

FOUR ACRES BURNED

In the Heart of the City of Waterbury, Conn.

NO LIVES ARE REPORTED AS LOST.

Flames Held Complete Sway Over the City For Ten Hours—Property Loss Over \$3,000,000.

Waterbury, Conn., Special.—The sun rose Monday morning on a blackened and smoldering mass of ruins that marked the main business section of the city. There is a very strong suspicion that the fire which completely destroyed the Scoville House, burning thousands of dollars' worth of furniture, apartments, and personal effects and imperiling many lives, was the work of an incendiary. The fire originated in the roof and billiard room in the basement of the house on the further side from the burned district. The room was locked and no one was supposed to be there. No fire was kept in the room, all heat being supplied from a boiler in another part of the building. Manager Truman said at the police station while the fire was still raging, that he had not the slightest doubt it was of incendiary origin. No one could be found to explain its origin and the authorities have been quietly investigating. The fire came so close on the heels of the big conflagration that thousands of spectators who witnessed it were thrown into a more complete panic than the original fire caused. The fire had only begun to die out along Bank, Grand and South Main streets at 4 o'clock, when flames leaped upward, as by magic, and people feared the city was doomed after all. The call was rung in promptly, and the engines that hurried to the scene turned their attention mainly to preventing the spread of the flames. It was evident that the hotel was doomed and if the fire had reached the adjacent buildings, there would have been very little hope of saving the center of the city. The fire burned far into the day and was not extinguished until evening. The loss on the hotel will reach \$150,000.

For ten hours Sunday night and Monday the flames, fanned by a high wind, held sway over the business portion of this city, causing a loss that will exceed \$3,000,000. The best portion of the city, forming a triangle bounded on the north by Exchange Place, on the west by Bank street, on the south by Grand street and on the east by South Main street, was almost wiped out.

The first fire which started in the big store of the Reid & Hughes Dry Goods Company, on Bank street, was not controlled under control until about \$3,000,000 worth of property had been destroyed. About the time the firemen supposed they had the flames under control a second fire broke out in the Scoville House, the city's leading hotel, remodelled by the late Judge E. C. Lewis, a few years ago at an expense of about \$75,000, and the establishment was completely wrecked. The occupants of the hotel were forced to seek the street in their night clothes. With the ringing of a second alarm the entire city was thrown into a panic. There was a fierce gale blowing and sparks from the burning hotel were driven in lurid showers over a great area. The occupants of buildings located in the path of the wind prepared to leave. Although the Waterbury fire department was re-inforced from near by cities, it was for a time impossible to stay the progress of the flames.

The fire in its entirety burned over four acres of the city's best business section. Among the prominent buildings totally destroyed are the block occupied by the Reid & Hughes Dry Goods Company, the plant of The Waterbury American, the Masonic Temple, the Scoville and Franklin Houses, the W. L. Douglass Shoe Company, the Johnson Block, the Salvation Army Workmen's Home, and scores of other buildings. In all about 100 of the most prominent business houses are burned out.

Many Dead Taken Out.

Eagle Pass, Tex., Special.—Eighty-four bodies and sixteen men barely alive, some of them horribly mangled, have been taken from the Honda mines. The foul odor from the mines caused the search for the bodies to be temporarily discontinued, but disinfectants arrived and the work will be resumed. The shaft had 118 men enrolled and 18 are still missing. Twenty-five head of dead mules have been taken from the shaft. The damage to property is very great. The company has obtained all the physicians and nurses that can be secured from all points and is doing everything possible to save any of the miners who may still be alive.

Jeffries Backs Down.

New York, Special.—Expectations of an immediate match between Jim Jeffries and Bob Fitzsimmons were shattered Monday, when Jeffries and Jim Kennedy, acting for the Yosemite Club, at San Francisco, talked matters over in a newspaper office. Jeffries promptly refused to make a match on the terms already accepted by Fitzsimmons, and there the matter rests for the present.

200 Frozen to Death.

Yokohama, By Cable.—Details of the loss of about 200 Japanese soldiers, who were frozen to death, have been received here. It seems that a command of 210 men, practicing winter marching, were caught in a blizzard on the northern end of the island of Honshu and lost their road.

WISH A COMPROMISE.

Owens Cherry Tree People Want to Settle Up.

Washington, Special.—The Amos Owens Cherry Tree Company people are fighting for an early adjustment of their difficulties with a desperation that is apparently born of an ardent desire to prevent the submission of their case to court. Their latest move, which had for its object an immediate compromise, was made in this city Monday afternoon. The compromise proposition was submitted to District Attorney Holton by Senator Fritchard and E. J. Justice, attorneys for the defendants. The most important provision of the proposition, which was submitted in writing, was to the effect that the defendants would pay over to the army of claimants all the funds the company now has on hand, about \$30,000. Mr. Holton was then, according to the terms of the compromise, to go to the Attorney General in company with the attorneys and acquiesce in the proposed settlement. The district attorney declined to entertain for a moment any form of compromise, and, sulking his action to his words, Holton left Monday night for Shelby, where he will personally conduct the prosecution, when several of the cases are taken up for preliminary hearing before a United States commissioner. Two of the incorporators of the concern, Rev. Thos. Bright and his daughter, will not be given a hearing until the 11th inst. in Jackson county. One other arrest is yet to be made, and it now seems that all of the cases, about fifteen in number, will certainly be taken up for trial at the June term of court in Charlotte. The maximum punishment is \$500 fine and 18 months imprisonment, and it is this punishment that the defendants are now facing, as all attempts at compromise have met with signal failures.

Schley Speaks.

A Nashville, Tenn., special gives an account of the reception tendered Admiral Schley at that place as follows: After a number of speeches, John T. Lyle, on behalf of the Nashville county of the Royal Arcanum, presented to the admiral the jewel of the past regent of the order. In accepting, Admiral Schley said: "My Brothers of the Royal Arcanum and My Very Dear and Sweet Friends: The welcome you have accorded me in coming into your midst has a power of words to say. I realize now that not one-half had been told me of your illimitable love and hospitality. I have concluded that the home of Crockett and Jackson and Polk and Farragut could not be otherwise than sweet and hospitable. And you have, I confess, in your present estimable Governor and his beautiful wife, fit representatives of the noble men and women of the Tennessee of old."

"My Brothers of the Royal Arcanum. This gift comes so unexpectedly that it almost paralyzes my tongue. I had no expectation of such a gift, but it does not require anything to make me love and remember that the members of this order are my brothers."

"I belong to a profession which has done everything that has challenged fear. In war, the history of which you all know, I tried to do my duty. But often we have looked to the flag and found the answer there."

"But when the order came to come home, the order was then 'Up anchor, boys, for God's country,' and it was but a few moments until the anchor was at the bow and this ship started for the fairest country on God's green earth."

He then paid a beautiful tribute to the flag of the nation, telling how taken on board ship when the flag is taken down, it is never allowed to touch the ground, it is carefully caught and folded in the air and laid carefully away. "That," he said, "is what we want of the flag."

"I want merely to say that my habit has been heretofore to address my audiences through the trumpet. I am of this size and I get what is known as stage fright. But I can only thank you for the welcome which you have given me and for the love you have shown, which will go with me and through me as one of its best and sweetest memories."

The band played "Dixie" again, and the admiral had hardly taken his seat until he had to rise again to greet the shouts and cheers. At 6 o'clock, Admiral Schley dined quietly with Major and Mrs. E. B. Stalman at the latter's residence in Vauxhall Place and proceeded from there to the University Club, where Major and Mrs. Stalman entertained on a magnificent scale and at its conclusion the distinguished visitors formally took leave of Nashville.

Death of Prominent Man.

James W. Tufts, of Boston, Mass., Pinehurst, N. C., died at the latter place Sunday night at 9:15 o'clock. The news came in telegrams and letters to McD. Watkins, Esq., and J. W. Wadsworth's Sons, of Charlotte, all of whom have business interests at Pinehurst. The death of Mr. Tufts was sudden and unexpected. It occurred at the Hotel Carolina after an illness of less than an hour. He had been about town nearly all day and after supper Sunday night visited the music room, complaining of a pain in his stomach, he retired to his room and expired at 9:15 o'clock of acute indigestion and cholera morbus.

Died of Heart Trouble.

Washington, Special.—Secretary Long has received a telegram announcing that Rear Admiral Lewis A. Kimberly, U. S. N., retired, died at West Newton, Mass., this morning. Admiral Kimberly was selected for service on the Schley court of inquiry, but was compelled to decline on account of ill health, heart trouble was the cause of death.

DEPARTMENT REPLY

Navy Department Files Answer to the Appeal of Schley.

OBJECTIONS TO HIS STATEMENTS

The Other Side of the Question Presented to the President By the Navy Department Counsel.

Washington, Special.—The President has received the comments of Judge Advocate Lemly and his assistant, E. P. Hanna, on Admiral Schley's appeal. It was transmitted by note through Secretary Long of the Navy Department, to whom it was referred by the President. The comments of the Judge Advocate and his assistant makes sixteen printed pages. Admiral Schley's record is hotly assailed and the argument attempts to show that Schley was not in command at Santiago, but that Sampson was. Much of the evidence of the court of inquiry is reviewed, especially that part relating to signals in the battle of Santiago. The Navy Department's review of the appeal says in part:

"In the appeal before you the applicant and his counsel have shifted their ground. The features of the case that chiefly occupied the attention of the court during the first days of its sitting and to which the great mass of the testimony adduced relates, were:

"1. The retrograde movement.
"2. Disobedience of orders.
"3. Inaccurate and misleading official reports.
"4. Failure to destroy vessels of the enemy lying within sight; and
"5. Injustice to a brother officer."

"Upon all the above named features, believed by us to be the most important, if not the only really important matters into which the court made inquiry, the conduct of Admiral Schley was condemned by that most distinguished tribunal. Admiral Dewey and Rear Admirals Benham and Ramsay united in their findings and opinion upon all these several points, and they united also in the significant recommendation that no further proceedings be had 'in view of the length of time which has elapsed since the occurrence of the events of the Santiago campaign.'"

"The applicant and his counsel, ignoring all these grave matters, now appeal to you—before taking up an entirely new matter which was not in the case—for your action upon certain minor and comparatively unimportant features which were in the case. They specify dilatoriness in the squadron's movement to Cienfuegos and afterwards to Santiago; failure while at Cienfuegos to take any adequate steps to ascertain the whereabouts of the Spanish fleet, and the effectiveness of the blockades maintained at Cienfuegos and Santiago."

"The members of the court differed their opinion respecting these points, which are obviously of minor significance as compared with the grave matters above set forth upon which there was not and, in the face of the testimony, could not have been any difference of opinion in the court."

"Certain erroneous statements, if inadvertent, yet none the less misleading, appear in the appeal."

"Approval of Admiral Dewey's expression of opinion on the question of command involves two points:

"First, Was Commodore Schley in 'absolute' command during the battle of July 3?

"Second, and quite a different proposition, is he 'entitled to the credit due' for the victory?"

"The first point is purely a technical one, where we have the case of a running fight, covering a distance of about forty miles, and the question is affected by the naval practice of reaching distant ships by repeating signals."

"Upon the second point, whether Commodore Schley is entitled to the credit for winning that battle, the testimony from himself and his main witnesses is so conclusive as to give no doubt to the course of the proceedings before the court of inquiry, every proposition to support the contention that Commodore Schley did anything to achieve the victory by issuing orders as commanding officer of the American fleet was removed. The plain truth was for the first time revealed that Commodore Schley did not exercise command on that day over any ship except, to some extent, his own flagship, the Brooklyn."

"The contention that the magnificent work of the Oregon or any part of it was under orders of the Brooklyn, or that the Oregon received and obeyed orders from the Brooklyn, is a mere fiction. It is a mere fiction to say that the Oregon or the Colorado, which surrender may fairly be taken as the close of the battle, must be abandoned; and with it goes the last peg upon which to hang the pretense of a claim that during the battle of Santiago Commodore Schley effectively exercised any of the functions of a commander in chief."

"The effect of the testimony is to the effect that the commodore controlled the movements of his flagship, the Brooklyn, well, with the exception of the loop. But it also shows, not negatively, but affirmatively and beyond question, that he did not control the operations of the fleet in general on that day."

"All this is established, not by theoretical deduction or expert or inexperienced opinion, but by direct, positive, unimpeached and unimpeachable testimony, given under oath by the admiral's 'brothers in arms.' The pages of the record upon which their testimony is reported are above cited."

"The plain truth of the matter, therefore, developed for the first time under the searchings of this inquiry, although quite incidentally, is that so far as the States of Connecticut, Iowa, Indiana, Texas and Oregon are concerned, not the stroke of a propeller blade, not the touch of a helm, not the firing of a shot, was done under the direction or by the orders of Admiral Schley during this battle."

IN CONGRESS.

Detailed Doings of Our National Lawmakers.

Thirty-fifth Day.—The House devoted the day to general debate on the oleomargarine bill. The opponents of the measure attempted to filibuster against it at the opening of the session, but were beaten by more than a two-thirds vote. The speakers were Messrs. Henry, of Connecticut; Hamilton, of Vermont, and Graffee, of Illinois, in favor of the measure, and Messrs. Wadsworth, of New York; Foster, of Illinois; Burleson, of Texas, and Clayton, of Alabama; in opposition to it. Those who antagonized the measure favored the adoption of the substitute which is designed to prevent the fraudulent sale of oleomargarine under the guise of butter.

Mr. Henry, of Connecticut, in charge of the measure, made the opening presentations in its behalf, following closely the arguments of the committee which reported the bill. Mr. Burleson, of Texas, opposed the bill, which he contended, would seriously injure the cattle and cotton interests of his State. Mr. Clayton, of Alabama, closed the debate for the day with a speech against the bill. While the latter was arguing against the constitutionality of the measure and appealing to his brethren on the Democratic side to stand by their doctrines, Mr. Hepburn, of Iowa, interrupted to ask whether Mr. Clayton believed the present law was constitutional.

"I do not," "It was passed by a Democratic House," suggested Mr. Hepburn. "Would the gentleman like a list of the distinguished Democrats who voted for it?" "I prefer not to be interrupted further," replied Mr. Clayton, amid laughter.

At the conclusion of his remarks the House adjourned.

SENATE.

Thirty-fifth Day.—Another spirited debate, with the Philippine tariff bill as the text, was precipitated at the Senate, as the result of some remarks made by Mr. Carmack, Democrat, of Tennessee, in the course of an extended speech on the general Philippine question. It was the Tennessee Senator's first speech in the Senate, and he was given notably good attention on both sides of the chamber. He spoke without manuscript, with force and eloquence. At the conclusion of his address, which had been listened to by many of his former colleagues in the House of Representatives, Mr. Beveridge, of Indiana, challenged some of his statements. The debate which ensued was very lively for a few minutes, taking on a political phase which proved particularly interesting to the audience who crowded the floor as well as the galleries. Mr. Beveridge and Mr. Tillman, of South Carolina, became involved in a heated colloquy in which the exchanges were as hot as both Senators could well make them.

Prior to the taking up of the Philippine bill, the measure providing for an increase in the salaries of United States judges was under discussion for an hour. Senator Stewart's amendment to increase the salaries of members of the House of Representatives to \$7,500 annually, beginning on March 4, 1903, was rejected, 15 to 44. The detailed vote being as follows: Yeas: Bullitt, Clark, Cullum, Dubois, Gallinger, Gamble, Hansbrough, Hawley, Helfield, Kittredge, Quarles, Quay, Stewart, Turner, Warren, Wetmore—15.

Nays: Bacon, Bard, Berry, Blackburn, Burnham, Burrows, Carmack, Clayton, Culberson, Cullum, Debo, Dellich, Dillingham, Dooliver, Fairbanks, Frye, Gibson, Hale, Harris, Hoar, Jones of Arkansas, Kean, Kearns, Lodge, McLaughlin, of South Carolina, McMillan, Mallory, Martin, Mitchell, Money, Morgan, Nelson, Patterson, Pettus, Platt of New York, Pritchard, Proctor, Simmons, Spooner, Tallaferro, Teller, Tillman, Welling—44.

An amendment was offered by Mr. Foraker extending the proposed increase of the salaries of circuit judges to the circuit judge of Porto Rico. Mr. Tillman inquired of Mr. Foraker whether Porto Rico was in the United States or not.

"I will say to the Senator," replied Mr. Foraker, "that Porto Rico belongs to the United States."

"The matter of belonging to and being in is entirely different."

Mr. Foraker then said he was not a lawyer, but to discuss the status of Porto Rico.

"Oh, there is plenty of time," said Mr. Tillman. "We've got the whole session before us. We might as well discuss the question now as at any other time."

Mr. Tillman directed attention to an article in a Washington newspaper published today relative to the case of Judge Arthur H. Noyes, of the District Court of Alaska, who was fined \$1,000 recently by the Circuit Court of San Francisco and that of the associates of Judge Noyes, who were involved with him. Mr. Tillman read the article which indicated that Judge Noyes and his associates are drawing large salaries from the United States, while the case against them is pending in the courts. One of the men, according to the article, who is serving his sentence, continues to draw his salary, and Mr. Tillman made running comments upon the statements in the article directing all his sarcasm, ridicule and invective against Judge Noyes, finally inquiring: "By the way, whose business is it to remove this man?"

Mr. Foraker, of Ohio, believed it might require an impeachment proceeding to remove Judge Noyes. Mr. Teller, however, contended that the President had ample power to remove a territorial judge.

At 2 o'clock the Philippine tariff bill was laid before the Senate and Mr. Carmack, of Tennessee, a member of the Philippine committee, delivered a speech in opposition to the pending measure.

SCHLEY'S APPEAL.

The Admiral Shows Cause Why Court Opinion Should Be Set Aside.

CASE IS THOROUGHLY REVIEWED

Claims That Admiral Dewey's Opinion Should Be Adopted—Strong Argument Advanced.

The Navy Department has made public Admiral Schley's appeal to the President, filed about a week ago. The Department's "comment" will be published in a day or two.

Admiral Schley appeals to the President as the Chief Executive and commander-in-chief of the army and navy "vested with power to regulate and direct the acts of the several executive officers thereof," and he asks the President to review the findings of the court. He asks this on three grounds, in each case basing his appeal on the findings of Admiral Dewey as opposed to the majority report. These grounds are set out comprehensively in the "petition," which fills about eight printed pages of a pamphlet and is signed by Admiral Schley, and by Messrs. Rayner, Parker and Teague, of his counsel. Attached to the petition are three exhibits, A, B and C, each made up of copious extracts from the testimony taken by the court of inquiry and intended to confirm the statements of facts made in the petition itself.

In this latter document the first ground of appeal is the holding of Secretary Long in his endorsement on the court's findings that "the conduct of the court in making no finding, and rendering no opinion on those questions (that of command, and of credit for the victory) is approved—indeed it could with propriety, take no other course, evidence on these questions during the inquiry having been excluded by the court." On this point the petition says that the Secretary of the Navy was in error in stating that the court excluded testimony to show that, as Dewey said, Schley was the chief officer at the battle of Santiago, was in absolute command and was due the credit for the victory which resulted in the total destruction of the Spanish ships.

On this point the petition says: "And your petitioner, the applicant" before said court of inquiry, now files with this petition an argument, together with a resume of the testimony taken during the inquiry in so far as it relates to the questions as to who was in command at the battle of Santiago, in support of the presiding officer's report, that he acted within his authority and jurisdiction in reporting his opinion as hereinbefore set forth, and that the majority members of the said court failed in the discharge of a most important duty devolving upon them under the precept in that they did not report their opinion upon the said question; that it was incumbent upon such majority members to consider and determine the said question for the reason that only by so doing could they determine the propriety of the conduct of the said Schley in said battle, since it being a fact that he did assume command of the American forces there, engaged, his action would in the absence of the right and duty to do have been highly censurable and upon the questions of such right and duty and the propriety of his conduct in the premises the said Schley was entitled, under the precept, to a finding and an opinion from the majority members as well as from the minority members of the said court, and that the said majority members actually refused to do so, and respectfully requests that the said argument and resume of testimony (which are attached hereto and marked 'Exhibit A' be considered as a part of this petition and is the basis for his prayer for relief in the premises." Therefore the petitioner asks the President to annul Secretary Long's endorsement on this point, and to set aside the said Secretary Long's statement, and to have the said Dewey's statement declared that Schley was in command. He says that in this way can exact justice be done him under the precept.

The second ground relates to the alleged withdrawal of the squadron at night from Santiago Bay and the character of the blockade and the propriety of Commodore Schley's conduct in the premises. This was one of the points upon which Admiral Dewey specifically dissented. The petition recites the findings of the court to the effect that the flying squadron did not withdraw at night, and declares that, by this statement, the court obviated the necessity of the press opinion as to whether or not a close, adequate blockade was established, and the propriety of Commodore Schley's conduct in the premises. Exhibit B elaborates and buttresses the facts herein set forth, and respectfully requests that the said court, the concurring members thereof have failed utterly and entirely to discharge the most important duty imposed upon them by the terms of the said specifications, which duty was to report their opinion upon the questions of whether or not a close or adequate blockade of said harbor to prevent the escape of the enemy's vessels therefrom were established and the propriety of Commodore Schley's conduct in the premises. Therefore Admiral Schley asks the President to annul the Secretary's statement, and to have the said majority members thereof to report their opinion upon that portion of the said eighth specification. And it is also asked that there be substituted therefor Admiral Dewey's holding "the blockade of San-

tiago was effective." Otherwise, the petitioner states that he will be without a finding or opinion upon one of the most important specifications.

The third recites that Admiral Dewey, according to the evidence, held that "passage from Key West to Cienfuegos was made by the flying squadron with all possible dispatch, having in view the importance of arriving off Cienfuegos with sufficient coal; that the blockade of Cienfuegos was effective; that the Adula was permitted to go in to gain information; and finally that the passage from Cienfuegos to a point off Santiago was made with as much dispatch as possible, while keeping the squadron a unit." The petition states that this opinion, being at variance in certain points with the majority opinion, is the only one justified by the facts before the court and it is asked that the Secretary's approval of the majority opinion be set aside and replaced in each instance where it is at variance with Admiral Dewey's opinion, and that the latter's opinion should be approved for the reasons heretofore set out in the bill of exceptions filed with the Secretary of the Navy.

It is also asked that the President annul that portion of Secretary Long's endorsement which states: "As to points on which the presiding member differs from the opinion of the majority of the court, the opinion of the majority is approved," and that in its place he substitute and approve the declaration of Admiral Dewey on these points above referred to, connected with the passage from Key West to Cienfuegos and thence to Santiago. The petition concludes:

"And your petitioner most respectfully states that only by the action for which he prays in this relation can exact justice be done him within the contemplation of the precept under which this case is brought, and whence it derived its authority."

Exhibit A is an argument and a resume of testimony concerning the question of command during the battle of Santiago. It is asked that the precept and instructions directed the court to thoroughly inquire into all the circumstances bearing upon Schley's conduct and the subject of the investigation. Therefore counsel hold that it is an incontestable fact that the court was authorized to determine the question of command at the battle of Santiago. The counsel then take up the question of fact as to whether the court did actually entertain and consider the question of command and to determine this point they submit a great mass of excerpts from the official record of the court. These are based on testimony given by many officers.

Counsel argues that the points in dispute and undecided by the court are detrimental to the honor and glory of the country, and should have been settled. Counsel next take up the question of the propriety and justice of Dewey's opinion that Commodore Schley was in absolute command in the battle of Santiago and is entitled to the credit of the glorious victory, and quote many excerpts from the testimony to establish the correctness of this conclusion. It is recited that Sampson signalled to "disregard motions commander-in-chief," which he started seaward that morning, thereby conferring command upon Schley. It is asserted that the New York did not reach the zone of last surrender of the last Spanish ships until one hour and 13 minutes after the battle closed, and that at 9:35, on the morning of July 3, the New York was out of sight of every ship of the blockading squadron but one, making it impossible for her to communicate with any of them. Counsel also cite Secretary Long's statement to the effect that Sampson was proceeding toward Siboney, when the Spanish ships emerged, under orders from the Department to confer with Shafter, and it is held that these orders detached him temporarily from his command so that Schley was actually in command at the battle, by virtue of his rank; by the absence of Sampson, and by virtue of the fact that he was in authority as second in command of the American forces before Santiago and as senior officer on the spot during every movement of actual battle, could and did exercise authority and command over the American forces actually engaged. Further argument on this question of command is to the effect that the court failed to consider the fact that Schley was actually in command at the battle, by virtue of his rank; by the absence of Sampson, and also that Sampson's order of battle failed entirely as soon as the Spanish squadron succeeded in passing beyond the easternmost extremity of the American vessels. All of which, it is submitted goes to prove conclusively that the individual opinion of Dewey was eminently proper and wholly justified by the evidence and the naval regulations.

Exhibit B elaborates and buttresses the statements made in the petition respecting the passage of the flying squadron from Key West to Cienfuegos.

Exhibit C maintains that the majority of the court rejected the said Schley's testimony and of his witnesses, and says: "That if this testimony was all false, they should have so announced and if all or any part of it was true, the said applicant was entitled to the benefit of it and by declining to consider or pass upon it they have deprived him of his common law and a constitutional right."

Peace in South Africa.

London, By Cable.—The British reply to the note in regard to bringing about peace in South Africa, was dispatched Friday to The Hague. The contents of the note are kept strictly secret, as the first public statement is intended to be made in Parliament, Monday, February 3. Great Britain's reply is not in the nature of direct negotiation, though it is not unlikely that it will have that effect. While Lord Lansdowne probably will leave a loophole for further suggestions, he doubts the ability of the Boer delegates to control their fellow countrymen.

Military Appropriations.

Washington, Special.—The military appropriation bill has been practically completed by the house committee on military affairs and Chairman Hull will report it as soon as he returns from a trip to Iowa, which he is about to take. The bill carries approximately \$91,000,000, which is about \$10,000,000 below estimates and about \$24,000,000 below the appropriation last year.

THE BIDDLE TRAGEDY

Both Men Lie in a Most Horrible Manner.

CROWDS STOOD AROUND THE JAIL

Coroner's Inquest Develops the Fact That Both the Biddles Attempted Suicide.

Butler, Pa., Special.—The terrible fate of the Biddle was the sole topic of conversation here Sunday and curious throngs of people have been defying the storm, hanging about the jail entrance in vain attempts to get in to see the bodies of the dead murderers. A great deal of sympathy for the boys is expressed on all sides, and not a few of the female portion of the crowd expressed a desire to see what manner of a man Ed Biddle was, that he could exert such wonderful influence over the woman. The jail doors were closed all day and no one got in but the doctors who attended the autopsy, and the coroner's jury. The newspaper reporters were excluded from the inquest, which was held in the jail, and nothing concerning the deliberations could be learned outside in the afternoon. The testimony of all the officers concerned in the capture was taken except Bob Ray, the Butler policeman, who is sick. The testimony of Dr. R. B. Greer, who was one of the doctors who attended the Biddles, and of Sheriff Thomas R. Hoon, was also taken.

The verdict said that Ed Biddle came to his death by a revolver shot fired from a 38-caliber revolver by himself, and that Jack Biddle met his death from a gun-shot wound inflicted by the officers in the discharge of their lawful duty. Under the instructions of Coroner John L. Jones, an autopsy was held on both the Biddle Sunday morning. The evidence secured by the autopsy bears out the statements that the men intended to kill themselves rather than be taken alive and that Ed succeeded in his attempt, while Jack failed, though his life was forfeited. Dr. Bricker gave the following statement after the autopsy: "Jack Biddle was the worst shot of the two, although he was in better condition than Ed. When the men were brought to the jail on Friday night, he had two gun-shot wounds on the right side in the region of the liver, the bullets passing up and around the body and entering the kidneys. A bullet wound was found in the roof of the mouth, but it was slight and would not have caused his death. This wound was inflicted by himself with the evident intention of killing himself. His right arm was shattered by five bullet wounds. The wound that caused his death was made by a 41.75 calibre bullet that passed through the crest of the skull, on the right side, and passed back through the left side."

It is all Jack suffered from nine wounds but excepting the one that penetrated the kidney, none of them would have been fatal. Ed's suffering from his wounds was intense. One wound was made by Ed himself, the powder marks being visible on the skin. Death was caused by hemorrhage, and the man suffered untold agonies to the last breath. In the opinion of the doctors who held the autopsy, there is no doubt that he killed himself."

The pastors in nearly all of the churches in Butler took occasion Sunday to refer to the sensational capture Friday of Mrs. Kate Soffel and John and Ed Biddle, who died in the county jail Saturday night. Rev. Father Walsh, pastor of St. Paul's Roman Catholic church, who ministered to the Biddles in their dying hours, spoke touching-ly of them to the members of his parish, in both masses. He touched briefly on the statements given out and said it was for every person to decide for themselves as to the innocence or guilt of the men. When seen at his residence in the afternoon, Father Walsh said: "Besides the statements given out by the Biddle boys to the newspapers and officers of Butler county, both Ed and Jack Biddle made confessions to me. Their confessions were full and complete in every particular and they will never be revealed. The poor boys died like dogs, utterly ridiculed with bullets and some one should be held responsible for inhuman actions in shooting them when entirely helpless, unarmed and unable to make the slightest defense or resistance."

Rev. Samuel Cronin, of St. Mark's Evangelical Lutheran church, criticised severely the statements given by the Biddle boys to the newspapers and officers of Butler county, both Ed and Jack Biddle made confessions to me. Their confessions were full and complete in every particular and they will never be revealed. The poor boys died like dogs, utterly ridiculed with bullets and some one should be held responsible for inhuman actions in shooting them when entirely helpless, unarmed and unable to make the slightest defense or resistance."

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Work of Virginia Convention. Richmond, Special.—The constitutional convention did a good day's work Friday. The chairman announced the appointment of Messrs. Watson and Meredith as additional members of the committee of final revision. The report of the committee on agriculture was adopted with some additions, the most significant being that making the Commissioner of Agriculture elected by the people, and fixing the term of office at four years. Another was that striking out the additional members of the board of agriculture and leaving it constituted as at present, except that the president of the Virginia Polytechnic Institute shall be a member of it.

Prince Henry Leaves. Berlin, By Cable.—Admiral Prince Henry of Prussia, left here Sunday morning for Kiel. Andrew D. White, the United States ambassador, came to the railroad station to bid farewell to the Prince, who will probably not return to Berlin before sailing for the United States. Mr. White told Prince Henry that the city of Chattanooga desired to present him an album of views. The Prince said he would be delighted to accept the album.