



Fair and warmer to-day; east to south winds.

VOL. LXIV. NO. 12.

NEW YORK, TUESDAY, SEPTEMBER 12, 1899.—COPYRIGHT, 1899, BY THE SUN PRINTING AND PUBLISHING ASSOCIATION.

PRICE TWO CENTS.

JUDGES SUGGEST MERCY.

RECOMMEND NOW THAT DREYFUS BE NOT DEGRADED.

Renowned Plan to Pardon the Prisoner—French Premier Said to Advise the Dreyfus Family Not to Appeal—Release of Dreyfus Would Not End the Fight for Vindication—Attacks on the Ministry.

Special Cable Despatches to The Sun. PARIS, Sept. 11.—The judges comprising the court-martial who condemned Dreyfus have signed a recommendation to mercy, with the object of sparing the prisoner from the public degradation involved by the sentence. The recommendation will be forwarded to President Loubet through Gen. Galliflet, Minister of War.

Dreyfus was informed of the action of his judges by M. Monier, Maître Labori's secretary, and was deeply affected by the intelligence. He again expressed his strong hope of final vindication.

PARIS, Sept. 11.—Mathieu Dreyfus, brother of Capt. Dreyfus, was called to Paris to-day by Joseph Reinach, the journalist, for the purpose of holding an interview with Premier Waldeck-Rousseau, who is reported as advising the family not to appeal to the Court of Cassation, as the prisoner will be pardoned on Jan. 1.

The proceedings in Dreyfus's appeal for a military court of revision are: The appeal is first filed with the Rennes tribunal. Then it goes to the Seine tribunal. From there it is sent to the Military Governor of Paris, who summons the court. The Court then appoints a rapporteur to read over the proceedings. It is believed the appeal will not be heard for a month.

M. Reinach, in the *Siecle*, says it is the Government's duty to act without delay and redeem the honor of France. The means are not lacking; the Minister of Justice can lay before the Court of Cassation the verdict which was rendered in violation of its formal ruling, or the Government can take proceedings against the real guilty parties and false witnesses. Either of these courses would lead to further revision. If Dreyfus is pardoned the step will be accepted as a transitional measure, and as being a permanent one, a limitation, which is the noble duty of the nation.

President Loubet wants conciliation all around. It is said that he will gladly, after a little delay, free Dreyfus, who later may find a new fact on which to base an appeal to the Court of Cassation from the judgment pronounced against him at Rennes.

FRENCH MINISTRY IN DANGER.

Former Premier Meline Leading the Attacks—Cabinet Council To-Day.

Special Cable Despatches to The Sun. PARIS, Sept. 11.—The cabinet Council met to-day at 9 o'clock to-morrow morning to decide whether it would be advisable to summon the Chambers to meet on Oct. 11. It is believed that M. Meline, who was Premier of the last Ministry, has sent circulars to his followers urging them to add their signatures to those already secured to the Government by the Chamber. In case M. Meline obtains the legal number of signatures, the defeat of the Government is certain. On the other hand the Government has a chance of victory if it summons parliament to meet for the defence of the Republic.

M. Melinard, the Socialist member of the present Cabinet, who holds the portfolio of Minister of Commerce had an hour's interview with Premier Waldeck-Rousseau to-day and promised the Government the support of the Socialists in the present crisis.

It is believed the cabinet at its meeting to-morrow will also consider the question of what action should be taken if Dreyfus asks that his case be again submitted to the Court of Cassation.

In the course of a speech to-day M. Boucher, who was Minister of Commerce in the Cabinet of M. Meline, demanded the convocation of the Chambers.

MME. DREYFUS'S HOPEFUL VIEW.

Says Time on Devil's Island Counts Double and Dreyfus Should Be Free on Oct. 13.

Special Cable Despatches to The Sun. BRUSSELS, Sept. 11.—Mrs. Dreyfus says her husband's punishment in Devil's Island counts double. That is, as he was confined in a cell for nearly five years, this punishment is equivalent to ten years' imprisonment in a military fortress. She says her husband will be a free man on Oct. 13. An eminent French lawyer confirms the statement of Madame Demaree, who is the newspaper correspondent that it was impossible to degrade Dreyfus a second time.

The clerk of the court-martial says that Dreyfus was undoubtedly sentenced to ten years' imprisonment from the day next after his degradation. If this view should be correct the prisoner will not only be degraded again, but he will have to serve ten years' imprisonment in a military fortress in addition to the five years he has already served on Devil's Island.

The answer to Dreyfus's appeal is expected within ten days or two weeks. If the isolation is adverse and Dreyfus is sent to Corsica, his wife may accompany him. She will not be allowed to live with him, but will have the privilege of visiting the prisoner on the regular days.

ESTERHAZY'S OPINION.

Defends the Verdict, but Thinks the Trial Was All Arranged in Advance.

Special Cable Despatches to The Sun. LONDON, Sept. 11.—The *Evening News* gives the following as Esterhazy's opinion of the verdict of the court-martial: "Dreyfus was condemned this time—justly and legally condemned—as the inevitable and fatal result of the evidence collected against him. Above all was the demonstration of his guilt made by Gen. Mercier. Indeed, it can well be said that it was he who bore the light of conviction to the judges' minds. The sentence, like all passed by a court-martial, cannot be appealed against; it can only be carried before a court of appeal. There are two of these courts, one in Paris for court-martials held in French territory and the other in Algiers for Algeria and Tunis. All these courts do so in that judgment has been rendered in accordance with the law. The highest opinion is that the sentence inflicted was in accordance with an understanding with the Government. The whole business was a farce, arranged in advance. Beyond all doubt it will be carried further when Dreyfus is set at liberty."

DREYFUS' PRESS COMMENT.

One Writer Points Out an Omission Which He Thinks Should Be in the Verdict.

Special Cable Despatches to The Sun. PARIS, Sept. 11.—An article in the *Figaro* signed "An Academician" says: "Who will ever be persuaded that two officers of the French Army could have voted to acquit a traitor if the guilt of the accused had been proved? The five others, moreover, showed how deep their minds were perturbed and how their consciences were tormented."

M. Jaurès, the Socialist leader, says in the *Libre République* that the decision at Rennes will have more effect than any demonstration could in proving Dreyfus's innocence. The opposition to the verdict of two officers will

HATFIELDS' FORT TAKEN.

OLD DEVIL ANSE AND TWO OF HIS FOLLOWERS CAPTURED.

Surprised in Their Stronghold by a West Virginia Sheriff—They Are to Be Sent to Kentucky to Be Tried for an Old McCo. Ky Murder—Band About Broken Up.

WILLIAMSON, W. Va., Sept. 11.—The old Hatfield fort, which has become famous as the stronghold of the Hatfield clan, was captured to-day and Devil Anse Hatfield, his brother John and John Douglas were made prisoners. East-bound passenger train No. 12, which passed here about noon, carried on it Sheriff Henderson and a party of ten officers from Logan county. When it reached this place it was quietly boarded by Deputy Sheriff Peck and King of this county, Prosecuting Attorney Peck of Logan county and two others. The party were very quiet and unobtrusive and the fact they were a posse in pursuit of any one was known by very few persons on the train or along the road.

They reached Wharfedale, their objective point, thirty miles east of here, about 1:30 p. m. and at once proceeded to the fort, a short distance away. All in the party are determined men and they were well armed. The fort was at once surrounded and each opening was covered by a Winchester held by a man whom the Hatfields have sworn to kill. The occupants of the fort showed fight, but their surprise and the fact they were finally surrounded without any one being injured.

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In the party were some of the men who a few weeks ago kidnaped to Kentucky Bill and Tom Hatfield, and against whom for this act the other Hatfields have not done with. There were some Masons of Logan Lodge, of which Ellis, who was killed by Elias Hatfield, Jr., was a member. Can Hatfield was in the fort a short time before the party reached it, but was not found and is still at large. Diggins is Bob Hatfield's son-in-law and Ben McGee is the brother of Cap and Elias, Jr. Bob and Anse are wanted in Kentucky on old murder charges connected with the Hatfield-McCoy feud of years ago. They will be taken there and will probably be convicted and hanged. Their capture breaks the back-bone of the band and it is thought that the party will be broken up. The boy will be easy. With these two captured the band, which for years has been a menace to good order in this part of the State, will be completely broken up.

ANDRADE TO TAKE THE FIELD.

President of Venezuela Will Lead His Forces Against the Insurgents.

Special Cable Despatches to The Sun. CARACAS, Venezuela, Sept. 11.—President Andrade is so desirous of terminating the civil strife in the Republic that he will take the field in person to-morrow against the insurgents. The latter are advancing toward Valencia.

ANGLO-RUSSIAN FRIENDSHIP.

Exchange of Courtesies During the Warship's Visit to Odessa.

Special Cable Despatches to The Sun. ODessa, Sept. 11.—The visit of the English sloop of war *Melita* is being made the occasion of an exchange of Anglo-Russian amicitiae. The Governor entertained at dinner Commander Fraser, the officers of the war vessel, the British Consul and a number of other persons. The Russian guests, who were enthusiastically proposed a toast to the Queen and after drinking it, smashed their glasses. The Englishmen present then drank a toast to the Czar and also broke their glasses.

Afterward the Governor telegraphed to Prime Minister Salisbury that he was convinced of the sincerity of the Russian invitation to promote the friendship of the two nations.

TRIAL OF FRENCH PLOTTERS.

Government Believed to Have Enough Evidence to Convict the Leaders.

Special Cable Despatches to The Sun. PARIS, Sept. 11.—It is believed that the Government possesses sufficient evidence of a plot to overthrow the Republic to secure the conviction of the conspirators at the High Court. It is stated that the evidence implicates a General who was very prominent at the Rennes court-martial.

NEW SOUTH WALES MINISTRY OUT.

Resigned After a Vote of Lack of Confidence Had Been Passed.

Special Cable Despatches to The Sun. SYDNEY, N. S. W., Sept. 11.—Premier Holt's Ministry has resigned in consequence of a vote of want of confidence adopted by the Assembly. Earl Henchamph, the Governor, has accepted the resignation and has asked Mr. Lyne, the leader of the opposition, to form a new Ministry.

INDIA GETS A WELCOME RAINFALL.

Cotton Crop Benefitted and Danger of Famine Lessened.

Special Cable Despatches to The Sun. BOMBAY, Sept. 11.—There has been a general rainfall of from two to three inches in western India, and the cotton crop is being materially benefited. From present indications a further rainfall is probable, and the danger of famine is much lessened.

SPAIN COLLECTING THE NEW TAXES.

Special Cable Despatches to The Sun. BARCELONA, Sept. 11.—Many of the merchants of Catalonia who had agreed not to pay the new taxes levied by the Government are yielding. More than a thousand of them have consented to the new taxes and are now permitted to export their goods.

FRENCH HOMES ADVANCE.

Special Cable Despatches to The Sun. PARIS, Sept. 11.—French rents advanced to-day on the Bourse.

SHAW'S DEATH A MYSTERY STILL.

Coroner Thinks He Was Killed in a Fight and Thrown Into the Sea.

NARRAGANSETT PIER, R. I., Sept. 11.—The coroner's finding in the case of Frank H. Shaw of Brooklyn, whose body was found on Scarborough Beach on August 1st, was made public to-day. The coroner says: "While the evidence goes to show that the deceased came to his death by violence at the hands of another, the nature and situation of the wounds on the abdomen and groin would appear in my opinion to indicate that the deceased was killed in a fight rather than from deliberate murder. I therefore find that the body of the male adult found on Scarborough Beach and identified as F. H. Shaw of Brooklyn came to his death by reason of blows inflicted in the region of the abdomen and groin by a person or persons unknown, and further that the deceased was dead prior to being cast into the water, according to medical testimony."

A Train Every Hour.

From Grand Central station east the Hudson River, through the Shawangunk valley to Buffalo and the West, by the New York Central—Ad.

ZOLA WARNS FRANCE.

Friends of Justice Will Keep Up the Fight to the End.

Special Cable Despatches to The Sun. PARIS, Sept. 12.—M. Emile Zola contributes a long letter to the *Aurore* this morning. It is a pendant to his famous "J'accuse" letter. It concludes thus: "The Ministry which its agents have betrayed in the case is that of big children with muddled minds to play with matches and knives, the Ministry which has forgotten that to govern is to foresee, has only to hasten to act. It does not wish to abandon to the good pleasure of Germany the fifth act, the dénouement before which every Frenchman should tremble. It is for the Government to play this fifth act as soon as possible in order to prevent its coming to us from abroad. It can procure the documents. Diplomacy has settled greater difficulties than this."

"Whenever it ventures to ask for the documents contained in the dossier, the Government will be given to it, and that will be the new fact which will necessitate a second revision before the Court of Cassation, which would be this time, I hope, fully informed and would crush the verdict in the plenitude of its sovereign majesty. The Government must not allow to be again the defenders of justice and truth and to do what is necessary. Not one of us will desert his post. The proof, the invincible proof, we shall finally obtain."

"On Nov. 23 we shall be at Versailles. The trial will commence in all its fullness, and if in the end justice is not done we will again lead to do it. My beloved, my valiant labor, whose honor has but increased, will pronounce at Versailles the address which it will be impossible to pronounce at Rennes, and it will be very simple. Nothing will be lost."

"As forms I shall not be silent. He will merely be a witness on the stand of injured men, for I am ready to pay for it with my liberty or my blood. Before the Seine Assize Court I swore to Dreyfus's innocence. I swear to it before the entire world, which now proclaims it with me. Truth is on the march. Nothing will stop it. At Rennes it has just made a first step, that is, it has come to arrive in a thunder clap of an avenging Nemesis devastating the fatherland unless we hasten ourselves to make it shine forth under the clear sun of France."

PICKING UP BRITISH TRANSPORTS.

Admiralty Office Getting Ready to Rush Troops to South Africa If Necessary.

Special Cable Despatches to The Sun. LONDON, Sept. 11.—Marked activity continues at the Admiralty in anticipation of trouble in the Transvaal.

At the Admiralty Office the Director of Transports was busy all day Sunday. The officials of this department are to-day visiting various ports on the southeast for the purpose of selecting available transports.

Gen. Sir Evelyn Henry Buller, who will command the British forces in the field in South Africa, is expected to sail for the Cape next Saturday.

When it was returned yesterday he found upon examination the cancelled check, which with it four that he had not drawn, but whose bore his name. Even then he did not suspect the boy, and called him merely to ask him if he remembered anything about them. The boy surprised him by appearing very much agitated, and finally broke down and said that he had cashed three of the checks, which the girl had forged. Without waiting to hear any more Mr. Phillips took the boy over to Capt. Reynolds and then sent a message to the girl's home, asking her to come to the office in the afternoon to do some work for him. She appeared at 1 o'clock and was promptly arrested by Detectives Hughes and Lynch, who took her over to Police Headquarters. Meanwhile the boy had told his side of the story to Capt. Reynolds. He declared that the girl had suggested the whole thing.

"It was this way," he said. "You see, Louisa and I used to hang around the office after Mr. Phillips had closed the office. One day she got talking to me about how much it took to live and how hard up we could be, and then she said she knew how we could both get money easy. Mr. Phillips's desk was open, and she ran over and got a paper there with his name on it, and then she got some paper and started making up checks. She soon got the name she was to use and she got the check book, and tore off one check from the book of it and made it payable to Mr. Phillips or bearer. Then Louisa got the tracing paper and put Mr. Phillips's name at the bottom and on the back. She told me to take it to the bank and cash it for me. The check was for a starter for \$35. This was on Aug. 25. I had cashed a lot of checks for Mr. Phillips at the bank, and the cashier gave me the money on this one without a word. When I got back with it, Louisa gave me half."

"Now," she said, "I'll play some cards. So we went to the bank and she got talking to me about how much it took to live and how hard up we could be, and then she said she knew how we could both get money easy. Mr. Phillips's desk was open, and she ran over and got a paper there with his name on it, and then she got some paper and started making up checks. She soon got the name she was to use and she got the check book, and tore off one check from the book of it and made it payable to Mr. Phillips or bearer. Then Louisa got the tracing paper and put Mr. Phillips's name at the bottom and on the back. She told me to take it to the bank and cash it for me. The check was for a starter for \$35. This was on Aug. 25. I had cashed a lot of checks for Mr. Phillips at the bank, and the cashier gave me the money on this one without a word. When I got back with it, Louisa gave me half."

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