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MURDER IN THE FIRST DEGREE.

Verdict of the Jury in the Trial of Mrs. Cordelia Botkin,

Charged With Sending Poisoned Candy to Mrs. John P. Dunning.

She Escapes the Death Penalty, the Jury Finding Her Guilty Imposing the Sentence of Life Imprisonment—The Verdict Unexpected, the Defense Confidently Looking to an Acquittal, and the Prosecution a Disagreement.

SAN FRANCISCO, Dec. 30.—Rather to the general surprise of those who have followed the Botkin trial, and to the entire dismay of the defendant and her attorneys, Mrs. Cordelia Botkin was to-night found guilty of murder in the first degree for causing the death of Mrs. John P. Dunning by sending a box of poisoned candy to her temporary home in Dover, Del. The condemned murderess will be spared an ignominious death on the gallows, however, the jury that found her guilty imposing also the penalty of life imprisonment.

The verdict was unexpected. An acquittal was confidently awaited by the defense, while the prosecution feared a disagreement. Rumors had been in circulation to the effect that several of the jurors strongly favored the defense, and that their opinions were too firmly grounded to be capable of change.

Although the jury was only out four hours, more than one of which was devoted to dinner, it is currently reported to-night that the verdict was the result of a compromise. The sex of the prisoner made such a conclusion satisfactory to the jurors.

Considering the unexpectedness of the verdict, Mrs. Botkin kept herself well in hand when her fate was announced. Not until the jurymen and most of the spectators had left the court room did she give evidences of collapse. Then she sank back, half fainting, but speedily revived when given a glass of water.

Late this afternoon District Attorney Hosmer completed his argument, and Judge Carroll Cook read his charge to the jury, after which it retired for deliberation.

The argument for the prosecution closed with District Attorney Hosmer on the stand. Mr. Hosmer's method of summing up the case for the prosecution was in great variance to the threatening and cajoling efforts of Attorneys Knight and McGowan for the defense. Mr. Hosmer was cool and collected throughout. He modulated his voice to a nicety, and seldom spoke passionately.

The curious crowd that gathered in the court room expecting to hear Mrs. Botkin griddled were in a measure satisfied, but it was Mrs. Botkin's attorneys and their methods in the conduct of the case that Mr. Hosmer made the principal point of his attack.

Mr. Hosmer commenced his argument with the incidents attending the arrival of the package of candy at Dover, Del., Postoffice. He condemned the defense for insinuating that the package might have been placed in the mail bag by anyone connected with the Postoffice. He accused the attorneys for going behind the facts. He traced the package to the Pennington home and its delivery to unsuspecting Mrs. Dunning and the passing of the bon bons to the gathered guests, their sickness and the death of Mrs. Dunning and her sister.

Mr. Hosmer deftly pictured the grief of the parents and friends of the Pennington and Dunning families, and concluded with a scathing attack upon the poisoner. He took up the analysis of the candy by Chemist Wolf of Dover, Del., and Professor Price of this city. He ridiculed the defense for its contentions that members of the Police Department, or even the chemists themselves, might have inserted the poison to make out a case. He pointed out that Chemist Wolf had found lump arsenic, and that Professor Price had discovered the presence of powdered arsenic. The defense, in argument, asserted that only lump arsenic had been found.

Mr. Hosmer addressed the jury on the rights of witnesses. He contended that all witnesses were entitled to respect and credit until disproved, and none of the witnesses for the prosecution he asserted had been proved untruthful. The attorneys for the defense attacked all the witnesses for the prosecution, and introduced matters entirely irrelevant to the case, in an attempt to besmirch and to belittle their testimony.

He attacked Attorney Knight particularly and characterized his efforts to free his client as dishonest and despicable. He asserted that the attacks of the defense had ended in naught; that not one witness had been contradicted. He then took up Mrs. Botkin's testimony. He showed that in spite of Mrs. Botkin's statements and the assertions of the defense to the contrary, that the woman had more than a passing regard for Dunning; that her life with him was licentious and depraved. He pointed to Dunning's action in coming across the continent to prosecute her, and asserted that Dunning would not have gone through what he had unless he was certain of the guilt of Mrs. Botkin; that he would not have disclosed their relations and been exposed to the criticism of the newspapers and public without just reason. He took up the letter of June 17, 1897, which the defense claimed had been mailed in this city at the time Mrs. Botkin was residing in Eureka, Cal. The letter asserted that Dunning was financially embarrassed, and that the woman with whom Dunning was infatuated was a divorced woman. He proved by Mrs. Botkin's own testimony that she and Dunning alone knew of his financial condition, and showed by the testimony of Dunning that Mrs. Botkin had told him on his return from Salt Lake that she had secured a divorce from her husband during his (Dunning's) absence.

Hosmer argued that the letter in dispute could have been sent from Eureka to San Francisco on the steamer Farallon, and mailed here on the arrival of the vessel. He expounded this theory with so much force and effect that Knight, becoming frightened at the possible result to his client, entered a vigorous objection to Hosmer's argument. He was not sustained by the court, however, and Hosmer was permitted to continue on this line.

Mr. Hosmer then argued on the authorship of the anonymous letters and the address on the box of candy. He went over the evidence of the experts carefully and asserted that Mrs. Botkin was the writer of the letters and had written the address on the box of candy.

Mr. Hosmer concluded his address by asking the jury to return a just verdict—a verdict of murder in the first degree.

After a short recess, Judge Cook delivered his charge to the jury, the reading of which occupied more than an hour.

The jury then retired to deliberate on the guilt or innocence of the accused woman.

Mrs. Botkin cried bitterly several times during the day, and during the reading of the charge almost lost control of herself. Her sister, who sat beside her during the progress of the trial took Mrs. Botkin in her arms and comforted her as best she could, but the tears could not be stayed.

The jury retired at 5:15 p. m., but soon after was taken out to dinner in charge of a deputy from the Sheriff's Office. During the meal hour no reference was made to the case by any of the men in whose hands lay the fate of Mrs. Botkin. On returning to the jury room the evidence was carefully reviewed, and a prolonged discussion followed. It is not known how many ballots were taken before a final agreement was reached, but there are rumors that at first the opinions of the twelve jurymen were not in accord, and that before unanimity was arrived at a compromise was effected.

At just about 9 o'clock word was sent to Judge Carroll Cook that the jury was prepared to make a report. Court was immediately convened, and at 9:15 o'clock, just four hours after the case had been placed in its hands, the jury stated, through its foreman, that an agreement had been reached, the verdict being that Mrs. Botkin, accused of killing Mrs. John P. Dunning by means of poisoned candy sent through the mails, was guilty of murder in the first degree.

In accordance with the laws of California, which empower the jury to decide between hanging and imprisonment in such cases, the penalty was fixed at imprisonment for life.

While at no time during the trial had Mrs. Botkin expressed herself as anticipating such a verdict, she received it with remarkable calmness, exhibiting no trace of emotion, though she sat close to her sister, Mrs. Roberts, and seemed to look to her for sympathy.

After the jury had been polled in the usual manner, Judge Cook announced that sentence would be pronounced on Saturday, January 7th. He then remanded the prisoner to the custody of the Sheriff, to be imprisoned in the branch County Jail until called to receive final judgment, when she will be transferred to the State Penitentiary.

The court room was cleared, when just after Mrs. Botkin had announced to the Deputy Sheriff in a clear voice that she was ready to go with him to prison, occurred the only sensational incident of the evening. The condemned woman was about to rise, when her highly strung nerves seemed to relax, and suddenly she fell back into the arms of Mrs. Roberts. It was thought she had fainted, but in a moment a glass of water revived her, and she resumed her usual appearance, though the tense nervous strain was still apparent in the twitching of her muscles and the thick movement of the hands as her fingers drummed on the table. In a few minutes she apparently shook off all signs of excitement, and quietly accompanied the Deputy Sheriff from the court room.

Mrs. Botkin's lawyers do not propose to accept the verdict of the jury as final without making a strong effort to obtain a new trial and possible reversal of the judgment. George A. Knight, leading attorney for the defense, says:

"Our first step will be to move for a new trial on the day set for passing sentence, or as soon thereafter as we can be heard. If the new trial is denied, of course, we shall go to the Supreme Court, and at the same time we shall raise the question of jurisdiction. This court never had and never can get jurisdiction to try Mrs. Botkin. It is a plain question of law, and I have not the slightest doubt of the Supreme Court's decision on that point."

Mr. Knight also asserts that there are numerous errors in the record, which he thinks will enable him to secure a new trial for his client.

Attorney General White of Delaware, in an interview, expresses his satisfaction with the verdict, and commends the jury for having done its duty.

The witnesses who came from Delaware to testify in the case will start for their homes to-morrow afternoon.

Fire at Victoria.

VICTORIA (B. C.), Dec. 30. — Fire broke out to-day in a cigar store on Government street, in the heart of the city, and did damage to the extent of $35,000. The fire brigade was out in an outlying suburb, and valuable time was lost before it returned. The Heathorn block, owned by W. J. Anderson, was completely gutted. Thomas Bros. & Grant, merchant tailors, lost $10,000; Frank Campbell, $4,000, and Chris Wenger, jeweler, $1,250; Fletcher Bros., music dealers, $4,000. All carried part insurance but Campbell. It is believed an overheated flue is responsible for the fire.

Bound Over for Trial.

LOS ANGELES, Dec. 30.—George T. Curran, the tramp who stabbed C. V. Earl, an ex-Councilman of this city, because Earl refused him alms, was examined before a magistrate this morning, and bound over for trial on bonds of $1,000. Earl had recovered sufficiently to be present at the examination. Curran is an escape from an Eastern insane asylum.

Counterfeiters Indicted.

LOS ANGELES, Dec. 30.—This afternoon the Federal Grand Jury, in a partial report, returned indictments against Ed. Rogers and Albert Huntington, who were arrested at San Pedro and charged with counterfeiting.

HAS BEEN A VERY PROSPEROUS YEAR.

The Past Twelve Months in the United States

Has Surpassed All Others in Financial and Industrial Results.

The Excess of Exports Over Imports Reckoned at Hundreds of Million Dollars, Resulting in an Unprecedented Inflow of Gold to the United States.

NEW YORK, Dec. 30.—R. G. Dun & Co.'s "Weekly Review of Trade" to-morrow will say:

The year has not only been one of victory, of important increase in territory and of incalculable expansion of the influence of the United States among other nations, but has surpassed all other years in financial and industrial results.

The center of financial power has crossed the ocean. After paying debts of several hundred millions abroad and conducting a war to an honorable end, the country is lending so many millions in Europe that for the first time banks abroad look to New York to dictate the rate of exchange.

Exports have been about $1,250,000,000, and the excess over imports about $617,000,000, against $357,000,000 in 1897, and in only two previous years has the balance risen to three hundred million. In no past calendar year have net imports of gold reached $75,000,000, but this year they have been about $140,000,000. November passed all previous months in value of produce exports, but December has gone beyond November.

Power in the world's market comes a demand for breadstuff and other necessaries never before equaled. Exports of cotton have been over 7,700,000 bales, about 3,936,000,000, and in no previous year as much as 7,000,000 bales, or 3,500,000,000 pounds.

Exports of breadstuffs have been in value $283,918,294 in eleven months, and never have been as large in any other year.

Exports of wheat for the year, lacking a day or two, have been 218,594,686 bushels, flour included, slightly exceeded only by 225,865,812 in 1892, and of corn 200,979,077 bushels, nearly approached by 189,217,570 in 1897. The heaviest exports of both grains and flour in any previous year were 59,000,000 bushels smaller, only 360,220,513 in 1897.

Though wheat was raised to $1.91 in May, the highest quotation with the highest monthly average for thirty years, 153.23 so that the average for the first half year was 111.11, exceeded slightly in 1891, but the highest since 1883, the December average has been only 72 cents, 25 cents below that of last year, but the year's average, 93 cents, the highest since 1881.

The triumph in finance has been largely due to industrial progress. The output of pig iron has been about 11,645,000 tons, the greatest yet reached in any year by 2,000,000 tons, and greater than Great Britain ever reached by 2,800,000 tons. Yet the consumption in manufacture has been still larger in spite of net exports of pig, in ten months 163,089 tons.

Exports of iron manufactures in ten months were about $87,644,538 in value, against imports of $13,497,817. Prices shown for the year in the table of comparisons have been unusually steady, varying not five per cent. from the lowest to the highest and for finished products not six per cent. Textile industries have been retarded by high prices of wool and abnormally low prices of cotton, both deterring purchases. In three months cotton reached 5.31 cents, the lowest price for fifty years, the greatest yield ever known being followed by receipts since September 357,000 bales larger than last year. Exports have increased, but not as greatly. Toward the close recovery came with accounts of some destruction by storm, and the price reached 5.87 cents, giving a strong impulse to the manufacture, so the takings by Northern and Southern spinners in the calendar year have been 3,425,200 bales, a little greater than any previous crop year.

Goods reduced were reduced in price five per cent. to the middle of November, but have risen seven per cent., and closed at the highest point for the year. In spite of enormous stocks held, wool was so lifted that buying both of wool and of goods was checked early in the year, but a slow decline began in February. Sales have been only 232,451,131 pounds at the three chief markets, so that the mills have probably used less than a full years' supply, and the stock of goods was also excessive a year ago.

Failures in the United States for the week were 252, and in Canada 22, a total of 274, against 289 last week, 292 the preceding week, and 416 the corresponding week last year, of which 395 were in the United States and 21 in Canada. Of failures in the United States seventy-four have liabilities exceeding $5,000 and 178 liabilities less than $5,000. For four weeks of December, total liabilities of firms failing were $11,697,605, against $10,366,586 last year.

NEW YORK, Dec. 30.—Bradstreet's to-morrow will say:

Holiday quiet in general demand, sustained activity in industrial lines, particularly iron and steel, exceptionally large shipments of good on orders, liberal cereal exports and specially heavy dealings in speculative markets, are features calling for notable mention in the closing week of the year. Firmness in price is likewise encouraging feature in most staples.

Wheat, though showing a reaction, is higher on the week, on large export clearances, and other cereals are in sympathy. Pig iron demand grows and prices for this product and for steel rails, steel billets, plates and wire rods are all higher for the week, while the volume of foreign demand for finished metal products apparently increases as the year draws to its close.

Concisely stated, the reports received as to the year's business in all sections in the country point to an unprecedented volume of domestic and export trade, which is reflected in bank clearances, that break the high record of 1892. The general level of prices of staple securities at the close of the year is at the highest point reached for five years past. Railroad earnings exceed all previous years, and finally there was a small number of failures and lower liabilities than reported in any year for at least five years past.

These general results in the country at large have been achieved, too, notwithstanding the outbreak and close of a foreign war, and in spite of unfavorable conditions in some industries, notably textile manufacturing, which, combined with unfavorable weather early in the year, and the lowest price for cotton on record, exercised an unfavorable influence. But the close of the year finds an improvement even in those directions and returns as to the retail trade, and particularly holiday business are strikingly good in all sections.

Best reports as to distributive trade naturally come from the grain growing sections of the country, which were the first to meet an improvement resulting from free foreign demand for our cereals, but indications are not wanting that this improvement is gradually percolating throughout the entire business community, and, coupled with unprecedented export trade in manufactured goods, and the fact that we are selling two dollars' worth abroad for every dollars' worth we buy, renders possible the gains reported in distributive trade over 1897, ranging from ten to forty per cent., with likewise good exports from the manufacturing centers, excepting the textile industries already mentioned.

The export trade for the country for the year, as above intimated, is the heaviest ever known, and will probably exceed $1,250,000,000 in value, thus being nearly double the imports. Our export trade in manufactured goods, it must be observed, is the heaviest ever known and for the first time in our country's history, exceeded the imports of similar goods.

There were 11,683 failures in the United States in 1898, involving liabilities of $141,137,117, a decrease from 1897 in number of 11.2 per cent., and in liabilities of 9.5 per cent. Compared with 1896 and 1895, the proportion of decrease above shown is even larger. As compared with 1896, failures were fewer by 25 per cent., and liabilities smaller by 64 per cent. Decreases are also shown when compared with 1891, a year of large trade, but of numerous and costly failures; but, compared with 1892, there is an increase shown of 13 per cent. in number and 30 per cent. in liabilities. The tendency of failures toward the normal is illustrated by the fact that the per centage of assets to liabilities are the smallest reported since 1892, and the annual death rate—that is, the per centage of traders failing to those in business, is likewise the smallest reported since the latter year, being only 1.6 per cent., against 1.20 in 1897., 1.50 in 1893 and 1.00 in 1892.

Unsatisfactory conditions in textile lines and some large failures of banks and other financial concerns account for the expansion in liabilities shown in those sections, while a larger number of small failures in Pennsylvania and in some of the Eastern States, reflect poor trade early in the year and dullness growing out of the war and bad weather.

PACIFIC ISLAND AFFAIRS.

Late Intelligence Brought by the Steamship Warrimoo.

VANCOUVER (B. C.), Dec. 30.—The Royal Mail steamship Warrimoo arrived this morning from Sydney, N. S. W.; Wellington, N. Z.; Suva, Fiji, and Honolulu.

The British gunboat Goldfinch, which recently returned to Sydney, took part in annexing Duff Islands, Cherry Islands and other places.

Collingwood Bay natives were attacked by bush tribes, who killed Chief Maisina and fifteen of his followers. The resident magistrate at Samarai has asked for assistance.

Information from Fiji is that late acting Colonial Secretary Hon. James Stewart has been appointed Comptroller of Customs in British Guiana.

Captain McIntyre of the bark Strathgryfe reports that while sailing close to the island of Tristan d'Acunha he was hailed by a boat which put off from the island. The boat contained Captain Shaw of the missing ship Glen Huntley, four half-caste islanders and another white man, who was shipwrecked on the island five years ago.

Special Treasury Agent J. K. Brown, who was stationed at Honolulu, thus defines the position he has taken with respect to Chinese: "I cannot assume that the positive and explicit instructions given me by the Treasury Department when it sent me here are, or can be, modified by my understanding of a court decision. I shall go right ahead rejecting Chinese who seek to land here without the qualifications required by United States laws. Those who same on the Gaelic and were rejected will have to go back to China unless the courts here release them. Those who come on the China, if any do come, who are not qualified to land under the United States laws, will follow the same course."

A Lineman Badly Injured.

LOS ANGELES, Dec. 30.—Charles A. Burge, a lineman employed by the Los Angeles Lighting Company, fell from the top of a twenty-five-foot pole in front of the police station on First street this morning, and was badly injured, but may recover. He had not taken the precaution to put on rubber gloves or attach the safety belt, and must have grasped a live wire, which caused him to lose his hold on the pole. The shock did not apparently injure him as much as the fall.

State Teachers' Association.

SANTA ROSA, Dec. 30.—The State Teachers' Association held its last session this morning, when business of an important nature, embracing a number of resolutions, was transacted. Charles T. Meredith spoke on educational matters, urging more progressive work along many lines. He deplored the fact that oral reading was not given more attention in the schools. Resolutions of thanks to the people of Santa Rosa for their courtesy were heartily carried.

The Greek sculptors' ideal of manly beauty looks all right to the average college girl until she compares it with some young man who has his hair tousled, wears a canvas suit and looks as though he had been rolled in the mud.

CRISIS PROBABLY PASSED IN CUBA.

Insurgents Yield to the Wishes of General Brooke

In the Matter of Celebrating the Inauguration of American Control.

The Cuban Patriotic Committee Approves of the American Orders, and Will Endeavor to Prevent Violent Incidents During the Ceremonies Attending the Change of Administration.

HAVANA, Dec. 30.—The Cuban Patriotic Committee, consisting of 150 leading Cubans, lawyers, doctors and business men, at a meeting, which lasted until 4 o'clock this morning, decided to yield without reservation to the wishes of General Brooke and General Ludlow in the matter of preparing the six days' celebration and has approved a manifesto to the Cuban population of Havana on the lines of General Ludlow's reply on the subject of the proposed celebrations, quoting some portions of it and paraphrasing others.

The Cuban citizens in Havana and the Cuban soldiers outside the city are intensely excited, but the Patriotic Committee and the military chief think they can repress this feeling and prevent violent incidents.

The following is the text of General Ludlow's reply to the Cuban deputation which visited him to-day and presented him with a written program of the six-days' festivities

"Messrs. Mora, Nunez and others, representing the Patriotic Committee of Havana—Gentlemen: I have given careful consideration to the matter of the proposed celebration by Cuban citizens of Havana during next week on the exchange of National flags that will take place on January 1st, as I promised you. I have taken occasion also to ascertain the views of Major-General Brooke, commanding the division of Cuba, upon the subject. I regret to inform you that a celebration of this character must at this time be deemed inexpedient, and cannot for the present be authorized, for the following reasons:

"First. Havana has for a long time suffered from strife and contention, and it is the supreme duty of all, at this critical period, to suppress disorder and preserve public peace. All other considerations, for the moment, should give way to this.

"Second. At the present time the only effective means of maintaining order is the presence of United States troops in the city, since the local police in several districts have disappeared with the departure of the Spanish soldiers.

"Third. It is in the interest, both of citizens generally and particularly of the more distinctively Cuban citizens themselves, that the occasion be one of peace and order and of quiet rejoicing only, and that every one should be controlled by a patriotic desire to do what is best for the city.

"Fourth. The American authorities sympathize fully with the Cuban feeling of rejoicing and, at a proper time hereafter, when affairs are in a more settled condition, they will be glad to further and participate in the plans of the celebration, but they are convinced that this is not a suitable or expedient time for it."

This morning the city and suburbs of Havana are absolutely quiet and last night there was not one instance of disorder. The United States patrols and officers were keenly on the alert, penetrating into every corner of the town.

Senor Frederico Mora said to the correspondent of the Associated Press today

"We are sorry we cannot execute our program, but we agree with General Ludlow's desire. He will have difficulty in keeping the low people down and in restraining the young people in the army. But we are sure no acts of disturbance will occur. Nothing will be done in combination against the American wishes. Now is Cuba's opportunity. If we go wrong now we shall never attain independence, never reach National life, and the Americans will never leave Cuba."

The address of the Junta Patriotica regarding the abandonment of the proposed demonstrations has been widely circulated to-day. It is as follows:

"To the People of Havana: In accordance with the wishes of the American authorities the directory of the Junta Patriotica, after consultation with the main committee, has agreed to suspend the festivities planned to celebrate the independence of the island. In a reasonable letter to the commission charged with presenting the festival program, General Ludlow has indicated the desirability of suspending for the present public demonstrations, owing to a fear that at the present moment, when the Cuban police are not yet organized, there might be some interruption of public order in the preservation of which all citizens and especially all Cubans, are deeply interested. At the same time General Ludlow declares that the American authorities are in full sympathy with the joyous feeling of the Cubans, and that when the situation becomes more settled they will take pleasure in promoting such festivals as have been proposed and will even participate in them. But the American authorities are convinced that the present moment is not opportune for celebrations.

"In view of the fact that the considerations thus urged are quite in accord with obvious good judgment, the representatives of the directory have determined to suspend the festivals arranged for the coming week, which will be carried out as soon as circumstances permit. The directory regrets the existence of such doubts and misgivings as prevent the carrying out of the program as projected; but they have agreed to recommend to the Cubans to co-operate in maintaining order during the change of flags and in the days following, because they are convinced that the moderation and behaviour of the Cuban people at these moments will powerfully influence the future destiny of our country."

The Spanish gunboats Hernan Cortez and Pinzon sailed to-day for Spain.

LAWS FOR CUBA.

The Subject of Discussion at a Meeting of the Cabinet.

WASHINGTON, Dec. 30.—The Cabinet meeting to-day was not concluded until nearly 2 o'clock, nearly the entire session being consumed in discussing matters in connection with the administration of the laws in Cuba.

It was pointed out that the collection of the taxes and customs dues, the administration of the laws relating to postal matters, and the courts and many other important branches of the government of the island would be a burden too heavy to be borne by the military government assisted only by a small staff, all more or less inexperienced in such matters. Practically a new government had to be established, and it was agreed that the multitudinous affairs incident to such an understanding could be successfully administered only by the creation of several bureaus, at the head of which would be placed men of wide experience, all to be under the general direction of the Military Governor. These matters were gone over at some length, and it is expected that the several Cabinet members will take up the details of the proposed plan at once as far as their respective departments are concerned, and submit their conclusions to the President at an early date.

It is proposed to duplicate in a small way, and so far as practicable, the systems now in force in the United States, the collectors of customs and taxes being directly responsible to the military Government, the same as our Secretary of the Treasury, who is charged with these functions, is to the President. It is proposed to employ citizens of the island in every subordinate capacity, if this can be done without detriment to the service. This course, it is contended, would promote a friendly feeling toward the United States, and avoid the friction that necessarily would result from sending among them men who are strangers to their customs and traditions.

PANA TROUBLES.

A Member of the National Guard Killed While on Duty.

PANA (Ill.), Dec. 30.—Earl Herring of Company C, Springfield, Ill., was shot and killed to-day while on guard duty in East Pana. During a storm Herring entered an old coal shed for protection from the rain. He stumbled over several large lumps of coal, and his gun dropped and was discharged. The ball passed through his heart.

It is nine months to-day since union miners left pits which are now being operated by negroes. In aid of the strikers, the Brotherhood of Mine Hoisting Engineers to-day called out the day and night engineers at the Pana Coal Company's mines. The association of the mine managers has also called out John Duddy, for eight years mine manager of the Springside. Within the past few days the militia have made fifty arrests of union and negro miners and a number of prominent citizens for carrying concealed weapons. All were heavily fined. Six negroes are in the County Jail for alleged assaults.

Page Smith, a striker, was held to the Circuit Court to-day for seriously assaulting James Ayers, a non-union miner.

The strikers to-day received $1,000 from the State organization to aid in the struggle.

Lynchers Outwitted.

BEDFORD (Ind.), Dec. 30.—The friends of Lizzie Skinner, who was stabbed to death at Bloomfield by Dr. Gray yesterday, formed a mob and intended to lynch the murderer, but were outwitted by the officers. Dr. Gray was spirited away last night. Early to-day Gray was brought to the reformatory in Jeffersonville by the Sheriff of Green County. He declined to discuss his case, but he said he was not afraid of mobs.

Did Not Like the Klondike.

HOUGHTON (Mich.), Dec. 30.—Jerry Murphy, a well-known miner living in Calumet, sold his big St. Bernard dog "Barney" to a Klondike party eighteen months ago. The dog was taken to Dawson City, and performed great service. Last night "Barney" reappeared in Murphy's home in Calumet. How he succeeded in returning from Alaska is a mystery.

Mercury Below Zero.

ST. PAUL, Dec. 30.—From 35 above zero yesterday, the mercury dropped rapidly, reaching 16 below at 7 o'clock this morning in this city. At the same hour it was 20 below at Moorhead, 30 below at Winnipeg, 20 below at Duluth and 16 below at Battleford in the Canadian Northwest. Continued cold is promised for the balance of the year.

Homicide in Kentucky.

LEXINGTON (Ky.), Dec. 30.—A special from Sergeant, in Eastern Kentucky, says that George Frasier, a prominent young farmer, gave a holiday dance last night, to which John Stidborn came unbidden. Frasier ordered Stidborn to leave, and on his refusal to go shot him dead. Frasier gave himself up.

Found Dead in a Prison Cell.

DENVER, Dec. 30.—Joseph Elliott, an employe of Montgomery & Co., of San Francisco, who stopped over in this city en route to Enniskillen, Ireland, and became volently insane on Wednesday, was found dead in his cell in the County Jail this morning.

Cold Weather in Wisconsin.

WEST SUPERIOR (Wis.), Dec. 30.—At 8 o'clock this morning the thermometer showed 28 degrees below zero, and a record of 34 for the night was reported. This is the record thus far this winter.

An Eloping Couple Arrested.

STOCKTON, Dec. 30.—In response to a telephone message from Chief Lees of San Francisco, received last night, Herman Westerfield, Jr., and Zelda Raymond, an eloping couple, were arrested here this morning as they were getting off the steamer Dauntless, which left the Bay last night. The arrest was made at the instance of the sixteen-year-old girl's mother, residing at No. 1033 Golden Gate avenue, San Francisco. Westerfield would not say whether or not they were married. They will be held until the mother of the girl is heard from.

INQUIRY INTO CONDUCT OF WAR.

Another Statement Given Out by the Commission

Bearing Upon the Meats Furnished Soldiers in the War With Spain.

Chief Surgeon Daly Believes the Commissary Department Was Imposed Upon by the Misdirected Commercial Spirit of Persons Furnishing Fresh Beef, and Recommends an Investigation of the Matter.

WASHINGTON, Dec. 30.—The War Investigation Committee held a brief executive session to-day, and at noon adjourned until Tuesday, January 3d. There was no important action at today's meeting, and the matter of recalling Commissary General Eagan, Major General Shafter or Major General Miles, as a result of the agitation over the beef issued to the army in the war, remains undetermined. A decision probably will be reached next Tuesday, when it is likely there will be a full attendance.

The commission to-day made public a report, omitted in the statement given out yesterday, bearing on the beef controversy. It is from Major W. H. Daly, Chief Surgeon at army headquarters at Tampa, prior to the sailing of the Shafter expedition, and is as follows:

"Washington, Sept. 21, 1898.—To the Assistant Adjutant General, Headquarters of the Army, Washington—Sir: I have the honor to report in the interests of the service that in the several inspections I made in the various camps and troopships at Tampa, Jacksonville, Chickamauga and Porto Rico, I found the fresh beef to be apparently preserved with secret chemicals, which destroys its natural flavor and which I also believe to be detrimental to the health of the troops.

"While on duty at the headquarters of the army at Tampa, at the time of the embarkation of the Shafter expedition, Colonel Weston, the efficient Chief Commissary, showed me a quarter of beef that had already, as a test, been sixty hours in the sun without being perceptibly tainted, so far as the sense of smell could determine. It is impossible to keep fresh beef so long untainted in the sun in that climate without the use of preserves, such as boric acid or nitrate of potash injected into it in quantities likely to be hurtful to the health of the consumer. At Ponce much of the beef arriving on the transport from the United States was also of the same character, being apparently preserved by injecting chemicals to aid deficient cold storage.

"Where efficient cold storage is impossible transporting beef alive is the method that should receive the fullest consideration by the Government as being safest for the health of the consumer. When detailed to take charge of the transport Panama for conveying convalescents to the United States, I obtained 2,000 pounds of fresh beef from the Commissary at Ponce. It looked well, but had an odor similar to that of a dead human body after being injected with preservatives, and tasted, when first cooked, like decomposed bodies, which after standing a day for further inspection it became so bitter, nauseous and unpalatable as to be quite impossible for use. I was therefore obliged, owing to the condition and the complaints of the sick about it, and the disgustingly sickening odor it emitted when being cooked and mawkish flat taste when served, and the safety of the patients, 255 convalescent soldiers on board, to organize a board of survey, condemn and throw 1,500 pounds, all we had, overboard, consequently the convalescents were entirely without much needed fresh beef, making the duty of bringing the men to the United States in an improved condition, a very difficult matter.

"In my inspection of the Fourth United States Volunteer Infantry at Jacksonville recently, I observed the same odor and taste upon the fresh beef, but not so marked; and at the camp of the Sixth Infantry at Chickamauga, I also at several inspections observed it markedly. I therefore inspected a lot of beef just issued to that regiment and while it looked well, was of a sickening odor, like a human body dead of disease and injected with preservatives, and when cooked was quite unpalatable, consequently likely to prove an efficient cause of ill-health. The men complained of its insipid and mawkish flavor that high seasoning could not conceal.

"Believing that the Commissary Department has been imposed upon by the misdirected commercial spirit of persons furnishing fresh beef, I respectfully recommend that the matter be investigated by experts, making a quantitative and qualitative chemical analysis of the several preservatives suspected to be used by getting samples of beef furnished for export to Cuba and Porto Rico.

"If the question arises that a report should have been made by me earlier, I beg to say what I have endeavored with all my opportunities to first assure myself by observations of the conditions, as above noted, sufficiently to warrant my drawing the attention of the Adjutant General at headquarters of the army to the matter. Very respectfully, W. H. DALY,

"Major and Chief Surgeon, U. S. V."

Murdered His Son.

CINCINNATI, Dec. 30.—Frank Wehr, a molder, to-day struck his only son, Frank, aged 12, on the head with a hammer, and crushed the skull. Wehr had been drinking heavily, and had even robbed his children's bank to procure whisky. He was on the verge of collapse last night, and now says that it seemed to him that either he or Frank must die, and he determined it should be Frank. The prostrate mother says she knows her husband was insane when he committed the murder.