The Wichita Daily Eagle.

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Kans. Historical Society

REGINALD BIRCHALL

THE MURDERER OF BENWELL EXPIATES HIS CRIME.

The Mystery Surrounding the Commission of the Crime as Deep as Ever.

The Condemned Man Denies the Authorship of All Confessions that Have Been Attributed to Him.

The Prisoner's Conduct Before Execution and His Last Words to the Hangman—Mrs. Birchall's Condition—Full Particulars of the Execution.

WOODSTOCK, Ont., Nov. 14.—The prisoner Birchall ate a good supper to fortify himself for his last visit. At 7 o'clock Birchall had just finished supper, when a carriage drove up to the door of the prison. It contained Mrs. Birchall, Mrs. West Jones and Mr. Leitham. All three went into the jail, but only Mrs. Birchall climbed the circular iron stairs to her husband's corridor. At 8 o'clock Mrs. West Jones and her companion left the jail and returned to the hotel, leaving Mrs. Birchall in the corridor with the prisoner. At 9 o'clock they entered their carriage at the hotel and again went to the quiet jail, dismissing the driver with instructions to come at 10 o'clock for them. A crowd of sharp reporters were watching for the return of the trio to the hotel.

Until 1 o'clock in the morning the husband and wife continued their conversation. During the whole of this long last meeting and long last parting in the very valley of the shadow of death, Turnkey Forbes was in the corridor with them; but they cared nothing for it. Early in the night, the Rev. Rural Dean Wade came into the corridor and made himself ready to spend the night by removing his outer coat. At 1 o'clock came the leave taking, and the weeping woman was led out through the barred door and down the narrow stairs, down which her husband seven hours later came to his death. Mrs. West Jones had been waiting down stairs for her sister, and assisted to the carriage the woman already widowed in the eye of the law. When they alighted from the carriage shortly after 1 o'clock, Mrs. Birchall walked up the stairs of the hotel with a firm step and went immediately to her room.

His wife having gone, Birchall was left with Turnkey Forbes and the Rev. Mr. Wade. The time during the hours after Mrs. Birchall left the jail were passed by Birchall and the divine in reading scriptures, praying and talking. During the night Mr. Wade came out of the cell, and Mr. Forbes, who is one of Birchall's executors, went in and spent some time with him talking about his temporal affairs. Birchall had little to leave, except a legacy which he expects to fall to him next spring. The extent of his property was the $1,500 he received for the autobiography and $150 he received by his agent from the proprietors of a Toronto museum for the clothes he wore on the 17th of February, and also authority solely to exhibit a cast of his head, bust and figure.

When Birchall had done with the turnkey, about 4 o'clock Guard Midgely went in to see him. Birchall gave Midgely a gold pencil for his son, and said he had left instructions for something to be sent out from England for the old soldier himself. Midgely said goodbye to the prisoner; for, although he was going to remain to see the execution, at Birchall's request, he would not again have an opportunity to speak with him.

Birchall had early in the evening asked the cook to take him up a supper at 12 o'clock. But it was not afterwards asked for, and he ate nothing during the night. He preserved his usual demeanor all through the night. All night there was in the jail, the air of death. The guards spoke under their breath, and, as they walked across the brick floors, tried to make no disturbing noises.

Jailer Cameron visited the jail about 3 o'clock, and then returned to his house. The guards were much affected by the near approach of the end of a prisoner who had been always cheerful and courteous to them, and had succeeded in exciting their deepest pity. When Midgely came down from Birchall's cell at a quarter to 5 o'clock he said that the prisoner was bearing up well, and that there was no question that he would make big efforts to die game.

Birchall had begun to fear that by some means a "before death" confession might be worked off on the public after his death, and to guard against this he made out this document.

"WOODSTOCK JAIL, Nov. 14, 1890.

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"If after my death, there shall appear in the press, or in any other manner whatsoever, any confession that I had a hand in the murder of Mr. F. C. Benwell, or any personal knowledge of said murder with intent or malice aforethought, or any personal connection with the murder on the 17th of February, or other days, or any knowledge that such murder was likely to be committed, or any statement further than I may have made public previous to this date—I hand this statement to the care of Mr. George Perry, of Woodstock, Ontario, that he may know that any confession, or partial confession, is entirely fictitious, and no way whatever written by me; neither emanated from me in any way whatever to any person; and the whole are fictitious and without a word of truth. This likewise applies to my story in the Mail, in which I have made no such confession or partial confession. This holds good throughout.

(Signed.) REG. BIRCHALL."

At 6 o'clock the prisoners were started at their work by Guard Midgely, an hour earlier than customary. This was to get them out of the way during the execution. They swept down the halls, cleaned out their cells and made their beds, as though their most distinguished fellow prisoner was not a couple of hours later to be hanged, and this prison, by his execution, lose its world wide fame and drop back into its obscurity.

At 5:30 o'clock the cook began to prepare Birchall's breakfast, which had been ordered for 6 o'clock. This consisted of poached eggs, toast, canned peaches, canned raspberries and coffee. Breakfast was brought into Birchall's cell by the cook at 6 o'clock promptly. Birchall looked at it and said he did not feel like eating anything. The cook left the food, however, and withdrew, and, on second thought Birchall turned to it and ate a little. He disposed of a couple of eggs, and then pushed the trap from him.

Then he began to prepare himself for the final terrible ordeal. He put on a white flannel shirt, with coat and vest over it, but had previously asked Turnkey Forbes to see that this was replaced after execution by the ordinary white shirt with starched collar and tie. He would not wear a starched collar at the execution, he said, because it might interfere with the placing of the rope.

About 8:30 a. m., and from then on, the crowd began to collect in front of the jail. About 7:30 Deputy Sheriff Perry arrived, and the doors of the jail were opened, and the crowd of waiting men were admitted to the yard in which the scaffold was erected. About a hundred were admitted, but the number was subsequently increased by about fifty.

The executioner appeared on the scene at twenty-five minutes before eight, rope in hand, and began immediately to put things in order. The scaffold is made of three pieces of timber. Two uprights are sunken in the ground and the third timber crosses over the top of them and extends out over one side. The uprights are seven feet apart and the top beam extends over one side about six feet. There is a hole through the top timber, midway between the uprights, and through this, over a pulley, the rope passes down to be put around the condemned man's neck. The rope then passes out along the top timber, over the extension and through another pulley and hole, to have the weight attached. There is a heavy staple near the hole outside this upright, to which the weight of 350 pounds, in the shape of a sexagonal block of iron, is suspended before the fatal drop is made. At the proper time, the executioner pulls a rope and the weight, released from the chain, drops until the slack in the rope is taken out, then the jerk wrenches the victim from the ground, and draws him four feet into the air.

It was to the arrangement of this apparatus that the executioner set about. He was dressed in his drab corduroy suit and soft black hat, and he was smoking a pipe. He placed a ladder against the wall and with deliberation ascended to put the noose rope through the pulleys and to attach the chain to the staple. A block with a ⅝-inch rope was hung on and the staple near that to which the chain hung, and by means of this block and tackle the weight was run up, with the assistance of some of those present, to be attached to the chain. The weight hung to the chain, held by an iron pin, which, when pulled out of place by a small rope, released the weight.

A couple of telegraph instruments were put into the yard and another had been put into the jail kitchen.

Dr. Rice, the jail surgeon, went up to Birchall's cell early in the morning and joined the reverend dean. Birchall's manly friend and college chum, Mr. Leitham, of Montreal, went to his cell at 7:45 o'clock. At 8:15 o'clock Dr. Rice came down from the corridor, and left the prisoner alone with his friend and his spiritual adviser. Dr. Chamberlain, too, saw the prisoner during the early morning.

At 8:15 o'clock, the hangman, having completed preparations outside, came in and took from his black valise a long black Prince Albert coat, and, removing his hat, walked about in the jail bareheaded for some minutes. A consultation was held on the iron stairs by Dr. Chamberlain, Deputy Sheriff Perry and A. D. Stewart, of Hamilton, who has been here two days, and has taken a deep interest in the execution.

Night Guard Midgely, dressed in his best clothes, a hard look about his mouth, but a tell-tale moistness about his eyes, climbed the stairs, and stood on the gallery beside Birchall's corridor door. There the old soldier stood gloomy and sorrowful until the sad procession passed out and down the spiral steps. At 8:23 o'clock Dr. Chamberlin and Deputy Sheriff Perry came round. The executioner was beckoned to go up. He had been walking around the rotunda, in his hands the straps with which to tie Birchall's arms, waiting for the signal to go up. He put behind his back, and partly under the skirt of his coat, the russet-colored straps, and went up the stairs. In a minute or two he strapped the prisoner's arms behind his back, and the awful march to death began at 8:25 o'clock.

First came the Rural Dean Wade, in his surplice and reading the church of England service for the dead. Behind him came Dr. Chamberlain, followed by A. D. Stewart and Deputy Sheriff Perry. The prisoner came next, deathly pale but resolute, his jaws locked with the fixity of death. He came down the stairs with one hand on the rail, for, from his elbows down, his arms were free. His step was steady. His jet black hair and mustache made the pallor of his face like marble. He was dressed in dark colored tweed clothes and a white flannel shirt with a black bow at the collar.

At the foot of the spiral stair-case the procession reformed, and his friend Leitham walked on one side of him, with his day guard, George Perry, on the other. Jailer Cameron followed them, and after the hangman. The aged sheriff was supported to the door of the corridor overlooking the west yard. The march was slow along the corridor and out into the yard. Outside the witnesses were gathered in a semi-circle forty feet from the corner that held the scaffold. The principal actors in the tragedy stopped with their charge about fifteen feet from the gallows, and the solemn tones of the Anglican service fell on the ear of every one there.

They felt an overpowering pity for the black-haired white-faced young man standing on the threshold of eternity. His eyes had not a trace of the frivolity that had lightened his imprisonment, as he stood listening to the low tones of the priest. They were fixed on the blue sky over to the north. There was not a hunted look, nor was there any fear in his eyes, but a fixed purpose that seemed to consume his reason. It is not possible to imagine the expression of his face. He was living a life time in that hour. It was not despair; but he had strung his whole being up to die game.

Birchall stepped firmly forward, and took his place under the scaffold, with his face to the south and turned up slightly. He took Leitham's hands and the friends kissed each other under the gallows. The executioner put a strap around the prisoner's legs just above the knees. When the clergyman took Birchall's hand and kissed him, the witnesses knew the end was near, and the suspense was terrible on the witnesses—no human knowledge can say how terrible to the man standing alone there on the greensward. As the priest entered upon the Lord's prayer, the executioner put the black cap over the head of the doomed man and adjusted the noose about his neck. Birchall did not say a word after leaving his cell, except it might have been to mutter a word to Leitham or to Mr. Wade, when bidding them goodbye, with a kiss.

At 8:27 the words, "Deliver us from evil" gave the signal and a quick pull on the small rope by the executioner, who stood behind the law's victim, released the immense weight. It dropped with the rapidity of thought. It fell to the ground and sank six or eight inches into the earth by the force of its weight. Birchall had been placed close to one of the uprights and the jerk of the noose drew his body first obliquely, then up. The body was jerked into the air about five feet and fell until its feet were within two feet of the ground. The drop was made at 8:29 o'clock. The convulsions commenced a minute later, but they were not at all violent, more resembling heavy breathing with slight twitching of the hands and legs. At 8:30½ the convulsions had ceased and at 8:35 Dr. Chamberlain, who stood with his hand on the body, declared that life was extinct. There were just six minutes from the drop until the doctor declared Birchall dead.

MRS. BIRCHALL.

Mrs. Birchall has been under the influence of opiates since her return this morning from her interview with her husband. She awoke about 9:30 and the facts of the execution were told to her. She bore up much better than was expected under the circumstances.

Birchall's body was cut down fifteen minutes after the execution. When the black cap was removed the dead man's face was found to be greatly discolored, numerous dark blue spots appearing all over his face. The red of his eyeballs was quite apparent. The verdict was to the effect that no dislocation of the neck had taken place. The wind pipe was crushed in. Death was therefore caused by strangulation.

It is now definitely stated that Birchall went to the scaffold without the confession. The last words that Birchall uttered were addressed to the hangman. Just as he was putting the cap over the condemned man's head, Birchall said: "Have you any objections to shaking hands with me." The hangman replied: "Certainly not," and then they shook hands.

The doctors agreed that there was no sensibility of pain after the jerk into the air. Birchall had a long talk with Dr. Rice about the execution and spoke freely, expressing the hope that the "job" would be well done. The principal streets were thronged with people from the surrounding towns and county, all discussing the last scene in the Benwell-Birchall tragedy. The people of Woodstock, with few exceptions, believe that Birchall deserved his fate. It is impossible to learn anything definite as to when Mrs. Birchall will leave for England, but it is reported that she will remain in Woodstock for some time. The undertakers are preparing Birchall's body for burial. The grave has been dug, and the burial takes place this evening.

RESUBMISSIONISTS.

An Address by the Executive Committee to the Voters of Kansas.

TOPEKA, Kan., Nov. 14.—The following address by the executive committee to the voters of Kansas will explain the position of the Resubmissionists:

To the Resubmission Republicans of Kansas:

HEADQUARTERS STATE REPUBLICAN RESUBMISSION CENTRAL COMMITTEE, TOPEKA, Kan., Nov. 13, 1890.—As the smoke of battle clears away from the recent political contest, we are enabled to measure results. Two years have witnessed marvelous changes in the political parties of Kansas. In 1888 the Republican plurality was 82,000; now it is less than 7,000. The "People's party" has arisen, organized, elected five congressmen, the attorney general and a sufficient majority in the lower house of the next legislature to secure a United States senator from that party. It is now one of the great organized forces in Kansas politics.

It is conceded that of the 70,000 votes cast for the Hon. Charles Robinson at least 35,000 were by Resubmission Republicans.

The vote for the Hon. J. N. Ives for attorney general, who, by accepting a nomination on a Resubmission platform, declared himself for resubmission, which reached the enormous number of at least 160,000 votes, more nearly measures the resubmission strength in the state of Kansas than any other test. Every voter knew that the candidate for attorney genaral stood upon a Resubmission platform, and therefore every ballot cast for him was practically for resubmission.

It is enough to know that had our strength been thrown to either of the contending parties it would have won an easy, triumphant victory. In short, we hold the balance of power in the politics of Kansas. Without our forces the struggle between the other parties will be fierce and uncertain; with us, either party can easily succeed.

Our duty as citizens does not require us to support any party whose avowed policy brings ruin and disaster to the business interests of the people. On the other hand our duty is rather to lend aid to the party that will join with us in lifting the oppressive burden of prohibition from the state.

Returning prosperity overshadows every party consideration and to that end every effort should be directed. We owe a duty to the people, but allegiance to no party that will not serve and trust the people. We hold within our ranks many thousands of the best men of the state, organized for political work. We have gained a point of advantage from which we can safely demand our rights. Our demand is so just—the right of the people to be heard—that no party can safely ignore it. The party that denies the people a hearing upon any constitutional question is doomed to swift and eternal oblivion. Our duty is to maintain and strengthen our organization that we may demand with increased emphasis a hearing for the people. This is no time to recede.

Our cause has not lost a single friend, but on the other hand, since the late contest, many have come to us from the so-called Republican party. Victory is within our grasp.

Surely the next legislature will submit the prohibitory amendment to a vote of the people. Let our organizations extend and let our forces be equiped if need be for the great contest in 1892. Let us maintain our independence and press our demands until the people are accorded the right to be heard at the ballot box.

GROVER NOMINATED.

Congressman Springer Names Cleveland at the Thurman Banquet.

COLUMBUS, Ohio, Nov. 14.—It was 2:30 o'clock this morning before the great Thurman banquet came to a close and the banqueters arose from their chairs. The last and one of the most effective speeches of the night was made by Congressman Springer, of Illinois, who, in an impromptu address, responded to the toast of "The Press," and nominated Cleveland for the presidency in 1892.

Continuing, Mr. Springer said: "Under his leadership, with the aid of the American press, we may confidently expect that in November, 1892, at least thirty-five states of this nation will cast their electoral votes for the nominee of the Democratic party. [Prolonged cheers.] For this result we will be indebted to that great popular educational agency, the press. The press, therefore, needs no eulogy from my lips. It will speak for itself. [Cheers.]

At 2:40 the banquet closed, amid the greatest cheering, the band playing "The Star Spangled Banner" the guests retiring, and a large number awaiting to congratulate Thurman and Cleveland on the success of the evening, and the good words which had been uttered. The two central figures of the evening passed from the hall a few moments later, and soon the guests were dashing about in every direction.

Ex-President Cleveland left for New York at 11:30 this morning in the private car of Senator Brice. The only occupants of the car were the ex-president, Hon. Daniel Lamont and Congressman Springer, of Illinois, the latter traveling eastward, the guest of Mr. Cleveland.

A NEW CANDIDATE.

PARSONS, Kan., Nov. 14.—A ratification of the Farmers' Alliance of this section of the country was held here this afternoon, and at an early hour the streets were lined with the teams of hundreds of farmers from various parts of this county, who participated in the jollification. The crowd present numbered several thousand. Several guns were fired in honor of the victory.

Many distinguished citizens addressed the crowd and all were united in the sentiment that W. H. Utley, of this city, one of the state legislators, practically the founder of the Farmers' Alliance in southeastern Kansas, the ablest orator and most distinguished gentleman in their ranks, ought to receive their united support for the position of United States senator, and tonight they agreed to use all honorable means to secure his election.

PENNSYLVANIA'S VOTE.

HARRISBURG, Pa., Nov. 14.—The computation of official returns of the late election, completed at the state department, shows the following total vote for state officers:

For governor—Pattison, Dem., 464,309; Delameter, Rep., 447,655; Gill, Pro., 16,105; Ryndet, Labor, 224. Pattison's plurality, 16,554.

For lieutenant governor—Watres, Rep., 467,371; Black, Dem., 445,006; Hyatt, Pro., 17,048; Watkins, Labor, 222. Watres' plurality, 22,356.

For secretary of internal affairs—Stewart, Rep., 468,969; Barclay, Dem., 443,478; Dunn, Pro., 17,104; Filler, Labor, 263. Stewart's plurality, 25,491.

METHODIST MISSIONS.

BOSTON, Nov. 14.—The Methodist general missionary convention continued its work today. Appropriations were made as follows: For China, $108,019; for Singapore, Malaysia, $17,250; for Bulgaria, $19,370; for Italy, $50,155.

CASUALTIES.

A NUMBER OF DISASTROUS RAILWAY ACCIDENTS.

The Forward Section of a Pennsylvania Passenger Train Telescoped in a Fog.

Two Freight Trains on the Baltimore and Ohio Collide, Causing the Death of the Drivers and Firemen.

Death of Two Tramps in a Santa Fe Wreck Near Ottawa, Kan.—A Big Fire in St. Louis—A Reward Offered for Train Wreckers by the Southern Pacific—Minor Notes.

PITTSBURG, Pa., Nov. 14.—A collision occurred on the Pennsylvania railroad near Florence, Pa., before 7 o'clock this morning, between the first and second sections of the western express, killing two passengers and injuring eleven others. Their names are:

Killed—Henry D. Minot, 39 Court street, Boston; Mrs. S. H. Angell, 829 First street, Washington, D. C.

Injured—R. S. Delaney and wife, of Haymarket, Va., very seriously; J. F. Mathias, of Baltimore, seriously; J. Hellman, of Washington, internally; William Rochester, of the Hoffman house, New York, internally; C. C. Hex, of Providence, R. I., seriously; Miss W. V. Kellogg, of Richmond, Va., slightly; J. J. Hill, of Sunbury, Pa., internally; Wm. Miller, of Alleghany, Pa., very seriously; Henry McCormick, engineer, very seriously; Dr. Wiehle, slightly; Mrs. Wiehle, very seriously.

The accident was caused by the heavy fog, which prevented the engineer from seeing the first section in time to stop his train. The first section was made up of Pullman sleepers and coaches. The second is known as train No. 7, and is composed of baggage, express and mail cars. It was immediately behind No. 9. The first section was due at New Florence at 5:06 a. m., but it was 6:37 when the train reached that station. The fog was so dense that the engineer did not notice the red signal in the tower until he had passed. He then slowed up and went back after his orders. He then pulled ahead slowly.

In the meantime, the flagman of No. 9 had gone back to signal No. 7. He has not been heard from since, and it is supposed he was not able to stop the second section, as the engine of No. 7 came crashing into the Washington sleeper "Biscaya," telescoping it to the distance of from ten to twelve feet. The sleeper caught fire and was nearly destroyed. The "Achetes," the next sleeper, was thrown from the track, but not badly damaged.

The scene following the collision was exciting in the extreme. The passengers became panic stricken, and, in their efforts to get out, they broke the windows and crawled through. As quickly as possible the passengers in the unfortunate "Biscaya" were removed. It was found that two had been killed outright, and eleven others more or less seriously injured. At least four of the injured, it is thought will die. They were conveyed to houses in the vicinity, and everything possible done to relieve their sufferings. The uninjured passengers arrived in this city shortly before noon.

Singularly enough, there was but one injured person on train No. 7. Fireman Picking has a serious cut on his head, and his face and lips were split open. Henry McCormick, the engineer, was seriously hurt. Mr. Minot was sleeping in the rear section, and he probably never knew what hurt him. When removed from the wreck his head was crushed into an unrecognizable mass. Mrs. Angell, the other victim, was caught between the upper and lower berths, and crushed to death.

LATER—Later news reports seven more injured, making eighteen in all, only two in the car escaping. Their names are:

E. Parish, Quincy, Ill., Miss Welfare, Cleveland; H. S. Hill, Pittsburg; Sam'l Sale, of New York; J. West, of Boston; Mrs. S. D. Williams, of Cleveland; E. H. Thomas, of Detroit.

The injured passengers, and those not seriously hurt, reached the city about 1 o'clock, and a short time later another train arrived with the remains of Henry Minot and Mrs. S. H. Angell.

R. R. Delaney and wife, of Haymarket, Va., were on their wedding tour and both sustained serious injuries.

C. C. Hex of Providence, R. I., was more seriously injured than at first supposed and cannot live.

Flagman Kountz, who started back to notify the second train, arrived in the city this afternoon. He claims that the engineer of No. 7 saw the signal, and that he had torpedoed the rails. James Doran, the engineer of No. 9, says he had stopped for water. Robert Gould, the conductor, said that the train had not stopped more than a minute when No. 7 crashed into it. If this is true the flagman could not have had time to go back very far.

FREIGHTS COLLIDE.

PITTSBURG, Pa., Nov. 14.—A Bellaire, O., special says: A collision occurred on the Baltimore and Ohio railroad near Scott Station at 4 o'clock this morning between east and west bound freight trains, killing John Watson, engineer, and James Fleisher, fireman, instantly. James Barrett, a fireman, was scalded so badly that he died an hour later. Thomas Burke, another employe, was seriously injured about the head and cannot recover. Both engines and the cars were completely wrecked. The accident was caused by disregarding orders.

A SANTA FE WRECK.

Special dispatch to the Daily Eagle.

OTTAWA, Kan., Nov. 14.—A wreck occurred on the Santa Fe at this place this morning, which resulted in great damage and the loss of two lives. The engine, caboose and four cars were burned. Two cars were loaded with merchandise, one with bacon and one with oil. A part of the bacon and some of the merchandise were saved. The persons were supposed to be tramps. They could not be identified as they were consumed, except some bones.

ANOTHER ACCOUNT.

OTTAWA, Kan., Nov. 14.—A disastrous freight wreck occurred here this morning on the Southern Kansas railway. A heavily loaded freight was standing at the foot of a grade near the station, when another west-bound freight crashed into its rear at full speed. The crews of both trains escaped by jumping. An unknown tramp, who was stealing a ride, was instantly killed. The engine of the rear train was wrecked, as were six or seven cars of both trains. The debris caught fire, and the wreckage was destroyed. The remains of the tramp could not be discovered from the wreck and they were consumed in the fire.

A BIG BLAZE.

ST. LOUIS, Mo., Nov. 14.—A disastrous fire broke out last night in the large building known as the Wertheimer building, corner of Sacramento and Davis streets, owned by S. Wanggheim and occupied by H. Dutard, commission merchant, Seroni & Co., candy manufacturers, and H. Leives & Co., cigar manufacturers. The flames were leaping through the roof before the alarm was sounded, and shortly after the roof fell, followed by the floors, which were filled with heavy machinery. At 11 o'clock the walls fell out in the street with a crash and the firemen only saved themselves by plunging through the windows of the stores opposite the burning building. This gave the firemen a chance to work and they soon got the fire under control. Loss about $250,000.

A REWARD OFFERED.

PORTLAND, Ore., Nov. 14.—Officials of the Southern Pacific company today made a personal investigation into the cause of the accident at Lake Labish, Wednesday night. They claim that the track was tampered with, and have offered a reward of $5,000 for the arrest of the guilty parties.

THE WRECKED CRUISER.

LONDON, Nov. 14.—The three survivors of the wreck of the cruiser Serpent, near Camarinas, Spain, are unable to give any details of the disaster except that the vessel was going ahead at full speed when she struck the rocks.

BLOWN TO PIECES.

LIMA, O., Nov. 14.—By a premature explosion of dynamite in Custer's stone quarry this morning, Charles Burkett, Henry Wiserup and George Fisher were blown to pieces.

WRECK RUMORS.

WASHINGTON, Nov. 14.—Rumors have reached here of a disastrous railroad wreck on the Norfolk and Western railroad, near Petersburg, Va. It is stated that two persons were killed and a number injured.

TORNADOES.

SALT LAKE, Utah, Nov. 14.—Mrs. Finley, the wife of Lieut. John P. Finley, of the United States army, the noted expert on tornadoes, is visiting in Salt Lake City. In an interview in regard to statements in Greely's annual report, claiming that thunder storms are more destructive of life and property than tornadoes, Mrs. Finley said: "I can give you some statistics from my husband's official report on tornadoes. Their number so far as observed in the last seventeen years was 1,566. With the sole exception of the Rocky mountain region, no part of the United States is exempt from their ravages. No season of the year is wholly proof against them. Some of the recent tornadoes were very destructive, as for instance, the Grinnell tornado on June 17, 1882, by which a large section of Central Iowa was desolated and the town itself nearly swept from the earth and 100 human souls dashed into eternity in less time than it takes to relate it.

"In Mansfield, Mo., over 100 people were killed. In 1885 a tornado passed over Maryland, Delaware, New Jersey and Pennsylvania destroying over $2,000,000 worth of property and many lives. On April 14, 1886, St. Cloud and Sauk Rapids, Minn., were visited by the monster, resulting in a loss of over $500,000 and nearly 100 lives. Among the severest of recent times is the terrible experience of February 19, 1884, when the states of Virginia, North and South Carolina, Georgia, Alabama, Mississippi, Tennessee and Kentucky were scourged by sixty tornadoes, all occurring in one fatal day between the hours of 10 a. m. and midnight, by which nearly $4,000,000 worth of property was destroyed, 800 people were killed, 2,500 wounded and fully 15,000 persons rendered destitute. Seven thousand buildings were destroyed.

"I have no data regarding thunder storms."

THE TEMPERANCE UNION.

ATLANTA, Ga., Nov. 14.—Not only the hotels, but also the residences of the philanthropic and temperance women of Atlanta, are crowded with delegates to the seventeenth annual convention of the Womans' Christian Temperance union. The non-partisan association sent delegates to demand seats in the convention. The convention was called to order at 10 o'clock this morning in Trinity church by Miss Frances E. Willard. The morning was given up to organization, and reading reports of officers. After a brief recess for luncheon, President Willard delivered her annual address, and the superintendents of various branches continued their reports. This evening a grand welcoming meeting was held at the church.

The address of the president dealt with the years' work and declared the Woman's Christian Temperance union to be now closing its best year and the one of its largest increase in membership. It asserted that the original package decision resulted in the most helpful temperance agitation of the year. It declared against high license and for prohibition by law, by politics and by woman's ballot.

A HEAVY ATTACHMENT.

KANSAS CITY, Mo., Nov. 14.—A telephone message from Kansas City, Kan., states that attachments amounting to $500,000 were levied late tonight upon the plant and stock of the Kansas City Packing company. The attachment was sued out by Samuel Leonard, of Boston. An attachment of $5,000 was also secured by Mr. Leonard against the Kansas City Packing and Chase Refrigerator company. The concerns are closely allied to one another, and the Kansas City Packing company succeeded to the business of Morris, Butts & Co., packers, a year ago, Mr. Chase, of Boston, who is interested in the Kansas City Packing and Chase Refrigerator company, being understood to be one of the heavy stockholders. Samuell Bell, of Boston, of the firm of Samuel Bell & Co., which failed ten days hence, is also a stockholder of both concerns. The latter's failure is supposed to have involved the Kansas City concerns. The particulars of the attachments cannot be learned at present.

NEW PENSIONS.

WASHINGTON, Nov. 14.—The following pensions were granted today:

KANSAS.

Original—George Sutton, Latham; John S. Salisbury, Clayton; Theodore F. Douglass, Kansas City; George L. Offland, Neuchalanta; Franklin Millhause, Garden City.

Increase—Jacob C. Enrigh, Formosa; Clayborne Simmons, Hutchinson; Isaac Jordan, Burr Oak; Simeon Bartlett, Yates Center; John T. Liner, Ingalls; Andrew Niblack, Leeds; Absalom Wood, Industry; Timothy H. Kyser, Grenola; James Long, Garnett; David L. Miller, Wilson; Lewis L. Craig, Wall Street; James K. Kane, Greensburgh.

Mexican widow—Malinda E., widow of John W. Wilcoxson, Emporia.

INDIAN TERRITORY.

Increase—Girard J. Wyankoop, Cimarron.

SEALING POACHERS.

WASHINGTON, Nov. 14.—Reports have reached here of continued depredations on the seal island fisheries by British vessels. In one day last month six British vessels engaged in catching seals were counted from St. George island. One vessel came so close to the island that the guards on duty there fired on it and those on the vessel returned the fire with such effect that guards were driven into the interior of their stockade.

United States war ships ran alongside of a number of poaching vessels this summer and fall in Behring sea. The vessels had seal skins on board, but no attempt was made to capture them. The fact that diplomatic negotiations were in progress in Washington prevented the United States vessels from confiscating the skins.

A LEADER ILL.

BERLIN, Nov. 14.—The condition of Dr. Windthorst, the leader of the Catholic party in the reichstag, is such as to create some uneasiness among his friends and followers. He suffers from heart trouble, and his physicians insist upon his withdrawal from active participation in the political duties and taking absolute rest.

OKLAHOMA.

NEWS OF THE DAY FROM THE NEW TERRITORY.

Full Text of the Opinion of the Attorney General on the Length of the Session.

The Council Passes a Bill to Regulate the Practice of Dentistry—A Row Over the Printing Bill.

The Australian Election Bill Again Up for Consideration in the Upper Chamber—Probability of its Passage—General News Notes.

Special Dispatch to the Daily Eagle.

GUTHRIE, Ok., Nov. 14.—Following is the opinion of the attorney general on the adjournment of the Oklahoma legislature:

DEPARTMENT OF JUSTICE, WASHINGTON, D. C. Nov. 8, 1891.

The President.

Sir—I have the honor to acknowledge the receipt of a note from Executive Clerk Tibbott, under date of Nov. 6, inst., inclosing a letter of Governor Steele, of Oklahoma, in which he makes the following statement:

"The legislature has taken a recess until Nov. 5 on account of the coming election, and has stated in a joint resolution that it is not to count in the 120 days that is provided in the organic act this body may hold session."

The governor thereupon desires my opinion as to whether the time covered by such adjournment must be counted as a part of the session; that this is a part of the 120 days. The provision of the organic act in section 4 is as follows:

"The session of the legislative assembly shall be biennial, and shall be limited to sixty days, provided, however, that the duration of the first session of said legislative assembly may continue 120 days."

On the 16th day of March, 1889, I gave to the honorable, the secretary of the interior an opinion as follows:

DEPARTMENT OF JUSTICE, WASHINGTON, March 16, 1889.

To the Secretary of the Interior.

Sir—By your letter of the 15th of March you ask whether the legislature of Arizona can continue in session after March 21, 1889, long enough to make up for Sundays and the time used in adjournment, or whether it must adjourn sine die sixty days from the date it was supposed to be organized.

Section 1832 of the Revised Statutes as amended by the act of the 23d of December, 1889 (1 Supplement of the Revised Statutes 580) provides: "The sessions of the legislative assemblies of the several territories of the United States shall be limited to sixty days duration." The word "sessions" in this section is used in the plural to correspond with the word "assemblies," so that the session of each of the assemblies of the several territories shall be limited to sixty days. It is used by congress concerning legislative bodies, and must be interpreted accordingly. The definition of the word by Worcester as applied to such bodies is: The time between the first meeting of an assembly and its prorogation or final adjournment; as a session of congress. In 2 Bouvier's Law Dictionary 632, it is defined to be: "The time during which a legislative body, a court or other assembly sits for the transaction of business; as a session of congress which commenced on the day appointed by the constitution and ends when congress finally adjourns before the commencement of the next session."

The session of a legislative body continues notwithstanding an adjournment until the final sine die adjournment, or the expiration of the legislative term. Where the two houses adjourn for more than three days and not to, or beyond, the period fixed by the constitution or law for the next regular session, the session is not thereby terminated, but continues until an adjournment without day, or until the next regular session. (Barclay's Digest of 1871, page 7.)

From the origin of the government all the laws passed between the legal organization and meeting of congress, until a sine die adjournment, have been treated as passed at the same session. The word "session" in the section quoted therefore, includes the whole period between the time fixed by law for the meeting of the legislative assemblies of the several territories, and their sine die adjournment including in the computation of time all intermediate adjournments. In the computation of time Sundays are to be counted as a general rule to which the matter submitted is not an exception. Where Sundays are not to be counted, it arises from the special circumstances of the case or is provided for by an express exception such as is found in the second clause of the seventh section of the first article of the constitution which provides: "If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him the same shall be a law." Very respectfully,

W. H. H. MILLER,
Attorney General.

The law as to Oklahoma seems to be not different from that applicable to Arizona.

I see no reason to change the view there expressed. On the contrary, many reasons reinforcing that opinion occur to me. If the legislature may adjourn once and conclude the time of adjournment from the time limited for its session, it may adjourn twice, or any number of times. It may practically continue its session from time to time throughout the year. I cannot believe that such was the purpose of congress. Such adjournments would necessarily add greatly to the expense of the session and would interfere with the orderly transaction of the business which under the law, is devolved upon the legislature.

It seems to me, therefore, that the legislature should conclude its business within 120 days from the commencement of its session.

I return Governor Steele's letter.

Respectfully yours,
W. H. H. MILLER,
Attorney General.

COUNCIL.

MORNING SESSION.

The storm that raged in the council over the capital bill last evening had entirely abated this morning, and a friendly and sober lot of councilors assembled intent upon sober business.

The bill regulating the practice of dentistry, similar to the one recently passed regulating the practice of medicine, was read, and, after the change requiring members of the examining board to be graduates of dental colleges, was inserted at the suggestion of Dr. Howard, was passed.

Mr. Bixler's bill providing for printers' rates, was next considered and passed.

It fixes the rate for legal notices at $1 per square of ten lines for first insertion, and 75 cents each for each subsequent insertion; notices of land for taxes, 30 cents per description; description of lots for taxes, 10 cents.

It is an increase on the rates provided by the Dakota code.

It was hotly opposed by Brown of Oklahoma, who attributed its passage to a fear of the press by the councilors, and when the voting on the title commenced, he said: "Now put yourself on record for putting the newspapers above everything else."

The council then resolved itself into a committee of the whole, with McCartney in the chair, to consider house bill No. 34.

It is an election bill modeled after the Australian system.

The major part of the bill had passed the committee without opposition at recess time, and the entire bill is likely pass without material change.

AFTERNOON SESSION.

The house Australian ballot bill passed in committee of the whole with some amendments.

Adjourned.

HOUSE.

MORNING SESSION.

A leaden sky was in harmony with the legislative atmosphere. A reaction has set in, and interest flags.

Twenty members were present at roll call.

Speaker pro tem Jones was in the chair.

After the prayer by the chaplain the minutes were read.

Mr. Waggoner moved that all protests entered against the signing of house bill No. 49 be struck from the house journal.

A call of the house was ordered.

The motion to expunge the protests was lost.

House bill No. 41—water rights and irrigation was passed as amended.

Adjourned.

AFTERNOON SESSION.

An act to regulate conveyances, house bill No. 43, was passed, several slight amendments having been made.

Adjourned.

TRADE AND TRAFFIC.

The Condition of the Country as Exhibited by Dun's Weekly Review.

NEW YORK, Nov. 14.—R. G. Dun & Co.'s Weekly Review of Trade says:

Those who have long expected a severe reaction in the stock market have now seen the average of prices thrown back to a lower point than has been touched at any other time for more than four years. It remains the fact, that the legitimate business through the country is the largest ever known, not much inflated or endangered by speculation, and so far sound that complaints in regard to collections have been much fewer than usual. The check now sustained may not improbably produce some shrinkage in transactions and diminution of prices; but the industrial and commercial conditions have been favorable that speculative disturbances are the less likely to affect general business seriously.

Reports from other cities show that at most points the events in Wall street have had little or no effect as yet. At Boston transactions have been somewhat limited and money is firm at high rates. At Philadelphia money is tight and little commercial paper offered or selling. At Chicago money is active at 7 per cent, but country banks are sending in funds for investment and eastern disturbances are little felt. No other western points show disturbance in trade, though money is generally close. At St. Louis the rate is 7 to 8 per cent and the volume of trade large. At Cincinnati money is tight but collections very fair. At Omaha, St. Paul, Denver and Kansas City money is in strong demand, collections healthy and business good. Southern cities make much the same report.

The demand for manufactured products is now distinctly smaller, and in railroad supplies decrease is foreshadowed by financial troubles. The coal trade is dull. Tin is ⅝ of a cent lower, copper steady, and lead weak because of considerable importations. India rubber is lower. The boot and shoe trade is somewhat checked by the prospect of reaction in leather, but prices range higher than last year. In dry goods there is observed some hesitancy by buyers, but mills are well sold up. Woolens command slightly better prices in some cases and dress goods are firm.

Breadstuffs are lower, exports in October showing a heavy decrease. Wheat falls 5 cents for the week, corn 2¼ cents, oats nearly