4 P.M. EDITION

London Advertiser

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42ND YEAR. NO. 17606 THE ADVERTISER, LONDON, ONTARIO, WEDNESDAY, AUGUST 30, 1905. PRICE TWO CENTS.

A Great Moral Victory For Chivalrous Japan

Russ Press Says That Asia Is Now at Mikado's Feet—Work on the Treaty Commenced.

St. Petersburg, Aug. 30. — "A great diplomatic victory for M. Witte, but a great moral victory for Japan" is the verdict of Prince Oukhtomsky in his editorial in the Viedomosti today.

He says:

"Notwithstanding the difficult circumstances under which the negotiations commenced, M. Witte carried out his task with the greatest skill, and obtained from Japan the utmost she was prepared to give. More than we expected to receive, but though M. Witte wrested out of defeat these advantageous terms, the moral advantage rests with Japan. She will be recognized in the eyes of the east and of Europe as the victor, and she has acquired a predominant position in Asia, while Russia's prestige has suffered a correspondingly heavy blow. However, Russia is only reaping the reward of a war, conceived in injustice and resting on a policy of aggression toward a weak nation, against which I and others warned the Government. I was for peace before and have been ever since the commencement of the war, and I rejoice that peace has been concluded. I have no fear of the results on the army. Some of the men will object to this peace, but the great mass will be glad of the termination of the war on so honorable a basis and will be content to return to their homes.

"It is impossible to tell what will be the result of peace on the internal situation. The revolutionary movement has roots a generation deep, and its causes are entirely independent of war, which it preceded, though its growth has been fostered by the misfortunes of the conflict. The agitation and turmoil will no doubt find an outlet in the coming elections for the Douma, regardless of the outcome of the war."

In conclusion, Prince Oukhtomsky pays a high tribute to President Roosevelt, "whose name should be blessed throughout Russia."

What London Thinks.

London, Aug. 30, 12:43 p.m. — The news of the conclusion of peace at Portsmouth, N. H., yesterday, reached London so late last evening, that with the exception of official and diplomatic circles and those who were in the city at a late hour, the announcements in the morning papers came as a complete surprise. Even many cabinet officers and other high officials were ignorant of the momentous event until today, as those who compose the official and social circles in England are now gathered around the moors, some of them out of reach of the telegraph. With the general public, the news was received with the greatest satisfaction and admiration for Japan's "sacrifices in the cause of peace."

The evening papers follow the lead of the morning newspapers in bestowing unstinted praise on President Roosevelt, to whom they give the fullest credit for the outcome of the conference, whose decision was entirely at variance with their daily predictions since the opening of the negotiations. Both papers and people were so astounded at the outcome of the conference that they feel that there is something in the agreement arrived at which has not yet been published, and that if this is not the case, then the new Anglo-Japanese treaty has affected the result in some way. In this connection the Pall Mall Gazette says: "The enlarged treaty with England may have had considerable weight in persuading the Mikado and his advisors that Japan's position in the Far East is now practically impregnable, and that peace may be made without pressing for the payment of costs."

The paper adds: "Japan now stands in a position of impregnable supremacy in the Far East, and this supremacy could only be disputed by a coalition, against which her alliance with the greatest naval power in the world, constitutes an absolute guarantee."

Asia at Japan's Feet.

Arguing that Japan might after consideration feel more satisfied with having gained the point for which she took up arms, the Pall Mall Gazette continues:

"Henceforth, Asia lies at her feet and particularly China. China has been a bone of contention all along. England and the United States will have every reason to be thankful for the triumph of Japan."

Referring to Japan's decision to give up her demand for an indemnity, the Westminster Gazette says: "It needed only a moment's reflection to see how greatly her moral and material position must have been worsened, if after having obtained all the substantial points for which she undertook the war, and all the enormous assets that go with them, she had taken the responsibility for renewing the war on the question of costs, which could not in the long run have been recovered against an opponent who was determined not to pay."

Drafting of Treaty Begins.

Portsmouth, N. H., Aug. 30. — The great strain under which plenipotentiaries, attaches, correspondents and summer guests have been laboring for three weeks is over. Peace is concluded. Only the actual framing of the treaty and the formalities of its signature remain. It has been decided that the room in the conference building, where the plenipotentiaries yesterday came to an agreement, shall be the scene of the final act in the "Treaty of Portsmouth," which is to put an end to this historic war. The plenipotentiaries yesterday adjourned, subject to call, and unless some unexpected dispute arises, there will not be another formal meeting until the draft of the treaty is completed. And even should a controversy occur, it would not necessarily compel a formal meeting, as the plenipotentiaries living under the same roof are in a position to consult freely, either in person or by letter. Mr. De Martens and Mr. Dennison, acting respectively for Russia and Japan, have already begun the work of drafting the treaty, and their first meeting will be held this afternoon at 3 o'clock at the navy yard.

Portsmouth, N. H., Aug. 30. — There will be no meeting of the peace conference today. When the adjournment was taken yesterday no time was fixed for the next meeting.

King Edward Pleased.

Marienbad, Austria, Aug. 30. — King Edward, upon receipt of the peace announcement, immediately dispatched his congratulations to the Emperors of Japan and Russia and to President Roosevelt and also telegraphed to Queen Alexandria his joy at receiving such news.

Foul Murder of Syrian Charged to a Farmer

Ottawa, Aug. 30. — James Laderoute, 28, farmer, of Aldfield township, Pontiac county, was arraigned yesterday morning at Bryson on a charge of murdering George Charly (or Selman), a Syrian from Ottawa. He pleaded not guilty and was remanded until Monday. The jury last night found that deceased came to his death on Friday, Aug. 25, by being struck with a stone and blunt and sharp instruments in the hands of some unknown persons. The evidence against Laderoute is entirely circumstantial. The victim was evidently first struck with a stone and then stabbed eleven times. He sank into unconsciousness and his murderer left him for dead. Subsequently the Syrian revived, climbed upon his rig and drove a mile to the farm house of Thomas Gray. He was without hat or coat, bleeding from several wounds, and scarcely able to stand. But he had sufficient strength to say that he had been robbed and knifed by a Frenchman. Reeling to the farm house, he reached the kitchen, and there dropped insensible to the floor. Medical aid was summoned, but the physician arrived just as the injured man passed away.

The scene of the assault upon Selman is a lonely valley between two lofty hills. The Syrian was last seen driving towards the valley on his way to Shawville. Laderoute had previously gone in the same direction. Afterwards cries for help were heard by a farmer named Lebrun, but he was unable to locate them. After Selman's death Mr. Gray, in whose house he had taken refuge, went down and viewed the spot where the man had received his mortal injuries. Blood-stains mark a log, and the leaves all around were dripping with gore. A huge stone also bore crimson marks. It was quite evident that there had been a terrific struggle, and that the participants had rolled over and over in the scuffle. How Selman, mortally wounded as he was, managed to make his way to the Gray homestead is a mystery to the doctors.

FOUR HUNDRED DROWNED

Reported Disaster to a Japanese Fishing Fleet.

London, Aug. 30.—The correspondent of the Daily Telegraph at Leghorn sends a report received from Nagasaki of the overtaking of a hundred fishing boats by a hurricane off Goto Island (belonging to the Japanese Archipelago in the Channel of Korea). The report says that four hundred men are miss-

DISASTROUS BUSH FIRES

Almost Wipes Out the Town of Belmont, Nova Scotia.

Halifax, Aug. 30. — Belmont Intercolonial Railway station house and freight shed, near Truro, the Baptist Church, Lindsay's hotel, Crowe's general store and blacksmith shop adjoining, Frederick Wilson's dwelling, Chas. Lindsay's dwelling, Adam Downing's dwelling and barns, carriage houses and outhouses, the warehouse attached to Wilson's store and other property, were destroyed by fire at Belmont yes-

BURGLAR BURDELL THROWS LIGHT ON THE MANNER OF HIS ESCAPE

How He Removed the Grating—Turnkeys Not to Blame—Incidents of Flight.

"Texas" Burdell, who now rests securely in his old cell in the county jail, has been throwing some light upon the manner of his escape, and has explained some points which no one else could. The scraps of conversation which he has been handing out on this subject since leaving Detroit yesterday noon are very interesting.

It will be remembered that "Texas," before he got away, removed part of the grating from the small hole which opens on to the main corridor from the top of the cell. Every cell has these openings for ventilation purposes. The wards, into which the cell doors open, are between the cells and the outer walls.

Now the great problem regarding "Texas'" escape was the question as to how he managed to dig out the grating without being discovered by the turnkeys. It was commonly supposed that he did the work during the nighttime. But then it was hard to see how the night turnkey was not aroused by the noise. One police official declared that the turnkey could not have possibly escaped noticing the attempt.

But "Texas" says that he did the work in the morning, and that it took him two mornings to do it. This throws much light on the situation. In the morning, there is only one turnkey inside the jail, the others being out with the prisoners or otherwise engaged. "Texas" says he would wait till he heard this turnkey going upstairs into the upper part of the jail, and then go to work on the grating, ceasing as soon as the turnkey returned. Most of the other prisoners in the ward would, of course, be outside working in the morning, while Burdell's time was his own, not yet having been tried.

It is probable that the noise made in hammering at the bars would not be noticed in the morning, there being so much else going on in the jail at that time of the day.

"I was sorry to learn that the turnkeys were dismissed. They had nothing to do with it, was another significant statement made by "Texas" today.

When at last he had the grating so loosened that he could move it out of place, "Texas" waited for a favorable opportunity. Then he took out the bars and squeezed through. Many people who know the interior construction of the jail were at a loss to see how the man got out through the hole and reached the stone floor seven feet beneath without breaking his neck. The opening is a very small one. Here is what "Texas" had to say about it:

"I went through head first, so that I could see anyone who might be around. If I had got through feet first, someone might have been waiting for me at the bottom, and I could not have seen him."

"When I got my head and shoulders through I had to let myself slip until I could hang on to the opening with my feet. Then I dropped on to the floor with my hands first. Both my wrists were a little sprained by the fall."

"I then got the keys, but I found I did not need them, for there was a key in the door of the kitchen."

The kitchen is just opposite Burdell's cell, and there is a door leading from the kitchen to the outside. Once outside, the rest was easy, for the big yard gate was not locked.

Burdell has also some interesting things to say about the hardships he endured after making his escape, and how he eluded his pursuers.

"I was up a tree near Springbank when two men passed underneath looking for me," he said.

Carbolic Acid Given in Mistake for Medicine

Raymond Evans, Front Street, Narrowly Escapes Poisoning.

A mistake in the administering of medicine almost caused the death of Raymond Evans, the 14-year-old son of Mrs. Evans, of Front street, South London.

The lad complained of cramps during the night, and his mother arose and gave him, as she thought, a dose of pain-killer.

The boy was at once thrown into a state of terrible pain, and his frantic mother scarcely knew what to do for him.

While his elder brother was sent to Victoria Hospital for a doctor, the patient was given a large drink of milk, and this saved his life.

By the time the doctor arrived the boy was, however, in a very serious condition, and it took the best efforts of the physician to pull him through.

Today he is doing well, and his recovery is looked for. It appears that the two bottles—the medicine and the acid—were kept on the same shelf, and in the dark the mother made the almost fatal mistake.

Raymond Evans is a brother of the Evans lad, who, though he possesses only one arm, saved the life of another boy at Clark's bridge some time ago.

WAR CLOUD SHIFTS TO NORTH AFRICA

Morocco Refuses to Release French Subject and France Will Act at Once.

Tangier, Morocco, Aug. 30. — The Sultan has replied by letter to the French minister, that he continues to regard the recently-arrested French-Algerian merchant, Bouzian, as a Moroccan subject, and will refuse to comply with the demand of the French Government for his liberation.

Paris, Aug. 30. — The foreign office has issued an announcement to the effect, that today or tomorrow, the French minister at Fez, Ren Taillandier, will be able to address a final summons to the Moroccan foreign office relative to the release of the French-Algerian merchant, Bouzian. The minister at the same time will advise the Moroccan Government of his intention to leave Fez if the demand for the release of Bouzian and redress for his arrest be not complied with. M. Taillandier will be instructed to reach Tangier by the shortest route, and to take such steps as may be deemed necessary after his arrival there, if in the meantime the demands remain unsatisfied.

Dispatches from Toulon to the French newspapers announce that in view of the trouble with Morocco the cruisers Charnier, Bruix, Pothuau, Chanzy, Latouche-Treville, and Requin are being held in readiness.

ITALY'S VOLCANOES IN VIOLENT ERUPTION.

Naples, Aug. 30. — Mount Vesuvius is in full eruption, and is throwing out an enormous mass of lava. Deep rumblings are heard in the interior of the crater, and lava is flowing down the right side of the cone.

Messina, Sicily, Aug. 30. — The ancient crater in the Island of Stroboli is in full eruption, and is ejecting a heavy mass of lava. Dense smoke hangs over the island. Panic prevails in the villages around the volcano and the villagers are leaving

G. T. R. APPEAL IN INTERSWITCHING

Commission Grants Permission to Carry Point to Supreme Court.

[Special to The Advertiser.]

Ottawa, Aug. 30. — At the railway commission today Mr. E. Lafleur, K.C., in behalf of the Grand Trunk Railway, applied for leave to appeal to the supreme court against the decision of the board in the London interswitching case. The board decided that a charge of $5 per car should be paid by the C. P. R. No allowance was made by the board for the terminal facilities which the Grand Trunk afforded. The Grand Trunk maintain that switching should be allowed for this, and asked for an appeal of a point of law to the supreme court. Mr. Biggar, K. C., was with Mr. Lafleur. Mr. MacMurchy, for the C. P. R., argued that the matter was one for the board to pass judgment upon. Mr. G. F. Henderson watched the case for the city of London. The board, of course, allowed an appeal and the G. T. R. and C. P. R. solicitors met and arranged the case, which will be submitted to the supreme court.

THE WEATHER.

London, Wednesday, Aug. 30.

Sun rises..5:38 a.m. Moon rises..5:35 a.m.
Sun sets...6:58 p.m. Moon sets...7:15 p.m.

Tomorrow - Fine and Cool.

Toronto, Aug. 29—8 p.m.

The severe storm which was off the Cape Breton coast last night passed quickly eastward during the night, and was only locally felt in the Maritime Provinces. In the Northwest Territories and Manitoba the weather today has been very fine; also elsewhere, with the exception of a few local thunderstorms in the lake region.

Minimum and maximum temperatures: Victoria, 50—68; Edmonton, 40—72; Calgary, 36—72; Qu'Appelle, 50—70; Winnipeg, 56—74; Toronto, 60—82; Ottawa, 54—76; Montreal, 56—72; Quebec, 50—72; St. John, 50—72; Halifax, 50—76.

FORECASTS.

Wednesday, Aug. 30—8 a.m.

Strong southwest to northwest winds; a few local showers or thunderstorms; fine today, tonight and on Thursday, and cooler.

TEMPERATURES.

Stations.	8 a.m.	Min.	Weather.
Calgary	40	38	Cloudy
Winnipeg	48	44	Fair
Parry Sound	68	60	Rain
Toronto	74	68	Cloudy
Ottawa	62	60	Cloudy
Montreal	60	58	Cloudy
Quebec	54	48	Clear
Father Point	52	50	Cloudy

WEATHER NOTES.

A few local showers or thunderstorms have occurred in Ontario and Quebec, and rain has fallen heavily in British Columbia. In Manitoba and the Territories the weather has been fine and comparatively cool.

LOCAL TEMPERATURES.

The highest and lowest readings of the

M. WITTE,
Victor in the Great Diplomatic Combat at Portsmouth.

KNOCKING CANADA

A British Liberal Candidate Talks of Frozen Harbors.

London, Aug. 29.—J. M. Henderson, the prospective Liberal candidate for West Aberdeenshire, addressing a meeting at Braemar, said the tariff reformrs talked about our wheat supply from Canada, but did they know, as a matter of fact, that half of the wheat from the Dominion came through America owing to the fact that the harbors of Canada were frozen in winter? It was impossible to believe the Government would jeopardize the great import trade with foreign countries for the purpose of securing intercolonial trade with Canada. Mr. Perks, M. P., addressing the same meeting, said he did not believe the Government would hesitate to press such a suggestion.

TORONTO COUPLE SUICIDE

Wm. Todd and Ida Seibert Drown Themselves at Gull Lake.

Kalamazoo, Mich., Aug. 30.—William Todd and Ida Seibert committed suicide yesterday afternoon by jumping from the dock at Allendale into Gull Lake. John Ebert, keeper of the boathouse adjoining the dock, threw a life-preserver to the man, but they made no attempt to save themselves. After dragging ten minutes the bodies were recovered. Two days ago the couple came to the lake and registered at the hotel as from Toronto. Todd told the hotel clerk they were engaged to be married. In his room was found a note saying that they preferred to die rather than to live. Not a shred of evidence was found that would otherwise identify them, and the hotel register is the only guide the local police have. It is possible that the names given at the hotel are assumed.

MITCHELL FOR 8 HOURS

Unless Granted Can Be No Peace in Anthracite Region.

New York, Aug. 30. — A Tamaqua, Pa., dispatch to the American quotes President John Mitchell, of the United Mine Workers of America, as saying: "So far as I am personally concerned, there can be no lasting peace in the anthracite region until the miners get an 8-hour day, and the union is recognized by the operators."

President Mitchell reiterated this challenge to the coal companies last night at an enthusiastic meeting of miners of the Panther Creek Valley.

He also read out of the ranks all men who do not belong to the union, and declared, that so far as he was concerned, he would not raise a finger to aid non-union men to gain their rights.

RIOT OVER A BARGAIN

Fifteen Persons Hurt in Rush at an Indianapolis Hotel.

Indianapolis, Aug. 30.—Two thousand men and women attracted by an advertisement of some graniteware which was to be sold in a limited quantity and greatly under cost, assembled in front of a Washington street store this morning, and in the rush when the doors were opened fifteen persons were injured. One woman, who had been near the door for an hour waiting for the store to open, fell fainting just as she started in, and those coming behind her stumbled over her prostrate body and half a dozen persons were trampled on.

Inside the store there was a rush to the counter where the goods were on sale, and a show case was broken into a thousand pieces. A riot call as sent to police headquarters, and twenty policemen used their clubs before the crowd could be driven back. Three doctors were called to minister to the injured before they could be taken home.

LOCKED KITTY IN TRUNK

It Traveled Across the Continent, Packed With Mistress's Dresses

Los Angeles, Cal., Aug. 30. — When Miss Sarah Nicholson, of Edgefield, S. C., arrived at Long Beach and began unpacking her trunk, she was startled almost into hysterics by the appearance of her pet kitten at the bottom of the trunk in the folds of her dresses which she had packed away two weeks previously when she was preparing to leave her home in the east for the Pacific Coast.

Kitty stretched its legs and weakly mewed a salutation to its mistress. After lapping a saucer of cream it strolled out into the sunshine, and within a few hours became itself again. Tabby is now wearing nine different hues of ribbon about its neck in token of its possession of nine lives.

Killed Police Chief.

Berlin, Aug. 28. — A dispatch to the Vossische Zeitung from Sosnowic, Russian Poland, says that Chief of Police Czentochau, of that city, was killed

GRAND TRUNK WILL SPEND ABOUT $2,000,000 IN LONDON

Company Is Preparing to Improve Terminal Facilities

BIG THINGS CONTEMPLATED

May Ask for the Closing of Wellington Street—Roadbed To Be Raised From Hyde Park.

Railway rumblings are being heard around the city hall now. The past few days the extension of the lease of the London and Port Stanley to the Pere Marquette has held the boards, but this matter has been thrown entirely into the shade by the Grand Trunk talk which is now heard.

For a couple of years London has been expecting the Grand Trunk to do something to improve its facilities here, and at different times stories have been published of large sums to be expended by the company on a new depot, new freight house and the improving of the roadbed.

But now comes a story which has a very substantial foundation, and which says that the Grand Trunk has plans prepared which will mean the expenditure of no less a sum than $2,000,000 right here in London.

Proposition Coming.

One of these days the Grand Trunk will lay a proposition before the city of London which will give the council a deal of hard-thinking, and which will embody certain clauses, which, it is said, the people may be called upon to vote on.

One of these clauses will be for the closing of Wellington street, it is said. It has always been understood that the company wants Clarence street to be closed, but now the scene has shifted to Wellington street. The reason for this is that the company is desirous of removing the present old wooden freight sheds to the east end, replacing the sheds by a handsome brick or cement building. Then the idea is to build the new depot on the site of the freight sheds, between Wellington and Waterloo streets. But though the block is much longer than the block between Richmond and Clarence streets, where the depot now stands, it is not long enough to accommodate the long trains which the company will be operating, and the result is that no matter where the new depot is erected the G. T. R. will come before the council and ask to have a street closed, or else to be given permission to construct a subway for the use of pedestrians and vehicles.

Good Thing for City.

It is said in railway circles that the city might be very glad to have the company build a subway on Wellington street. The crossing is a dangerous one, despite the fact that the company has done all in its power to make it safe by pulling down all high buildings and fences on both sides of the street so that the view of approaching trains is not obstructed.

For some time past the Grand Trunk and the city have sawed off in the matter of repairs to the railway crossings. The reason is that the company is contemplating raising the entire roadbed between London and Hyde Park. It is also the intention to shift the rails further south in the city, so that they will run close to Bathurst street instead of in the center of the block as at present.

Raise the Rails.

It is said that it is the intention of the Grand Trunk to raise the rails 22 feet at the cove bridge and six feet at Richmond street, so as to do away with the big grade to Hyde Park.

The raising of the roadbed will be a matter in which the city will have a big say, because subways will not improve the appearance of the city, though the safety of the public would be very much increased.

It is not thought that there is anything in the story about the company purchasing the Tecumseh House and building the depot between Richmond and Talbot streets on condition that the city should allow the company to close Talbot street.

Ald. Stevely Introduces Pavement Amendment

Convention of the O. M. A. Opened in Toronto—London Motion First.

[Special to The Advertiser.]

Toronto, Aug. 30. — It was half past ten o'clock this morning when President W. A. Boyce called the meeting of the Ontario municipalities to order. A smattering of delegates was present, and the signing of the roll was commenced. Mr. H. K. Kent, of Hamilton, acted as secretary.

An important matter to be brought up in the meeting this afternoon is the consideration of a suggested amendment to the municipal act, subsection 1 of section 569, which provides that a municipality shall not be allowed to establish a street railway where there is already a street railway in existence.

The amendment provides that the municipality shall exercise its power to purchase a street railway, where it would not be a violation of the provisions of any agreement or contract between the municipality and any existing street railway company.

This afternoon a paper was read by Assessment Commissioner Forman, of Toronto, on the practical working out of the new assessment act. Another paper on the same subject was read by F. R. Hutton, of Hamilton.

London Interested.

Papers on criminal liability and water rates in cities were read by D. M. McIntyre, of Kingston, and F. MacKelcan, of Hamilton, respectively.

Alderman Stevely, of London, introduced a motion, that the municipal act be so amended, that in the matter of laying permanent pavements, a portion of the cost of which is defrayed by the municipality, the council of the corporation shall have the power, by a two-thirds vote of all the members, to determine the class of such pavements, and shall have the power to assess a portion of the cost of such pavements on the property-holders on the street where such pavements are laid.

Ald. Carson, of London, introduced a resolution that a sewer might be laid in a street on recommendation of the city engineer, and approved of by a two-thirds vote of the entire council, and that application for the amendment be made to the Ontario Legislature.

Witte Hero of the Day; Backdown Amazes London

How Brilliant Diplomat Outmaneuvered the Japs—Latter Say Surrendered in Interests of Humanity.

Portsmouth, Aug. 29.—The long and bloody war between Japan and Russia is ended.

The terms of peace were settled by M. Witte and Baron Komura, at the session of the conference this morning, and this afternoon preliminary arrangements for an armistice were concluded and the actual work of framing the "Treaty of Portsmouth" by mutual agreement was turned over to Mr. Demartins, who for 25 years has acted as the legal adviser of the Japanese foreign office.

The treaty is expected to be completed by the end of the week.

This happy conclusion of the conference which, a week ago, would have been shipwrecked had it not been for the intercession of President Roosevelt, was sudden and dramatic.

Victor Is Magnanimous.

For the sake of peace, Japan, with the magnanimity of a victor, at the last moment yielded everything still in issue.

Russia refused to budge from the ultimatum Emperor Nicholas had given

No indemnity under any guise, but an agreement to divide Sakhalin and reimburse Japan for the maintenance of the Russian prisoners, were the last words.

They had been reiterated in M. Witte's instructions in the form of a written reply to the Japanese compromise proposal of last Wednesday, which were delivered to Baron Komura this morning.

M. Witte went to the conference declaring he was powerless to change the dot of an "i" or the cross of a "t," in his instructions. Emperor Nicholas' word had been given not only to him, but to President Roosevelt.

Jap Offer Rejected.

When Baron Komura, therefore, first offered the new basis of compromise outlined in dispatches last night, M. Witte again returned a non possumus.

It was what M. Witte termed the psychological moment. M. Witte expected a rupture, and was stunned by what happened.

Baron Komura gave way on all disputed points.