

May 27 was so ambiguous in its terms. It authorized me to sail at Gonaves, Haiti, or Cape Cruz. Gonaves being to the westward, and known to Admiral Sampson as Key Francis, in the Bahama channel to the north. It occurred to me that if the Spanish squadron were westward, the proper strategic move would be to go to the westward and not the eastward. I was authorized in the same telegram to move as far west as Cape Cruz, provided coaling had been found possible there. I did not go to Cape Cruz within eighty miles. Now, those were the influencing and the operating motives. I felt that the move west was strategically the proper one, with a determination to coal as quickly as possible, and that the efficiency of my squadron as a unit was only equal to the efficiency of the coal supply of the slowest one that composed it.

Ambiguous Telegram.
The ambiguity of the telegram from the department, I think, is manifest almost at once, because it places, first, specifically, that all the department's information indicated so and so; that is, that the Spanish fleet was still at Santiago. It pointed out a place which at that time was not accessible, and, lastly, it looked to the westward and reported whether the enemy was in port or not. Captain Lemly—and you were satisfied, without taking any steps whatever to ascertain if this order or these reports were correct.

Witness I ascertained for myself through the medium that the department had placed there to keep me informed. Those accounts represented largely the daily reports of the army and if they were unreliable, they should not have been placed there. I must have relied on what they said.

He again spoke of the dispatch to the department indicating that the Spanish fleet was still at Santiago as ambiguous and said that the information that there were Cubans five or six miles west of Santiago was erroneous, for the Cuban pilot, Nunes, had informed him to the contrary. He claimed that the dispatch also was ambiguous in the matter of coaling the Harvard from the Merrimack. Captain Lemly—yes, you look at the memorandum No. 5, you will also see that Admiral Sampson also held to the view that when you left Cienfuegos the Spanish squadron would probably leave Santiago.

Witness—Of course, I had gone to the eastward and exposed the westward, there might have been more serious consequences.

BOTH GETS AWAY
But It Was Probably the Closest Call He Ever Had.

LEAVES HIS BELONGINGS BEHIND

British Authorities Think the Conquered Territory Should Be Repeopled Without Delay.

Pretoria, Oct. 29.—Commandant General Botha's recent escape from the British columns pursuing him was a close affair. Major Remington marched on the commander-in-chief's quarter at night only to find that Botha had got off with a few hundred yards start, leaving his hat, revolver and papers behind. The prisoners, including Commandant Hans Botha and former Landrost Schutte, were captured.

REPEOPLING

British Authorities Consider This Step Advisable.

Durban, Natal, Oct. 29.—The imperial authorities have reached the conclusion that the early repopling of the Transvaal and Orange Free States is advisable, so that the normal industrial and agricultural life of the colonies may be resumed.

In a speech yesterday Lord Milner of Cape Town said it was useless to wait until the war was over in a formal sense. It might never be over, he declared, but it was burning itself out and in time "we ought to show ourselves masters of the country we have taken by rebuilding it and beginning to live in it."

BOERS REPULSED

Forty of Them and Twenty-eight of the British Are Killed.

London, Oct. 29.—A dispatch from Lord Kitchener dated Pretoria, Oct. 28, says he has received reports of an important fighting Oct. 24 near Groot Marais river, when De Laere and Kemp attacked a British force and were repulsed after severe fighting, leaving forty dead on the field, including Commandant Kemp. The British lost twenty-eight killed and had fifty five wounded. The Boers carried off eight British wagons. The republicans appear to have paid special attention to the guns, as these matters were drivers were killed or wounded.

NO APOLOGY COMING

Countess Russell Says the Divorce Was Fraudulent.

Washington, Oct. 29.—Assistant Secretary Taylor of the treasury department has received a cable message from London signed Mabel Edith, Countess Russell, in which she says: "The statement made by you regarding the divorce granted Earl Russell in America is entirely untrue. No papers were served on me. My first notice came through the secretary Taylor of the treasury department. The divorce was obtained by fraud and is invalid in America. This was proven by Judge Currier of America, before the house of lords. I am entitled to a public apology from you through the press."

Mr. Taylor declines to make an apology, for, he says, he never made the statement attributed to him. He knows nothing about the countess's divorce proceedings except from the newspaper reports. When he reported Earl Russell's probable coming to the United States, together with a protest against his landing, was brought to secretary Taylor's attention a few days ago, he held that the earl should be permitted to land in the United States unless some other charge than his conviction by the British house of lords for bigamy should be brought against him.

CANDIDATE IS ILL

Cammins of Iowa Compelled to Cancel Speaking Dates.

Des Moines, Iowa, Oct. 29.—A. E. Cummins, republican candidate for governor, is bedfast at his home in this city and compelled to cancel speaking dates indefinitely.

ROSE COLOR

Produced by Postum Food Coffee.

When a person rises from each meal with a ringing in the ears and a general sense of nervousness, it is a common habit to charge it to a damaged stomach. I found it was caused from drinking coffee, which I never suspected for a long time, but found by leaving off coffee that the disagreeable feelings went away.

"I was brought to think of the subject by getting some Postum Food Coffee, and this brought me out of trouble."

"It is a most appetizing and invigorating beverage and has been of such great benefit to me that I naturally speak of it from time to time as opportunity offers."

"A lady friend complained to me that she had tried Postum, but it did not taste good. In reply to my question she said she guessed she boiled it about ten minutes. I advised her to follow directions and she said she boiled it fifteen or twenty minutes, and she was getting something worth talking about. A short time ago I heard one of her children say that they were drinking Postum now—said so to judge the difference in taste, it is good, which is by no means a difficult task."

"Tom O'Brien, the son of a friend who lives on Brainerd street, was for some time pale lead, but since he has been drinking Postum, has a fine color. There is plenty of evidence that Postum actually does the red blood cells in the human system."

John Chambers, 3 Franklin street, Dayton, Ohio.

NOYES CASE

IS UNMARRIED

Probable Outcome of Pending Contempt Proceedings.

ORIGIN OF TROUBLE

Warring Financial Factions That Agitated Alaska.

PERJURY STRONGLY SUSPECTED

If Judge Noyes Is Found Guilty He Will Probably Be Imprisoned a Year or More.

From The Journal Bureau, Room 44, Post Building, Washington.

Washington, Oct. 29.—Recently several letters have been written to the Washington bureau of The Journal, asking for a clear statement of the Judge Noyes controversy in Alaska, and for an expression of opinion as to the merits of the controversy. Without undertaking to say that the bureau is in better position than Minnesota and the Dakotas to size up the case, or that its opinion is worth more than the opinion of others who have followed it, it is possible that a brief newspaper article may throw some light on it for the general reader.

To begin with, there are two powerful financial forces which are contending for control of the commerce and industries of Alaska. It seems to have been assumed by many that there would be no room for the other, and so the struggle from the beginning has been of a desperate character, and on both sides, probably, unjustified means have been resorted to for the attainment of the desired end. Judge Noyes, so it would appear from an unprejudiced standpoint, has not been able to be on good terms with both sides, and quite naturally, in proportion as he appeared to favor one, he has earned the bitter and relentless hatred of the other.

The California Capitalists.

One of these financial forces is composed of San Francisco capitalists, who for many years have dominated the Pacific and absolutely controlled the Alaskan seal, fisheries and fur trade. Naturally, when gold was discovered, he expected to extend its sphere of influence and reap large profits. Unfortunately, for these plans, however, there was organized in New York, immediately after the gold discoveries, a syndicate of rich men who prepared to dispute the right of the San Francisco gentlemen. Alex. McKenzie, who had spent the most of his time for many years in New York, was made a member of the syndicate, and as its managing director, went to Alaska to superintend its business. There was an immediate clash between the San Francisco forces and the syndicate, which it regarded as being unwarranted, tried to prevent the eastern company from securing a monopoly of the territory. There were personal encounters between the subordinate employes on both sides, and the struggle quickly assumed an acute character.

Noyes Not to Be Beguiled.

It was evident that the hope of the San Francisco men was that Noyes could be induced to become one of them. He declined, and these matters were pending, Noyes, as one of his early official acts, appointed McKenzie as receiver of one of the contested mining claims; but not until one or two other gentlemen had declined to act in that capacity. The San Francisco men had a candidate for this receivership, and they accepted McKenzie's appointment as prima facie evidence that Noyes, who would not come into their camp, had gone into that of the opposition.

McKenzie's appointment was the signal for the outbreak against Noyes. He has

NOVA PERSEI, OR ANDERSON'S NEW STAR

Dr. Wilson of Goodsell Observatory Spent His Vacation in Plotting Its Curve to Show Its Wonderful and Unexplainable Variation.

Special to The Journal.

Northfield, Minn., Oct. 29.—Among the objects of astronomical interest which have attracted working astronomers during the past year the new variable star Nova Persei in the constellation of Perseus stands forth prominently. This variable was discovered Feb. 21, 1901, by Rev. T. D. Anderson of Edinburgh. It was successively and independently discovered later by other observers, among whom was A. E. Douglass of Lowell observatory, who discovered the Nova tardily on Feb. 23, at 9:30 p. m.

Variable stars are of several classes. Some blaze out suddenly and disappear in a comparatively short time; others are known to fluctuate irregularly; some are periodic, and still others change in brightness slowly and continuously. Anderson's new star, as it was called at the time of its discovery, or Nova Persei, as it is now designated, belongs to the temporary type. Not including Nova Persei there are on record only eleven authenticated instances of such stars. The most remarkable of these is known as Tycho's, which appeared in the constellation of Cassiopeia in November, 1572, and was for some days as bright as Venus at her best. This wanderer then slowly vanished and in sixteen months became invisible. Another remarkable variable was seen and spectroscopically examined in May, 1866. The new star in Perseus is the most remarkable since Tycho's time, which appeared in the constellation of all the dozen authentic temporaries.

When the Nova was visible to the naked eye many observations were made upon it by various methods. It was examined at all the observatories and its light power and other peculiarities were carefully studied. Its spectrum was examined and titanium, helium and hydrogen, together with possibly other metals were found to be present. But interesting as all these phenomena are, the peculiarity which was most striking was the unusual variation in brightness. The Nova would be very bright and readily discovered by the naked eye one night and the next night would be very dim. For several nights perhaps the star would steadily diminish in brightness and then suddenly the light would increase almost to or above the point where it began to diminish.

Since the present variation was first observed by the late astronomer, Dr. Wilson, at Goodsell observatory, it has been pursued unceasingly by the San Francisco syndicate, and it is very evident that nothing short of his resignation will do. It is not only his ability to use him, but his determination to get rid of him and have a judge appointed who will be more friendly to his contentions.

The department of justice is whether Noyes, in appointing McKenzie, acted impartially and from the best of motives, or was the agent of the New York syndicate, and that the former is true, and the department of justice here, with the attorney general of the United States at its head, is inclined to accept his statement, being true, after carefully going over the whole ground.

Believed to Be Perjured.

The department of justice is satisfied that much of the testimony which was given in the McKenzie contempt proceedings and is now being repeated in the Noyes case is perjured. The history of Noyes is not unlike that of hundreds of other new mining localities in this country. It is filled up with adventurers of the lowest and most abandoned type. Some of these are lawyers, and some are men of some name but contains a number of representatives of the worst that the law has produced in the states, men who have thrown principle and personal honor to the winds, and are ready to do anything in an engagement that promises profit. Some men of this class were quickly brought under the control of the San Francisco syndicate, and were induced to do its work. It is probable that others of this class were taken into the employ of the New Yorkers, for in selecting such men as are not careful in selecting weapons as they might be.

The department of justice fully understands this, and has had its own agents in Nome making investigations of the charges against Noyes. It is significant that the reports coming from these agents agree with the story which Noyes has told the attorney general, and this accounts very largely for the apparent bias in Noyes' favor which exists in the department. The personal history of every one of the witnesses against Noyes is known to the department, and it is not difficult to guess that the testimony which they have given can be successfully impeached, should the occasion arise.

Noyes may or he may not be guilty of becoming the tool of the syndicate, but it is pretty clear that he did not become the tool of the San Francisco syndicate.

The department of justice is pretty well convinced that the matter is not under the conditions which prevailed when Noyes went there would have been liable to the same trouble, no matter how honest he might have been, or how expert he might have been in the management of the case. This is another point that is strongly in Noyes' favor.

The San Francisco Proceedings.

The proceedings against Noyes for contempt, as was the case in the proceedings against McKenzie, are merely an open door for the syndicate to get into the matter. It is important that the matter should get before the court in some way, and the charges of contempt seemed to Noyes' enemies the easiest and most direct way. In brief, the syndicate, who do not obey some formal order of the San Francisco court of appeals, sent him last year in connection with the McKenzie receivership, to go to Alaska to receive and collect and distribute the same, and proposed to put Noyes through the same course.

At the time of the order of the San Francisco court to serve on McKenzie in Nome he was consulted with Judge Noyes through the same course.

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APPEALS, WILL NOT AFFECT THE STANDING OF Noyes IN WASHINGTON IN THE LEAST.

The department of justice finally decides to recuse itself. It is not only his ability to use him, but his determination to get rid of him and have a judge appointed who will be more friendly to his contentions.

Unfortunately for all concerned, there is a grave suspicion here that the San Francisco court of appeals, which has directed the prosecution of the McKenzie and Noyes cases, is not entirely devoid of prejudice. Without questioning the entire honesty of the court, it cannot be forgotten that one or two of its members were formerly the counsel for the San Francisco syndicate, and owe their elevation to the federal department to its influence. This fact should have made the court very careful in its conduct of these cases. Apparently, however, it has proceeded just as it would have done had the syndicate been less intimate than it is known to have been. The sentence of a year in jail for contempt was excessive, and President McKim was not slow in granting a pardon to McKenzie.

Should the court follow in the Noyes case the extreme policy which it followed in the McKenzie case, it is likely that Noyes will be adjudged guilty of contempt and sentenced for a year or longer. Such a sentence would be hailed by the San Francisco syndicate with loud acclaim, for it might mean the sending of some new man to Nome in his stead. The syndicate is playing a desperate game and this contempt case is its last trump card, its department of justice having refused to accede to its demands. Should the federal court of appeals find Noyes guilty and sentence him, his resignation will not affect the standing of the syndicate and the attorney general that it was unduly prejudiced. The weight which this claim will have will determine whether Noyes will be removed, or whether he will be allowed to stay in the national administration notwithstanding the court of appeals.

The foregoing is merely an outline of the case, without any attempt at a summary. To sum up, the department of justice, keenly alive to all the facts, is not prepared to accept the evidence of the anti-Noyes witnesses as to the facts of the case. It has not yet made up its mind regarding Noyes' guilt or innocence, although, so far as it has gone, it is inclined to lean in his favor. It is watching the trend of the testimony in the contempt case, and being tried and will take note of anything that will segregate testimony and prepare a motion to strike out certain irrelevant and hearsay evidence. Pillsbury objected to the delay, Attorney McLaughlin, who is quite sure from his recent illness, is unable to tell the court just why they wished more time. The court questioned him closely in regard to the evidence which it would be moved to strike out, and he said that the motion would be general in character, but they must first get the whole in order to get the decision wanted and to cover all points. The court granted until 2 o'clock this afternoon at which time the motion must be argued.

WATCHING MR. HILL

Some Guessing as to What He Is Planning.

The movements of James J. Hill during his present visit to New York are being watched with much interest. It is generally conceded that he is out to force the issue, at least for a time, and to clear the haze. His position is being thoroughly canvassed by both the financial journals of New York. According to the terms of the reorganization of the Northern Pacific, there is less crime of a serious kind than in any of the great cities of the world, and there is no more panic than there would be elsewhere on the eve of an election.

The article which aroused Mr. Davitt was from the Times correspondent in New York and told of the denunciations of previous statements printed in that paper.

SCHWAB IN MILWAUKEE

Went There to See and Not to Be Interviewed.

Milwaukee, Wis., Oct. 29.—Charles M. Schwab, president of the United States Steel corporation, accompanied by a party of gentlemen whose names are intimately associated with the steel manufacturing industry, made a tour of the Bayview plant to-day.

Mr. Schwab refused to be interviewed on the proposed new steel combination which is now in a final stage of preparation, and of which H. C. Frick is spoken as president. He said he knew nothing whatever about the proposed organization.

Mr. Schwab left on a special train at 10:30 a. m. The incorporators are John T. Elwood and Anderson, Ind., Lorain and Cleveland, Ohio, and Newcastle, Pa.

Up-to-Date Investment.

Endowment insurance as an investment is a development of comparatively recent years. In the summer of '94 a number of Minneapolis men set to work to study the insurance question purely as an investment for the living. It was found that insurance could as well be paid at some fixed time as upon the event of a man's death, thereby giving him the benefit of his investment while living.

The investors' syndicate, formed upon this plan, has met with great success. It has paid two dollars for every dollar invested and will continue to do so. They can refer you to hundreds of men who have been successful, among them W. C. Hobart of Hobart & Willis, Eugene D. Case, a well-known lawyer, Dr. J. A. Bowman and many others. They have agents in every town and city. It is a proposition worth investigating; call or write. Investors' Syndicate, 1204-1206 Guaranty Bldg., Minneapolis.

Through Tourist Cars.

The old familiar way—tried and proven. See Minneapolis & St. Louis Agents for lowest rates to California.

Cheap Rates to California.

In the through tourist cars, Gen. Minn. & St. Louis R. R. agents.

A DAY OF RUMORS

All Sorts of Tales Bear Prices on Wall Street.

EVERY EYE IS ON J. P. MORGAN

James J. Hill, Too, Comes In for a Good Deal of Attention.

New York Sun Special Service

New York, Oct. 29.—Wall street had a day of rumors to-day, the majority of the reports being of a pessimistic nature and helping along a downward movement in the stock market. They were rumors of fresh trouble between important financial interests growing out of the Northern Pacific situation, rumors of important opposition preparing for the United States steel corporation, and rumors of a persistent character that the price of copper was to be cut and rumors that heavy engagements of gold for export to France had been arranged.

There was a report which reached the floor of the New York Stock Exchange that Joseph H. Schiff, a member of the Harriman syndicate and head of the banking house of Kuhn, Loeb & Co., had called upon J. Pierpont Morgan and delivered to him an "ultimatum" from the Harriman interests to the effect that if Mr. Morgan did not state his position as to a settlement of the state of the Northern Pacific property clearly and unequivocally by 2 p. m., all relations between the Harriman and the Morgan-Hill interests would be broken off, and the syndicate would be renewed where it left off at the time of the Northern Pacific corner and panic last May.

This yarn was characterized as a lie by representatives of both Mr. Morgan and Mr. Schiff. Actually, the Northern Pacific situation to-day appeared to be about as follows: J. Pierpont Morgan talked with E. H. Harriman and James J. Hill about Northern Pacific-Burlington affairs, and, according to the understanding of the Harriman member of the Harriman syndicate, the chances of adjusting all differences in Northern Pacific affairs were improved slightly.

Mr. Hill saw Mr. Morgan for a few minutes only, and Mr. Harriman remained for a long time. After that conference both Mr. Morgan and Mr. Harriman had "nothing to say." No settlement of the Northern Pacific controversy had been reached, and the spokesmen of Mr. Hill. During the afternoon George F. Baker, president of the First National bank and H. McK. Twombly of the Chicago & North-Western directors, and incidentally the representatives of Vanderbilt interests, called to see Mr. Morgan.

Mr. Harriman left Mr. Morgan in good spirits. He declined to make any statement, but a banker closely allied with the interests of the Harriman syndicate said:

There is good prospect of a settlement of this Northern Pacific matter without further friction. I think that we are near a settlement than ever before. Much depends on Mr. Morgan. He is looked to by the parties in interest as the man most likely to settle certain vexed questions. There are some legal obstacles in the way of a settlement, but they are insurmountable. We shall await an expression from Mr. Morgan, and we are prepared to meet with a great deal of respect. I don't think that the Union Pacific people are disposed to be unreasonable or obstinate.

WATCHING MR. HILL

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WE use trustworthy materials only, newest fabrics, long, stylish, warm and serviceable, suitable for school wear and for all occasions.

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All qualities, and every coat worth all it is marked, however critical you may be.

BOYS' SUITS, HATS AND FURNISHINGS in varied and attractive assortments.

Browning, King & Co.

415 to 419 Nicollet Av. C. J. GUTGESELL, Manager.

SAVING MISS STONE

Practical Measures Adopted After Long Delay.

CONSUL GEN. DICKINSON BUSY

Russian Minister to Bulgaria Active on Behalf of the Abducted Missionaries.

Special to The Journal.

Chicago, Oct. 29.—William E. Curtis, in a cable dispatch to the Record-Herald dated at Sofia, says that after nearly eight weeks' delay practical measures for the rescue of Miss Ellen M. Stone have been adopted. Small parties of men have been wasted in a fruitless endeavor to convince the Bulgarian government of its responsibility and to persuade it to accept a general Dickinson, satisfied that the government is utterly powerless, has undertaken to open communication with the bandits, and the prospects are favorable, although many well-informed persons believe that Miss Stone is dead. The Washington authorities should instruct Mr. Dickinson to remain near the scene of the capture until satisfied of the truth, and to use money freely for information.

The most encouraging feature of the situation is the activity of M. Bakmeteff, the Russian minister at Sofia, the most powerful person in Bulgaria. He has had six years' experience at Sofia. His wife, who is the daughter of the late General Beale of Washington, knows Miss Stone well, and is deeply interested in her rescue. M. Bakmeteff was absent on a vacation until a few days ago. On returning he found instructions from St. Petersburg to co-operate with Mr. Dickinson.

He disapproved the latter's methods, and has undertaken the rescue wholly independent of the American authorities. On Friday he sent a reformed brigand to live a printing press mill at Portsmouth, and ascertain the lowest ransom that will be accepted. He will pay a reasonable amount himself, expecting reimbursement if Miss Stone is still alive he should ascertain her whereabouts definitely this week.

H. RICHARDSON, COUNSEL

FOR THE BOARD OF CONTROL

State Auditor Dunn Makes Merry Over the Normal Board's Allegations.

Harris Richardson of St. Paul has been retained by the state board of control in connection with the proposed reorganization. He said to-day that he had not read the information yet. As the writ is returnable Thursday, he will probably have to ask for an extension of time.

Mr. Richardson says the board's opinion on the normal schools and the university are charitable institutions, and as such clearly within the board of control. He said that the state auditor Dunn making merry over the allegations in the information filed by the normal board. He says that if they constitute grave offenses the board of control must indicate he had set of men. He calls particular attention to one clause, which charges that the board of control "did in a letter dated Aug. 26, 1901, assume, assert and maintain the right and duty to exercise control over the several normal schools of this state, and did therein declare its purpose to be to require such schools to live within the appropriation made by the legislature for such schools."

Said Mr. Dunn to-day: "If the board of control really did write such a letter and tell the normal board to live within its appropriation, of course they ought to be fired."

POISONING EXPLAINED.

South Bend, Ind., Oct. 29.—South Bend mystery case of poisoning in the Webb family has been cleared up. A post-mortem on the body of Charles Webb revealed that he, his mother, Mrs. Rebecca Webb, and sister, Cora Webb, were victims of stry