Scranton Tribune.

TWO CENTS. SCRANTON, PA., THURSDAY MORNING, NOVEMBER 11, 1897. TWO CENTS

MRS. NACK'S CONFESSION

Extraordinary Turn of Affairs in the Trial of Thorn.

THE WOMAN'S TESTIMONY

Causes Consternation Among Thorn's Attorneys.

Her Story of the Awful Details of the Crime Is Told She Alleges to Clear Her Conscience--Upon Cross Examination Mrs. Nack Makes Admissions That Stamp Her the Greatest Criminal of the Two.

New York, Nov. 10.—There was an extraordinary turn of affairs today in the Thorn murder trial in Long Island City.

Mrs. Augusta Nack, who was indicted together with her erstwhile paramour, Martin Thorn, for the murder of her former lover, William Guldensuppe, for whom she deserted her legal husband, appeared in the role of a state's witness against Thorn, to the consternation of the latter's lawyers. For several weeks rumors have been current that both Thorn and Mrs. Nack were striving to gain a remission of a possible capital sentence by giving sufficient information to the representatives of the people for the conviction of the other. Despite these rumors, the legal representatives of the men and women have strenuously denied that either of the prisoners were inclined to turn informer. Late last night William F. Howe, Thorn's counsel, was awakened by a messenger boy who brought to him the message that Mrs. Augusta Nack had made a full confession, implicating Martin Thorn as the murderer of Guldensuppe, and that through her legal adviser she had offered to become state's witness against her former lover.

When District Attorney Young arrived in court this morning he refused to give any information regarding Mrs. Nack's confession. A few minutes after Mr. Young's arrival, Emanuel Friend, Mrs. Nack's counsel, put in an appearance, and he volunteered the information that Mrs. Nack had made a full confession and would be put on the stand as soon as the court opened. During all this time Martin Thorn was below in a cell at the back of the court house without the slightest warning of his impending danger. As soon as he arrived in the court room he was informed by his counsel of the action that Mrs. Nack had taken, and just for a moment his face flushed and brows contracted and lips compressed he showed for the first time since his arrest that he was in any way perturbed. He soon regained his composure, however, and while he leaned forward and spoke to his lawyers Mrs. Nack entered the court room accompanied by her lawyer and a deputy sheriff. The woman passed close to Thorn on her way to the district attorney's table which was only three feet away from where Thorn was sitting. But while he carefully kept track of her every movement she avoided looking at him.

A TERRIBLE STORY.

The jurors at this time did not know who the woman was, and were ignorant of the fact that Mrs. Nack had made a confession and was so close to them. A minute later the court clerk called her name, saying: "Mrs. Augusta Nack take the stand." Every one of the twelve in the jury box heard the name called and each one of them was startled when he saw the woman turn away her head from the prisoner, whose eyes followed her as she walked around the back of the jury box and took a seat in the witness chair. For two hours and forty minutes she remained there, the cynosure of all eyes, while she told the terrible story of the murder of William Guldensuppe and telling the tale she knew full well was bringing her paramour to the electric chair. Frequently their eyes met, but the woman was not equal to that occasion and she always had to turn away from Thorn's steadfast gaze. When she was asked why she had confessed, she replied that she wished to clear her conscience, and then burst into tears. When Lawyer Howe began his cross-examination he handled her unsparingly and made her own up to such acts of premeditation that the majority of those who heard her admissions said that she was the greatest culprit and many of those who had previously evinced a decided antipathy to Thorn, swerved around and pitied him.

The remainder of the afternoon was taken up by bath rubbers who had worked alongside of the murdered man in the Murray Hill baths. One of them was Guldensuppe's nephew, and he, as well as the others, positively identified the portions of the mutilated and headless body which had been picked up within a week after the awful crime had been committed. The people, through the prosecutor, produced one expert witness, Coroner Tuthill, of New York. He described the different portions of the body which were brought to the morgue and proved conclusively that they belonged to the same person.

A few minutes after 4 o'clock the air in the court room was unbearable, owing to the dense crowd which had gained admission, and a recess of a few minutes was allowed by the court.

SICK JURYMAN.

During the recess one of the jurymen, Hangus Larsen was attacked with stomach trouble, and as the physicians who attended him said that he would be unable to remain in court, adjournment was taken until half-past nine tomorrow morning, when it is expected the juror will be sufficiently recovered to allow the trial to go on. Thorn's attorneys have decided to put him on the stand and they promise when he tells all he knows the court and jury, as well as the spectators and reading public, will be treated to another sensation.

The evidence of the people will probably be concluded early tomorrow afternoon, but Thorn may be examined as a witness in his own behalf before Friday. Throughout the day Thorn behaved wonderfully well, and his self-control under the existing circumstances was remarkable. At times he seemed deeply interested and his sneer which has always been in evidence was not so palpable as on previous days. On two occasions when Mrs. Nack was closely pressed by Lawyer Howe, Thorn enjoyed her discomfiture and laughed outright. There is scarcely any doubt as to the fate which awaits the barber, but as yet the prosecution has not stated what immunity shall be given to Mrs. Nack for the unlooked-for position in which she places herself today.

PRIEST MURDERED.

Rev. Henry J. McPake, of Philadelphia, the Victim of Footpads.

Philadelphia, Nov. 10.—The body of Rev. Henry J. McPake, an assistant priest of the Church of the Annunciation at Tenth and Dickinson streets, was found this morning lying in an area way in the rear of St. Paul's academy, on Christian street and Seventh. The right side of the skull was fractured and he had been dead for sometime. The nose was broken, and there were bruises on the forehead.

The police are convinced that the priest was murdered, and the fact that his watch and purse, which he had last night, are missing, lends strength to this theory. There is not the slightest clue to the murderer.

Father McPake left his church about 9 o'clock last night to visit his father, who lives in the opposite end of the town. He did not reach there, and it is not known what brought him to St. Paul's academy. The body was discovered by the janitress of that institution, and was promptly identified by the Sisters of Charity housed therein. The priest was about thirty years old, of handsome presence and a total abstainer. As the area way, where he was found, is enclosed on every side, it is thought that his assailant, after robbing and beating him down, dragged or threw his body over the fence to make it appear that he had stumbled and fallen.

BISHOP RULISON'S SUCCESSOR CHOSEN

Rt. Rev. Ethelbert Talbot, Missionary Bishop of Wyoming and Idaho, Selected--Four Ballots Taken.

Bethlehem, Nov. 10.—The Rt. Rev. Ethelbert Talbot, D. D., LL. D., was this evening elected bishop of the Episcopal diocese of Pennsylvania. Four ballots were necessary to a choice. Dr. Talbot is at present missionary bishop of Wyoming and Idaho.

Among the clergymen mentioned for the bishopric were: Rev. Dr. A. Mackay Saith and Rev. Dr. R. H. McKim, both of Washington; Rev. Dr. Rodin, of Philadelphia; Rev. Dr. Smith, of Chicago; Rev. Dr. Swentzel, of Brooklyn, and Rev. Rogers Israel, of Scranton.

The situation eventually narrowed down to a contest between Bishop Talbot and Dr. Smith, and on the fourth ballot the election was made and Bishop Talbot received 80 clerical and 130 lay votes. The election of Bishop Talbot was then made unanimous. Rev. Dr. Tolman, of Mauch Chunk, Pa., was empowered to confer with the presiding bishop of the United States, Bishop Lee, of Connecticut, in reference to translating Bishop Talbot to this diocese. Rev. J. P. Powers, of Pottsville; Rev. J. C. Foley, of Williamsport; Rev. H. L. Jones, of Wilkes-Barre; Rev. William H. Sayre, of South Bethlehem; Rev. R. A. Mercur, of Towanda, and Mr. A. D. Holland, of Scranton, were appointed a committee to convey Bishop Talbot word of his election.

Bishop Talbot was born in Fayette, Mo., Oct. 9, 1848. His early education was received in the schools of his native town. He graduated at Dartmouth in 1870, and at the General Theological seminary, New York, in 1873; and was ordained deacon in the Church of the Transfiguration, New York city, June 29, 1873. On Nov. 3, 1873, he was ordained priest in St. Mary's church, Fayette, Mo. He was immediately made rector of St. James' church, Macon, Mo., which post he held until his election to the Episcopacy. On May 27, 1887, he was consecrated missionary bishop of Wyoming and Idaho. Bishop Talbot received the degree of LL. D. from the University of Missouri in 1887; that of S. T. D. from the General Theological seminary, New York city, in 1887, and that of D. D. from Dartmouth, in 1888.

ARBITRATORS CONDEMNED.

Another Strike Ordered in the Pittsburg Region.

Pittsburg, Nov. 10.—The result of the arbitration on the rates of four pools of the Monogahela river was condemned today by the miners convention of the Pittsburg district, and the arbitrators were asked to reopen the case on the grounds that the miners had new evidence to offer. In addition a strike was ordered in the third pool until the scale price of $2.47 per 100 bushels was paid the diggers. The strike levy to fight the De Armitt mines was agreed to and strong measures to make delinquents pay up were passed upon. Delegates voted that the miners march in large bodies to mines where the men are delinquent in paying the levy and prevent their working.

The delegates agreed to raise for the strike fund $3,252, and paid $300 in cash.

The discussion on the proposition to condemn the finding of the arbitrators took up most of the day. The resolution as finally adopted did not question the integrity of the arbitrators, but asked that a chance be given to submit evidence which might cause another decision.

Victim of Football.

Pittsburg, Nov. 10.—William J. Keating, 21 years of age, residing with his parents in North Halstead, died last night from the result of an injury received in a football game at Swissvale a few days ago. He was injured while playing half-back for one of two teams, engaged in practice and has been sick ever since. His death came rather unexpectedly and the case is being investigated.

Gunning Accident.

New York, Nov. 10.—Henry Thum, a farmer of Martytsville, was shot and instantly killed by Frederick Mayor, of Irvington, today. They were members of a party gunning near Martytsville. Thum shot a rabbit and passed it to Mayor. Latter was just placing the rabbit in his game bag when he accidentally discharged his gun, the full charge entering Thum's abdomen.

REPULSE OF THE BRITISH

The Tribesmen at Maidan Valley Fight with Desperation.

ENGLISH SUFFER LOSSES

Difficulty Is Experienced in Rescuing Wounded.

At Saran--Sar Mountain the Tribesmen Become Audacious and Harrass the Retiring Regiments of the British Guard--All of the English Wounded Are Saved--Twelve Men and an Officer Missing.

Simla, Nov. 10.—Official despatches received here today from the British camp in the Maidan valley tell of a "reconnaissance" in force by the British which resulted quite seriously to the government forces.

The movement was commanded by Brigadier General Westacott and the British force engaged consisted of the Dorsetshire regiment, the Northamptonshire regiment, a regiment of Sikhs and two batteries of artillery. This column moved yesterday to Saran-Sar and reached the summit of the mountain with little resistance, where it went into camp but soon after retired upon the main body. This latter movement was attended by serious losses.

The insurgent tribesmen followed after the column in strong force swarming from behind the rocks, showing wonderful audacity and keeping up a heavy fire at short range upon the British troops. Only the admirable disposition made by General Westacott of his troops saved the rear guard. The general personally held the men together and saw all the wounded taken away before he retired himself. On the way back to camp the transport of the wounded was greatly hampered by the fact that the troops had to retire over a fearfully broken country surrounded on all sides by swarms of the enemy's skirmishers. The route encircled, every hundred yards or so, by deep ravines and it was while the troops were engaged in passing through this ground that the tribesmen rushed upon the troops, fearlessly making their way up the ravines to close quarters. The Northamptonshire regiment suffered the most, many casualties being incurred while saving their wounded.

All the wounded reached camp at about dark, and it is still hoped that a missing officer and twelve men will reach camp safely.

The loss of the British was about fifty men. Of this number the Northamptonshire regiment lost Lieutenant Waddell and four men killed, and Lieutenant MacIntire of this regiment, and twelve men, are missing. The Northamptonshires had Lieutenant Trent and thirty men wounded. The Dorsetshire regiment had Lieutenant Ingram, Lieutenant Mercer and six men wounded. The Sikhs lost two men killed and had six men wounded.

ZEIGLER KNOCKED OUT.

He Stood Up Before George Green, of San Francisco.

Woodward's Pavilion, San Francisco, Nov. 10.—George Green, of San Francisco, knocked out Owen Zeigler, of Philadelphia, in the first round tonight. It was the famous "solar plexus" blow with which Fitzsimmons knocked out Jim Corbett, that did the work. The round opened with Green forcing the Philadelpian. After several exchanges, in which honors were even, Green forced Zeigler to a corner and swung viciously with his left for the stomach. The blow landed clean and strong. For a moment Zeigler swayed forward and then staggered to the corner and went down gradually to his knees and then on his face. He was deathly pale and groaning as if in agony. Referee George Choynski began counting and had reached five when Zeigler made a desperate effort to come to his feet. The effort was too much for him, however, and grasping the ropes and pulling himself to his knees he collapsed and fell on his face and was counted out. He was carried to his corner, where his seconds worked on him for five minutes before he was able to stand. The crowd of 5,000 spectators remained seated. Zeigler dizzily recovered and stood up, looking about him in a bewildered manner. The crowd could hardly realize that the fight was over, so abrupt was the ending, but to those who saw the blow delivered the effect was not surprising. It was a clean full-armed swing delivered on a vital spot. After being taken to his dressing room, Zeigler said: "It is the first time I was ever knocked out and I feel very sore over the defeat."

YELLOW FEVER SITUATION.

Very Little Interest Now Taken in the Disease.

New Orleans, Nov. 10.—Very little interest is now being taken in the yellow fever situation. Four deaths and six new cases are reported. The majority of deaths reported today are in cases where physicians were called in at the last minute.

Mobile, Ala., Nov. 10.—The official report shows three new cases and two deaths from yellow fever.

Jackson, Miss., Nov. 10.—No new cases of fever were reported to the state board of health today.

LEXINGTON RACES.

Lexington, Ky., Nov. 10.—Weather, clear; track, heavy. First race, half-mile, Dunster won, Marklein, second; Dad Steel, third; time, .56 seconds. Second race, selling, 6 furlongs, Rollys won, Jamboree, second; McFarland, third; time, 1.25. Third race, mile and seventy yards, Reckwood won, Gray Eclipse, second; Royal Dance, third; time, 1.55. Fourth race, Phoenix Hotel stakes, one mile, Isabey won, Banised, second; time, 1.52½. Fifth race, handicap, one mile, J. H. C. won, Belle Bramble, second; Imp Skate, third; time, 1.47½.

WINTERSTEEN KEEPS HIS WORD.

The Alleged Dynamite Conspirator to Leave the State.

Bloomsburg, Pa., Nov. 10.—L. S. Wintersteen, the defendant in the famous dynamite conspiracy case, will leave this town tomorrow, having secured employment in New York city. When the case was postponed less than two weeks ago it was rumored that Wintersteen was to leave the town and state within two weeks, and this was cited as the primary cause of the withdrawal of Mr. Waller from the suit. This time will expire tomorrow, and as Mrs. Wintersteen has already gone, her husband's departure tends to confirm the rumor which prevailed at the time the trial was postponed.

At a recent meeting of the directors of the Bloomsburg Car company, of which Mr. Winstersteen is president, and also a heavy stockholder, he was re-elected president. This position was immediately declined.

Wintersteen, who is prominent in social circles in the town, and is a member of the Columbia county bar, was charged with complicity in the attempt to blow up the residence of Lawyer Levi E. Waller on the night of Sept. 10, 1896, being accused as a co-conspirator with Clifton C. Knorr, who confessed to complicity in the affair, after being arrested by Detective Henderson, of Philadelphia.

SPIDER BITE COST A HAND.

The Wound Had Long Since Healed, but Was Slightly Injured.

Glassboro, N. J., Nov. 10.—John A. Morton, a well known resident of Downer, near here, was bitten on the hand by a spider about two years ago. The bite caused him considerable trouble, and was a long time in healing, but it finally came around all right, and Mr. Morton had practically forgotton the painful incident.

A couple of months ago, while moving to Glassboro and handling a stove, he received a small wound on the hand near the spot where the spider had bitten him. The hand soon became very painful, and began to swell enormously. A physician did all he possibly could for the sufferer, but Mr. Morton's hand became so much worse that amputation was decided a necessary measure to save his life. He was taken to Hahnemann hospital, Philadelphia, where the hand was removed at the wrist. The patient is now doing well and is recovery is considered probable.

WILL FIGHT THE TRUST.

Everything in Readiness When the Contract of Hawaiians Expires.

San Francisco, Nov. 10.—The Chronicle says: Plans have been perfected and assurance is given that everything will be in readiness for fighting the sugar trust on January 1, when the five-year contract of the Hawaiian planters at the Western Sugar refinery will expire. It will continue to handle that portion of the crop say from 40,000 to 50,000 tons which Claus Spreckels can control. Of the remaining 225,000 tons, 150,000 tons will be placed on the market by the California Beet Sugar and Refining company in which Welch & Co., George W. McNear and their friends are the principal elements.

Ninety thousand tons will be sent to New York, where it has already been sold to refineries independent of the trust. The remaining 60,000 tons will be refined at the California Beet Sugar and Refining company's works.

MISSIONARY MEETINGS.

Society of the Methodist Episcopal Church Listens to Reports.

Philadelphia, Nov. 10.—The annual meeting of the Missionary society of the Methodist Epsiscopal church began today in the Arch Street Methodist church, Bishop Walden presiding. The treasurer's report showed that the cash receipts for the year ending Oct. 31 were $1,131,940.67, a decrease as compared with last year of $99,317.51. The money was derived from conference collections, annuities and sundry receipts. The total expenditures amounted to $1,130,169.11, leaving a balance of $1,771.65.

This, deducted from the net indebtedness of $187,914.43 on November 1 of last year leaves the present net indebtedness $186,142.78. During the year $449,629.05 was received as special gifts. The reports were gone over in detail during the remainder of the day, after which the council adjourned until tomorrow.

RETURNED WITHOUT HIS CURLS.

A Farmer Arrested for Depriving a Boy of His Golden Tresses.

Reading, Pa., Nov. 10.—Charged with cutting off the curls of a 7-year-old son of Mrs. Mary Heim, a warrant was issued today for the arrest of Alfred Blatt, a wealthy farmer of Bern township. Mrs. Heim alleges that her son visited Blatt's place, and that when he returned his great mass of golden curls, which had been hanging down his back and were the admiration of everybody, had disappeared.

Blatt acknowledged cutting off the curls, but claims to have done so at the request of Mrs. Heim's brother.

SAW A BIG WATERSPOUT.

Atlantic City Folks Treated to an Unusual Spectacle.

Atlantic City, N. J., Nov. 10.—A large waterspout, something very unusual in this vicinity, was seen about a mile off the beach this afternoon. The spout towered to a height of a bout sixty feet, was funnel-shaped, about fifty feet in diameter at the top and tapering to a point at the bottom.

It was visible only for a few minutes, moving off toward the north, but attracted the attention of a number of strollers on the boardwalk.

DAUGHTERS OF THE REBS.

Annual Convention of the United Association to be Held at Baltimore.

Baltimore, Nov. 10.—The annual convention of United Daughters of the Confederacy began in this city this morning and will last for three days. Delegates from 140 chapters in various parts of the country, both north and south, are present, including some of the most distinguished women in both sections.

Mrs. Fitzhugh Lee, the president of the association, called to order at 10 o'clock in Lohman's hall and a number of reports were received and committees appointed.

DURRANT SENTENCED.

Will on Friday Be Hanged for the Murder of Blanche Lamont.

San Francisco, Nov. 10.—William Henry Theodore Durrant, the condemned murderer of Miss Blanche Lamont, and presumably the slayer of Miss Minnie Williams, was taken before Judge Bahrs today for the purpose of having the date for his execution reset.

His attorneys made a desperate attempt to secure further delay, but Judge Bahrs brushed aside all their technical objections and ordered that Durrant be hanged on Friday next.

SPAIN'S TONE IS PACIFIC

Premier Sagasta's Reply to Mr. Woodford Is Satisfactory.

GOOD IMPRESSION MADE

Its Contents Satisfactory to the President.

Prospects of Its Result Being Seen in His Message--Perhaps a Declaration of No Cause for Interference in Cuba.

Washington, Nov. 10.—It is declared on good authority that Premier Sagasta's reply to Minister Woodford's note, the full text of which was read at yesterday's cabinet meeting, is eminently satisfactory to this government. In it the Spanish ministry pledges itself to correct the abuses of power in Cuba which were the subject of so much complaint during the Weyler administration, and gives assurances of its friendly feeling toward the American people. It accepts our good offices in its efforts to restore peace in Cuba, and in a perfectly respectful and friendly spirit asks this government, so far as possible, to restrain the insurgent sympathizers in the United States from giving material aid to the enemies of Spain in Cuba. The reply intimates that but for the assistance that has been given them by the United States, peace would have been restored long ago.

The reply, it is said, does not contain a sentence that could give offence or be construed into an expression of unfriendly purpose or feeling against the government of the United States. On the contrary, the note is asserted to be distinctly conciliatory in tone, although it insists on the right and duty of Spain to put down an armed insurrection within its own territory.

It is evident that the reply has made a favorable impression upon President McKinley and the members of the cabinet, and it is not unlikely that one of the features of his forthcoming message to congress will be a discussion of the Cuban situation, from which it will appear that there is nothing in the situation to justify present interference on the part of the United States.

Washington, Nov. 10.—Senor Dupuy de Lome, the Spanish minister, called at the state department today and had a short conference with Assistant Secretary Day, presumably with reference to filibustering operations. It is the practice of the Spanish Legation to inform the state department instantly when any party of filibusterers intend to depart for Cuba as the information comes to it through its agents.

SPAIN NOT EXCITED.

The Feeling in That Country Is One of Expectancy.

Washington, Nov. 10.—Senor Jose Canalejas, one of the foremost public men of Spain, editor of El Heraldo of Madrid, former minister of justice in the Liberal ministry, and closely identified with Premier Sagasta and the new Liberal regime in Spain, arrived in Washington today, accompanied by Captain Voga and Mr. Alex Saint Aubin, of Madrid. Senor Delomo called on Senor Canalejas soon after his arrival, and the two were together much of the day, being joined later by Mr. Calderon Carlisle, counsel for the Legation, and by the numerous staff of the minister.

"The feeling there is one of expectancy," said Senor Canalejas, "but there is little or no feeling that a serious crisis will present itself between the United States and Spain, and there is no thought in well informed circles that extreme measures of any sort will result. On the contrary, the action of the Spanish government has given every hope of a continuance of the most friendly relations with the United States, and of a satisfactory conclusion of the Cuban conflict. A complete change of policy has resulted from the accession of the Liberal ministry and the aggressive policy executed by General Weyler is now succeeded by the more conciliatory methods of that peaceful policy of General Blanco. He has but just landed in Cuba, and there is little opportunity thus far to judge of the mild and beneficial policy he is charged with executing, but we in Madrid, who know his high character and the desires of those who send him, feel assured that good results will come from his mission.

"As to the autonomy which Spain now offers to Cuba, it is autonomy of the genuine character, and it is tendered in the sincerest good faith, believing that it affords the surest guaranty of restoring peace to Cuba and good prosperity to the island. In all international affairs the autonomy now offered will give the Cuban people entire freedom in shaping their own affairs. With such a policy in view and with General Blanco to put it into execution there is every assurance that Spain will do all in her power to restore peace and prosperity in Cuba. Moreover we look with confidence on the success of that policy. We are naturally desirous that our friends in the United States should recognize the complete change of policy that has occurred and now operate with us in bringing the beneficial results we look for.

DENIED BY THE SPANIARDS.

Reports of Insurgents' Capture of Towns Discredited.

Madrid, Nov. 10.—It is officially announced that there is no truth in the report, emanating from insurgent sources, that the insurgents have captured the towns of Holquin and Mayari, in the Province of Santiago de Cuba.

It is said here that the return of General Sanguily to Cuba is due to the insurgents threatening to deprive him of his rank unless he reappears in Cuba.

Senor Moret, minister of the colonies, will submit to the cabinet council today a draft of the proposed Cuban reforms.

BALL LEAGUE SESSIONS.

Various Deals in Progress for the Exchange or Purchase of Players.

Philadelphia, Nov. 10.—The National League held a two-hour session this afternoon. The time was wholly consumed in a discussion of the proposition of the major leagues for a modification of the drafting rule which had been favorably recommended to the league by the board of arbitration. No conclusion was reached and the consideration of the subject will be again taken up on Friday morning, to which time the meeting adjourned.

The magnates, managers and other visitors, including the newspaper correspondents, were given a banquet at the Hotel Bellevue tonight by the Philadelphia club. The St. Louis-Philadelphia exchange of players was the only one of many deals on hand which was brought to a close today. It calls for the exchange of Pitcher Taylor, Catcher Clements, Fielder Doud and "Lave" Cross for Catcher Douglass, Pitcher Donohue and Shortstop Mont Cross.

Another deal which will place Grady and Hartman, of the St. Louis club, with the New York Giants is very likely to go through. A cash consideration was proposed by the New York president and subsequently three of the New York players were offered in exchange. It was learned that Donnelly and Park Wilson were two of the men mentioned. Another deal on the carpet is an offer of Cincinnati to exchange Dwyer, McCarthy and Miller with the Pittsburg club for Pitcher Killen and Fielder Elmer Smith.

A deal was completed tonight by which the Cincinnati club exchanges Rhines, Schrievey, Gray and Miller to Pittsburg for Pitcher Hawley and Fielder Elmer Smith.

BAKER HEIRS ARE ALIVE.

They Desire to Possess $4,000,000 in Cash at Philadelphia.

Pittsburg, Nov. 10.—The Commercial Gazette tomorrow will print:

The attorneys for the Baker Heirs' association have discovered that claim of $4,000,000 in actual cash in a Philadelphia institution and proceedings will be begun immediately to get possession. When the attorneys representing the Baker Heirs' association of Western Pennsylvania and Eastern Ohio went to Philadelphia they had nothing to go on. It was discovered that Jacob and John Baker, presumed to have been brothers, had invested certain money in the year 1792 in Philadelphia, and afterwards died.

The heirs of these men could not be lodged. The money that had been invested was paid into court in the early part of this century. Since that time these persons have been at work, and now evidence has been received which leads attorneys here to believe that there is no possible mistake about it. The 99 year lease has been knocked out. The money, so far as discovered, has not been paid, and the estate in which this $4,000,000 cash is included, has never been settled in the courts of Philadelphia. The associations of Baker heirs are numerous. In this part of Pennsylvania there are in the neighborhood of fifteen associations.

SPANISH REPUBLICANS.

Demand Restoration of Suspended Constitutional Guarantees.

Barcelona, Nov. 10.—A great meeting of Republicans was held last evening at the Theater Tivoli, in this city. After addresses by popular Republican orators resolutions were unanimously adopted demanding the re-establishment of the constitutional guarantees suspended since the Anarchist outrages during the celebration of Corpus Christi, on June 7 of last year, together with explanations of the arbitrary use the authorities have made of that suspension and of the rumored inquisitorial proceedings against Anarchists at Montjuict Fortress. These resolutions the meeting directed to be sent to the government.

COLLISION ON THE WABASH.

Six Persons Are Severely Injured. Engineer Will Die.

Chicago, Nov. 10.—Chicago and Eastern Illinois passenger train No. 12, bound for Chicago, collided with a milk train on the Wabash railroad at Hammond Junction, or Eighty-sixth street, today while both trains were going at high speed.

Six persons were seriously injured. Engineer Stoner, of the Chicago and Eastern Illinois, will probably die. The other five will recover. A misplaced switch caused the wreck.

PENNSYLVANIA PENSIONS

Washington, Nov. 10.—These Pennsylvania pensions have been issued Original—Daniel W. Dingman, Shawnee, Monroe; George W. Richards, Clearfield; Daniel P. Raup, Watsontown, Northumberland; Alexander M. Wilson, New Castle; Abraham Renninger, Landmark, Berks; Josiah C. Huston, Johnstown; Jacob Brown, Robertsdale, Huntingdon; Henry Parton, Franckville, Schuylkill; Lewis Pittinger, Fountaindale, Adams; James Gilfillin, Soldiers' and Sailors' Home, Erie; Henry Lewares, Pine Grove, Schuylkill. Supplemental—James H. McClellan, Beatty, Westmoreland; Cyrus C. Howe, Rush, Susquehanna; Joseph Amerman, Tyrone. Increase—William H. Shultz, Milerburg, Center; Isaac Kitchen, Bloomsburg; Henry O. Bender, Clearfield; George A. Kennedy, Erie; James M. Wilson, Smithmills, Clearfield; Henry Triesach, Connellsville; John A. Schepple, Reading; Robert Sutton, East Brady, Clarion; John K. Hunter, Guysmills, Crawford; James C. Potts, Pittsburg; DeWitt C. Heneberger, Waynesboro; Edward W. Fosnet, Lewistown; John McCarty, Likers, Dauphin. Original widows—Kate E. Bender, Manchester, York; Martha J. Morningstar, Saxton, Bedford; Regina Altman, Church, Clarion; Catherine Ehrsman, Reading; minor of Michael Kashner, Rotte, Clinton; Josephine Boyd, Pittsburg; Catherine Aumiller, Williamsport; Annie Long, Williamsport; Frances A. Croop, Hemlock Creek, Lugerne; Maria Barnett, Watertown, Lugerne; Catherine Rothrock, McClure, Snyder; Charlotte M. Brunner, Mechanicsburg; Eliza Jierce, Bellefonte.

THE NEWS THIS MORNING.

Weather Indications Today:

Partly Cloudy; Warmer.

1 General—Mrs. Nack Turns State's Evidence.
Spain's Conciliatory Note.
British Troops Repulsed in India.
Supreme Court Sustains Lower Courts in the State Capitol Cases.
2 Local—Recommendations of the Grand Jury.
3 Local—Heptasophs Eat and Make Merry.
4 Editorial.
5 Local—Why the Endeavorers Have a Trolley Day.
More Clothes-Line Booty Found.
A Great Fruit Region.
6 Local—West Side and Suburban.
7 Lackawanna County Happenings.
8 Neighboring County News.
Financial and Commercial.

ARCHITECTS DEFEATED

Lower Court Decisions in the Capitol Cases Affirmed.

THE TERMS WERE VIOLATED

Commissioners' Action Was Not Illegal.

Opinion Handed Down by Judge Mitchell Sustains Previous Rulings. The State the Real Party in Interest as Defendant--Complainants Have Shown No Interest in the Subject Matter Entitling Them to Relief.

Pittsburg, Nov. 10.—The superior court handed down its decision in the noted state capitol commission cases, affirming the decision of the lower courts in dismissing the bills in equity filed by the architects whose designs had been rejected by the board of commissioners, provided for by the legislature to select designs and plans for a new capitol building.

This decision defeats the effort made to set aside the award of the commission.

The case is styled Cope et al vs. Hastings et al. The opinion filed with the decision sets forth the appointment of a commission to erect a new capitol building at a cost not to exceed $500,000.

Justice Mitchell handed down the opinion. He speaks of the creation of the commission, of its selection of an expert architect as its assistant, and of the selection of three disinterested architects who selected out of thirty plans submitted eight plans for the commissioners to choose from. The board discarded two of the plans for violation of directions of the programme, one because trees were shown in one of the drawings and another because all elevations in the drawing were not rendered in monotone.

"The commissioners ordered all the designs returned to the office and invited the submission to the commissioners of new plans by 11 competing architects.

"On this action of the commissioners, the complainants filed the present bill, averring that it had entered the competition by preparing and submitting plans in accordance with the programme; that the action of the commissioners in thus disregarding the obligation of said programme and in annulling the provisions of the same is a violation of the obligations assumed there under the commission. This is the cause of action. It asks the court to compel the commissioners to award the prizes to three of the eight preferred designs, but does not say that the complainant's designs were among the eight. If the relief asked for were granted there is nothing to show that the complainant would in any way be benefitted by it. Courts of equity are not set in motion upon any speculative contingency."

The court then sums up its conclusions as follows:

First—Complainants have shown no interest in the subject matter entitling them to the relief.

Second—By the bills and the attached report of the board of experts, it appears that the complainants violated the terms of the competition, and therefor were not entitled to be considered in the selection.

Third—That the action of the commissioners complained of was not illegal, but was justified in the terms of the programme.

Fourth—That even if the action of the commissioners had been in disregard of the programme they could not bind themselves to delegate their discretion or limit their final judgment.

Fifth—That the state being the real party in interest as defendant and its officers not being alleged to be acting in violation of the laws, which created their authority, the courts are without jurisdiction of the subject matter.

In the case of Warner against Hastings the case on common pleas court of Lancaster county is affirmed in an opinion filed by Judge Mitchell.

The complainant charges that the respondents in violation of their pledges, in consideration of which his drawings were put in competition allowed his design to be photographed and published, whereby he lost the advantage of his skill and labor. This is a separate ground of complaint which could not be remedied by the injunction asked for in the bill. The dismissal of the present bill will therefore be without prejudice to complainant's rights, if an error, in such an action.

SCIENCE HEALER FINED.

Amanda J. Baird Assessed $50 for Failing to Report Diphtheria.

Kansas City, Mo., Nov. 10.—Mrs. Amanda J. Baird, the Christian Science healer, was fined $50 in police court today for failing to report to the board of health a case of diphtheria she was treating. Mrs. Bair immediately signed a bond, appealing the case to the criminal court.

T. J. Heeney, the father of Male Heeney, who died under Mrs. Baird's Christian Science treatment, was among the first to shake hands with Mrs. Baird after the conviction.

The Herald's Weather Forecast.

New York, Nov. 11. In the Middle States and New England today fair, partly cloudy, warmer weather and fresh to brisk southwesterly and southerly winds prevail, followed by rain in western districts of this section this forenoon and in the eastern district tonight, where the winds on the coasts will rise decidedly. On Friday, in both of these sections, cloudy weather will prevail with brisk, southerly winds, preceded by rain and high winds on the coasts, and nearly stationery followed by falling temperature and by clearing in this section in the afternoon.