NICHOLAS WILL HANG.

AN OPINION HANDED DOWN IN THE COURT OF APPEALS.

The Evidence in the Case is Revie ed at Length by Judge Harrison, and the Lower Court Sustained,

An opinion was handed down in case of P. N. Nicholas, convicted in the the Court of Appeals yesterday in the Circuit Court of Henrico of the murder of James Mills and W. J. Wilkerson by drowning them in James river. The finding of the lower court was sustained in toto. Judge Harrison read the opinion of the Court of Appeals.

When the news was broken to Nicholas it seemed to daze him. He wept and took the finding of the Court very much

me that he had been lied against by the witnesses, and that feit as if his life were going to be unjustly taken from him. Nicholas will no doubt be hung, but the question as to who will sentence him appears to teneed. An appeal was then taken to the of Appeals, and they have sus-

But since Nicholas was sentenced the last General Assembly has deprived the can Judge Wellford resentence the prisoner since he has been deprived of the jurisdiction to do so? Can he be sentenced in the County Court when he was never tried in that court? These are technical questions that have yet to be answered. If neither county nor circuit court has the jurisdiction to resentence the prisoner, then the question arises as to how he can be executed.

There were thirteeen bills of exception to the rulings of the court below, many of them pro forms, and nearly all tech-nical. The rulings of the Supreme Court hivelve no new principle of law, and the material ones are as follows: Held: 1, New trials upon the ground of af-

Held: I. New trials upon the ground of at-ter-discovered evidence, are granted upon the following conditions: First, the evi-dence must have been discovered since the trial; second, it must be evidence that could not have been discovered be-fore the trial by the exercise of reasonable diligence; third, it must be material in its object, and such as ought in another trial to produce an opposite result upon the merits; fourth, it must not be merely cumulative, corroborative or col-32 Grat., 140, 143; 75 Va., 817; 79

that the verdict is contrary to the evidence ought to be granted only in case of plain deviation from right and justice. And this court will set aside a verdict on such motion only in a case where the jury have plainly decided against the evidence, or without evidence.
The evidence is so succinctly, and yet so dramatically summarized by Judge Harrison, and the case one that has excited so much popular interest, that the conclusion of the decision is given ver-

Judge Harrison, in delivering his opin-On the 8th day of December,

Philip Norman Nicholas, the plaintiff in error, one James Mills and his wife. Ann A. Mills and their three small children were living in the upper part of Henrico county on a farm, known as the Wick-ham place, about one mile from James river. Nicholas was the renter of this farm, and cultivated it on shares. He was himself, however, chiefly engaged as a trapper, having a number of traps set along both sides of the river. He employed James Mills, with whom he lived, and one William Judson Wilkerson as sub-tenants to do the farm work for a portion of his share of the crops. Wilkerson lived with an aged mother in a small house very near to Mills' house, near enough to see into the windows of

one house from the other.

Philip N. Nicholas, the prisoner, was an unmarried man, and lived in a room of the house occupied by James Mills and his family. The evidence shows that on the night before the drownlog, the prisoner, James Mills and William J. Wilkerson were together at the house of Mrs. Wilkerson, the latter's mother, and arranged and determined upon a trip across the river the next morning to take a bee tree.

PLANNED BY NICHOLAS.

This expedition was suggested, plan This expedition was suggested, plan-ned and carried out by the prisoner. Wilkerson was very unwilling to go, and finally consented, at the suggestion of his mother, who said Mr. Nicholas seemed so anxious for him to go, he had better do so. Mills was unwilling to go, unless do so. Mills was unwilling to go, makes Wilkerson went. Wilkerson said he would rather plough than go, the prisoner replied if you will go you shall not lose anything. In the course of the conversation which resulted in this expediversation which resulted in this expedi-tion being agreed upon, both Mills and Wilkerson stated, in the presence of Nicholas that they could not swim and were very much afraid of water, that they did not like water more than knee

they did not like water more than knee deep; the fact that they could not swim was generally known to their friends. It is further shown that it was the habit of Nicholas to go every morning early 40 the river to examine his trans. And it appears from the evidence that on the morning of the day the drowning occurred, he went to the river about daylight and returned about breakfast time, and when questioned about it said. time, and when questioned about it said, I did not go to my traps this morning. I was sick. He afterwards told Mrs. Wilkerson he did not catch anything. Everything being in readiness to carry out the plans for the day, these three men started out from home about 9

o'cleck in the morning, equipped with everything necessary for taking the bec-tree, having with them two buckets, holdtree, having with them two buckets, holding two and one-half to three gallons each, for the honey; two axes, one hatchet, and a piece of netting to protect the person from the bees. The boat used belonged to one Joseph Bruin, and on their way to the river, an uncle of the owner was asked if they might use the boat. They were told that they could get the key, which unlocked the could get the key, which unlocked the beat from its fastening to the bank, from Bruin, the owner. The prisoner replied that he had a key of his own, and had often used it before without permission.

It appears that they landed on the Chesterfield side of the river, at a point one mile and a half from where any one one mile and a half from where any one lived, and proceeded to the bee tree, which was one mile from the point of landing. Investigation showed ther: were no tracken bout the point of landing, but those of the three men going from and returning to the heat. It further appears, from the statement of the prisoner, that after feaching the tree they decided not to cut it, because it was a large tree, near the main road, and might get them into trouble, and for the further reason that the hole was small, and might not have any honey in it anyhow. (The tree was

any honey in it anyhow. (The tree was afterwards cut by order of the magistrate, and found to be full of honey). It further appears that the boat was a small one, about ten feet long ard about two and one-half feet wide, and that both in going over and returning the prisoner sat in the extreme rear of the boat, with his face to the front, and that Wikerson and Mills sat in front of him, with their faces to the front, and their backs to the recursed.

accused.
This position of the parties the prisoner admitted very reluctantly when questioned about it. When returning, and tioned about it. When returning and about fifty yards from the Henrico shore.

the boat suddenly filled with water, and Mills and Wilkerson were drowned, and the prisoner swam to shore.

The next day the magistrate of the farmed."

circumstance with a most favorable eye to the prisoner, I am constrained to the conclusion that upon the whole case there is no error in the jedgment of the Circuit Court, and the same must be affirmed."

district was notified of the occurrence, and an investigation was set on foot. The boat was gotten out of the water; and it was found that immediately under the scat where Nicholas sat there were three holes, freshly bored with an inch and a half augur. The evidence of the owner of the boat shows that on Tuesday even-ing, the 6th of December, he used his boat, and it was scund. It was taken by Nicholas for this fatal trip Thursday morning, the 8th of December. Further shavings corresponding to the size of the holes and to the wood the boat was made of, which had been thrown into the water, but had drifted upon the shore near the where the boat had stood fastened to the Henrico side; there were also found corn cobs, which had been cut exactly to fit the holes in the boat, which had also drifted to the same point. It was shown that the prisoner had in his possession an augur just the size of the holes. This the prisoner at first denied, but afterwards said it must be about the place somewhere. Diligent search was nade for this augur, but it was never

When the magistrate went the next day after the drowning to get the prisoner to assist in making these investigations. and to show exactly where the men were drowned, he declined to go, saying that his head, eyes, and ears were full of water, and that he was feeling badly. he prisoner again declined to go, making if he did not go, he yielded. The prisoner stated, when returning from the Chesterboat, and it commenced filling with water rapidly; that he urged the men to remain in the boat and ball out the water with the buckets, and he would take them safely to shore; that notwithstanding this they jumped out, and the last he saw of them they were swimming very strong. also told Mrs. Wilkerson that the not know whether they were swimming or not. He told officer Hall, who arrested him, nearly three days afterwards, that jump out, that the boat was sinking. appears from the prisoner's statement that when he swam to the shore, he limbed out with great difficulty, and lay upon the bank in an exhausted condition for some time. It further appears that he or some time. It further appears cent home to Mills' house by a ci route, avoiding acquaintances and neigh-bors, to whom he might have at once communicated the shocking occurrence to which he had just been an aye-witness. "JIMMY IS DEOWNED."

When he was two hundred yards from for any one to tell his condition, or to see that he was we', he was seen by Mrs. Mills, the wife of the drowned James Wills, who commenced in a most excited way screaming and wringing her hands, saying simmy (meaning her hus-band) is drowned, is drowned, yonder omes Mr. Nicholas. The prisoner went immediately into Mrs. Mill's house, and, according to the testimony, was wringin wet, and stood for fifteen minutes with wet, and stood for fitteen manufactures, and stood for said to Mrs. Mills, "they are drowned."

Mrs. Wilkerson, alarmed as to the fate of her son, sent messages seven times to the prisoner, begging him to come

to her room, that she might ask about Judson. Mrs. Wilkerson was an aged cripple, and could not get about. The said, pray tell me where my boy is. He replied, I will as soon as I can speak, and after a great deal of waiting, hesitating, excess of emotion, and unnatural sping, he said, "I am afraid your dear boy is gone, the last I saw of was swimming finely about thirty yards

She asked him to telegraph his friends in Richmond. He said it was not worth while. "He will not be seen for seven or eight days, and to-morrow, if you are anxious, I will write." The dead bodies of Mills and Wilkerren were taken from the river December 15th. On the night of December 16, 1892, about 1 o'clock, the prisoner was arrested by Officers Hail and Tomlinson, of Richmond, accompanied by Mr. Rug, the magistrate, They and Tominson, of Reimond, accompa-nied by Mr. Rugg, the magistrate. They found the prisoner in Mrs. Mills' room. He showed no surprise; seemed to be ex-pecting to be arrested; asked no ques-tions, and in mediately commenced put-ting on his clothes. He asked Mrs. Mils for his money. She felt under her bed-clothes, got the pocketbook out and

officer Hall says that whenever he would ask him a question he would reply that he had lost his recollection size he got into the water; that he had been crazy nearly ever since, and his memory was all gone from getting water into his touth and ears.

evidence fully establishes the fact nal relations with Mrs. Mills for twelve probably for a much langer time; that he had on several occasions proposed to Mrs. Mills to leave her husband and live with him: that he told Mrs. Wilkerson Jim
Mills was hard to get along with, and ne
thought he would get rid of him. He also
told this witness he had a difficulty with
in a different department of the service

eral months before the drowning he bought strychnine from J. T. Lewis, a droggist in Richmond, took it to the house of Mills, put it in Mrs. Mills' desk, called her attention to it, explained that one grain in milk or coffee would kill man, and told her to administer it

It further appears that on several occasions about the time this poison was shown to be in the house, that Mills be-came suddenly and violently sick, appearing to be paralyzed in the mouth, great redness over the face, complained of hurting all across his heart and limbs, foaming at the mouth, jerking, etc. These spells are described as occurring early in the morning, when the prisoner and Mills had just taken a drink together. When it was proposed to send for a doctor on

it was proposed to send for a doctor on one of these occasions, the prisoner ob-jected, saying doctors are not what they are cracked up to be.

It appears that on repeated oc-casions, during the time James Mills was having these attacks, that the prisoner stated at different times to friends and relatives of deceased that said James Mills had heart disease friends and relatives of deceased that said James Mills had heart disease and might die at any time. The prisoner stated while in jail: "If this woman will hold her tongue, it will help me."

OTHER CIECUMSTANCES.

There are many other important in culpatory circumstances proved, which are very significant and weighty. An attempt, however, to review them all would extend this opinion to an unreasonable and unnecessary length. I have attempted to point out some of the salient and more important facts, as they ap-pear in the record of this remarkable case, and, without commenting upon them, it is sufficient to say that, so far from the verdict of the jury being against from the verdict of the jury being against evidence, or without evidence to sustain it, tes testimony, considered as a whole, produces upon the mind a moral certainty that the accused is guilty beyond all reasonable doubt of the horrible double murder with which he is charged.

With an anxious regard for human life and an earnest desire to look on every circumstance with a most favorable eye to the prisoner, I am constrained to the

VIRGINIA OYSTER LAW.

THE CIRCUIT COURT OF GLOUCES-TER COUNTY REVERSED.

The Supreme Court of Appeals Decides That the Act is Constitutional.

In the Supreme Court of Appeals yesterday the following opinions were ...anded down, besides the opinion in the Nicholas

Commonwealth vs. Iverson Brown. From the Circuit Court of Gloucester county. . Reversed: cpinion by Judge

This was a case to test the constitutionality of certain acts, known as the

Oyster Laws. Held: 1. The tax is equal and uniform and the value of the oysters could not well be ascertained or fixed in a more just manner than the statute prescribes. The requirement of equality and un-fermity is satisfied by such regulations as will secure an equal rate and a just valuation, without reference to the method of valuation; and in order to be uni-form a tax need not be imposed and assessed upon all property by the same agency or officer. See Shenandoah Val-ley Railroad Company, vs. Supervisors of Clarke county, 78 Va., 269. Kentucky Railroad Cases, 115 U. S. R. The Legislature may prescribe any

method it may deem best for attaining a just and fair valuation of any species of property, and the court would not declare such law void, unless manifestly violating the principles of the Constitution.

It is not an income tax nor a license law, does not render it invalid. See 2

Va. Cases, 258; 20 Grat., 165, etc.

3. As to the law embracing more obects than are embraced in its title: All n the statute, but not specified in the title, are congruous, and are germane to the subject of the title, or have natural connection therewith. 88th Va., 707; 120 U. S. R., 523; 107 Id., 155; 113 Id., 142. Amendments to the Code sufficiently comply with constitutional requirements if germane to the subject of chapter amended, and citing proper chapter to be amended, repealed, etc.

4. As to imposing a tax without stating it or the object of it, the tax is accurately prescribed by the statutes, and is not open to mistake or dough, and is distinctly stated in the sense of the Con-

ACTION OF EJECTMENT.

Reusens vs. Lawson, guardian, etc., et al. From the Circuit Court of Patrick. Reversed; opinion by Judge Buchanan.

Held: 1. In a land controversy as to loca-tion or boundary, the land having been patented by the State, the calls and descriptions of another survey, by the same surveyor, nearly about the same time, of a neighboring tract granted by the State, whether to a party to the controversy or a stranger, are proper evidence on the question of location or boundary, unless clearly irrelevant. 1. Grat, 212, 222; 13

An outstanding title sufficient to defeat a recovery in ejectment must be a present, subsisting and operative legal title, upon which the owner could re-cover if asserting it by action. 78, Va., cover if asserting it by action. 18, va., 602, 620. But the plaintiff must depend upon the strength of his own title, and if it appear that the legal title is in an-other, whether the defendant, the Commonwealth, or some other person, that is sufficient to defeat the plaintin; nor an there be any adverse holding against

An original instrument more than fifty years old, being a good deed in form and substance, except for the lack with evidence of taxes thereon, acts of ownership exercised, etc.; the question of whether it had been properly sealed before its delivery ought to be submitted to the jury, and is now treated by the courts as a question of fact, and not of

Norfolk and Western Railroad Company

Norfolk and Western Railroad Company vs. Nuckols' administrator. From the Corporation Court of Buena Vista. Reversed; opinion by Keith, president. Nuckols, a track hand, was engaged in placing a rail upon the track; was struck by a passing engine and killed. The evidence proves to the satisfaction of the court that the accident was caused by the negligence of the engine man. Held: I. A person entering the service of another assumes all risks naturally incident to that employment, including the danger of injury by the fault or negligence

danger of injury by the fault or negligence

m a different department of the service from the wrong-doer. The test is, were superstitious.

It is further proved that on the night immediately following the day of the drowning, prisoner again told Mrs. Mills she must now live with him, and he would do all be could for her, and the next morning after the drowning he was seen in Mrs. Mills' room in her bed.

TRIED TO FOISON HIM.

It appears from the eyidence that seventh advantage has been of the duties of his fellow servant in such other department.

3. The liability does not depend upon gradations in employment, unless the superfority of the person causing the in-

periority of the person causing the in-jury was such as to put him in the cate-

gory of principal or vice-principal.

4. It is the duty of the employer to furnish suitable and safe appliances, machinery, structure and roadway.

5. It is the duty of the employer to exercise reasonable care, prudence and discretion in ascertaining the character, better and fitness of his employers for

habits and fitness of his employes for the duties assigned them, and by proper supervision to keep himself informed as to the manner in which their duties are per-

formed.

6. Where the injury to the servant has been occasioned by the default of the fellow servant, concurring with the negligence of the master, the latter is liable as though he only were at fault.

7. A track repairer and engine man, the other in different departments, are, by

though in different departments, are, by the nature of their employment, brought into frequent contact, and the risk of negligence by the one must, therefore, be considered to have been in contemplation of the other, when service under the common master was accepted.

OTHER RUSINESS.

The resolutions of the Richmond Bar Association, as to the death of Major B. H. Nash, were presented by Major Stringfellow, in a few eloquent and pa-thetic words, and were ordered to be spread upon the records.

Bell vs. Farmville and Powhatan Rail-road Company. Second petition for a re-hearing: denied. Hill Montague, W. T. Waller and Irving E. Campbell, Esquires, allowed to practice

as counsel in this court. AN ELECTION CASE. Ingles, etc. vs. Strauss, etc. From the Circuit Court of Wythe county. Affirm-

circuit court of Wythe county. Affirmed: opinion by Judge Cardwell.

This case arose out of an act authorizing a special election as to the removal of the court-house of Pulaski county. Of the vote cast, 1,335 were for Pulaski; 615 for Dublin, and 17 against removal. The decision being in favor of Pulaski; the judge of the Circuit Court so decided, and issued the necessary orders to carry out the provisions of the act, and appellants enjoyed the same alleging fraud pellants enjoined the same, alleging fraud and intimidation in the election, and that the act was unconstitutional. Appeal from the order dissolving the injunction.

Held: 1. If the subject embraced by the statute but not specified in the title.

have congruity or natural connection with the subject stated in the title, or are cog-nate or germane thereto, the requirement of the Constitution as to the title is sat-isfied. 47 Minn., 578; 58 Va., 707; 89 Va.,

2. A court of chancery never continues a motion to dissolve an injunction, un-less from some great necessity, being always open to grant, and of course, to reinstate an injunction wherever it is proper to do so. 3. When a motion to dissolve is heard

upon the bill, answer and depositions, used as affidavits, and the evidence does not show probable cause reasonably to infer that the plaintiff will be able to make out his case upon the final hearing, the injunction will be dissolved. But if plaintiff's right to relief is supported by evidence regularly taken, and on which he intends to rely upon the final hearing, the injunction will not be dissolved upon the bill and answer alone, but will stand over till the hearing. upon the bill, answer and depositions, used

PERSONAL AND GENERAL.

Interesting Facts About Richmond's Citizene and Other Matters.

Tr. James Kain, a clerk at the post-Sergeant Jeter, of the First district olice, has been sick since Monday. Mr. Champ T. Barksdale, of Danville, Va., is a guest of the Commercial Hotel. Mr. John O'Toole, a former resident [Richmond, now of New York, was in he city yesterday. The Sidney Lodge of Good Templars will give an entertainment to-morrow night, which will embrace many pleasing

Misses Nellie Walker, of Amherst county, and Bessie Venable, of Petersburg, are the attractive guests of Mrs. Virginius Johnson on west Main street. Dr. Parker requests that all persons who order goods for the Infants Home will direct that they be sent to the corner of Thirty-second and Clay streets. Captain J. H. H. Figgat is lying in a very critical condition at his home in Fincastle. Dr. Gaie, of Roanoke, and Dr. McGuire, of Richmond, have been

Dr. McGuire, of Ric The series of meetings at the Second Paptist church are increasing in interest and numbers. Rev. W. J. E. Cox, of Staunton, preached with great effect at the meeting last night. He preaches again to-night at 8 o'clock.

the meeting last night. He preaches again to-night at 8 o'clock.

The statement made several times in city newspapers that Mr. Burnley Taylor, who was recently charged with passing forged court orders alleged to have been issued for the maintenance of lunatics, was a relative of the Wickham family of this vicinity, is stated on the best authority to be an error.

Yesterday morning about 11:30 o'clock the trolley wire at the former of Ninth and Main streets fell, causing great excitement, and came very near resulting in a serious if not fatal accident. Whilst the wire was on the ground a lady, in crossing the street, stepped on it, and had it not been for the gum shoes she wore, she would have probably been instantly killed. The break was soon repaired and traffic resumed.

The sale of seats for the Imperial

The sale of seats for the Imperial Quartette testimonial entertainment will open at 9 o'clock this morning at the Academy box-office, and those who desire choice seats will do well to secure them at once. The entire programme has been completed, and comprises a splendid list of attractions, among which are several novel features. It will be a first-class amateur vaudeville entertainment.

Westerday the order of St. Benedict observed the feast day of its founder. It is a great holy day for the Benedictine Fathers of St. Mary's church, and also for the Ven. Sisters of St. Mary's church high mass was celebrated at 8 o'clock. At the offertory the hymn, Sancte Pater Benedicte, was chanted. After high mass benediction with the Blessed Sacrament was given. The school children of St. Mary's enjoyed a holiday.

The Society for the Prevention of Crucity to Animals have adopted a capital plan for creating a spirit in favor of the kind treatment of brute creation. Their plan is to use the famous bock, "Black Beauty," which might be called the autobiography of a horse, as a circulating IIbrary in the public schools.

The society has received through Messrs. Dickerson & Co., from Messrs. Frank Miller & Co., New York, a hundred copies of the book.

the book passed among the scholars in the schools, so as to reach various families. They will also be asked to make a monthly report to the society of the number of families that the publication has reached.

The "Black Beauty" is regarded as one of the most wonderful books of its kind that has ever been written. It is without equal, and has done more good than any other work, from a humane standpoint. The secretary of the S. P. C. A. will soon write to Messrs. Miller & Co., asking for an additional hundred volumes that will be used as a circulating library among families in the city, stablemen drivers and other owners of horses, who will be requested on reading it to pass it to some friend, and request that he or

Mr. Wertheim to Leave.

The many friends and admirers of Mr. Barney Werthelm will hear with regret that he has made business arrangements in another city, and is about to leave Richmond for good. Mr. Wertheim has been connected with the clothing trade of Richmon! for twenty years, and by his courteous treatment and fair dealing he has made hin self extremely popular and attracted a valuable trade.

For fourteen years he was connected with the clothing firm of H. Swartzchild & Co., Fourteenth and Main streets, and six years ago, in connection with the brothers of the above, opened the Boston Clothing House, which he conducted until bought out by Mr. J. Jacobus, the present proprietor. He remained with this house up to the present time, Mr. Wertheim will open a clothing es-tablishment on a handsome scale in Jer-sey City, and will leave for his new field the 1st of April. He will have a host of well wishers in his new venture.

The Committee on Streets will meet this afternoon at 3 o'clock at the City Hall, and from there go to Rocketts street, near Williamsburg avenue, to view that locality in reference to a petition of citizens living in that vicinity for certain changes in the tracks of the Richmond Railway and Electric Com-pany, in order to secure a better street-car service for Fulton.

The committee will meet in room No. 5 of the City Hall at 8 o'clock to-night, to again take up the subject. The citizens of Fulton who are interested in the matter are requested to be present at that time and submit their views.

In the Chancery Court yesterday the following qualifications were recorded Mary F. Fergusson as administratrix of William Fergusson; W. R. Pollard, Jr., as administrator of Maria A. Slaughter: J. B. Halyburton, as administrator of Thomas G. Halyburton; G. P. Hawes, as executor of W. D. Quarles. City Circuit Court.

Judge Wellford in the City Circuit Court

yesterday appointed the following gen-tlemen trustees of the Denny-Street Methodist church, south: Dr. W. V. Crox-ton, W. J. Mayo, W. M. Eacho, W. A. Whitlow, R. W. Batterley, J. T. Mountcastle, E. H. McDonough, R. Nelson, W. W. Turner.

D'el of Beart Disease. Eddie Coles, a colored man, living at No. 532 north Eighth street, died sudden-ly yesterday of heart-disease. Coroner Taylor, after viewing the body, did not

deem an inquest necessary. Hustings Corrt. The entire day was taken up in the Hustings Court yesterday with the trial of Mrs. Elizabeth Albright, charged with petit larceny. She was convicted in the afternoon and fined \$10 and costs. She

TO UNITE THE CITIES.

THE QUESTION CONSIDERED BY THE JOINT COMMITTEES.

A Mejority of the Members of Richn and Manchester Favor the Scheme at

Present, Under Certain Conditions, The special joint committee, composed of representatives of the cities of Richmond and Manchester, held another session in room No. 5 of the City Hall last evening. There were present Messrs. Wallerstein (chairman), Davis, Brock, Cottrell and Tanner, of the city of Richmond, and Messrs. Utz, Morton, Hart,

on hand, while the City Engineer's department of Richmond was represented by Mr. Jackson Bolton.
The only absentees were Alderman Boykin, who was out of town, and Alderman

Sims, Nunnally, Wells, Weisiger and

Bradley. Captain J. A. Lipscomb, acting

City Engineer of Manchester, was also

Mann, of Richmond. The Chair announced that the first busi-The Chair announced that the list obsi-ness in order would be the election of a clerk to the committee. Colonel Tanner thought that inasmuch as the Board of Aldermen had declined to concur in the appropriation made by the Common Coun-cil for such a purpose, the committee was n about the same predicament as at the

Mr. Davis nominated Mr. C. Werner for the position of clerk, who was unanimousiy elected.

Mr. Utz, on behalf of the Manchester committee, submitted several papers giv ing information as to the assets, fixed condition of the streets, etc.

mittee tnanked Mr. B. T. August for his services in acting as clerk to the com-mittee up to that time, and the latter expressed his gratification over the action of the committee, and added that he would cheerfully continue the work if he had the time to spare. However, he would be ready to render any assistancthat was within his reach. TO HAVE THE PAPERS PRINTED.

The committee decided, on motion of Colonel Tanner that the Public Printer be instructed to print 100 copies of the papers just submitted by the Manchester delegation, for the use of the members of the Councils of the two cities. On motion of Mr. Cottrell, the committee decided to request the Auditor and Treasurer of the city of Richmond to furnish them, as soon as possible, with 100 copies of their re-ports for the year 1894.

Mr. Davis thought that it would be well at this stage of the proceedings to bring about an exchange of views among the members of the joint committee in regard to the question of annexation. Mr. Nunnally retorted that he did not think the committee themselves knew where they stood on the subject.

The chair thought that a discussion as to what might be expected by either city in case annexation should be agreed upon would be very timely. His idea in offering the resolution which created the joint committee was simply fits to be derived from such a movement, he thought that Manchester would probably be divided into two wards, and that the amount of improvements to be accorded to them would be regulated by the amounts of receipts obtained from that city. He did think that Richmond provements only in proportion to money turned over by that city. If the residents of the latter place would desire other benefits, such as fire alarm, they would, of course, have to pay the same. At any rate he thought an

the same. At any rate he thought an exchange of views on the subject would only be beneficial.

Then followed a detailed discussion as to the condition of affairs prevailing in Manchester as to streets, water supply, the proposed sewer system, which is to be introduced within the next few

months, etc.
It was stated by Mr. Sims that the streets of Manchester were in fair condi-tion, and that the water supply was sufficient to furnish a city of 75,000 popula-

tion with water. COLONEL CUTSHAW'S SUGGESTION. Mr. Jackson Balton, who gave som information as to the condition of affairs in Richmond, said that Colonel Cutshaw, who was prevented from being present, suggested that the City Engineer of Rich-mond look into the question as to what was needed in Manchester in regard to sewers and street improvements and that the superintendents of gas and water

make similar investigations as to their respective departments. At the suggestion of Colonel Tanner, At the suggestion of Colonel Tanner, the members of the committee then expressed their individual views in regard to annexation, which were largely in favor of it, only Messrs. Cottrell, Brock and Nunnally preferring not to express an opinion on the subject at this time.

Mr. Davis thought that if the committee decided in favor of approach there. decided in favor of annexation they should also recommend the holding of a special election in both cities so that the people might cast their votes for or against the problem. This view was shar-ed by other members of the committee. Mr. Wells expressed himself in favor

of a consolidation of the two cities but not of annexation. On motion of Mr. Morton it was agreed that the next meeting of the joint committee be held subject to the call of the chair in the Council Chamber of the city of Manchester.

HE PULLED HIS GUN.

The committee then adjourned.

The Merchant Was Bolding the Thief But His Pal Came on the Scene. About II o'clock yesterday morning a

negro youth entered the grocery store of J. B. Keenan, at No. 734 north Fifth street. At the time Keenan was in a rear room adjoining the store, and his attention was attracted by hearing some one attempt to open his cash drawer. He went into the store, and found the colored youth endeavoring to work the combination of the drawer. Mr. Keenan grabbed the would-be thief, and at the same time told his wife to go to a nearby drugstore

and phone for the patrol wagon.

The negro struggled feroclously for his liberty, and declared that he did not go behind the counter to steal, but only to recover a penny that he had lost there.

While Mr. Keenan was holding the boy, an older negro entered the store, and, at the point of a pistol, made the store-keeper release his man, threatening to blow his brains out if he did not do so. Both made their escape before the arri-

val of the patrol wagon.

Mr. Keenan recognized the boy who covered him with the pistol as a young negro whom he had seen frequently o A few minutes before they went to Keenan's they walked into the grocery store of Mrs. O. Gasser, on the next block, and asked for the change of a the street.

REV. GEO. H. WILEY.

His Work as an Evangelist_Services at Rando ph. Macon.

Rev. G. H. Wiley is in the city, en route to his charge, in Appomattox, from Ashland, where he has been engaged for the past week in one of the most remarkable revival meetings that has ever taken place in that place.

Mr. Wiley was a Richmond boy, and

his career as a Methodist preacher has been atterded with fine success. Although looking after an important country charge looking after an important country charge he finds time to do much evangelical work, a labor for which he is peculiarly fitted. At Randolph-Macon College, the seat of Methodism in Virginia, where is collected the finest theologians and teach-ers of the denomination, Mr. Wiley, by his earnest, forcible preaching aroused that institution in a wonderful degree, and created such a religious interest

among the students and citizens as has not existed for a long time.

He works without asking for any reward, and one of the strong points in his success is that he never takes up a collection. His hearers are quickly convinced of his cornest purpose, and his vinced of his earnest purpose, and his simple presentations of Gospel truths are very forcible.

ITS NOW PRESIDENT WATKINS,

The Place Made Vacant by Mr. Wood's Resignation in the Society Fill-d. At an adjourned meeting of the executive committee of the Virginia State Agricultural and Mechanical Society, held at noon yesterday in the office of the society, Mr. J. B. Watkins was manimously elected president of the society, to his that position made vacant by the resignation of Mr. H. W. Wood. The following members were present: Messrs. Watkins, Murphy, Wickham, Waddey, Cottrell, Hardwicke, Chamblin, Guy, Ruffin and Campbell. Mr. Watkins was nominated by Mr. Waddey. The latter gentleman was elected first vice-president, Mr. Hardwicke second vice-president, Mr. Hardwicke second vice-president. The election of Colonel Murphy made a vacancy in the committee, and Mr. Wirt E. Taylor was chosen. The special committee appointed at the meeting held last week recommended that a five days fair be held this year, beginning the 8th of October. ricultural and Mechanical Society, of October.

President Watkins appointed the fol-iowing gentlemen on the standing com-mittees:

iowing gentlemen on the standing committees:
Firance—C. W. Hardwicke (chairman),
T. **. Campbell and W. E. Taylor.
Grounds and Buildings—Everett Waddey (chairman), John Murphy and Frank Guy.
Amusements, Privileges and Extra Attractions—John Murphy (chairman), Everett Waddey and W. F. Wickham.
Department No. 1 (Natural History, Fine Arts, &c.)—T. P. Campbell (chief),
S. H. Cottrell and W. B. Alwood.
Department No. 2 (Produce, Domestic and Aparian Products, &c.)—W. B. Alwood (chief), George E. Murrell and P. G. Rufflin. wood (chief), George E.
F. G. Ruffin
Department No. 3 (Machinery and Agricultural Implements)—Frank Guy
(chief), C. W. Hardwicke and S. H.

fcultural Implements)—Frank
chief, C. W. Hardwicke and S. H.
Cottrell.
Department No. 4 (Manufactures)—Wirt
E. Taylor (chief), W. W. Hobson and
F. F. Campbell.
Department No. 5 (Horses and Mules)—
W. F. Wickham (chief), H. C. Chamblin
and T. B. Doswell.
Department No. 6 (Cattle)—W. W. Hobson (chief), John T. Cowan and F. G.
Ruffin.

Murrell.

Races-H. Clay Chamblin (chief), W. F.
Wickham and T. B. Doswell.

After the transaction of some other
routine business the committee adjourned.

Colonel Charles Euker, of the First Regiment of Cavalry, Volunteers, has gone to New York, from whence he will sail to Europe on Saturday. He will spend about two months in his native country Leave of absence for sixty days has been granted him, and Lieutenant-Colonel James R. Branch will in the meantime be

Ninth Star Course Entertainment. The ninth Star Course entertainment will be given in the big hall of the Young Men's Christian Association on March 28th, when Mr. George Keenan, the distinguished traveller and writer, will lee ture on "Camp Life in Sibera." Seat may be reserved at the box office of th Association, beginning Tuesday, March 26th, at 8 A. M.

The Joint Bebate. The joint debate between the Jefferson Davis Literary Society and Stonewall Club, No. 35, Lyceum League of America, will take place at the association building this evening.

POPULAR CICARETT VIRGINIA

feb27-we.fr.su&W

Constable Brothers, MAKERS OF

MILD AND PURE

ALLEN & GINTER

FINE SHIRTS

--- FOR ---

Ladies and Men.

We are prepared this season to make Shirts that shall not be excelled in fit, finish and wear by any made in this country. We have a cutter from New York who understands his business, and our plant and facilities are not surpassed. We ask every man who appreciates Fine Shirts to give us a trial. Our business, so far this year, has doubled any former year. So order early if you want Shirts in time.

419 E. Broad St. Phone 707 fe24-su.we.fr

BURK'S CLOTHING HOUSE.

BURK'S CLOTHING HOTSE.

WHAT COUNTS!

SOLID

Dependable Quality! Workmanship! Price. style Correct.

Seasonable Spring Novelties now on display. Everything bright as a new pin. No back numbers. Every pattern in the stock up to date. Not an inch of cloth in the house but what is guaranteed for

> Investigate what counts real value in Tai oring. Elegance, Economy and Artistic Work is the combination that makes Solid Worth. Poorly made Clothes are high at any price. Garments of Our Own Make are Uupassed in Durability and stand unrivalled in Style and Finish.

Our Tailoring Room is filled with Stylish Spring Suits for gentlemen —some finished, others under process. They are fair specimens of what we are doing in Tailoring. Particular folks, who want their Clothes just so, are especially invited to look at the goods and note

> The materials come to us direct through the Manu acturing Headquarters from the most Celebrated Millers and Producers from all over the world at the Lowest Possible Cash Cost that it is ever possible for money to own them, and we are thus enabled to figure on the Finest Goods

BURK'S CLOTHING HOUSE,

1003 East Main Street.

R. H. BOSHER'S SONS, CARRIAGE MANUFACTURERS.

Call and see our large stock of VICTORIAS, PHAE-TONS, BUGGIES and CARTS. The Best and Cheapest in the city, considering the quality of the work.

Repairing and Repair ing done in the best mannes, 15 S. NINTHA T., RICHMOND, VA.,