

## EX-CONFEDERATE SOLDIER WAS FOUND DEAD IN HIS BED

Was Guard in Penitentiary. Retired Last Night in Apparent Good Health. Was 70 Years Old. Charters Issued for Two Large Firms.

Slander Case Considered. About Wreck on S. A. L. State Treasurer Lacy Leaves for Arizona. Engineering Company of Arizona to do Business in N. C.

Special to The News. Raleigh, Feb. 1.—A charter was issued today for the Goldsboro Investment Company, at a capital of \$25,000 by R. J. Corbett, D. H. Korngay and others. Also to the Claud Brown Live Stock Company, of Hendersonville, at a capital of \$10,000.

W. T. Wally, ex-Confederate soldier, serving as guard at the penitentiary, was found dead in his bed this morning at the prison. He was 70 years old and in apparent good health when he retired last night.

He was appointed guard from Statesville four years ago on the recommendation of former Lieutenant Governor Turner.

Considerable interest centered here today in the trial of Drewry Lyles, a well-known farmer of Wake Forest township, on the charge of slandering the good name of Mrs. T. B. Coley, the wife of another good farmer of the neighborhood. Lyles had said that Mrs. Coley was "too thick" with some young men of the neighborhood. He was bound over in a \$500 justified bond for his appearance at the March term of Wake court.

Mr. Neal A. Spence, of this city, was in the wreck near Columbia yesterday caused by the collision of No. 66, North-bound passenger train, S. A. L., with a local freight train. He arrived here this morning and says the killed were Engineer A. A. Smek, of Hamlet; Freight Train Fireman Andy White, colored, Hamlet, freight train; and Postal Clerks H. A. Patillo, Osteen, Fla., and M. C. Watkins, Putnam Hall, Fla. Mr. Spence helped to extricate Engineer John Robertson, of Raleigh, from the debris. He had one leg instead of two broken, and had a bad gash on the forehead.

State Treasurer B. R. Lacy, who is just recovering from a severe attack of pneumonia, left this morning for Arizona, where he will probably spend several months in the hope of fully recovering his health and ridding himself from the chronic case of asthma with which he has been afflicted for a number of years. It had been hoped that the pneumonia would clear out the asthma trouble, but this seems to be coming back on him as severe as ever.

The Southern Engineering Co., of Arizona, with paid in capital of \$6,000 and half million authorized, domesticates to the business in this State with principal office at Newton, W. C. Feinstern in charge.

A charter is issued for the Eureka Building Block Co. of Graham, capital \$1,500, A. B. Nicholson principal incorporator.

COURT MARTIAL ADJOURNS.

Suspend Work Until Feb. 13, So as Not to Interfere With Academy Examinations.

By Associated Press. Annapolis, Feb. 1.—The court martial today adjourned till February 13th to avoid interference with the examination at the Academy which began yesterday. Orders announcing the dismissal of Midshipman Chapin, of California, were read to the brigade at noon today.

FOUR ANARCHISTS SHOT.

Makes 16 Shot Without Trial in Fort-night.

By Associated Press. Warsaw, Feb. 1.—Four more anarchists, making 16 in the past fortnight, were shot without trial in the citadel here today, 15 more Jews.

CONDITION OF BANKS.

Comptroller of Currency Issued Call for Condition of National Banks.

By Associated Press. Washington, Feb. 1.—The Comptroller of Currency today issued a call for the condition of the national banks at the close of business January 29.

TO GO TO VISIT AMERICA.

Report Afloat That Admiral Togo Will Visit America in April.

By Associated Press. Tokyo, Feb. 1.—It is announced on good authority that Admiral Togo will visit America in April with two armored cruisers.

ROCKEFELLER AT HOME.

Had Been Reported At Various Winter Resorts.

By Associated Press. New York, Feb. 1.—The Herald says today John D. Rockefeller is at his home in the Pocantico Hills. He had been reported recently in the South or at various winter resorts.

## EXPERT ON STAND.

Effort to Prove That South Carolina Dispensary Pays 10 Cents More Per Half Pint Than Bartrooms.

Special to The News. Columbia, S. C., Feb. 1.—The dispensary investigation committee will this afternoon put a whiskey man of Cincinnati on the stand to prove that South Carolina dispensary pays ten cents more for every half pint of whiskey than the bartrooms in other States. Sensational developments are expected charging U. X. Gunter, now Attorney General, with conspiring with his law partner, William McGowan, of Spartanburg, while Gunter was Assistant Attorney General, in make applicants pay for the positions on the State constabulary.

## MILITARY NOMINATIONS.

Major General Bates Nominated Lieutenant General to Succeed Chaffee.

By Associated Press. Washington, Feb. 1.—The President today nominated Major General John C. Bates, at present Chief of Staff, to be Lieutenant General, to succeed Lieutenant General Adna R. Chaffee, retired today. He also nominated Brigadier General A. W. Greely chief signal officer to be Major General in line to succeed General Bates as General, also Colonel James Allen to be Brigadier General to succeed General Greely.

## WRAPPED IN CONFED. FLAGS.

Last Request Was to be Wrapped in Two Confederate Flags.

By Associated Press. New York, Feb. 1.—A special from Baltimore says Rev. Matthew O'Keefe was buried under the chancel of the Catholic church which he built at Loweson.

According to the request made before he died, he was wrapped in three Confederate flags. He was chaplain of Mason's brigade.

## MOROCCAN CONFERENCE.

Draft of Taxation Project Adopted—Will Appeal to Sultan.

By Associated Press. Algiers, Feb. 1.—The Moroccan Conference today adopted without modification the draft of the taxation project. The Moorish delegates raised objections and will refer the proposals to the Sultan. The question of reforming the customs duties was not considered.

## ASKS PRESIDENT TO PARDON.

Secretary Bonaparte Appeals to President to Pardon Midshipman Miller.

By Associated Press. Washington, Feb. 1.—Secretary Bonaparte of the Navy, recommended to the President the pardon of Midshipman Miller, of Kentucky, who had been sentenced to dismissal from the Naval Academy for hazing.

## FUNERAL OF MR. MAXWELL.

Mr. J. H. McClintock has returned from Davidson where he went to attend the funeral of Mr. P. Maxwell, Sr., which took place there this morning.

Mr. Maxwell died Tuesday afternoon. He was one of the most widely known citizens in the upper section of the county and his death will be deeply deplored. He was 72 years old.

## NO IMPRISONMENT WILL PAY FINES

Such is the Information Given to the Members of the Typographical Union who Thought to Pay Fine by Going to Prison, 500 of Them.

By Associated Press. Chicago, Feb. 1.—Five hundred members of Typographical Union, No. 16, voted unanimously to go to jail, as it is estimated that they might save a thousand dollar fine assessed against the union by Judge Hoidin, if permitted to work out the amount in prison. An appeal by a committee of strikers resulted in the information that if the fine is upheld by the higher court, it will have to be paid, and there is no prospect of the debt being liquidated by going to jail.

## STARTLING INFORMATION.

Jones Said to Have Declared That Patrick Was Blameless.

By Associated Press. New York, Feb. 1.—Among the affidavits filed in support of the application for a new trial for Albert Patrick, was one by Corporal Stansbury, of the 13th U. S. Infantry, in which he says that Charles Jones, valet to William Rice, declared to him that he did not kill Rice. Another affidavit quotes Jones as saying: "I was so hounded and troubled by the officers that I found that if I did not lay the blame on Patrick, they would take my life or send me to the penitentiary for life."

I told the officer that Patrick was to blame for everything. Patrick did not tell me to chloroform Rice, nor did he advise me in any way to take his life. Patrick is not to blame for his death."

## Negro Woman's Will.

The will of Josephine Wallace, colored, who died several days ago, was filed for probate this afternoon.

The property left by the deceased consists of a house and lot on East 11th street, which is valued at \$600. The heirs are the three children of the deceased.

## ANOTHER UPRISING IN CHINA IS SAID TO BE IMMINENT

Chinese Authorities Appear Indifferent to the Present Anti-Foreign Sentiment and Demonstrations. Only Issue Formal Notices to Quell Uprisings.

Chinese, it is Said, Believe that Only Way to Overthrow Present Dynasty is to Start Another Uprising and Interest Foreign Powers.

By Associated Press. Victoria, Feb. 1.—Advices received by the Empress of China yesterday note fears of another anti-foreign uprising in China, to which the Chinese authorities appear to be indifferent and take no steps beyond a formal notice to the provincial government to quell the uprisings.

Japan is firmly opposed to the evacuation of the foreign troops. One authority declares that the Chinese referees believe the only way to overthrow the present dynasty is to start another uprising, thinking that the foreign governments will be interested and will depose the present rulers.

The revolutionists' outbreak at Vladivostok was well planned, the intention being to create disturbances in many places in Siberia. In the battle between the garrison at Irkutsk and the Cossacks, 1,200 were killed. The Cossacks threw several hundred dead bodies into the Lake Bakhal. Thousands are starving in Northern Siberia.

## INSURANCE MEETING.

Mr. Drake Presides and Makes Address.

By Associated Press. Chicago, Feb. 1.—More than a hundred State officials, including several governors, commissioners of insurance, attorney generals and others were present at the opening of the session today of the National Convention to discuss Insurance Measures. Thomas E. Drake, insurance commissioner of the District of Columbia, presided and made the opening address.

He gave as reason for assembling that the exposure in New York of the life insurance methods clearly demonstrated the necessity for a better insurance law throughout the country. The meeting was the result of correspondence between Governor Johnson of Minnesota and President Roosevelt. He felt that under the circumstances, various legislatures might effect drastic measures, which might be unreasonable and harmful to the companies as well as to policy holders. After the consultation it was agreed that a bill be introduced into Congress which will be the code for the regulation of insurance in the District of Columbia and which with the necessary changes in form will be enacted by various States and territories, making a uniform regulation and avoiding the costly litigation from the conflicting laws.

## MUST MAKE IT PUBLIC.

House Passes the Sims' Resolution to Make Public Figures on Unginned Cotton.

By Associated Press. Washington, Feb. 1.—The House today passed the Sims' resolution instructing the Census Bureau to make public the figures on unginned cotton, as shown by the data collected for the period ending January 16th.

## NIAGARA BILL PASSED.

The resolutions reported yesterday by Mr. Burton in the House for the preservation of Niagara Falls were agreed to in the House today without discussion.

## REPLIES TO NORTH.

President Jordan Says the Census Department Has Been Lax.

By Associated Press. Atlanta, Feb. 1.—President Harvie Jordan, of the Southern Cotton Association, today made a reply to the statement of Director North, of the Census Bureau, published yesterday from Washington. Mr. Jordan says: "If the law prevents the director from gathering the estimates of the amount of cotton remaining to be ginned to be made public, then clearly the law does not contemplate the Director to be permitted to gather statistics from the ginners' report for the Director's private use."

## NO YELLOW FEVER IN PANAMA.

Governor Magoon Reports That the Plague Is Stamped Out.

Washington, Feb. 1.—Governor Magoon of the isthmian canal zone, who is in Washington, said today that sanitary conditions in Panama are better than they ever have been and that there is no yellow fever. Mr. Magoon further said that waterworks and sewerage systems were nearly completed, and the streets of Panama were rapidly being paved. He said no novel questions even are now to be encountered in the canal work.

## CAPT. LOVELL DEAD.

One of the Old Conductors of the Southern is No More.

Capt. James W. Lovell, who for many years ran between Charlotte and Richmond, Va., on the Southern died at his home at the latter place last Monday.

Capt. Lovell had many Charlotte friends who will be pained to hear of his death.

It will be recalled that he was hurt about eight years ago in the Harrisburg wreck, from which injuries he never fully recovered. He underwent an operation at Richmond about a year ago and was temporarily benefited.

Capt. Lovell was one of the oldest men in the employ of the Southern. After the wreck at Harrisburg, he was suspended, and for several years ran into Charlotte as baggagemaster. Afterwards, he was promoted to the position of conductor and has since been in charge of a passenger train between Keyville and Durham.

The traveling public had a staunch friend in Capt. Lovell. When he lost his position as conductor on the main line, a strong petition was gotten up by traveling men, asking for his reinstatement. The management would not give him back his "old run" between Richmond and Charlotte, but gave him a position as conductor on the Durham and Keyville division.

Capt. Lovell was a straight, honorable man. He was in every sense a gentleman and very many will learn with regret that he is no more.

## CLAUDE A. SWANSON IS NOW GOVERNOR

Virginia's Talented Congressman at Last Realizes his Life's Ambition, and is Chief Executive of Two Million Virginians. Inaugurated at Noon To-day.

By Associated Press. Richmond, Feb. 1.—Claude A. Swanson, who began life as a member of the Fifty-third Congress and who has been re-elected to every Congress since then was inaugurated Governor of Virginia and J. Taylor, former Mayor of Richmond, Confederate veteran and for the past fourteen years chairman of the State Democratic Executive Committee was inaugurated Lieutenant Governor at noon today. The ceremonies were held in the House of Delegates' Hall before the joint session of both branches of the legislature.

The inaugural address of Governor Swanson declared the time had arrived for putting factional politics in the background. That it is the duty of the people of the State to stand together and bend all energies to the step with the spirit of progress everywhere. He deplored the growth of monopolies. He favored reasonable and equitable adjustment of rates on the railroads of the State to give the promoters of entire prices a fair return for their investments and a quick transportation for their produce. He touched upon the desirability of immigration of good classes of labor, but preferred seeing the waste places as to having some people enter the State as settlers and citizens. He recommends that the State make the most possible of the Jamestown Exposition.

## CONGRESSMAN HITT ILL.

Illinois Representative Seriously Ill in Washington.

By Associated Press. Washington, Feb. 1.—Representative Hitt, of Illinois, is seriously ill at his residence here. Several physicians have been called and his friends are alarmed over his condition.

## MR. J. B. IVEY RETURNS.

Mr. J. B. Ivey has just returned from a trip to the Pacific Coast in company with his brother, Dr. W. B. Ivey, of Lenoir.

Mr. Ivey brought to The News office this morning a dried toad skin that he purchased from a Chinese drug store in San Francisco. The toad skin is used for medicinal purposes, being boiled and the broth taken for certain maladies.

Mr. Ivey reports a delightful trip, and The News has asked him to give its readers an account of it for Saturday's paper.

## WORKMEN BURIED BY BIG CAVE-IN

Explosion Caused Fearful Cave-in in Erie Railroad Tunnel. Several Workmen Buried. Three of Dead Taken Out. Two of the Injured Rescued.

By Associated Press. Otisville, N. Y., Feb. 1.—Several workmen were buried today under the masses of earth in the cave-in in the Erie Railroad tunnel, which is being constructed here.

Three of the dead have been taken out and two of the injured were removed.

The accident was due to an explosion.

## FIRE CAUSED LOSS OF \$500,000 TODAY IN CANAL ZONE

Fire Started at Two A. M. in Concordia Building in Carrera District, Entire Wooden Block Destroyed by Flames. Scarcety of Water.

Loss Estimated at \$500,000 with Little Insurance. Gallant Firemen Rescue Women and Children. Americans in Concordia Reported to be Missing.

By Associated Press. Panama, Feb. 1.—Shortly after two o'clock this morning fire started in the four story wooden building known as the concordia, in the Carrera district. Soon afterwards the adjoining three story building and the entire block of wooden buildings was threatened with destruction.

The lack of water made the fight ineffective for some time and the entire block of houses was destroyed.

The fire was in control at 5:30. The losses are estimated at \$500,000 with little insurance.

Many women and children were rescued from the tenements by volunteer firemen.

No lives are known to be lost, but some Americans known to be rooming in the Concordia building are reported missing.

## CALM TEACHER STOPS PANIC.

Pupils Frightened by Clouds of Steam From Leaking Radiator.

New York, Feb. 1.—A fire engine, with clang of bell and screech of whistle, dashed down Mott street today and drew up before Primary School 108, just as the doors flew open and the 800 scholars, with their teachers, fled rapidly out of the building. The neighborhood was bedlam in an instant.

The innocent cause of all the excitement was a leaky radiator in one of the classrooms on the top floor, which was busily spouting clouds of steam into the atmosphere of China town through the open window. The story of the affair, as told by Miss Sweeney, principal of the school, showed the presence of mind of Miss Perkins, a teacher.

Miss Perkins went to shut off a radiator in her classroom. First opening the window, she gave the valve a turn, when, with a loud hiss, the packing blew out, and in an instant the room filled with steam. The pupils of the class, who are mostly Italians, made a wild rush for the door. The teacher, however, was too quick for them. Placing her back to the door, she commanded order in a quiet voice. Her calm attitude was caught by her younger charges. They returned to their seats and were about to resume their lessons when the bell sounded the first drill. Some one had seen the steam issuing from the window, and, after turning in an alarm, ran to Miss Sweeney's office and told her the building was on fire.

In less than two minutes the building was emptied in an orderly manner. If Miss Perkins had allowed her class to rush through the hall, spreading panic, the result might have been serious.

## ENDLESS CHAIN PRAYER.

Assassination Threatened if Instructions Are Not Followed.

New York, Feb. 1.—Mgr. M. J. Lavelle, rector of St. Patrick's Cathedral, has asked the aid of District Attorney Jerome to put a stop to an endless chain prayer which has been sent broadcast over the county and which has brought fear to most of the recipients.

At the bottom of the prayer threats of all kinds are made for failing to follow the instructions, among which is assassination.

"A number of complaints have reached me," Mgr. Lavelle said, "from persons to whom the prayer has been sent. It is absolutely non-Catholic in spirit. I have received through my parishioners several copies of the prayer, which provoked me so that I immediately cast them into the fire and at once notified the district attorneys."

Catholic clergy throughout the United States are taking action in the suppression of the prayer, to which forged names of several prominent bishops have been attached.

The prayers are identical, and close with the following paragraph: "He who recites this prayer and writes it for nine days, once a day, giving a copy each day to some person who will do the same, will receive a great joy at the end of nine days. This prayer was sent by the bishop of Rome, and a copy was given to a woman who told no attention to it, and in punishment thereof her son was assassinated on the third day."

"Whoever receiveth this must recite it, giving a copy to nine persons for nine days."

## Will Ask for Divorce.

In the office of Clerk J. A. Russell, notice was filed today by James Chapple, colored, that he will ask the court to dissolve the matrimonial relations that exist between him and his wife, Sallie Chapple.

Infidelity is charged. Chapple is a well known negro of this city.

## RECORDER'S COURT RECORD.

The Records Show That 184 Cases Were Heard During January.

The records of the Recorder's Court for the month of January show some interesting facts.

During the 31 days of last month, 15 violators of the prohibition laws have been bound over to the criminal court. Against these 15 prisoners there are 46 different indictments for selling liquor. All of the offenders are negroes and they all stated that their supply of "red eye," came from the neighboring town of Salisbury. Nearly every one of the "bunch" is now in jail awaiting trial at the hands of Judge Bryan next week.

There have been 41 arrests made for larceny and 1 many of those charged with this crime are now in the county jail.

In the matter of assaults the records show that 17 arrests were made during January.

The crime of drunkenness continues to show up small. During the entire month, only 20 persons charged with being drunk, faced the Recorder.

Seventeen persons charged with gambling are now under indictment. This includes the 12 negroes and one white man who were arrested last Sunday charged with playing "skin" on the outskirts of the city.

During January there were 12 persons arrested charged with disorderly conduct; 11 for carrying concealed weapons; 3 for trespass; 2 for profanity; 1 for perjury; 1 for loitering around the station; 1 for keeping a disorderly house; 5 for affrays; 1 for abandonment; 2 for fornication and adultery and five for minor violations of the city ordinances.

The above shows that a total of 184 cases were heard in the Recorder's Court for the month of January.

## Accepts Position at Central.

Mr. William J. Donnelly, of Washington, D. C., has accepted a position as second clerk at the Central Hotel. Mr. Donnelly arrived in the city last night and has already entered upon his duties.

## Cotton Bringing 11 Cents.

The price of cotton on the local market today dropped to 11 cents. The receipts at the platform amounted to 26 bales and the prevailing price was even money—11 cents.

For the same day last year the receipts amounted to 43 bales and the best price was 7 cents.

## Wake Forest vs. Charlotte.

A big game of basketball will be pulled off at the Y. M. C. A. next Wednesday night. The opposing teams will be the Wake Forest and a select team from the members of the Y. M. C. A. The event promises to be an unusually interesting one.

## Lawyers On the Move.

Mr. Cameron Morrison and his partner, Mr. Whitlock, are today moving from the Trust building to the Carson building, corner Tryon and Fourth streets. These well known and popular lawyers now have rooms Nos. 2 and 3 in the Carson building.

## YOUNG YERKES SAYS REPORT IS FALSE

Charles Yerkes, Son of Late Traction Magnate Says Conspirators are Playing Publicity Game for Purpose. Mrs. Yerkes Says Story is Ridiculous.

By Associated Press. Chicago, Feb. 1.—Charles E. Yerkes, of this city, son of the late Charles T. Yerkes, declared today that Mrs. C. T. Yerkes (Mrs. Mismar) was a victim of a plot and that the publicity which has been given her affairs the last two days was a result of jobbery. He received early today the following reply to a telegram sent by him last night: "Telegram received. Story simply ridiculous." Signed "Mrs. C. T. Yerkes."

Mr. Yerkes commented on the message, saying, "We are sure now this great publicity is being played as a game in New York by some people, who are conspiring to a certain end."

When asked what is the motive if their story is untrue, he refuses to discuss the matter.

## COST MISSISSIPPI \$43,220.28.

Pestilence Last Summer Resulted in 61 Deaths From 837 Cases of Fever.

Jackson, Miss., Feb. 1.—Dr. J. Hunter, secretary of the State board of health, has submitted a supplemental report to the legislature giving the total expense of the fight against the yellow fever last summer and fall as \$43,220.28.

The pestilence made its appearance in fifteen different localities, there being sixty-one deaths from 837 cases, as follows: Sumrall, 1 case, no deaths; Lumberton, 1 case, no deaths; Mississippi City, 95 cases, no death; Pearllington, 4 cases, no deaths; Hansboro, 15 cases, no deaths; Moss Point, 3 cases, no deaths; Seranton, 4 cases, no deaths; Gulfport, 118 cases, 3 deaths; Natchez, 196 cases, 9 deaths; Vicksburg, 210 cases, 21 deaths; Harrison, 2 cases, no deaths; Roxie, 27 cases, 5 deaths; Hamburg, 63 cases, 15 deaths; Port Gibson, 62 cases, 4 deaths; Rosetta, 38 cases, 6 deaths.

## FIRE PLAYED HAVOC WITH TRANSPORT SHIP, THE MEADE

Fire Broke Out in Hold of Vessel Early To-day. Twenty Men Overcome by the Flames. Three Men Dead and Four Missing.

Fire Raged for Four Hours in Spite of Fireman's Efforts. Loss to Ship and in Personal Effects Great. Impossible to Make Estimate.

By Associated Press. San Francisco, Feb. 1.—Fire broke out in the hold of the transport Meade at the wharf early today. The fire raged four hours despite the efforts of the fire department.

Twenty men were overcome by the flames and the third officer, George Wallace, and the Meade, and two firemen are dead. Four men are reported missing and supposed to be in the hold unconscious.

The fire was under control at three this morning and the ship flooded with water. The Meade was to have sailed this morning for Manila with 1,000 men of the Second Infantry and the Eighth and Thirteenth Batteries of light artillery.

The fore part of the ship where the fire began, contained the personal effects of the officers and men. The vessel also carried 3,000 tons of commissary and quartermaster supplies consigned to the Philippines. It is impossible to estimate the damage to the ship and cargo.

Vessel Not Badly Damaged. The vessel is not seriously damaged. The only loss is to the cargo and lives, the extent of which is not yet known.

## The Trouble Settled.

The Chief of Police of Spencer was here today having in custody Robert Foard, a negro who is charged with the larceny of a lot of bicycle supplies, the property of Mr. F. S. Hunter.

The crime is alleged to have taken place about six years ago. Foard has been working at Spencer and was recently located there by Mr. Hunter. A compromise was effected, the negro paying Mr. Hunter for the articles said to have been stolen.

The case will now go off the docket and Foard will return to Spencer on one of the evening trains.

## "Carnival of Hearts."

The chairman of the "Carnival of Hearts," Mrs. A. Lee Champe, requests the following ladies to meet her at the Carnegie Library tomorrow afternoon at 3 o'clock: Mesdames W. C. Timmons, Charles Blackburn, E. C. Register, D. L. Reid, Hernandez, Hinson, Furr, L. R. Camp, Kate Holmes and Misses Lotie Bixby, Lillie Blackburn and Clara Moore, Mrs. Charles Blackburn.

## DROWNED IN AN OPEN DRAIN.

Negro Boy Was Running Backwards While Flying Kite and Fell into Hole of Water.

Columbia, Feb. 1.—A small negro boy, 8 or 10 years of age, whose name is John Henry Marshall, was drowned in a deep drain leading from Elmwood Avenue through the property on the north side of the street near Spring Park. He was flying a kite and was running backwards and ran into the hole which is about 20 feet deep and is partly filled with water. No one saw him fall in the water but a small boy who was with him. The alarm was given and people from nearby rushed to the spot. The pool was dragged, but it was about a half hour before the body was caught and dragged to the surface.

Drs. J. E. Massey and J. H. Sayre, both members of the Legislature from York county, were strolling on Elmwood Avenue near the scene of the accident and hearing what had happened, went to the spot, but were unable to render any aid, as life was extinct when the body was found.

The drain in which the drowning occurred is the same one which caused some discussion in Council at a recent meeting as to the necessity for constructing a brick or pipe sewer to prevent further washing of the land.

Coroner Walker was notified and went to the scene. He investigated the case and decided