

### FOUR LIEUTENANTS MADE DEFENDANTS

### Navy Department Sustains Action of Inquiry Court.

### OFFICERS HELD RESPONSIBLE

If Found to Have Been Responsible for Death of Lieutenant, They Will Be Brought to Trial—Answer to Attorney Davis Given by Beekman Winthrop, Assistant Secretary.

The Navy Department yesterday sustained the action of the Sutton court of inquiry in considering the young officers involved in the fight, which led to the death of Lieut. Sutton, as defendants.

The court decided that the officers should be considered as accused because of a letter written to the Navy Department by Mrs. Sutton, the mother, when she asked for a reopening of the matter. Henry E. Davis, Mrs. Sutton's attorney, made violent protest to this. He declared in a letter to the department that the court had undertaken to relieve Lieut. Utley, who was present when Sutton was killed, but who has not yet testified, of his obligation to refrain from conference with the witnesses, who have preceded him, and has made it possible for him, as a defendant, to say nothing, creating what Mrs. Davis calls a situation "which I am constrained to say so strongly smacks of the scandalous as of itself to call for your attention." Mr. Davis also declared in his letter to the department the ruling makes Mrs. Sutton the prosecutor.

**Mr. Winthrop's Letter.** The letter was answered by Beekman Winthrop, as Acting Secretary of the Navy. In some parts of his communication to Mr. Davis, he is a bit tart. He says, in part:

"It appears to the department that you have misconceived the object of the ruling of the court relative to the status of the officers who were present on the occasion in question. This ruling does not change the nature of the court in the slightest degree. It is still a court of inquiry, seeking after facts, and not a judicial tribunal with power to try or to punish. Its function is to determine all the facts incident to the death of Lieut. Sutton, as far as lies within its power, and to recommend to the department whether further proceedings should be taken against any person. It is in no sense a trial court.

"It is the invariable practice of courts of inquiry that if during an investigation any person is placed on the defensive by the evidence adduced, or by any of the circumstances of the case, it is not such person as the fact, and to explain to him his rights in the premise. In this instance the court was specifically instructed in the report of the court, which was convened, that if it developed during the progress of the investigation that any one was entitled to appear as a 'defendant' he should be called before the court and informed of his rights to be present, to cross-examine witnesses, and to offer such evidence as he might desire.

"In considering this action it should not be lost sight of that if the court finds that Lieut. Sutton's death was not the result of his own act, but was caused by another person or persons, such other person or persons so accused will undoubtedly be brought to trial for the offense. Those whom the court determines are so vitally interested in the outcome of the case as to be designated as 'defendants' are certainly entitled to legal aid to assist in bringing out all the facts, as well as Mrs. Sutton, on whose representations the court was ordered, and who has indicated that her son's death was caused by one of his fellow-officers. There would, therefore, seem to be no impropriety in the court's action in regarding Mrs. Sutton as a complainant or accuser.

**Burden Not Shifted.** "This in no way shifts the burden of proof, as you apparently assume, as the court in no respect a trial court; nor does it place upon Mrs. Sutton or her counsel the burden of determining who was responsible for Lieut. Sutton's death. That is the duty of the court.

"The department must therefore decline to accede to your request to vacate the ruling of the court of inquiry.

"I trust it is needless to assure you that the department desires the fullest and most complete investigation of the entire matter. It will be satisfied only when all proper means have been exhausted to clear up every doubt as to the manner in which the deceased officer met his death, and appreciates any assistance that has been or will be rendered by you to this end. It is the duty of the court of inquiry to determine as definitely as may be possible who was responsible for Lieut. Sutton's death, and that duty the court is sworn, without partiality, to fulfill."

### HAVILAND FUNERAL TO-DAY.

**Rector of St. John's Will Conduct Services for Veteran Clerk.** Funeral services for Thomas G. Haviland will be conducted to-day at St. John's Episcopal Church, Georgetown, by the rector. Interment will be at Rock Creek Cemetery.

The deceased was a veteran clerk in the employ of the survey, general of the army, and died at George Washington University Hospital Thursday morning.

**Policemen Commended for Bravery.** J. J. Geier and H. P. Barratt, members of the Metropolitan police, attached to No. 8 precinct, are highly commended for bravery and efficient service in a report made to the superintendent of police by Capt. R. E. Doyle, of the Eighth precinct, in connection with rescuing Mrs. Emma Coppersmith from burning to death in the fire at 1547 Ninth street northwest on July 24. The report has been sent to Commissioner West, in charge of the police department.

**Gets Her Divorce.** Mrs. Lillie K. Hedrick was awarded a decree of absolute divorce by Justice Wright yesterday from William P. Hedrick. She is given the custody of the child, Myrtle D. Hedrick, and permission to resume her maiden name, Lillie K. Hedrick.

**Meat Dealers Fined.** Stating they had abandoned their intention of appealing the case, Max Oppenheimer and R. M. Hillary, Louisiana avenue meat dealers, fined \$10 in Police Court for improper exposure of their wares, appeared in court yesterday and asked that their fines be reduced to \$5. The request was granted and the fines paid.

**Named Division Chief.** Voter V. Viles, of Missouri, has been appointed an expert chief of division in the Census Bureau, at a salary of \$2,000 a year, and Thomas Kendrick, of the District of Columbia, a hosteler, at \$660 a year. Miss H. Hester, of Ohio, has been promoted from \$1,400 to \$1,600 in the Steamboat Inspection Service.

**Mexico Aids American.** The American Ambassador to Mexico has informed the State Department that the Mexican government has prohibited horse racing on the track at Tlaxiama, Lower California, after October 1 of this year.

### EARTH VIBRATIONS RECORDED.

Weather Bureau Seismograph Indicates Shocks 3,000 Miles Distant. Officials of the Weather Bureau report that at 5:58 yesterday morning the seismograph, which records earthquake shocks, began to vibrate and continued its registrations for over an hour.

### NEWS OF ALEXANDRIA

### Citizens Body Protests Expenditure of Improvements.

Alexandria, Va., July 30.—A called meeting of the Citizens' Improvement Association of Jefferson district, Alexandria Country was held to-night to protest against the payment by the county board of supervisors of \$5,000 for the county's portion for the proposed improvements at the upper end of King street. The meeting was not largely attended, although those present thoroughly discussed the matter, and statements were made in opposition to the payment of the money on the part of the county.

Due to illness, attendance an adjournment was taken until Friday night next, when, it is expected, there will be a large number present and the matter will be thoroughly discussed and a formal protest made on the part of the association. The county board of supervisors has already agreed to pay the \$5,000 provided, however, the railroad companies and the other abutting property owners pay their pro rata for the work. It is estimated that the total cost of the work will be upward of \$55,000.

**Travelers' Protective Association Will Discuss Road Improvements.** Glass Factory Sold for \$9,500—Hoof Funeral Saturday Afternoon—Police Board Meeting Not Held.

Alexandria, Va., authorized agent and carrier for The Washington Herald. The Herald will be delivered daily and Sunday to any address in Alexandria for 50 cents a month.

**WASHINGTON HERALD BUREAU.** 28 South Royal Street, Alexandria, Va.

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**Fire at 10:30 o'clock this morning threatened the plant of the Alexandria Electric Light Company with destruction.** After half an hour's hard work, the fire department saved the place, and the loss will be considerable. The fire originated on the roof near the chimney, directly over the boiler room. An alarm was at once turned in, and within a few minutes thereafter several powerful streams were being played on the burning roof.

Arrangements have been made for a meeting of Post F. Travelers' Protective Association, which will be held at 8 o'clock to-morrow evening in the rooms of the chamber of commerce. The question of an improved roadway between this city and Washington will be discussed.

The plant of the Virginia Glass Company, located in West End, was sold at public auction at 11 o'clock this morning by Capt. R. F. Knox, auctioneer, the purchaser being Lake O. Strider, of Washington. The plant is valued at several hundred dollars was the price paid. It is reported that the purchase was made in the interest of several members of the company, and that the factory will resume operations in the near fall.

The clerks in the First National Bank will serve as palbearers at the funeral of Charles R. Hooff, late president of that institution, which will be held at 4 o'clock to-morrow afternoon from the Episcopal Theological Seminary. The directors of the bank, together with Col. Arthur Herbert and Isaac Elchberg, will be the honorary pallbearers. The services will be conducted by Rev. Douglas Hooff, a nephew of the deceased, assisted by Rev. Dr. S. A. Wallis, of the seminary. The burial will be in St. Paul's cemetery.

Because three out of five members composing the board of police commissioners are out of the city, on their vacations, no meeting of the board will be held this week to elect a successor to Police Commissioner Joshua Sherwood, whose resignation will be submitted to-morrow. Mr. Sherwood will, Sunday next, assume control of the city's night police, to which position he was recently elected by the city council. A large number of applications for his position have been received by the commissioners. It is more probable that his successor will be chosen at a meeting which will be held the latter part of next week.

**Ordered to Inspect Militia Artillery.** Maj. Edward P. O'Hearn was detailed yesterday by the War Department to make the official inspection of the field artillery of the National Guard of the District of Columbia. It is anticipated that Maj. O'Hearn will arrive in Washington within a few days, in order that he may complete his inspection before the Guard leaves for New England to take part in the army maneuvers.

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### PHYSICIAN INVENTS COOLING APPARATUS

Effective Device Constructed by Dr. W. J. Manning.

### OPERATING EXPENSE LOW

Medical and Sanitary Officer of the Government Printing Office Reduces Temperature Twelve Degrees by Simple Method of Water Evaporation—Admirable for Office.

In these days when the mercury is soaring into the nineties and above, the discomforts of hot weather are so numerous and so universally felt, that most people endeavor to think and speak of them as little as possible.

Workers in office and factory find their only relief in absorbing themselves in work, in an attempt to forget the temperature, and the extremely unpleasant consequences of its existence. There is one man in Washington, however, who has been thinking of the discomforts attending upon the hot weather, and thinking hard. Not once has he complained for himself; he has been concerned with the suffering of people who work, or the agonies of those who are confined to the sickroom, of the father at his toll, and the mother in the crowded tenement, unable to sleep and rest after the exhaustion of the day.

Dr. William J. Manning, medical and sanitary officer of the Government Printing Office, has devoted his spare hours during the present hot season to perfecting a device to reducing the high temperatures prevailing in factory, office, and sick room, and finally his efforts have been rewarded with success. His device, simple and inexpensive, in a practical test made in the emergency hospital at the printing office, lowered the temperature twelve degrees in a few minutes, which was a most convincing proof of its merits.

**Evaporation Process.** The apparatus invented by Dr. Manning rests upon the principle of the cooling effects of the evaporation of liquids. Everybody knows that it takes heat to evaporate water, and that as the process goes on the surrounding air is cooled, heat being abstracted from it by the conversion of the water into vapor.

In the emergency room Dr. Manning has suspended from the ceiling in the vertical plane a strip of cotton twill three feet wide and forty feet in length. Through a hole in the upper edge he has run a tube one inch in diameter and perforated on the bottom with holes one inch apart and one-eighth of an inch in diameter. At the lower edge of this strip of cloth is a metal trough. Connecting the tube with the water faucet by means of a common rubber hose, water is passed through, and percolating through the holes, trickles down through the fibers of the cloth, thoroughly saturating it in a few moments. The trough is inclined slightly, and the flow from the cloth is run off through an outlet at the lower end. Thus a moist area of great extent is produced, and all that is necessary is to induce rapid evaporation.

Dr. Manning does this by means of two electric fans, one at each end of the strip. As these are set in motion the cloth screen, saturated with water, rapidly vibrates and ripples and waves in the breeze created by the fans. Thus the water is quickly evaporated, and as the flow is continuous the process of cooling goes on without interruption. In a demonstration made before a Washington Herald reporter the temperature of the room was reduced from 93 degrees to 81½ degrees in fifteen minutes. As long as the water was kept in flow the temperature remained the same, and the pleasing results on a day such as Friday can well be imagined.

**Offers It to Public.** Dr. Manning, who has already won prominence through his methods and devices for improving the health and comfort of the 5,000 employees of the Government Printing Office, is not seeking commercial advantage from his invention, but generously and without restriction offers the device to the public, and to all who care to take advantage of it. Having once been a printer, he sympathizes to the full extent with the discomforts endured by workers, and wishes to do all he can to alleviate their conditions of labor.

His device can be installed at a very small cost, the materials all being cheap and the work of construction very simple. It can be adapted to any room, in hospital, office, or factory. The operating expenses are practically nil, including only the motive power for one or two fans and the water consumed.

The inventor wishes to announce through The Washington Herald the sympathy obtained by his device, and will gladly welcome any inquiries as to its construction or operation. Any person interested may call at his office, and witness the operation of the cooling apparatus, and Dr. Manning willingly offers what assistance he can give to interested persons.

Public Printer Donnelly has inspected the invention. Now that it has been perfected, and attained definite results, it will probably be brought officially to his attention, with a view to its installation in some of the wash rooms of the printing office when the mercury reaches an uncomfortable height.

### CONTENTMENT.

The weather, as you'll all agree, is most intensely hot; and yet I would not sail the sea in an expensive yacht; for I can swipe a chunk of ice, and buy a palm-leaf fan; and they will keep me just as nice and cool as any man. My poor old legs all spavined are, from chafing through the town, but if you brought a motor car, I'd surely turn it down; if some time, weary of my cares, I wish to end them all, my humble home has cellar stairs, down which a man may fall. They say it's mighty fine to soar upon an aeroplane, away above the city's roar, and close to Charles' wain; but should it seem to me discreet, some day, to break my back, I'll walk a block and take a seat upon the railway track. My friends are going to the woods to camp and hunt and fish; to haunt the silent solitudes is some men's dearest wish; but if a sim'lar hermit plant to me should e'er look wise, I'll go and visit with the man who does not advertise. There is no sense in making tracks for Timbuctoo or Rome, when you are anxious to relax, for you can rest at home. There's nothing that men travel for, in parties or alone, that I can't order from the store at any hour by 'phone.

### NAVAL BATTALION EN ROUTE.

Friends Witness Their Departure for Field of Maneuvers. The District Naval Battalion left Washington yesterday, according to schedule, for Philadelphia, where they will go on board the United States cruiser Prairie, which is to convey the battalion to Provincetown, Mass.

### RARE FOSSILS FOUND

Workmen Discover Remains of Prehistoric Period.

NOTED GEOLOGIST EXPLAINS.

Father John T. Hendrick, S. J., of Georgetown University, Relates History of Fossils Said to Be Thirty Millions of Years Old—Found 150 Feet Above the River Level.

Fossil remains of marine animals, estimated to be 30,000,000 years old, were found a few days ago by workmen on ground belonging to the Potomac Heights Land Company, 150 feet above the river level on the Maryland side, a quarter of a mile above Chain Bridge. The deposits, which are known as mollusculites, were in the center of a 500-foot mass of Trenton limestone, and though they were of practically the same color as the rock, were in such quantities as to be noticeable to the men who were breaking it up.

According to authorities on geological matters, this discovery is proof that the Potomac River had at one time existed at that height before the present gorge at Great Falls had been cut out by the current. With the aid of the ice which collected in the stream in the winter, the mass of Trenton limestone containing the fossils was rolled down into the position in which it was found.

Father John T. Hendrick, S. J., in charge of the observatory at Georgetown University, and well known as a geologist, examined a piece of the stone and confirmed its reported age.

**Deposited by Glacier.** "It is a Devonian fossil," he said, "and was brought down many thousands of years ago by the combined action of the river and floating ice. It certainly does not belong to the rockbed in which it was found, on account of the great difference of age between the rock itself and the strata where it was found resting, which is the Columbia formation of the Pleistocene, or, in other words, the latest formation outside of that which is now going on. That it was deposited by ice action is evident from the fact that it was found lying on end and not on its flat side.

"The fossils found in the rock, which is what is known as Trenton limestone of the Paleozoic age, were deposited by the action of the glacier, of course, did not come nearer than 200 miles to Washington, but even at this distance they contributed many large fragments to the river, one of which in floating down along the shore of the Potomac in which the fossils were found. It was at that time, no doubt, extremely cold in this part of the country.

"It is not unusual to find fossils dating back many years. None of them, however, are of the same age as those found along the river valley fossils are found far from the banks, and the extent of the water at the time in which they were deposited is indicated by the distribution of the earlier Columbia strata. This name, by the way, follows out the geological plan of naming everything geographically, and includes all the strata and rock formation in this section of the country."

### TO LEAVE NEXT WEDNESDAY.

**District Delegates Going to G. A. R. Encampment at Salt Lake City.** District delegates to the annual encampment of the Grand Army of the Republic with their relatives and friends will leave Washington next Wednesday at 5:30 o'clock for Salt Lake City.

The forty-third annual encampment of the G. A. R. will begin its sessions in the Mormon Tabernacle August 9, and continue until August 14. After the encampment has completed its work and closed its annual session, the party will scatter and return by various routes.

### DECLINES CHALLENGE.

**Coleman Not Able to Get Engagement with Other Candidates.** Special to The Washington Herald. Norfolk, Va., July 30.—Theodore Daniel Coleman, one of the three Democratic candidates for the two Norfolk seats in the lower house of the State legislature, to-day rejected letters from J. T. Deal and M. T. Cooke, the two other candidates, declining his challenge to joint debates.

Coleman, the independent, proposes in his platform to abolish the Norfolk board of control.

### PLEASUED WITH TICKET.

**Alvah H. Martin Says Action of Republicans is Satisfactory.** Special to The Washington Herald. Norfolk, Va., July 30.—Alvah H. Martin, Republican National Committeeman, said to-day, enant the State Republican convention.

"The ticket nominated at Newport News yesterday is strong and satisfactory in every particular.

"It will bring accessions to the party and demonstrate at the polls in November that there is now a great awakening to Republican principles and policies in Virginia, declarations this morning of Lieut. Gov. J. Taylor Elyson to the contrary notwithstanding."

### PLACES OF INTEREST.

- Library of Congress—Open 9 a. m. to 10 p. m. on regular days; from 2 p. m. to 10 p. m. on Sundays and certain holidays.
- Public Library—Open 9 a. m. to 9 p. m.; holidays, 9 a. m. to 9 p. m.; Sundays, 2 p. m. to 9 p. m.
- White House—Open 10 a. m. to 2 p. m.
- United States Capitol—Open 9 a. m. to 4:30 p. m. State, War, and Navy Departments—Open 9 a. m. to 2 p. m.
- United States Treasury—Open 9 a. m. to 2 p. m.
- United States Patent Office—Open 9 a. m. to 12 p. m.
- United States Post-office—Open 9 a. m. to 2 p. m.
- Washington Post-office—Open all hours. (See Deal Letter Office in the city post-office.)
- National Botanic Garden—Open 8 a. m. to 5 p. m.
- Pink, Commemorative—Open 9 a. m. to 4:30 p. m.
- Army Museum—Open 9 a. m. to 4:30 p. m. (including holidays).
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- Bureau of Engraving and Printing—Open 9 a. m. to 5:30 p. m.
- Washington Monument (600 ft in height)—Open 8 a. m. to 6:30 p. m. (Elevator runs from 9 a. m. until 4 p. m.)
- Corcoran Gallery of Art—Open 9:30 a. m. to 4 p. m.; winter, 9 a. m. to 4 p. m.; in summer, Saturday—12:30 p. m. to 9 p. m.; Sundays, 12:30 p. m. to 9 p. m. Admission free on Tuesdays, Thursdays, Saturdays and Sundays; other days, 25¢ admission.
- Smithsonian Institution—Open 9 a. m. to 4:30 p. m. (including holidays).
- Government Printing Office—Open 9 a. m. to 2 p. m.
- Navy Yard—Open 9 a. m. to 5:30 p. m.
- Southwest Cottage, 30th and Prospect ave. (Formerly the home of Francis Scott Key, author of "The Star Spangled Banner," 38th M street northwest. Open daily, except Sunday, 9 a. m. to 5:30 p. m. Admission free.)
- IN THE SUBURBS.
- Zoological Park—Open all day.
- Rock Creek Bridge and Park.
- Cherry Chase and Kensington.
- Naval Observatory—Open 9 a. m. to 3 p. m.
- Mount Vernon (the home and tomb of Washington)—Open 10 a. m. to 4 p. m.
- Arlington National Cemetery.
- Fort Myer Military Post.
- Cheapeake Beach, Md.
- United States Naval Home—Open 9 a. m. to 5 p. m.
- United States Naval Academy, Annapolis, Md.
- Cathedral Grounds, Tenallytown road—Open 9 a. m. to 6 p. m.
- Great Falls of the Potomac.

# Buy An Electric

The Electric Vehicle Is To-day the Most Dependable and the Simplest Mechanical Vehicle in the World.

## To the Physician and Business Man

The physician may jump in and go—always, any time. Done as easily and simply as one would turn on or off an electric light. Patients do not wait and time is economized.

The business man who wants to save time in city or suburban driving will never be content with anything else.



## To the Ladies

There is no machinery to fix or start. Just touch the lever and go, where you will—care-free. Drive an Electric in white suede gloves and then step directly into the theater, the shop, the house of a friend, or into church, knowing that your costume is as fresh and exquisitely dainty as when you entered your automobile.

## Now Is the Time to Get Bargain Prices on Used Cars of This Type. Here are a Few:

- Waverley Runabout, box body, like new, light and snappy, at \$250
  - Baker Runabout, like new, very stylish and handsome . . . \$400
  - Waverley Runabout, Chelsea body, in excellent condition . \$400
  - Waverley Runabout, Chelsea body, as good as new . . . \$450
  - Detroit electric demonstrating car, like new in every particular, \$1,200
- OTHER BARGAINS.

Demonstrations Cheerfully Given. AGENTS FOR COLUMBIA.

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'Phone N. 5141. 2020 M Street N. W.

### WANT MANN NAMED

Virginia Republicans Begin Work in Real Fight.

MAY SPRING MAHONE LETTERS Believed Correspondence Is in the Hands of Mr. Kent's Friends, and if Judge Mann is Nominated by the Democrats They Will Play a Leading Part in the Campaign.

Special to The Washington Herald. Newport News, Va., July 30.—Not only do a majority of the Republican State leaders believe Judge Mann will be the nominee of the Democratic party, but they are hoping for his nomination, and many of them will do some quiet work for the Nottoway candidate.

This information was gathered from the leaders here this week for the Republican convention. They had no hesitancy in saying Judge Mann would be the weaker candidate for Kent to tackle in the general election.

The Washington Herald representative has been informed by reliable parties that more Mann-Mahone letters are in existence. These letters, it is believed, are in the hands of the Republicans. One Democratic newspaper has tried to get them, but failed. These letters contain could not be learned.

It is believed the Republicans intend to spring these letters in the coming election if Judge Mann is the nominee, and for that reason they are hoping for his nomination. Further reason for this belief is that the first Mann-Mahone letters have undoubtedly hurt the candidacy of the Nottoway candidate in Norfolk and in Newport News.

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### AMUSEMENTS.

**COLUMBIA** To-night at 8:15. Mats. Thurs. and Sat. THE COLUMBIAN PLAYERS 25c. "THE ADVENTURE OF LADY URSULA." 50c. Matinees Prices, 25c and 50c. Next Week—"GOSWICK RATE."

**ACADEMY** MATS. TUES. THURS. & SAT. OPENS MONDAY, AUGUST 2. With A. H. Wood's Realistic Melodrama. 10-Other Attractions—10.

**THE WORKINGMAN'S WIFE** Seat and Subscription Sale Thursday, July 29, at 9 o'clock.

**LUNA PARK** Free Gate Week Days FREE VAUDEVILLE. Big Feature Acts and Motion Pictures. Magnificent Dance Floor. PRIZE DANCE Friday Night.

**BASEBALL TO-DAY** 2 Games—2 FIRST GAME AT 2 P. M.