

...yesterday. He evidently was much pleased with the statement regarding his wife's testimony that he had given to the papers the day before. He seldom paid much attention to the testimony, but put in a good deal of time reading letters and talking with his lawyers. If signs come for anything he believes things are going very well for him.

DAY OF TEDIOUS WRANGLES.

Dr. Evans Made Some Admissions After Diligent Prodding. The morning session of court yesterday was one long wrangle between the District Attorney and Dr. Evans. Mr. Jerome trying with infinite patience to extract from the witness answers made in a certain form and the alienist endeavoring with equal patience an entire success to avoid replying to suit the District Attorney.

Mr. Jerome appeared to have a monumental affection for the words "yes" and "no" as pronounced in reply to his queries about the mental condition of Harry Thaw at various stages of his life, while if there was anything Dr. Evans hated and shunned more than those two words everybody in court would have liked to know what it was.

The sidestepping began promptly as soon as Mr. Jerome had called attention to the arrival of twenty-one more letters written by Harry Thaw to J. Delmas, the Pittsburgh banker, which were sent to the clerk of the court, according to agreement. The first thing the District Attorney wanted to know was whether Dr. Evans had studied the hypothetical question since adjournment the previous day. Dr. Evans wouldn't say that he had or that he hadn't.

"I read it over," he said. He added that it took him more than half an hour. But Mr. Jerome switched from the hypothetical question at once. He asked if Dr. Evans had any more evidence bearing on the mental state of the defendant than had been testified to in court. That yielded an objection out of Mr. Delmas, and the District Attorney made a speech. He said:

"I understand that the only issue before this jury is whether or not the defendant was sane the night he killed Stanford White. I have tried to the full extent of my ability to elicit from the witness the facts which would enable the jury to reach an intelligent conclusion as to what was the state of mind of the defendant, but I can by no means be sure, in view of the voluminous character of this matter and the time over which it has extended, that I have exhausted all the facts. I am therefore asking him if there is anything additional."

Back to Mental Instability. Justice Fitzgerald held that the cross-examination could not be any broader than the direct examination. Mr. Jerome then asked what was the mental state of the defendant when he wrote the letters to Mr. Longfellow, the lawyer. Dr. Evans said Thaw was then in a state of mental instability. This was the same phrase he had used the day before and had stuck to most manfully, despite the efforts of the cross-examiner to make him qualify it.

"I don't mean, that he was necessarily insane at the time," said the witness, "but that these letters show a state of mental unsoundness or lack of mental poise which would not characterize a sound mental state."

Mr. Jerome then took up the letter Thaw wrote to Anthony Comstock. The witness said it indicated a delusory state of mind. "There is a belief, so far as is shown here," he said, "that young women were screaming and that cruelty was being done to them, and he gives a diagram of the place. The correctness of that I have no means of determining. And also that debauching was going on and that a gang of riot criminals were engaged in it. There is shown a belief that there were orgies and also that criminals and scoundrels resorted to the place. All this indicates a delusory state of mind."

Mr. Jerome started in again on the letters to Mr. Longfellow and the Court interrupted with a bored look to ask if the cross-examination along this line would be a long one. "I haven't been trying to make it short," explained the District Attorney, "but the doctor doesn't express any opinion as to what I can comprehend."

"Well, what is your desire?" asked Mr. Delmas with a touch of impatience. "I have no desire in this matter," snapped Mr. Jerome. "I don't care which way he testifies. I don't care whether he testifies one way or the other."

It then developed that the letters to Mr. Longfellow were written the latter part of the year 1903 and Mr. Jerome wanted to know what treatment Dr. Evans would prescribe for a man who had written those letters. "I don't think I ever treated a man by letter in my life for insanity," replied the witness. "There followed a long and windy wrangle between the cross-examiner and the witness, in which Mr. Jerome kept insisting that Dr. Evans should tell what kind of mental condition the defendant was suffering from when he wrote those letters. The witness wouldn't do anything of the kind, and the cross-examiner kept asking the witness on his own way, too, and once when Mr. Jerome broke in upon the reply he was making, he snapped out: "Please let me finish my reply."

The District Attorney dropped wearily into a chair and stared moodily at the witness while the doctor went on to complete his answer. On still another occasion Mr. Jerome said: "Please stop right there. That is an answer." "No, it isn't an answer," retorted the witness. "Well, I'll leave it to the Court," grinned Mr. Jerome.

"Proceed with your answer," said the Court shortly to the witness. "You didn't seem to be having a good time at all." A little later Dr. Evans said that one of these letters indicated a delusory state of mind rapidly toward insanity at the time he wrote it, but he couldn't say just what form of insanity he stood up on the mental instability theory. Admitted Insanity When Will Was Made. A line of questions followed by which the witness finally arrived at outlining the kind of mental unsoundness in which the defendant Thaw was suffering when he executed his will. It was, he believed, adolescent insanity. He had, the witness went on, "an attack that indicated a temporary outbreak such as is incident to or characteristic of the insanity of adolescence. The delusory ideas expressed in the will indicated that."

answering shot, "but on the mere statement of a layman or a physician that he was crazy three years before and without knowing every step of the case and that twice or three times as many times as he had had attacks of insanity I could not call his case chronic insanity."

That turned Mr. Jerome's mind to the subject of paranoia. He hinted to go very far with that at that time and turned again to adolescent insanity. The witness said that three outbreaks of acute adolescent insanity. One of these was when he wrote the Longfellow letters in 1903, another when he made his will and the third when he shot Stanford White. This sort of thing was still going on when a recess was ordered and the court attendants woke up the spectators and turned them out.

Four Outbursts of Insanity. There wasn't any rush to get into the court room at the afternoon session. Mr. Jerome kept at Dr. Evans on the subject of paranoia. The witness said that the fourth outbreak by Thaw was between August 17 and September 11, 1903, at his home in Pittsburgh. Dr. Bingham has testified that "Then, as I understand it," said Mr. Jerome, "in your opinion from the facts known to you in this case the defendant has had four outbreaks of adolescent insanity or outbursts as the result of adolescent insanity?"

He gave four exhibitions of the insanity of adolescence," said the doctor very carefully. "Dr. Evans wouldn't classify the insanities of adolescence of which Thaw had given exhibitions. He said he couldn't do it, that he knew of no way of doing it. Mr. Jerome tried hard to get something from him to identify the insanity he had spoken of, but it was no use, and he skipped to the testimony which Dr. Evans had given on his direct examination. Dr. Evans had testified that the will and codicil showed a paranoiac form of insanity.

"What paranoiac form?" asked Mr. Jerome sharply. "They show that he was suffering from a form of insanity which the will and codicil show that he was being persecuted, that his will was in a delusory state of mind. The will and codicil showed 'more or less systematized delusions of persecution.'"

Q. Were these outbreaks a paranoiac form of insanity or such an insanity as comes in a period of adolescence, as you have testified to? A. That testimony is correct. Q. Do the will and codicil show a paranoiac form of insanity? A. They suggest a paranoiac form of insanity, but other expressions have shown a different form, showing that it was not tied down to that form of exhibition.

Mr. Jerome then got the witness to go over the will and codicil, pointing out in them the places which indicated to him a paranoiac form of insanity. The doctor read over the will again, laying stress on that part which provided for the prosecution of the person who might kill Thaw. Dr. Evans then made a long speech, which Mr. Jerome broke off with the remark:

Jerome and the Court at Odds. "Of course, all of this is not in response to any question of mine. I would several times have asked to strike this sort of thing out."

"You put a question which he is answering," said Justice Fitzgerald. "I have asked a question relating to a certain matter, and the question and answer by this witness have had very little relation to the question."

Mr. Delmas had the question read. Justice Fitzgerald said that if Mr. Jerome withdrew the question the answer made by Dr. Evans would be withdrawn. Mr. Jerome wouldn't withdraw the question, and Justice Fitzgerald said to the witness:

"The codicil shows," he said, "that Thaw felt it was his duty to protect a number of women who he had been wronged and he appropriated his money for that purpose. Taking into consideration that he had been wronged, it is not surprising that he is a faint suggestion of the sort of delusory state that we find, or that we sometimes find, in the paranoiac form of adolescent insanity. He was not sane, and there was no permanency or fixity of delusions, when you go away from the will or the codicil, and the question is whether or not the organization or systematization that is characterized by what some people term certain forms of paranoia."

Q. What is the paranoiac form of insanity? A. That is a scientific classification, it is the expression of certain symptoms which have fixity or in some degree the suggestion of organization or systematization. They do not have permanent lasting as some of the forms of paranoia do that are more or less changed from one period to another. That practically means one of the forms of insanity, adolescent insanity, commonly known as the paranoiac form.

Might He Be Form of Paranoia. Q. Now, is that what you have just told us about, what this defendant has just told me suggested that at that time, and as far as I know as far as my information goes, at that time it seemed as nearly under control as any insanity of that kind, or as far as I know, periods in which there were no symptoms of insanity of any kind, I therefore am left with an insufficient amount of data to come to a scientific classification. I am of the opinion, and I clearly state it, for at these times I believe that the defendant was mentally unsound. That is as far as I desire to go.

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to it if you are getting down to it now," said Justice Fitzgerald. "Does you honor think it is my fault?" asked Mr. Jerome. "Your Honor has heard the answers." "I have not said whose fault it is," said the Court.

Very well, sir," replied Mr. Jerome. "If your Honor will limit the witness answering the questions it would be very much briefed." If people are asked for their opinion based upon their observation I do not see how I can limit it."

Mr. Jerome read to the witness part of the hypothetical question which described Thaw walking up to White "with coolness and deliberation" and killing him. Q. What is there in that passage that shows a brain storm? A. The agitation must have been there for the man to have done what he did in the manner in which he did it. That of itself would establish it.

Q. The question says, with the utmost coolness and that he manifested no agitation? A. The simple fact of outward agitation, as I have attempted to tell you a number of times, does not picture forth the state of the mind which is going on in the operation of the brain, if you choose to call it, or the mind within (pointing to his head). A raging storm may be going on within. A lack of appreciation of what is being done sometimes shows a coolness of manner.

The witness said that the hypothetical question didn't show that Thaw knew he was taking the life of Stanford White. There was nothing in the hypothetical question to show that Thaw knew he was taking the life of Stanford White. There was no way he could tell. Mr. Jerome tried hard to get something from him to identify the insanity he had spoken of, but it was no use, and he skipped to the testimony which Dr. Evans had given on his direct examination. Dr. Evans had testified that the will and codicil showed a paranoiac form of insanity.

Q. Do you consider that Dr. Allan McLane Hamilton is sane? A. Yes, I do. Q. Will you instruct the witness to answer? Mr. Jerome appealed to the Court. "I decline to do so," said Justice Fitzgerald.

The result of the mixup was that Justice Fitzgerald said he would be glad to get opinions from both sides on the subject of Dr. Evans's testimony. The hearing and the trial was adjourned until Monday morning.

LOVING CUPS PRESENTED. Babcock of Wisconsin and Lacey of Iowa the recipients. WASHINGTON, March 1.—Loving cups were today to Messrs. Babcock of Wisconsin and Lacey of Iowa, retiring chairmen respectively of the committees on District of Columbia and Public Lands, by the members of the committees. Mr. Olcott of New York made the presentation to Mr. Babcock and was followed by Mr. Sims of Tennessee and Mr. Meyer of Louisiana, the oldest members of the committee in point of service and both Democrats.

OLIVER TAKES BACK HIS CHECK. May Ask to Be Reimbursed for the Money He Has Spent on Canal Bid. WASHINGTON, March 1.—William J. Oliver, the leading man in the Panama Canal Construction Company, called at the office of the Isthmian Canal Commission today and got the check for \$200,000 he deposited there on January 12 when he submitted his bid, which proved to be the lowest, for the contract for the construction of the canal.

LEGISLATION TOO RAPID. Four Bridge Bills Called Up in the Senate Yesterday That Had Already Passed. WASHINGTON, March 1.—Senator Penrose of Pennsylvania called up a bridge bill today. When the title had been read a Senator said: "That bill passed the other day." The clerk looked up the record and announced that the bill had passed. "It passed in my absence," remarked Mr. Penrose as he settled gradually into his seat.

Promotions in the Post Office Department. WASHINGTON, March 1.—The Postmaster-General today announced the following promotions in the Post Office Department: Alexander Grant, from Assistant General Superintendent of Railway Service to General Superintendent of Railway Service; George F. Stone, from chief clerk's office of the Second Postmaster-General, to Assistant General Superintendent of Railway Mail Service.

Agricultural Bill Returned to Conference. WASHINGTON, March 1.—Senator Proctor, chairman of the Committee on Agriculture, this morning submitted the conference report on the Agricultural Appropriation bill. He explained that an agreement had been reached on all questions except the amendment which would increase the number of agricultural colleges. The Senate agreed on a motion of Mr. Proctor to insist on the amendment and returned the bill to conference.

Army and Navy Orders. WASHINGTON, March 1.—These army orders were issued in the Department of War: First Lieut. Gordon Johnston, assigned to Third Cavalry. The retirement of First Lieut. George O. Duncan, Fourteenth Cavalry, is announced.

These navy orders were issued: Lieut. E. Pass, from Bureau of Navigation, to the cutter "Albatross," No. 4. Lieut. D. Van H. Allen, from recruiting party to the cutter "Albatross," No. 4. Lieut. J. H. Comfort, from recruiting station at Norfolk, Va., to the cutter "Albatross," No. 4. Lieut. A. W. Hills, from command of the Potomac Flotilla, to the cutter "Albatross," No. 4. Passed Assistant Surgeon J. S. E. Reeves, from treatment at Medical General Hospital, Washington, to Norfolk Navy Yard.

COMPUL HARRIMAN TO ANSWER WRIT OF MANDAMUS TO BE FILED IN CIRCUIT COURT.

Appeal Can Be Taken by Either Party to the United States Supreme Court—The Harriman Lines May Be Prosecuted Under the Sherman Anti-Trust Law. WASHINGTON, March 1.—A petition for a writ of mandamus to compel E. H. Harriman to answer questions that he had declined to answer while on the stand in New York city this week as a witness before the Interstate Commerce Commission in the hearing held there incident to the inquiry into the operations of the Harriman railroad consolidation will be filed in the Circuit Court for the Southern District of New York. Just when these proceedings will be instituted will be decided at a conference of the members of the commission to be held in this city on Monday.

Members of the commission declare that they want the general authority conferred upon the body to inquire into "the conduct and management" of carriers engaged in commerce between the States there is no doubt that the queries put to Mr. Harriman and Mr. Kahn of Kuhn, Loeb & Co. were entirely proper and distinctly relevant to the investigation in progress. There was a general agreement that the commission will be represented before the courts in this case by special counsel Frank B. Kellogg and C. A. Severance.

The Harriman inquiry has been practically concluded. Both the traffic and the financial features of the consolidation have been gone into with great care. The results are satisfactory to Government officials. Further hearings may be held to review evidence already collected at times and places to be announced later. At the request of the commission a date will be fixed soon for argument on the question as to whether the Union Pacific and the Southern Pacific are competing routes.

COMPLAINTS OF "JIM CROW" CARS. Colored Women Say They Are Filled and Withheld from the Seats. WASHINGTON, March 1.—Georgia Edwards of Nashville, a colored woman, or descendant of the African race, has filed a complaint with the Interstate Commerce Commission protesting against the "Jim Crow" cars of the Southern States.

WASHINGTON, March 1.—A resolution directing the Interstate Commerce Commission to investigate and report to the Senate at the earliest possible date on the alleged practices of the five leading express companies in the United States, namely, United States Express, American Express, Western Union, and the others, was introduced in the Senate today by Senator Burke of Nebraska. He proposed it at the instance of the recent convention of the Western Fruit Jobbers' Association at Kansas City.

LIMITS HOURS OF RAILROAD MEN. The Senate and House Confer on an Agreement on the Bill. WASHINGTON, March 1.—An agreement was reached late this afternoon by the conferees from the Senate and House on the bill limiting the hours of railroad men to continuous service of railway employees in operating trains. The bill will be taken up to-morrow in the Senate. The House substituted for the La Follette bill one offered by Representative Esch of Wisconsin and the conferees used the latter measure as the basis for the agreement.

MR. MOSELEY'S DENIAL. Didn't Say He Represented the President on Bill Limiting Hours of Railroad Men. WASHINGTON, March 1.—Edward A. Moseley, Secretary of the Interstate Commerce Commission, said today that when he appeared yesterday before the Senate to answer questions on the bill limiting the hours of service of railway train employees he had not declared that he represented President Roosevelt. A member of the conference committee confirmed this statement of Mr. Moseley's and added that the person who had made the statement to the newspaper mentioned Mr. Moseley.

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PENSION TO HAWLEY'S WIDOW. The Senate Votes \$50 a Month to Her After a Long Debate.

WASHINGTON, March 1.—Senator Bulkeley of Connecticut precipitated an interesting debate in the Senate today by calling up a bill authorizing a pension of \$100 a month to Mrs. Edith A. Hawley, widow of the late Senator Hawley of Connecticut, who was a Brigadier-General on the retired list.

On motion of Mr. Bulkeley the amount was reduced to \$50 a month. His motion to pass the bill was opposed by Mr. McCumber, chairman of the Senate Committee on Pensions. Mr. McCumber explained that the measure had been reported adversely by unanimous vote of the committee because it had been conclusively shown that Mrs. Hawley had an independent income. He pointed out that Gen. Hawley did not marry the claimant until late in life.

The divorce report was read, showing that the husband's estate according to her own statement, was \$20,000, so invested as to yield an income of \$2,500 a year. Mrs. Hawley resides abroad, it was said.

Mr. McCumber explained that Gen. Hawley had been placed on the retired list and enjoyed an income from that source. Under the pension law Mrs. Hawley had no pensionable status.

Mr. Gallinger of New Hampshire said that although Gen. Hawley had not put on the retired list in his last illness by act of Congress he lived only long enough to draw one month's pension.

Mr. Scott of West Virginia attacked Mr. McCumber who, he said, had opposed the pension for army nurses and had voted to refer favorably to a bill for \$50 a month to the widow of Stonewall Jackson.

Mr. McCumber sharply resented the attack by saying that it was shown that Mrs. Jackson was penniless and she was designated as the widow of an officer in the Mexican war. He said he had opposed pensioning army nurses who served six months at \$25, while soldiers who served four years received only \$12.

Mr. Gallinger said he considered the debate on the bill a posthumous tribute to the memory of Gen. Hawley.

Mr. Scott of West Virginia said that Mrs. Hawley's property interests referred to consisted of a newspaper and a farm, and all know how precarious is an investment in such business.

Mr. Blackburn of Kentucky and Mr. Pettus of Alabama, Democrats and colleagues of the late Senator Hawley on the Judiciary Committee, defended the bill, as did Mr. Spooner of Wisconsin.

A splendid tribute to the services and honesty of Gen. Hawley was paid by Mr. Aldrich of Rhode Island. The bill was then passed without division.

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The ORCHESTRETTLE. Possesses tones which are remarkable reproductions of those of an orchestra.

Its purchase will enable you to play your favorite operas as though you were master of not one but all of the more important orchestral instruments.

To give to a musical work an absolute and exact interpretation; to make clear the composer's most intimate thoughts; to bring into play a wealth of execution which only the orchestra can give—in a word, to translate all the shades of coloring intended by the composer—this is the achievement of the Orchestrette.

A few discontinued styles at very low prices.

The Aeolian Co., Aeolian Hall, 362 5th Ave., near 34th St., New York.

PARDES KILLED IN A FIGHT. HE AND FOLLOWERS TRIED TO ESCAPE FROM ARREST.

Venezuelan Advises Say Three of the Force Guarding Him Were Killed, Too—Bullets as American Vindictive—Optimistic Bulletins as to Castro Received. WASHINGTON, March 1.—Jacob Sleeper, Charge d'Affaires of the American Legation in Caracas, has sent to the State Department a long mail despatch on the recent revolutionary movement in Venezuela, which resulted in the death of Gen. Antonio Parades and about a score of followers.

The course of the brief campaign against Parades is chronicled in Mr. Sleeper's despatch by a series of telegrams from various Venezuelan Government officials stationed in the district where Parades operated, and where later he was shot while trying to escape from imprisonment, according to the official version of the affair made public in Caracas.

Mr. Sleeper heard rumors in Caracas that three Americans had been killed with Gen. Parades. He tried to obtain official confirmation of this, but the Venezuelan Government said it had heard nothing to that effect. Mr. Sleeper wrote his despatch on February 18. Since then it has been learned that at least two Americans lost their lives.

Gen. Parades and some twenty followers landed at Pedernales on the afternoon of February 4. The general took the army of the customs guard and started up the road toward Urdago, with the idea of invading the State of Maripon. Gen. Parades increased his forces by the unwilling presence of the commander of the customs guard and the civil chief, both of whom he made prisoners.

On Saturday the Government forces had been pretty well organized to repulse the invasion of Parades. The next despatch quoted was from Bolivar dated February 13. It was to President Castro and said:

"I have the honor to advise you that yesterday afternoon at Bolivar near Morichallego, Gen. Antonio Parades was captured with all his officers by the forces which by your order I despatched against the revolutionary forces of the State of Maripon. I congratulate you and the cause of the Liberal restoration. God and Federation be praised."

Gen. Varela is in command of the Government forces in the district surrounding Bolivar.

Two days after the above despatch was sent to Gen. Castro another was transmitted containing a telegram which had been received by Gen. Varela from Jesus Garcia, commanding the forces which captured Parades. This despatch said:

"I have the honor to advise you that this morning at 9 o'clock, taking advantage of carelessness on the part of the guard, Parades and his officers seized some arms and ammunition from the barracks of our troops slightly wounded. Of the revolutionaries, Parades and several of his officers perished in the struggle. I lament the loss of these brave men."

On February 16 Mr. Sleeper telegraphed Dr. Jesus de J. Paul, the Minister of Foreign Affairs, and the day after the next three Americans had been killed. Dr. Paul wired back from Caracas, where President Castro is, that the Government was satisfied with the report of the official bulletins as to the condition of President Castro, who was very optimistic.

Increase in Circulation of National Bank Notes. WASHINGTON, March 1.—The circulation of national bank notes increased \$145,433 during the month of February and \$45,539,127 during the twelve months ended February 28. The total outstanding circulation of these notes on that date was \$566,343,022.

Of the \$711,672,582 of bonds deposited with the United States Treasury by national banks as security for their notes, \$45,915,900 were in 2 per cent. consols, \$37,158,182 in State, city and railroad bonds and the remainder in other Government issues and Hawaii and Philippine bonds.

Journal for Members of the Rivers and Harbors Committee. WASHINGTON, March 1.—Members of the House Committee on Rivers and Harbors who have been located to the Sixtieth Congress will go to Louisiana for that State's congressional delegation on Friday, March 1, leaving Washington on March 25. They will make a tour of the State, inspecting the work of the various appropriations for improvements are desired.

Movements of Naval Vessels. WASHINGTON, March 1.—The battleships Georgia and Connecticut have arrived at Tompkinsville, the cruiser Tacoma and the colliers Leonidas and Ajax at Guantanamo and the cruiser Des Moines at Havana.

The cruiser Nero has sailed from Tompkinsville for Guantanamo, the collier Hingham from Guantanamo for Philadelphia and the gunboat Unas from Pensacola for Key West.

RELIGIOUS NOTICES. Fifth Avenue Presbyterian Church. Rev. J. Ross Stevenson, D. D., Minister. Dr. Stevenson's services on Friday, March 1, at 11 A. M. and 4 P. M. Men's Bible Class at 10 A. M. Prayer Meeting, Wednesday, at 8:15 P. M.

CHURCH OF THE MESSIAH. 311 Madison St., N. Y. City. Rev. John Haynes Holmes. Subject: "FINDING GOD." Sunday School, 10 o'clock in Chapel. At convenience on Park Avenue.

NEW YORK PRESBYTERIAN CHURCH. 10th St. and 7th Ave. Pastor, D. J. McMillan, D. D. Pastor, Sabbath, 11 A. M., 4 P. M.

DR. MADISON C. PETERS. Medical Advice to Morrow. Subject: "THE MESSIAH." WESTMINSTER PRESBYTERIAN CHURCH. 2d St., near 7th Ave. Rev. Harry G. Meadows, D. D., pastor, 4:30 A. M., 11 A. M., 8 P. M.

No Cooking! Just a little cream or milk and you can eat Grape-Nuts without the bother of lighting the fire. TRY IT! There's a Reason!

Correct Stress for Mr. Many chilly days yet to come will provide you with a sound reason for picking a bargain from the medium weight suits remaining here. George A. Brannaman Broadway Cor. 26th St.