

THE RICE MURDER CASE.

THE STATE LINKING ITS CHAIN AROUND THE DEFENDANT.

TESTIMONY OF JAMES A. BAKER.

As Attorney for Rice He Visits the House Where He Finds Patrick—He Tells of Statement Made by the Defendant—The Autopsy Indicates Use of Chloroform—Short and Meyer Arrested and Their Bail Increased to Ten Thousand Dollars.

New York, April 10.—The taking of evidence in the commitment proceedings in the case of Albert T. Patrick, the lawyer, who is accused of having caused the death of William Marsh Rice, was resumed today before Justice Jerome.

The first witness today was Captain James A. Baker, Jr., a lawyer of Houston, Texas, who was named as an executor in the Rice will of 1896. Captain Baker in reply to questions by Assistant District Attorney Osborne stated that Patrick had never acted as attorney for Rice at any time. He also said he had acted as Mr. Rice's attorney up to his death in September last. The first news he received of the death of the aged millionaire was in a telegram sent him by Jones, the valet. He immediately telegraphed Jones to confer with M. S. Melvin to maintain the status quo until witness arrived in New York.

"When I met Patrick," said Baker, "he asked me to step into another room as he wanted to speak to me alone."

Colonel Baker said Patrick explained to him that he had been trying to effect a settlement with Mr. Rice in regard to the litigation over Mrs. Rice's will, and that he had agreed with Mr. Rice that Holt was to be paid \$250,000 in settlement after his (Rice's) death. Patrick also informed that the witness, Mr. Rice had lost faith in him (Baker) and that he (Patrick) was then acting as Mr. Rice's attorney.

"Patrick told me," said the witness, "that it was Mr. Rice's wish that I should look after the estate in Texas, and that Mr. Rice had made some assignments of property to him, as Rice wished to dispose of the property during life."

On the witness' request Patrick showed him the will of 1890, and, after objecting, gave him a copy of the document, though refusing to endorse it as a true copy. Patrick also turned over to the witness the two checks for \$50,000 and \$25,000 made payable to Patrick and drawn on the banking house of Swenson & Co., and he invited Baker to investigate everything fully.

Witness said he suggested to Patrick that in view of there being two wills it would be better to have a temporary administrator appointed. Patrick replied that he was indifferent as to whether either will was probated, but he (Patrick) wanted to see that he got what was right. Patrick had also said he did not wish to have his relations with Rice made known and that Jones, the valet, was the only person who had seen him in conversation with Rice. Patrick told the witness that Rice's death was caused by over indulgence in bananas.

The will of 1896 was introduced, and the witness declared that the signature of Mr. Rice was genuine. The signatures to the Swenson checks, he said, were not Rice's.

Mr. Moore began the cross examination of Colonel Baker. He went along a line of cross examination by which he wished to show that the will of 1896 was not made as Mr. Rice's last will, but was made for the purpose of creating a change in the public sentiment, which at that time was not favorable towards Mr. Rice.

Before the recess, Morris Meyer, who, with Short and Patrick, is accused of forgery in connection with the will of 1890 and who was admitted to \$5,000 bail, was re-arrested and his bail raised to \$10,000. Short's bail also was raised to \$10,000.

Dr. Edward J. Donlin, one of the surgeons of the police department, testified that he performed an autopsy on the body of Rice. He found the body in a well preserved state, the lungs were slightly congested and the other organs for a man of Rice's age were normal.

Mr. Osborne then propounded a very lengthy hypothetical question to which Mr. Moore objected, but finally Dr. Donlin said that the congested condition of the lungs was such as would have been produced by inhaling an irritating gaseous vapor such as chloroform. There were diseases which might produce this congestion, but no traces of such diseases were found in the organs. Dr. Hamilton Williams who assisted Dr. Donlin in the autopsy on Mr. Rice's body, corroborated Dr. Donlin's testimony regarding the condition of the organs and the condition of both lungs and he said he found no traces of disease which would bring about such congestion of the lungs. In his opinion the congestion was caused by the inhalation of some irritant or acid vapor such as chloroform or ether.

When the examination of Dr. Williams was concluded the court adjourned until tomorrow.

Announcement.

To accommodate those who are partial to the use of atomizers in applying liquids into the nasal passages for catarrhal troubles, the proprietors prepare Ely's Liquid Cream Balm. Price, including the spraying tube is 75 cents. Druggists or by mail. The liquid embodies the medicinal properties of the solid preparation, and is quickly absorbed by the membrane and does not dry up the secretions but changes them to a natural and healthy character. Ely Brothers, 56 Warren St., N. Y.

The ball given Wednesday night by the French ambassador in honor of the French naval officers and cadets of the training ship Duquesne Trouin, now lying at Baltimore, was one of the most brilliant social events Washington has seen in a long time.

ANOTHER FIRE IN RICHMOND

Immense Dry Goods Store of Meyers' Sons Burned One Life Lost

Richmond, Va., April 10.—Richmond had this morning another fire which produced excitement and consternation throughout the city. The big dry goods store of Julius Meyers' Sons, which occupied almost a quarter of a block on Broad street, together with the stock and fixtures, was destroyed completely.

The fire originated on the third floor, among some mattresses, but from what cause is a matter of doubt. The flames spread with great rapidity and when the fire department reached the scene it was apparent that all it could be expected to do was to protect surrounding property.

Until 3:30 o'clock this afternoon, it was not believed that there had been any casualties, but at that hour a charred body was discovered in the ruins, which proved to be the remains of Mr. R. Emmet Slaughter, manager of the carpet department. How he became entrapped in the burning building is not even a matter of conjecture, it is a mystery. There are rumors of other casualties, but they seem to be entirely without foundation, as the rest of the 400 employees are said to be accounted for.

ARMY TRANSPORT SUNK

Fire on the Rawlins—Pumped Full of Water, Which Sinks Her

New York, April 10.—The United States transport Rawlins which was to sail at 2 o'clock this afternoon for Havana, Matanzas and Cienfuegos, is lying with her saloon deck awash in thirty feet of water, to the south of the army pier at the foot of Pacific street, Brooklyn.

Fire was discovered aft of her main engine room early this morning. Two alarms brought to the pier six engines, two trucks and three fire boats, and at 9:30 o'clock so many thousands of gallons of water had been pumped into the transport's hold that she keeled over and, with water rushing in through her open ports, settled slowly until her keel touched bottom.

The property loss will not exceed \$50,000. It will cost perhaps \$20,000 more to pump her out and raise her. The Rawlins was being loaded with a miscellaneous cargo, consisting for the most part of horses for army use. Apparently the blaze had been smoldering all night, for the first warning was a puff of black smoke from one of the after hatchways.

THE GILMAN ESTATE

Claimed by Mrs. Hall as Adopted Daughter of the Deceased

Hartford, Conn., April 10.—Action was begun in the United States circuit here today by Mrs. Helen Potts Hall, of New York, for the recovery of her alleged share in the millions of the late George F. Gilman, of Bridgeport. Mrs. Hall declares that she is the adopted daughter of Mr. Gilman and brings her action through her next friend, her brother Frank G. Potts.

For several years prior to Mr. Gilman's death, says the complaint, he having conceived a strong personal regard for Mrs. Hall, adopted her as his daughter and she became a member of his household and rendering to him the obedience of a natural daughter.

On or about November 1, 1900, it is alleged, Mr. Gilman entered into an agreement with Mrs. Hall that if she would continue to live with him as a daughter until his death, she would then be entitled to all his property, both real and personal, as fully and to the same extent as if she were his natural daughter. The complainant claims that she has fulfilled her part of her agreement. She states further that one of the relatives lived on intimate terms with Gilman, but on the contrary they had for many years been estranged from him and some were hostile to him and that Gilman failed to make a will and died intestate.

"I have been troubled with indigestion for ten years, have tried many things, but spent much money to no purpose until I tried Kodol Dyspepsia Cure. I have taken two bottles and gotten more relief from them than all other medicines taken. I feel more like a boy than I have felt in twenty years." Anderson Riggs, of Sunny Lane, Tex. Thousands have testified as did Mr. Riggs. R. R. Bellamy.

THE CUBAN QUESTION.

A COMMISSION TO VISIT WASHINGTON TO CONSULT M'KINLEY.

ATTITUDE OF OUR GOVERNMENT.

First Preference for Unqualified Acceptance of the Platt Amendment, but the Commission's Visit Preferred to its Rejection—Cubans to be Told They Can Expect no Modification of This Declaration—Some of Its Terms to be Explained.

Washington, April 10.—Information was received at the war department today to the effect that the Cuban constitutional convention is contemplating sending a commission here to consult with the president and secretary of war, regarding the Platt amendment and the relations of the United States with Cuba.

While it is known that the administration would much prefer to have the constitutional convention accept the Platt amendment instead of sending such a commission, it would rather the commission should visit this country and discuss the subject than that the Platt legislation should be rejected. Flat rejection would leave matters in a strained condition.

The commission will visit this country upon its own responsibility, as an invitation to come might imply a disposition upon the part of this government to make concessions.

It has been suggested that some of the most radical opponents of United States control be members of the commission in order that they may ascertain definitely what the situation is in the United States.

There has been some discussion as to what such a commission can accomplish by coming to Washington. It is said, for one thing, that it can obtain definitely from the president and secretary of war a construction of the Platt amendment. The third section relating to intervention is the one which meets with the greatest objection to the administration and it is believed that the administration can convince the delegation that there is nothing but the best of intentions on the part of this government toward Cuba. The requirement that the Cubans shall adopt "substantially" the terms of the Platt amendment also can be construed.

The delegation, it is said, will learn that the Cubans can hope for no modification of the law by congress, and that nothing can be accomplished by waiting until another session. It also will be made plain that the present administration does not wish any modification, and that the spirit of the Platt amendment must be accepted. The delegation will be informed that they can tell the members of the convention upon their return that until the conditions of the Platt amendment are complied with the United States will continue to exercise authority in the island under its military power.

There is a desire upon the part of the Cubans to have some information as to what may be meant by coaling stations. It is understood that the delegates have been given an intimation that the selections are not likely to be made within any of the cities of Cuba, but at points which the United States regards as convenient for warships. Probably the delegation may desire additional assurances from the president upon this point when it comes to the United States.

GEORGIA'S MONEY TROUBLES

Funds in the Treasury, but Must Borrow to Pay School Teachers

Atlanta, Ga., April 10.—Governor Candler left tonight for New York to borrow \$200,000 on account of the state, to pay school teachers of Georgia their second months' salary of the present year. The governor is permitted to do this under the constitution, but back of it all is a controversy between the state officials, which involves the public property fund of \$432,000 now in the state treasury and the legal right of the officials to use it temporarily.

This matter is to be tested in the courts for the purpose of future guidance. There is only \$96,000 in the state treasury now which is available for paying the teachers. When that is exhausted as it will soon be, State Treasurer Park will, it is said, refuse to honor the governor's warrants on the ground that he has no funds with which to continue the payments. School Commissioner Glenn will then bring mandamus proceedings against the state treasurer, seeking to compel him to make the payments by borrowing temporarily from the public property fund, as has been done heretofore. The case will go from there to the supreme court.

The coming law suit grew out of the fight over the Atlanta depot question in the last legislature. The public property fund was used last year to pay the teachers and has been so used for several years past. The constitutionality of this was not disputed in the way. It was at that time the teachers made such a hard fight against the Atlanta depot because they thought if this fund was removed they would have to wait eight or ten months before getting their money.

"I had piles so bad I could get no rest nor find a cure until I tried DeWitt's Witch Hazel Salve. After using it once, I forgot I had anything like piles." E. C. Boice, Somers Point, N. Y. Lookout for imitations. Be sure you ask for DeWitt's. R. R. Bellamy.

A MULE AND FORTY ACRES

A Southern Negro Thinks This Would Have Been a Better Gift to His Race Than the Ballot.

Washington, April 10.—Major R. R. Wright, a colored man and president of the industrial college located near Savannah, Ga., appeared before the industrial commission today. He advocated national aid in the matter of the education of the colored race, saying that this is necessary to their advancement. He did not consider the southern states financially able to give the necessary assistance. "It is impossible," he said, "for northern men to realize the condition of ignorance among the colored people of the south, and the difficulties under which they labor in trying to secure information."

He would also have the government acquire experiment stations duplicated because of the difficulties in the way of making the existing stations available for the benefit of the colored race. Despite the natural difficulties he contended that the colored people are advancing and he asserted that the colored man is a burden to his white neighbors is not true. He showed that there are now over 1,000,000 acres of farm land owned by negroes in Georgia and said that, including this land, the negroes of the state pay taxes upon \$14,000,000 worth of property. He said that as a rule the colored man has a mule and forty acres of land instead of conferring upon him the ballot, it would have been for the benefit of all.

Asked for his opinion concerning the effect of the disfranchisement of the negro upon his future prospects, Wright replied that individually he thought it a mistake to take the ballot from any one at this late day, but he added that he did not believe that the ballot had been of any special benefit to the colored man.

In reply to Mr. Kennedy Wright said that the requirement of an educational qualification for voting would be a stimulus to secure this qualification. "Very few colored people in the south," he said, "take any interest in politics, and except in the cities they have come to the conclusion that they have no business with politics."

ON THE DIAMOND

Raleigh Gets a Bad Drubbing at the Hands of Brooklyn

Charlotte, N. C., April 10.—Manager Hanlon left Charlotte tonight with his Brooklyn team, after a practice of two weeks on the Charlotte grounds. The team had daily morning and afternoon practice and got itself into fine shape. This afternoon the Brooklyn team tried its hand on the Raleigh field and ran up a score of 33 to Raleigh's 13. The Brooklyn will play Portsmouth at Portsmouth, Va., tomorrow and Norfolk at Norfolk Friday and Saturday after which they will direct to Brooklyn.

Washington, April 10.—A fortunate bunching of hits by the Georgetown club in the first and second innings of the game won the contest from the University of Pennsylvania today. The score was Georgetown 6, Pennsylvania 2.

New York, April 10.—The Yale university base ball club defeated the New York National League team, 5 to 4.

Richmond, Va., April 10.—At Charlottesville today, Princeton beat the University of Virginia 9 to 5, winning principally by heavy batting.

At Norfolk, Va., Boston 8, Philadelphia 3, Rochester 5.

At Cincinnati: Cincinnati 3, Dayton 2.

STILL A MYSTERY

No Clue to Robbery of Specie Room of the Kaiser Wilhelm der Grosse

New York, April 10.—The robbery at sea of the specie room of the North German Lloyd liner Kaiser Wilhelm der Grosse seems a mysterious crime. Apparently there has been complete failure to locate either the missing gold or the men who took it, although the search of passengers and ship at Bremen again this morning may furnish material for investigation. Three bars of gold, aggregating in value \$22,750, shipped by the National City bank of New York, were stolen from case No. 4 of the specie room somewhere between this port and Cherbourg.

The advices to Oelrichs & Co., agents for the company came in German and on the point as to whether the specie room was broken open or entered by beating the lock admit of translation either way. The specie room of the Kaiser Wilhelm der Grosse is iron bound and almost as strong as vault. Its door was secured by a patent lock for which there were but two keys. One of the keys was kept by the chief officer, the other by the purser. The bars of gold were packed in oak cases bound with iron hoops. Thousands of dollars in gold were within the reach of the man who forced his way into the strong room, but only the sum named was taken.

Remains of Mr. J. S. Dagggett

The remains of the lamented Mr. James S. Dagggett, who was killed by an electric wire at Bluefield, W. Va., on Monday night arrived here last evening at 6 o'clock. They were met at the train by relatives and friends, the pallbearers being Messrs. George Chadbourne, Ed. P. Dudley, Junius Davis, Jr., W. H. Stone, Jr., James G. Cotchett, Chauncey Southland, Oscar Peck and Dr. R. E. Zachary.

The funeral will take place this morning at 10:30 o'clock at the lodge at Oakdale cemetery.

You cannot enjoy perfect health, rosy cheeks and sparkling eyes if your liver is sluggish and your bowels clogged. DeWitt's Little Risers cleanse the whole system. They never gripe. R. R. Bellamy.

GOEBEL'S ASSASSINATION

TRIAL OF CAPTAIN GARNETT D. RIPLEY IN PROGRESS.

SOME SENSATIONAL EVIDENCE.

Ex-Governor W. O. Bradley, Counsel for Ex-Governor Taylor in the gubernatorial Contest Before the Legislature, Testifies to Conversations with the Defendant, Which Connect the Latter and Governor Taylor with the Conspiracy to Kill Goebel.

Frankfort, Ky., April 10.—A jury was secured today to hear the case of Garnett Ripley, accused of complicity in the shooting of Governor Goebel.

The defendant entered a plea of not guilty. In the opening of the case for the prosecution Judge Williams declared there was a conspiracy to kill Goebel; that Ripley was connected with it throughout; that he left Frankfort the evening before the assassination with information that it was to take place the next day, and that he contributed to it by going home and equipping his company to bring it to Frankfort when Goebel had been killed.

Ex-Governor W. O. Bradley, chief counsel for ex-Governor W. S. Taylor in the gubernatorial contest before the legislature last year, gave sensational testimony in the trial of Captain Garnett D. Ripley. He detailed a conversation which, he said, he had with Captain Ripley while the latter was in charge of his military company during the occupancy of the state capital by the Taylor troops last spring, in which Ripley told him of frequent conferences with Governor Taylor prior to the assassination.

The witness said Ripley told him he was in the executive office the day before the shooting and complained to Taylor because he had not called out his (Ripley's) company, and asked him when he should have the company ready. Taylor replied: "My God, haven't you brought them yet? Goebel will not live twenty-four hours, or cannot live twenty-four hours, I have forgotten which," he said, declared the witness.

Judge W. H. Yost, associate counsel with Bradley in the contest case, according to the witness, was present, and heard the conversation.

In response to a question as to whether he the witness heard of any conspiracy to kill Mr. Goebel, the witness stated that on January 25th the day the train load of mountaineers arrived, some one, he could not now recall, told him that parties in the crowd were waiting in front of the state house to kill Goebel. "I said," continued the witness, "it shall be stopped. I will go in the senate chamber and come out with Goebel and see that he is not hurt or insulted. I looked up and saw Wharton Golden and told him to get Finley, Culton and others and send them to me. He said: 'Goebel is not going to be hurt.' Culton and Finley told me it was a fake and that there was nothing in it; they condemned violence as I did."

MUST PAY GAMBLING DEBT

Verdict in New York Court on a Note for Losses at Roulette

New York, April 10.—A jury before Justice Fitzsimmons in the city court today decided that Henry Ivison, a broker, would have to pay notes for \$1,000, which he gave to John Bradley, of St. Augustine, Fla. The defendant went on the stand today. In answer to questions he said that he was the maker of the notes, but he pleaded that they were given in payment of money lost by him to the plaintiff at roulette. Asked whether he would have taken Bradley's money if he had won, Ivison replied that he thought he would. In his charge to the jury Justice Fitzsimmons called attention to the fact of Ivison's admission that he would have retained the money if he had won and also that he offered to settle the matter in a letter. In the letter, Justice Fitzsimmons said, no claim was made that the money was due on gambling transactions.

DEWET IRRESPONSIBLE

Botha to Treat for Surrender of Entire Boer Force

Cape Town, April 10.—It is understood here, that, although General deWet, at his recent interview with General Botha, refused to surrender, General Botha, regarding him as irresponsible, undertakes to negotiate in behalf of the entire Boer forces. The British authorities here consider that if General Botha surrenders deWet's following can be easily taken.

It is explained here that this action was determined in part by General Botha's discovery at a recent meeting that General deWet's intellect had weakened and that his influence with his followers was diminishing, and that a continuance of the campaign, in view of General deWet's irresponsibility, rested with General Botha alone.

Barr Elected Vice President of the Seaboard

New York, April 10.—James M. Barr was elected first vice president and general manager of the Seaboard Air Line railway at a meeting of the directors in this city today. The pool of the company's first mortgage bonds was dissolved and it was decided to retire \$2,483,000 5 per cent. bonds of the Georgia and Alabama railway on July 1st, at 105 and accrued interest.

Those famous little pills, DeWitt's Little Early Risers will remove all impurities from system, cleanse your bowels, make them regular. R. R. Bellamy.

ARRINGTON-CLEGHORN TRAGEDY

A Note from the Young Lady Found. Her Murder Anticipated

Summersville, Ga., April 10.—The killing of Miss Minnie Cleghorne by J. J. Arrington yesterday afternoon and the tragic end of the murderer has stirred every portion of Georgia, the young people being well known and popular. Members of both families who were not at home came to Summersville on special trains last night. The body of Mr. Arrington was taken to Rome, where the funeral was held this afternoon. Miss Cleghorne will be buried here tomorrow. She told several people here, in Atlanta and in Quitman that Arrington had threatened to kill her. This evening the following note was found in Miss Cleghorne's writing desk: "2:30 p. m.—If anything should happen to me, I have gone to meet Jim A. for the last time; he will be responsible for what occurs."

"MINNIE CLEGHORN"

COUNTERFEITERS RAIDED

Chief Hazen Makes One of the Greatest Raids in the History of the Secret Service

New York, April 10.—One of the biggest raids in the history of the secret service was made tonight by Chief Hazen, as a result of the arrest of John Albert Skoog for passing counterfeit Swedish notes. Chief Hazen, after talking with Skoog today and following a clue which he got from papers in Skoog's pocket, went to a building in Grand avenue, Brooklyn, and arrested Equil Moberg, a Swede.

One of the most complete counterfeit plants ever found was discovered in the house. Long sought plates for 50 kroner notes of the Bank of Sweden and 100 kroner notes of the Bank of Copenhagen were among those found. They were buried away with other plates for the making of a \$20 note of the Bank of Scotland which it is said the secret service of Great Britain has been trying to run down for years. Skoog is said to be one of the most expert counterfeiters alive.

SUICIDE OF A BROKER

Because of Suspension by the New York Consolidated Exchange

New York, April 10.—Benjamin Forst, a broker, and member of the consolidated exchange, committed suicide today in the Hoffman house. After a night of meditation, spent, no one seems to know where, he went to the hotel at 5 o'clock this morning and was found dying three hours later. Before medical aid arrived he expired. A bell boy discovered the body. A letter addressed to Mrs. B. Forst, a number of shares of stock, some promissory notes, \$67 in cash and a bottle which had contained carbolic acid were found in the room.

Light was thrown on the suicide when his suspension was announced at the opening of business on the consolidated exchange today. It is a rule of the exchange that if a member cannot show a clean sheet at the end of the day's transactions or if he had any debts outstanding to members of the exchange he is suspended for twenty-four hours, with the privilege of reinstatement, as soon as he settles the differences. It was learned today that Mr. Forst had outstanding debts amounting to \$100 at the close of business yesterday and this is believed to have been the cause of his suicide.

NEWS FROM THE PHILIPPINES

Insurgent Treasure Captured—What Aguinaldo Must Pay for Liberty

Manila, April 10.—Lieutenant Mapes, of the Twenty-third infantry, has captured \$40,000 of insurgent funds and has taken prisoner three officers belonging to General Cailles' staff near Manila.

Under the old regulations cock pits will be re-established in Manila, the privilege of conducting them being granted to the widow of Captain Lara, who commanded the native police of the city. Formerly the municipal revenue derived from cock fighting amounted to \$60,000 annually.

It is stated that before Aguinaldo is liberated he will be required to obtain the surrender of General Tinio, the insurgent leader.

JAPAN AND RUSSIA

No Truth in Reports of Probable Rupture Between These Powers

Washington, April 10.—The Japanese minister, Mr. Takahira, today received official advices from the foreign office at Tokio entirely dispelling the alarming reports as to a Russo-Japanese rupture and showing that the Japanese government accepted the latest declaration of Russia on Manchuria with the same sense of satisfaction that it had been received in the United States. Mr. Takahira called at the state department and informed Secretary Hay of the gratifying turn of events. The position of Japan, as now defined in the highest official quarter, is practically the same as that of the United States. As the other powers already have indicated their acceptance of the Russian declaration, the course of Japan removed the last possibility of division, and appears to restore the harmonious concert which has thus far proceeded in dealing with China.

"Last winter I was confined to my bed with a very bad cold on the lungs. Nothing gave me relief. Finally my wife bought a bottle of One Minute Cough Cure that effected a speedy cure. I cannot speak too highly of that excellent remedy." Mr. T. K. Houseman, Manataway, Pa. R. R. Bellamy.