLER ESCAPES THE LAW

### Michigan Southern Railroad is Charged With Granting Favors to the "Octopus" Which Were Nothing More or Less Than Direct Violation of the Elkins Act.

(By Associated Press.)

CHICAGO, Ill., Aug. 8.—An indictment charging the Standard Oil Company with receiving rebates in the form of non-payment of storage charges to certain railroad companies was returned today by the Federal grand jury before Judge J. S. A. Betha this afternoon.

The indictment came as a surprise in as much as the grand jury had just begun the investigation today. The Standard Oil Company is the only defendant, no officer of the company and no railway company or officials of the companies being named.

### Bond Fixed at \$25,000.

The bond was fixed by Judge Betha at \$25,000. This is the case investigated by the grand jury in Cleveland, O., where it was found that the grand jury had no jurisdiction. The testimony taken there was transferred to Chicago and the documents in evidence were identified by witness who testified in Cleveland. It was on this testimony that today's indictment was returned so quickly.

The grand jury immediately resumed its session to take up the investigation of the charge that the Standard Oil was given direct rebates by certain railroads.

The indictment contains nineteen counts.

### \$380,000 in Fines Possible.

The true bills come under the Elkins law which provides a fine of from \$1,000 to \$20,000 for each violation. Under this indictment should the government procure a conviction on the trial of the issues, a fine of \$380,000, as a maximum under the Elkins law may be asserted.

The indictment alleges that by a system of granting to the Standard Oil Co. certain concessions the oil company benefited to the extent of \$8,506.72 during a period of time of from August 1903 to February 1905.

### Indictments Explained.

The indictment, as explained by the government's attorneys, means that in nineteen instances certain consignments of oil for the Standard Oil Company were stored by the Lake Shore and Michigan Southern Railroad Company, and that the railroad company received no payment of five cents a ton a day from the oil company for such storage, but that its competitors were compelled to pay this amount.

This is equivalent to granting a concession. It is charged, the non-payment of the storage charges being in favor of the oil company. Each count set up a discrimination of from \$300 to \$500 a month in favor of the oil company.

It will be necessary for officials of the Standard Oil Company to appear in court and present a bond of \$25,000 for the corporation.

## DRUNKARD ASKS FOR CELL.

### Cigarmaker Requests Police to Lock Him Up.

(Special to the Daily Press.)  
DANVILLE, VA., Aug. 8.—A well dressed man about thirty years old started the police on duty at the police office here by walking in and remarking:

"I'm drunk and I want to be locked up."

He was intensely nervous and tremulous and evidently in the last stages of a long debauch. He says he is Walter Lakely and a cigarmaker, and that he started to walk from Charleston, S. C., to Greensboro, N. C.

## LYNCHERS MURDERERS ASSERTS JUDGE LONG

### Warns the Grand Jury That Men Who Hanged the Three Negroes Must be Punished

## LAW STRONGER THAN ANY MOB

### When Sifted to the Bottom He Says It Will Be Found That no One of Standing Was Implicated in the Rioting—Honor of the County Will Be Protected He Declares.

(By Associated Press.)

CHARLOTTE, N. C., Aug. 8.—Judge Long called Rowan county court to order at Salisbury at the usual hour this morning.

The grand jury has not made a presentment of the charges against George Hall, who is accused of being one of the men who lynched three negroes Monday night.

Judge Long was still more severe on the mob this morning. He said: "The court is informed that a kinsman of the murdered people pleaded with that band of cut-throats and murderers to let the law proceed. Any man who aided and abetted in that lynching was guilty of murder in the first degree. Any man who gave encouragement by word or presence or took part in it was guilty of murder in the first degree.

"The question now is simply whether the law shall be enforced by the courts or by a mob, and Rowan county shall to a man take a stand on that proposition. When sifted to the bottom you will find, as I have said before that no man of character and standing was in that mob.

"I am going to perform my duty as I see it and have no fear. I said before I apprehended any trouble that the law of the land is stronger than any local mob. I do not take that back, notwithstanding the shots about my ears that night. The mills of the Gods grind slowly, but they grind exceedingly fine."

### "The honor and integrity of Rowan must be preserved."

## Negroes Freed on Murder Charge.

UNION, S. C., Aug. 8.—David L. English, of Hartsville, S. C., J. Richard English, and two negroes, John Sarton and John Renwick, charged with the murder of Mose Hughes, whose body was found in the Tiger river June 7, were discharged today on the ground of insufficient evidence.

The negroes afterward were bound over as witnesses against W. R. Gillan and Douglas English, charged with the murder of Hughes and who are now out on \$5,000 bail.

## Old Man Kills Son-in-Law.

FORT PAYNE, ALA., Aug. 8.—An old white man, named Wright, is in jail here charged with murder near Lydya, Ala. Wright went to the house of his sons-in-law, Sam Bailey and John Bailey, and began to abuse his daughters.

The Baileys remonstrated and John Bailey's throat was cut by Wright so badly that he died almost instantly. Sam Bailey, who was holding an infant in his arms, was also stabbed in the throat but will recover. Wright surrendered.

## Lynchers Placed on Trial.

SPRINGFIELD, MO., Aug. 8.—The trial of Galbraith, Gooch and Haecker, accused of complicity in the lynching of several men here a few months ago after an assault committed by a negro, began today in the Green county circuit court.

## Negro Murderer Captured.

MACON, GA., Aug. 8.—Joe Morris, a negro who recently attempted to assassinate George Bloodworth and family near here has been captured. It is thought here that if the reported capture is true, Morris has been lynched by this time.

## Negroes Escape on Locomotive.

MILLTOWN, GA., Aug. 8.—Two negro convicts, "Bob" Henderson,

servng a life sentence, and "Pete" Williams, serving 20 year term, escaped from the convict camp here today by boarding a locomotive and dashing down the track about four miles, where they abandoned the engine.

## Two Violent Deaths at Camp.

AUSTIN, TEXAS, Aug. 8.—Two deaths occurred at Camp Mabry today making three fatalities since the federal troops mobilization began on July 26.

Jesse Cantiss, troop K of the First Cavalry, United States Army, was shot while in the mountains during the manoeuvres.

The other death today was that of Roger W. Lockhart, of Dallas, who was a member of the First Texas Battery, field artillery. He was hurt before he arrived at camp.

## WOMEN DRUNKARDS PRISONERS

### District Attorney, Though, Lets Down the Bars.

(By Associated Press.)

BOSTON, MASS., Aug. 8.—District Attorney John B. Moran sent an officer to the Massachusetts Home for Inmate women today with orders to release every inmate.

There were thirty women in the institution and the officer carried with him a nolle prosequi for every inmate. "The women were liberated." It was said at the district attorney's office that this action was taken following the discovery that instead of being a home the institution was practically a prison, the inmates being deprived of their liberty and forced to work from morning until night, the proceeds of their labor going to them.

Mrs. Julia Ward Howe is president of the institution.

## Baker Still Holds Championship.

(By Associated Press.)

LOS ANGELES, CAL., Aug. 8.—Harry Baker, of San Francisco, amateur featherweight champion, and Frank C. Nell, fought 20 rounds here last night and Baker was awarded the decision. Nell showed severe marks of the encounter.

## Killed While Track Walking.

(Special to the Daily Press.)

DANVILLE, VA., Aug. 8.—Edward A. McAlpin, 46 years old, an employe of the new cotton mills at Schoolfield, was struck and killed by a south-bound passenger train while walking the tracks, going to his work today.

## FALLS AS WORK ENDS

### Old Sallor Charged With Stealing from Navy Yard.

## SERVED THE FLAG FOR 29 YEARS.

### Boatswain is Accused of Making Way With Government Property—Only

### Tar Who Still Wears Ear Rings Like Old-Time Seamen.

(Special to the Daily Press.)

NORFOLK, VA., Aug. 8.—At the United States court house it was said today that Chief Boatswain Mate E. P. McFoy, who after twenty-nine years in the service of the government has been arrested upon the charge of stealing government property, will not be brought to trial in the Federal Court, but the trial will be held in the brig of the United States receiving ship Franklin by court-martial.

If convicted McFoy will be imprisoned on the prison ship Southerny at the Boston navy yard.

Alex. Gordon, the negro boatman who is alleged to have been McFoy's confederate, carrying off rope, etc., and selling the same at junk shops, will be tried in the Federal Court, the naval authorities only having the right to try by court-martial persons regularly enlisted in the service.

McFoy, a sailor of the old school, would have been retired in December on two-thirds pay for the remainder of his life. The old salt's ability to always produce cash in quantities that surprised his fellows on shipboard resulted in an investigation which brought about the arrest of McFoy and Gordon.

McFoy is one of the few enlisted men in the navy who has always adhered to the obsolete custom of wearing ear rings at all times. He has been a unique character at this naval station.

There will be a rally meeting of the congregation of the Calvary Baptist church this evening at 8 o'clock. Important business is to be discussed during the meeting. The pastor, Rev. A. A. Butler, and other ministers will speak.

## LEAGUE ISLAND TARS WHILE DRUNK MUTINY

### Five Marines and Ten Sailors Im- plicated in Carousal Which Ends in Riot

## EVEN TRIED TO COMMIT MURDER

### News of the Disgraceful Occurrence Suppressed by Commandant—Cul- prits Quickly Tried by Court Mar- tial—Long Sentences Imposed— Bread and Water Diet For a Few.

(By Associated Press.)

PHILADELPHIA, PA., Aug. 8.—It became known today that five marines are in double irons on board the receiving ship Lancaster at the League Island navy yard and ten sailors are under arrest as the result of a mutiny on Monday night in which two of the mutineers were badly injured.

A boating party consisting of Privates Burnett, Kenney, Haggerty, Alderson, Erbe and Newland, left the navy yard. They went to Gloucester and it is alleged sold their uniforms. With the money thus obtained beer was purchased and when the men returned they had two half barrels of beer in the boat.

This they smuggled into camp, and about a score were soon under the influence of the intoxicant.

### Men Try to Desert.

While in this condition the men agreed to leave the yard and when halted attacked the corporal. The alarm whistle was sounded and the men of the Lancaster quickly responded.

A general fight ensued during which shots were fired. Burnett, one of the ring-leaders had his throat cut and Kenney's right arm was fractured. After nearly an hour of fighting the mutineers were subdued and the principals placed under arrest.

Chief Boatswain Garrett, who was the officer of the deck, when the alarm was sounded, summoned all hands and in a few minutes forty men, marines and bluejackets, were on the scene of the mutiny.

### Murder Attempted.

Burnett attempted to shoot Garrett but he was prevented by Trumpeter Hess and overpowered. The remaining mutineers endeavored to escape into the marshes surrounding the camp but all were rounded up.

Yesterday Captain Miller, of the Lancaster ordered Burnett and Kenney court-martialed. The trial was quick, and although the findings were not made known because the commandant of the yard must pass on them, it is said that sentences varying from one to five years in the naval prison at Chelsea, Mass., will be the outcome.

### Two Men Sent to Brig.

Haggerty and Erbe, while not taking active part in the outbreak were in the boating party, were given ten days in double irons in the brig on bread and water with a full allowance of meat every fifth day.

Today Alderson and Newland were before a summary court martial board, and the probabilities are that they will be given thirty days each in double irons.

The bluejackets will probably be sentenced to ten days in double irons with confinement in the brig. Boatswain Garrett, Sergeant Kibby, Corporal Shay and Trumpeter Hess as well as the others who helped to quell the out-break were commended by Captain Miller.

### Lie Passed Causes a Fight.

ATLANTA, GA., Aug. 8.—Representative Whitley and C. D. Hill had a fight today on the floor of the House. They were separated by friends. The lie was passed between the men and blows followed.

### Rally Meeting at Church.

There will be a rally meeting of the congregation of the Calvary Baptist church this evening at 8 o'clock. Important business is to be discussed during the meeting. The pastor, Rev. A. A. Butler, and other ministers will speak.