The Wichita Daily Eagle.

VOLUME XXXVI. WICHITA, KANSAS: TUESDAY MORNING, NOVEMBER 26, 1901. NUMBER 8

BLOODY BATTLE OCCURS AT EMPIRE STATION BETWEEN INSURGENTS AND COLOMBIAN TROOPS

General Albans Beats Back Liberals Along the Line of Railroad for Five Hours---Four Ministers' Houses Are Riddled in Fight.

150 OF DEAD AND DYING ARE LEFT FOR THE BIRDS TO DEVOUR

Government Troops on Foot Push on Ahead and Attack Liberal Force at San Pablam---Fierce Fight Is Now On There---Lugo Leads the Liberals---Captain Perry Is Put in Command of United States Force and Is Patroling Panama in Armored Train.

Colon, Nov. 25.—An armed guard of marines from the United States battleship Iowa has re-established the transit across the isthmus and details from the Iowa's marines are now protecting each passenger train.

There has been fierce fighting at Empire station, on the railroad line between Panama and Colon, between the insurgents and the troops of the Colombian government, with very heavy losses on both sides.

Yesterday morning at 10 o'clock the schooner Clapet and railroad barge returned to Panama, taking 350 men from Chorrera, being the remainder of General Alban's expeditions.

Great crowds gathered at the wharf to witness the landing of the soldiers. They were received with bands of music, but the music sounded mournful and the airs sounded more like a funeral march than the joyful strains of welcome to a victorious army. General Alban looked his usual and calm self, and acted more like a man on whose hands time hangs heavily for want of something to do than one coping with grave responsibilities under trying circumstances. At 3:30 o'clock afternoon at the head of several hundred men General Alban left Panama by train for Empire Station, where the liberals were reported to be in fairly strong numbers. His purpose was to surprise and rout them. The train bearing these troops was held up just before it arrived at Culebra station, owing to the liberals opening fire on Alban's advance guard. Alban disembarked his men from the train, which returned to Panama. The fighting at Sucliba lasted from 4:00 until 9 p. m.

The rebels Loveridge and Jacobs, Baptist and Wesleyan, ministers respectively, narrowly escaped being shot. Their house in Cuelibra was riddled by bullets. The government troops advanced and the fighting was stubborn all along the railroad line until Empire Station, a mile and half distant was reached. The Liberals retreated slowly, Alban's men following them until the latter eventually reached Matachin station. Here General Alban met and conferred with Captain Perry of the Iowa, who was returning from Colon on an armored train. It is understood that Captain Perry will not allow the railroad to transport troops, consequently, General Alban and his men were forced to march almost on foot. It is said here that they thus reached San Pablam where the Liberals are in force and that fighting is taking place there. The Liberals are under command of General Lugo.

Between the stations of Culebra and Empire over 150 killed and wounded men could be seen along the track. The sight is gruesome. There is no proper Red Cross organization and the wounded lack care.

The Liberals at Colon declare the majority of the men killed on the line to be conservative troops and that the rebels are still in force along the railroad. Three hundred of the Iowa's marines were landed at half past four yesterday afternoon at Panama to protect the property of the railroad and to ensure the continuance of transit across the Isthmus. In government circles in Panama there is still entire confidence in General Alban, and it is believed there that the conservative general is able to cope with the political situation and overcome the apparently unsurmountable difficulties before him.

It is estimated that the conservative government has 600 men at Panama. The breastworks on the railroad bridge that leads into Panama as well as those erected inside the city have been demolished by the government.

UNITED STATES BOSSES

Washington, Nov. 25.—It is pretty well understood here that there is to be no bombardment of Colon by either side. While Commander McCrea was given wide discretionary power and nothing was said to him about stopping the bombardment directly, nevertheless the department of state established a precedent in these matters last year when it instructed Mr. Gudger to warn some insurgents at Panama that they would not be allowed to bombard that port. If the government troops on the Pinzon should persist in their purpose, it is said, the commanders of the various warships at Colon would require that ample time be allowed for the withdrawal from the town of all foreigners, and that the attacking force, to escape restraint, would be obliged to destroy the insurgent defenses without harming the railroad property, and even without endangering the passage of trains, conditions probably not to be met.

The secretary of the navy today called Captain Perry of the Iowa to assume full command of all the United States naval forces on both sides of the isthmus in order to insure harmonious operations. Consul General Gudger's last dispatch, which came after 3 o'clock, was about as follows:

"Our troops have arrived at Matachon, one half of the way across the isthmus. No obstruction and Colombian government seemed to be victorious over the insurgents."

Later advices, while clouding the situation on the isthmus to be still unsettled, contain the information that free transit by way of the railroad has been re-established. These advices came in a dispatch received by Secretary Long from Captain Perry of the Iowa, who made a trip across the isthmus from Panama to Colon, which place he sent a telegram, an extract from which the secretary made public as follows:

"Perry reports that free transit across the isthmus is reported and he returns to Panama this afternoon. The cars will have a guard on each passenger train for the present."

The purpose of the guard presumably is to prevent interruption to the free passage of trains of insurgents congregated along the line of the road.

Mr. Herran, the charge of the Colombian legation, is very well satisfied with the tenor of the advices which have come to hand today from Acting Governor Arjona of Panama, who reported that the rebel army having been defeated at Culebra and Emperador, General Alban had now marched on Colon. His theory is that General Alban completely dislodged the rebel force which had rendezvoused at Cherrera, from which place Mr. Herran believes they retreated to Culebra and Emepradar, where they again took a stand. Their defeat at these places, Mr. Herran says, leaves General Alban free to march to Colon. Mr. Herran thinks that General Alban now has at least 1,000 well equipped and thoroughly armed men, beside which 600 men are on board the Colombian boat Pinzon, now at Colon. Mr. Herran asserts that the rebels have not at the outside more than 50 men.

GERMANY IS AGREEABLE

Berlin, Nov. 25.—The foreign office today sent for the representative of the Associated Press and declared the announcement to the effect that the countries to the triple alliance were making a concentrated demonstration in South African waters to be false.

The information of the correspondent said there had been no discussion between Germany, Austria and Italy regarding common action in this direction. He admitted that each country was sending warships to South American waters, but said there were acting entirely independently of each other, and were merely protecting the property rights and lives of their subjects. It was further explained that Washington was fully informed concerning the intentions of Germany in this regard. The movement of German vessels in South African waters have been fully reported as well as the vessels destined to go out there. No other ships have been sent to South America.

German officials in Berlin are of the opinion that the presence in the Caribbean sea of warships of the powers composing the triple alliance will have the desired effect without making necessary a recourse to action.

ENGLISHMAN ON WAR

London, Nov. 25.—Sir Thomas W. Reid, the author and editor, in an article entitled, "A Message From America," in the December number of the Nineteenth Century, and after, will quote "one of the most distinguished members of the cabinet" as saying: "I do not think you in England realize the depth of feeling that exists outside of your own country on the subject of the South African war, nor the extreme gravity of the situation which that feeling has brought into existence. I am not speaking of American feeling, which is largely on your side, but the more friendly we are to England the more anxious we are to see you extricated from the meshes of the net in which you are now caught. It is terrible to think of the pitifulness of the whole thing, and of the loss suffered by universal humanity, owing to the estrangement of England for two years and the consequent absence of her influence from the side of justice and progress."

Sir Thomas further says the member of the cabinet in question told him that almost daily appeals were being made to the government of the United States by representatives of European powers to take some step to end the war. These representations from the ministers of the powers were made unofficially, although the United States government well knew their respective governments were backing them therein.

HERO IN PHILIPPINES

Lieutenant Van Schaick Attacks Insurgents Single Handed.

Manila, Nov. 25.—Second Lieutenant L. J. Van Schaik of the Fourth Infantry, while scouting with a few men of that regiment, met 18 insurgents, who had attacked and sacked the hamlet of Siang, near Cavite. Upon seeing the Filipinos, Van Schaickordered his men to charge them. The command was obeyed, and Van Schaick being mounted, reached the insurgents 60 yards ahead of his men. He killed three of them with his revolver. An insurgent fired his rifle point blank at Van Schaick, of four paces, but missed him. Lieutenant Van Schaick was then knocked from his horse. He jumped to his feet and engaged in a hand to hand conflict with the enemy, using the butt of his revolver. He sustained severe wounds, one of which nearly severed his wrist. At this point Lieutenant Van Schaick's men arrived and rescued him and put the insurgents to flight. Van Schaick is in the military hospital at Manila, and is doing well. He has already been recommended for a medal of honor for bravery in a previous engagement.

General Hughes, commander of the department of the Visayas, reports that negotiations are about completed for the surrender of the insurgent leader, Samson, on Bohol island. The surrender will doubtless end the revolt against American authority in Bohol, as Samson is acknowledged to be the best insurgent leader there.

HE WAS MISSAGED

Is Most Important Testimony Against Captain Tilley.

Tutuila, Nov. 12, via San Francisco, Nov. 25.—On the morning of November 5 the United States ship Wisconsin arrived in the harbor. It was announced that Admiral Silas Casey had been ordered to Pago-Pago to convene a court martial on Captain B. F. Tilley, the commandant of the station. The news was received with great surprise by the Samoans people, who had been making extensive preparations during the past month to welcome Captain Tilley on his return. On November 6 the Sonoma arrived, with Captain Tilley and Mrs. Tilley on board. The Samoans of Pago-Pago had built a huge triumphal arch of native trees, on which was a bower decorated with evergreens and flowers. Flags and streamers were flying from the masts. They approached the steamer with this immense raft, and Captain and Mrs. Tilley descended to it, when they were pulled ashore with songs of welcome, composed for the occasion. Upon landing at the custom house there was a large crowd to meet the captain, who was loudly cheered by whites and natives. Captain Tilley at once resumed his office as commandant.

The United States ship Solace arrived on November 2, with Admiral Evans and the other officers of the court martial. The Aberanda, which had been dispatched to Apia to bring witnesses for the prosecution here, returned the same day. At 6 p. m. of the same day Captain Tilley was formally served with a copy of the charges and specifications, and was ordered to deliver up his sword. Admiral Casey interviewed a number of residents as to the nature of evidence they would give on behalf of the government.

The trial of Captain Tilley began on Saturday, November 9. The most important witness was Dr. Blackwell. He testified that about 10:30 p. m., and on towards midnight, he once saw Captain Tilley lying down outside his cabin door and undergoing a Samoan massage treatment. This treatment is very common here among the whites as well as native chiefs.

The prosecution closed its case on Monday, November 11, rather earlier than was expected. Tuesday the defense began, the chief witness being Lieutenant Richardson of the Aberanda and Judge Guerr. The trial is expected to close tomorrow. From late information it appears that Admiral Casey, after due investigation, dropped the charges of maladministration against Captain Tilley.

Representatives from all Tutuila gathered on November 8 in Pago-Pago to welcome Admiral Casey and give him the highest tribute a Samoan can offer to a distinguished visitor. It was a large "Tualolo," symbolical of allegiance to the United States government. The tribes passed by the admiral, who was accompanied by all the leading officers of the ships, and presented their offerings of submission. Native Governor Mauga made the speech of welcome. It told of the contented condition of the people under the present government, and spoke in highest terms of Commandant Tilley.

Upon receipt of the official information of the death of President McKinley, an impressive memorial service was held at Pago-Pago.

LOSS OF $1,000,000

Great Storm Spends Itself on the Atlantic Coast.

New York, Nov. 25.—The great storm which came speeding up from the south on Saturday night has spent its force in this zone of the Atlantic coast and the waters driven upon lowland and beach are subsiding. A more careful survey of the storm-swept coast indicates that the aggregate damage will exceed the general estimates of yesterday. Hundreds of small craft were wrecked or badly damaged, wharves and piers at every exposed point were battered down, many seaside resorts were unroofed, lowlands were flooded, city cellars were filled and hundreds of town houses were damaged.

Estimates of the aggregated damage run slightly below and considerably above $1,000,000. Down at Monmouth beach, where the big German ship Flottbek drove ashore and where there was a thrilling rescue of her by life-savers, an angry sea was still beating upon the beach today. Wreckers have been engaged, but until the sea calms nothing can be done toward saving the ship and her cargo. The big craft, firmly imbedded in the sand, was still intact and Captain Zingler, her master, who watched her from the life-saving station, was sure that both vessel and cargo could be saved. Storm-bound shipping was released early today, but seacoast railway and trolley service will limp until washouts are filled in. Linemen were busy restoring prostrated teelgraph and telephone poles today, but it will be a couple of days before these services are completely restored.

The extent of the damage to the rapid transit tunnel was not fully determined today.

Philadelphia, Nov. 25.—Advices received in this city today by maritime exchange state that five men were drowned yesterday at Long Branch during the height of the northeast storm which swept the Atlantic coast Saturday night and Sunday. The men are supposed to have been members of the crews of barges Wilmore and Grant which were lost by the tug Eureka and arrived in New York yesterday and reported that she had lost her tow and had no tidings of either crew.

The two barges came ashore at Chadwick, N. J., about one and one-half miles south of Long Branch. There were seven men on the barges when they went adrift. All of the crew of four on one of the barges were washed overboard and lost, while the life-savers, with the aid of the breeches buoy, saved two of the men on the other barge. The third man was washed overboard and drowned. Further advices to the maritime exchange report the loss of the barges H. A. Hawood for Providence, Mercedita for New London and Davis for Fall River. The crews were all saved.

DIDN'T LIKE COUNCIL

Chaffeur Shoots Mayor and Council man and Escapes.

New York, Nov. 25.—A dispatch to the Herald from Mentone gives the following additional details concerning the shooting of several city officials by F. Orsini, one of the councilors. The shooting occurred at the Roquefort town council meeting. After a violent discussion Orsini drew a revolver and fired at M. Brigliano. The mayor was dangerously wounded in the abdomen. A second shot struck M. Sighout, the deputy mayor, who was mortally wounded and who died Sunday.

The criminal was seized by a policeman, but freed himself and sprang down the stairs, again firing his revolver and slightly wounding another councilor. The crowd outside scattered and Orsini escaped. In the narrow streets of Roquefort he met ehi brother of the mayor face to face and fired once more, wounding him in the face. He got clear away and has probably crossed the Italian frontier. The picturesque old town is seething with excitement and requiem mass celebrated for the deputy mayor was largely attended.

Three doctors are inattendance on the mayor, on whom an operation will be performed at once.

It is supposed the motive of Orsini's deed was irritation regarding some municipal improvements opposite the mayor's private house. This necessitated increased taxation and increasing the value of the mayor's property.

The murderer is a former chaffeur employed at Monte Carlo. His wife has also disappeared.

FOUR SISTERS BURNED

Fire Takes Four Members of Family Out of World.

Pittsburg, Nov. 25.—Four persons were burned to death and two seriously injured in a fire at 4:30 o'clock this morning, which destroyed the residence of J. G. Miller on Charles street, Konxville, a suburb of this city. The names:

ROSE MILLER, aged 23 years, terribly burned and died on the way to the hospital.

AMELIA MILLER, aged 19 years, suffocated by the smoke.

AMANDA MILLER, aged 18 years, suffocated.

SYLVIA MILLER, aged 9 years, suffocated.

The injured:

J. C. Miller, the father, jumped from the second story window, leg broken and bruised, wil lrecover.

Mrs. Miller, badly burned and on verge of nervous prostration.

Two other daughters, aged 11 and 13, escaped without injury.

The fire was caused by the oldest daughter, Rose, pouring kerosene in the stove to start the fire for breakfast.

The oil in the can ignited and the explosion which followed scattered the burning oil over the room. The fire spread so quickly that Mr. Miller was forced to jump from the second story window after rescuing his wife and two of his youngest daughters. Rose was burned almost to a crisp and died before reaching the hospital. The three others were overcome by the smoke. Their bodies were found in the ruins after the fire had been extinguished. Mrs. Miner was just recovering from a severe illness and is almost distracted over the terrible affair. Fears are entertained that she will not survive the shock.

SHE STRUCK NURSE

Miss Wackerman Is Placed in Padded Cell at Claybury.

London, Nov. 25.—Miss Helen Vanderbilt Wackerman of New York, who was taken to the St. Giles infirmary November 18 as a wandering lunatic, is now in Claybury asylum, Woodbury, Essex, which is controlled by the county council. She was removed to the asylum after a desperate attempt to kill a nurse belonging to the infirmary, whom she almost succeeded in throttling. Miss Wackerman is now in a padded cell, but Mrs. Wackerman, who visited her daughter today, said she seemed to be improved. Mrs. Wackerman has been advised that no steps to obtain the release of her daughter are feasible at present.

ON CATTLE RAISING

Secretary Wilson Suggests Remedies for Existing Evils.

Washington, Nov. 25.—The annual report of Secretary of Agriculture Wilson tells of the vast growth of al lbranches of the department's work.

An extension of the weather forecast to farmers through the free rural delivery is contemplated. Wireless telegraphy will soon connect the Tatoosh Island, Wash., weather station with the mainland. The secretary suggests that it might be well for this country to follow the example of Great Britain and exclude livestock from other countries entirely.

The secretary points out the serious evil resulting from the system of state inspection, which, if it became general, would effectually prevent the marketing of live stock in some sections and would destroy much of the usefulness of the federal inspection. He regards the political conditions as so menacing the interests of the cattle industry of the west and southwest that he has requested the attorney general to co-operate in bringing the matter before the supreme court as to the constitutionality of these state laws. This request has been favorably received and the assistance of the department of justice promised. The secretary asserts that much loss has resulted to the cattle industry in the west in recent years owing to the injudicious management of ranges. The department's experiments show that much could be done, under proper control, to restore the ranges to their original condition, and he recommends action by congress, giving the president authority to secure for the experimental needs of his department such tracts of public range cattle as may be necessary.

CHINAMEN ARE STARVING

Over Million People in Yangtse Valley In Pitiable Plight.

Washington, Nov. 25.—John Goodnow, consul general at Shanghai, reports to the state department that over half a million of people in the Yangtse valley will starve this winter unless they get help from the outside. A committee of foreigners and Chinese has been formed in Shanghai to relieve the condition of these people, and all foreigners in China are subscribing liberally.

Contributions may be made through the British consul general at Shanghai, P. L. arren, who is chairman of the relief committee.

CARRIE'S INNING TODAY

David Nation Makes Terrible Allegations Against Mrs. Nation.

Medicine Lodge, Kan., Nov. 25.—The divorce suit brought by David Nation against his wife, Carrie Nation, the saloon smasher, was begun here today. Mr. Nation claims his wife took away his featherbed, drew $80 ofrom the bank and refused to live with him. Mrs. Nation will have her inning tomorrow.

ROSE PRYOR LOSSES OUT.

Court Reverses Lower Court's Decision In a Breach of Promise Case.

St. Louis, Nov. 25.—The United States court of appeals, in reversing the decisions of the United States district court of the Indian Territory, and the Indian Territory court of appeals, which were in favor of Rose Pryor, who sued Samuel T. Davis, a wealthy merchant of the Cherokee nation, for alleged breach of promise, decided today that common law marriages are legal.

Miss Pryor, who is also a resident of the Cherokee nation, was a member of Davis' household. As mistress of the household, was a young woman known to Miss Pryor as Mrs. Davis. According to Davis, this woman was his wife, with whom he had lived for more than 20 years. When Rose was 21 years old, Davis was alleged to have eloped with her, but for some reason refused to marry her. Miss Pryor considered her affections had been injured to the extent of $2,500, and filed suit for this amount, and won in the lower courts. She alleged that Davis had told her that he was not legally married to Mrs. Davis, and that there was no legal objection to his making her his wife.

Davis contended that he was already married, hence he could not have made a valid contract to become Miss Pryor's husband.

It is held by the court that Rose Pryor knew of Davis' relations to Miss Davis, and should not or could not have, therefore, been deceived when he proposed to marry her.

FUSS IN COURT.

Herstand Investigation Has Little Excitement in Row.

Washington, Nov. 25.—The inquiry into the charges pending against Major H. O. S. Heistand was resumed by the senate committee on military affairs today. F. W. Ford, appointment clerk of the war department, testified to the appointment of Major Hawkes as inspector in the Philippine customs service. Witness L. B. Jackson telegraphed that he would be here Tuesday afternoon.

While Senator Hawley was reading the telegram, Judge Mackey, counsel for Maj. Hawkes, conversed with his client. The senator commanded silence, and this led to a sharp exchange between the chairman and counsel.

The committee held an executive session and decided to hear arguments Friday afternoon at 2 o'clock. The committee then adjourned until Wednesday, when it is proposed to close the testimony.

FRANCE TAKES IT ALL.

Chamber of Deputies Adopts 265,000,000 Francs As Indemnity Loan.

Paris, Nov. 25.—The chamber of deputies today, by a vote of 326 to 189, adopted the sum of 265,000,000 francs for the Chinese indemnity loan, rejecting the smaller sums proposed by the anti-Clericals.

The premier, M. Waldeck-Rousseau, in the course of the discussion, declared that the government would make no distinction between those who were entitled to indemnities, but would pursue in the far east, France's traditional policy and fulfil all the duties of her protectorate, just as she claimed all its rights.

CAPE COLONY SATISFIED.

Kitchener Lets Premier Have Command of Some Troops.

Cape Town, Nov. 25.—Lord Kitchener and Sir Gordon Sprigg, premier of Cape Colony, have reached an agreement, under the terms of which the Cape Colony resumed the control of the colonial troops in 25 districts.

There has been much discontent in the Cape, arising from the fact that the colonial troops were being removed from the command of the colonial government.

When Sausage Is Not Sausage.

New York, Nov. 25.—The general board of appraisers has decided that sausage is not sausage and the distinction is set forth in an opinion written by General Appraiser Fisher in the case of a firm which protested against the decision of the collector of customs at Honolulu, Hawaii. Sausage is only sausage when it is contained in casing. When in cans, it is prepared meat and instead of enjoying free entry it must pay a duty of 25 per cent ad valorem.

In Supreme Court.

Washington, Nov. 25.—In the United States supreme court today, Chief Justice Fuller announced that after the close of business on Wednesday the court would take a recess until the following Monday. Usually the court takes a two weeks vacation for Thanksgiving, but this course was deviated from this year in order to permit of a longer recess than usual for Christmas.

Switchmen Decide to Strike

Pittsburg, Nov. 25.—The switchmen on seven railroads of Pittsburg have decided to strike at 6 o'clock tomorrow morning. At a meeting of the Brotherhood of Switchmen tonight, which was attended by about 600 members, this action was decided upon.

BULLETIN OF

The Wichita Daily Eagle.

Wichita, Tuesday, November 26, 1901

Weather for Wichita Today: Fair; variable winds

IMPORTANT NEWS OF TODAY

Pages.

1. Bloody Battle in Panama
   Mrs. Bonine's Trial
2. Oklahoma on Top in Religion
   Bankers Meeting at Guthrie
   Success of the Opening
3. Wichita Livestock Market
   Review of the Grain Markets
   New York Stocks and Bonds
4. Eagle's Editorial Page
5. $5,000 for a Convention
   Wall Gets Big Ranch
6. Purchases Business Block
   Implement Men to Entertain
8. Kansas City Stock Yards Win
   Tale Wind in General

FOR MURDER OF A BOY

Mrs. Bonine Sits Unmoved as Cries and Groans

OF THE DYING YOUTH

Are Described by People Once Her Friends.

MISS MINAS AND LAWLESS

Who Roomed on Either Side of Ayres Testify.

Washington, Nov. 25.—The trial of Mrs. Lola Ida Bonine, for the murder of James Seymour Ayres, Jr., at the Kenmore hotel last May began in real earnest today. The preliminary details as to the finding of the body, the location of the furniture blood stains, etc., were all in with the conclusion of the testimony of J. F. Drew, the capitol policeman who was on the stand when the court adjourned last Friday. Baker, the man who saw Mrs. Bonine descend the fire escape; Hopkins, who roomed over Ayres and raised the first outcry; Miss Woolums who roomed under Ayres, and Miss Lawless and Miss Minas, who roomed on either side of him testified today. The two latter were regarded as star witnesses, but they testified to no facts not developed at the inquest.

Mrs. Bonine, throughout the trial today when witnesses described the cries, groans and throat gurgling of the dying man, remained absolutely unmoved.

Officer Drew swore that he had several times seen the defendant come out of Ayres room. The last occasion was about a week before the tragedy. It was at night, about 9 o'clock. On cross examination he testified that he looked over the transoom into the room on the morning when Ayres' body was discovered. He was closely questioned as to the location of the furniture, clothing and the position of the body to which he has testified upon direct examination. He testified that there was space enough behind the door for a person to have stood there while the door was opened to admit another person.

He testified that he had seen Mrs. Bonine come out of the room of others in the hotel, among them those of several single men and her demeanor was in no wise different from that when he saw her emerge from Ayres' room. She displayed no evidence of sentiment. Her bearing was natural. She had a habit of visiting the sick.

On cross examination he testified that there were empty cartridge shells in the slop jar upon his first visit to the room which was before officer Brady broke the pistol and took the shells out.

He did not know the defendant at the time of the tradagdy but saw her about 1 o'clock of the afternoon of that day. She was at that time being questioned by Detective Horne. She was smiling and he heard her say she knew nothing about the cause of Ayres' death. The shots he heard sounded muffled. He could not tell exactly but judged they were about ten or fifteen seconds apart.

Robert H. Hopkins, a clerk in the war department who lives at the Kenmore hotel where the tragedy occurred was the next witness. He testified that he lived on the 5th floor over the room of Miss Lawless, who occupied the room adjoining that in which Ayres was killed. His daughter was ill on the night of the tragedy. He has been attending her and just as he was returning to bed he heard three loud reports. He went to the window and looked down. He saw something, which looked like a shall lying on the fire escape just outside the window which he afterward ascertained was the window of Ayres' room. The shots were fired in quick succession about four seconds, he judged between the first and last. At the conclusion of Mr. Hopkin's testimony there was a stir in the court room as the bailiff called Emma A. Lawless, who occupied the room adjoining that in which the tragedy occurred. Miss Lawless showed considerable nervousness as she took the stand. She testified that she was employed in the bureau of engraving and printing. On the night of the tragedy about 8:30 o'clock she told that Ayres knocked at her door and asked if she had any sugar. He told her he was going away and wanted to make some cocoa. She gave him the sugar. About ten minutes later he knocked again and asked her if she did not want a cup. She replied that she did not care for it. About 10 o'clock she retired. She was slightly aroused during the night but was not awakened. She turned to Miss as to what time it was. The district attorney then turned the witness over to the defendant's counsel, but he asked but a few questions which brought out nothing additional. At 12:15 o'clock the court took a recess until 2 o'clock.

Thomas M. Baker, an employe of the fish commission who resided in the building adjoining the Kenmore was then called and testified that on the night of the tragedy he was awakened by the report of pistol shots. He jumped out of bed, went to the window and heard a voice from above inquiring what was wrong below. He replied that he had heard pistol shots. Then while standing at his window he saw a figure on the fire escape just outside of Ayres' window. The figure walked the length of the fire escape in his direction and then descended two flights to the floor of the veranda, where it disappeared into a window. It was the figure of a small woman, clad in dark, tight fitting clothing. The woman wore no hat and as he did not hear the fall of her footsteps he judged she was in her stocking feet. He described the manner of her descent which he said was very deliberate and without emotion.

Miss Mary E. Mink, a clerk in the census office, who occupied the next room to Ayres then took the stand. She testified that she was a friend of Ayres.

"And of Mrs. Bonine" asked the district attorney.

"Of Mrs. Bonine up to that time," replied the witness.

Continuing Miss Mink testified that on the morning of the tragedy after dinner she went to the dancing room. A gentleman and his wife were called upon her and she took them to her room where they remained until 10:30 o'clock when they left. The halls were so dark that she was obliged to take the hand of her friend to lead her to the stairs. Down stairs she met Mrs. Bonine and remarked that she was up late.

"Yes, I am looking for Maurice (Mrs. Bonine's son)" replied Mrs. Bonine. Mrs. accompanied her to her (Miss Minas') room and after a few moments she left. Miss Minas then retired. That was about 11 o'clock. Miss Minas then described what she knew of the tragedy. She had been awakened by three pistol shots followed by cries for help and a gurgling sound; then a fall and then all was quiet. Her first idea was that it was a burglar in the hall, but it all happened so quietly that she really was not sure it was not a nightmare. "I was paralyzed with fright" she testified. "I rushed to the door and piled several chairs against it to protect myself. I then sank into a rocking chair and I think I must have fainted. After some time I went to the window and looked out. All was as still as death. I walked the floor, suffering intense agony. I made up my mind I would wait until daylight and then look out in the hall. When it got light I opened the door and looked out but as there was nothing outside to occasion the disturbance I had heard, I concluded that it had all been a nightmare."

Then she said, she busied herself in her room until breakfast time when she went down stairs. There she met Mr. Hopkins who told her what he had heard and she became convinced it was not all a dream. She then sent the boy Dan up to call Mr. Ayres. After the discovery of the body Miss Minas said she was very much unstrung and blamed herself for not having cried out. She wept at her place at the table in the dining room and testified that Mrs. Bonine came over and sat beside her and comforted her. She testified that Mrs. Bonine was very composed; that she ordered her breakfast and inquired about all the details of what she (Miss Minas) had heard. Mrs. Bonine remarked "what a pity it was you didn't cry out when you heard the groans."

Miss Minas testified that after the inquest on Sunday, Mrs. Bonine came to her with the paper containing the account of her (Miss Minas) testimony in her hand and expressed regret that she had told what she (Mrs. Bonine) had done on the night of the tragedy. Bonine called her attention to Baker's testimony about the color of the dress the woman on the fire escape wore and said her (Miss Minas') testimony would direct suspicion toward her. Miss Minas testified that Mrs. Bonine usually managed the dances at the Kenmore and Mrs. Bonine taught Ayres to dance. She also testified to the disagreement between Mrs. Bonine and Ayres during the holidays and to the fact that Mrs. Bonine subsequently complained because Ayres no longer danced with her. She had invited Ayres to a birthday party in February to be held in Mrs. Bonine's room but he declined to come. She talked with Mrs. Bonine about it and the latter had said Ayres would not come because the party was held in her (Mrs. Bonine's) room.

On cross examination Miss Minas testified that in her room the night of the tragedy she had talked with Mrs. Bonine about a trip which they had arranged to make to Falls church the next day. The noises which she heard in the middle of the night sounded to her as if they came from the hall. She did not recognize the voice as that of Mr. Ayres. She heard no evidence of a struggle. On the Monday night before the tragedy Ayres and Mrs. Bonine were entertained in her room. She gave them ice cream and cake. She saw no evidence of ill feeling between them on that night.

When Miss Minas was excused Miss Mary Woolums was called. She had the room under that occupied by Ayres and saw the shadow of a person pass her window at 2 o'clock on the morning that Ayres was killed. She said she had retired the night before about 10 o'clock and was awakened by sounds in the room over her own. She heard voices, pistol shots and something falling. She had gotten up, lighted the gas and looked at her watch. She then noted the shadow of a person passing it. The shadow, she said, was thrown upon the wall of her apartment. The next morning Miss Woolums left and did not return until Thursday night. She then expressed a fear of going to her room, whereupon Mrs. Bonine volunteered to go with her. After they arrived there Mrs. Bonine asked her about the shadow and requested her to explain to her how it had appeared. Miss Woolums replied that she could not properly show her how it was with the gas burning. Mrs. Bonine suggested that the gas be turned out and when Miss Woolums replied that she was afraid to be in the dark, Mrs. Bonine replied that she was not. The witness said that Mrs. Bonine's manner was at that time composed.

On cross examination Miss Woolums said Mrs. Bonine had volunteered to go to the room with her and that she and not Mrs. Bonine had first adverted the appearance of the shadow on the wall.

Miss Woolums testified that Mrs. Bonine generally got up and superintended the weekly dances at the Kenmore hotel, but the court declined to permit cross examination as to how Mrs. Bonine had demeaned herself toward Ayres at the dances, and frequently importuned people to dance, devoting herself to securing partners to the participants.

On re-direct examination Miss Woolums said that the sound of voices and the sound caused by the falling of the body which she had heard in Ayres' room on the night of the tragedy had immediately succeeded the pistol shots. Adjourned.

JURY BEGS TO QUIT.

Can't Reach Agreement in Case of S. E. Semple.

Philadelphia, Nov. 25.—The jury in the trial of S. E. Semple, the lawyer of Camden, N. J., charged with aiding and abetting counterfeiters in the making of spurious $10 notes in prison, went out at 11 o'clock this morning, and at a late hour tonight had not agreed on a verdict.

At 5 o'clock this afternoon the jury came into court and the foreman told Judge McPherson that the jury could not agree and asked that it be discharged. The judge stated to the court that a month's recuperation would not change the opinion of twelve of the jurymen. Another juror complained of illness and wanted to be relieved from duty, but the court refused his request and sent to it men to their rooms, with instructions that they must agree. If they should come to an agreement during the night, the verdict will be sealed and opened in court tomorrow morning.

FAMOUS OUTLAW KILLED

James Alvord is Shot While Attempting Holdup.

Nogales, Ariz., Nov. 25.—James Alvord, the famous outlaw who assisted in the Cochise and Fairbanks robbery on the Southern Pacific, has been killed while trying to hold up a messenger for the pay roll of the Senora Mining company at Tubenanza, Sonora. Two men, one a Mexican, and the other an American, attempted to stop T. L. Vandever, carrier of the money for the company. Vandever propagated Alvord and shot him. During the fierce fusillade Vandever says two bullets struck Alvord, one in the head and one in the breast. Vandever was shot twice, but escaped with the money.