

RANGE OF THE THERMOMETER.  
The thermometer ranged as follows at the Times office yesterday: 9 A. M., 67.2; 11 A. M., 65.5; 1 P. M., 77.6; 3 P. M., 76.9; 5 P. M., 79.1; 7 P. M., 78.1; 9 P. M., 77.1; 11 P. M., 76.1; 12 midnight 68. Average temperature, 72.1-8.

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PRICE THREE CENTS.

# CHINESE PRINCES ARE DEGRADED

## Punishment of Boxer Leaders Has Begun.

### TUAN TO STAND TRIAL

A Decree Deprives Him of His Salary and Official Servants.

### A COMPLETE CHANGE OF HEART.

The Reactionary Influences Have Been Upset and the Punishment of Those Responsible for Outbreak Now Seems Assured.

(By Associated Press.)

WASHINGTON, September 29.—Important news came from China at the end of the day, which in itself tends to a final settlement. The Chinese government has accepted the suggestions of the German proposition and has begun voluntarily the punishment of the reactionary Chinese leaders, who were responsible for the Peking outrages.

The Department of State was informed by Consul-General Goodnow at Shanghai, that Sheng Kungwei, director of railways and telegraphs, has handed him a decree of the Emperor and Empress, dated at Tainan, September 25th, blaming their ministers for encouraging the Boxers. The edict orders the degradation of four princes and deprives Prince Tuan of his salary and official servants. He is to be brought for trial before the Imperial Clan Court.

It will be recalled that in our answer the State Department was careful to state that while it did not believe in demanding the surrender of the Chinese, it would be glad to see the Chinese government take the initiative in a settlement. It was resolved firmly, as Secretary Hay had said in his note of July 20, that in the end the guilty parties should be held to the uttermost accountability. The Chinese Government has taken this initiative and has begun the punishment of the reactionary Chinese leaders, who were responsible for the Peking outrages.

It is recalled that in our answer the State Department was careful to state that while it did not believe in demanding the surrender of the Chinese, it would be glad to see the Chinese government take the initiative in a settlement. It was resolved firmly, as Secretary Hay had said in his note of July 20, that in the end the guilty parties should be held to the uttermost accountability. The Chinese Government has taken this initiative and has begun the punishment of the reactionary Chinese leaders, who were responsible for the Peking outrages.

### CHANGING OF HEART.

The decree received by Sheng is felt to be of the utmost importance as indicating a complete change of heart on the part of the reigning dynasty. It means that the reactionary influences which have been dominating in Peking throughout the uprising and have even continued to date, have suffered a complete overthrow, and that their most conspicuous figures are degraded and on trial. It is believed that if this action is genuine, it will be hard for any of the Powers to find a reasonable pretext longer to refusing to heed the appeals of the Chinese government for the opening of negotiations looking to a settlement.

The importance of the action is shown by the determination to try Prince Tuan before the Imperial Clan Court. This is the only one having jurisdiction over the members of the Imperial family.

It is noted that even before the trial Prince Tuan is stripped of his salary and official servants. Being a man of large and independent means, the loss of salary would not amount to much if it were not for this and the other humiliations. The names of the four Princes who have been degraded are not known here, either by the State Department or the Chinese Legation. The action of the Chinese Government in depriving Prince Tuan of his salary and official servants is a complete change of heart on the part of the reigning dynasty. It means that the reactionary influences which have been dominating in Peking throughout the uprising and have even continued to date, have suffered a complete overthrow, and that their most conspicuous figures are degraded and on trial. It is believed that if this action is genuine, it will be hard for any of the Powers to find a reasonable pretext longer to refusing to heed the appeals of the Chinese government for the opening of negotiations looking to a settlement.

### A HIGH COURT.

There are five other members of the court, all of them high nobles. They are occupying a building at Peking and are in regular session for the trial of the Chinese leaders who are being degraded and on trial. It is believed that if this action is genuine, it will be hard for any of the Powers to find a reasonable pretext longer to refusing to heed the appeals of the Chinese government for the opening of negotiations looking to a settlement.

### THE ONLY WAY.

Mr. Bryan thinks the strike should be arbitrated.

CROOKTON, MINN., Sept. 29.—In response to a question as to the advisability of arbitration as the means of settling the strike in the anthracite coal region, Mr. Bryan said today: "Arbitration is the only justifiable means of adjusting difficulties between corporate entities and individual employees. While arbitration is usually asked by the employees, it ought to be acceptable to the employers if they believe they are treating the miners fairly, and it ought to be demanded by the public generally, because every great strike affects the public at large even more than it does either the employers or the employees. Those who refuse arbitration confess that they are not prepared to submit their arguments to an impartial tribunal."

### LINE-UP OF POWERS.

Great Britain, Russia and France Agree With United States.

WASHINGTON, Sept. 29.—The alignment of the Powers on the German proposition, to make the punishment of Chinese ringleaders a condition precedent to negotiations, may now be stated as follows: Great Britain, Russia and France stand with the United States regarding this proposition. Japan occupies a middle attitude; she is willing to follow the German lead, if all the other Powers are agreeable, but only for the sake of preserving harmony among the Powers, and not from a position of weakness. Austria and Italy stand shoulder to shoulder with Germany, making the Dreibund a solid front. The first named two Powers do not attempt to argue the German proposition, but they have accepted it without much consideration.

Nothing is known here officially of the alternative proposition, which is reported to be preparing in Europe. If it contains the same matter as to the punishment of Chinese ringleaders, it is likely to receive approval here.

The fact that Secretary Hay is expected to return to Washington next week will not change his attitude as to the policy of the State Department. The Secretary has been in the closest sympathetic touch with all that has been done respecting China, and the stories printed in Germany to the effect that he is coming back to reverse these policies, are pronounced at the State Department to be absurd.

Mr. Conger was heard from in a brief telegram to-day. This was not published, but it is understood to indicate no important developments.

### UNITED STATES AS MEDIATOR.

Minister Wu Greatly Pleased at the Suggestion.

WASHINGTON, Sept. 29.—The Chinese Minister, Mr. Wu Tingfang, today expressed his strong approval of the suggestion by Li Hung Chang that the United States act as mediator for the settlement of the entire Chinese question. The Minister was much gratified at the favorable character of the advice from China, particularly the reference of Earl Li to his constant communication with Mr. Wu and the specific reference of the Chinese envoy in favor of the United States as mediator. Mr. Wu from the first urged that the United States should take a leading part in the peace settlement, and it is probably due to this position that Earl Li now takes the advanced position in favor of the United States as mediator.

Since the suggestion has come from such a high source, the Minister expresses his confidence of being able to secure any authority or requests for an American initiative which may be needful.

### THE FORBIDDEN CITY.

Von Waldersee Will Have Headquarters Within Its Coines.

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PEKIN, Sept. 29.—Via Taku, Sept. 27.—Prince Ching has addressed a note to the ministers acknowledging their letters suggesting that the Court return to Peking. He announces that he has dispatched a memorial covering the subject to the Dowager Empress. It is practically determined that Count Von Waldersee shall occupy the Forbidden City when he arrives, and a large portion of the German army will be quartered there. There is a complete reversal of the former policy to protect the forbidden city. The Americans disapprove of this, but will not enter a protest.

General preparations for a winter encampment were resumed on the 16th. The Bengal Lancers have arrived.

### WILL WAIVE CONDITIONS.

Germany Ready to Recede From Her Stand on Chinese Question.

(By Associated Press.)

LONDON, Sept. 29.—A special dispatch from Berlin to the agency here says: "It is reported in official circles that Germany is ready to waive the condition that the punishment of the guilty Chinese functionaries be a condition precedent to a settlement. It is recognized that satisfaction of Germany's vengeance is a special condition which should not be imposed upon the other Powers."

### Russians at Lu Tai.

(By Associated Press.)

TIEN TSIN, September 29.—The Russians are now at Lu Tai, and there is no immediate prospect of an advance upon Tong Shan, as it is said they fear the Chinese will wreck the mines and railway plant.

It is reported that German and Russian warships and transports have left Taku to attack Shan Kwan. Many French troops are arriving.

### HOUSE OF COMMONS.

Sixty-Six Candidates Were Returned Unopposed.

(By Associated Press.)

LONDON, Sept. 29.—The hundred and sixty-seven constituencies returning one-fourth of the membership of the House of Commons, made their nominations today. Sixty-six candidates were returned unopposed. The Ministers aggregate twenty-nine Liberals, five, and Nationalists six.

Among the interesting personalities on the Government side returned today without opposition were Joseph Chamberlain, George Wynnham, the Parliamentary Secretary for the War Office, and Charles T. Ritchie, the president of the Board of Trade.

Lord George Hamilton, Secretary of State for India, who has represented the Earing Division of Middlesex in the House of Commons, and who is a brother of the Duke of Abercorn, had a very hostile reception at a Unionist meeting in London this afternoon. The Liberals had packed the audience and the disturbance was so great that his Lordship was finally obliged to desist from addressing the meeting and communicated the balance of his remarks to the reporters, who congregated on the platform.

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### THE CAMPANIA OVERDUE.

No Fears of Her Safety are Entertained as Yet.

(By Associated Press.)

NEW YORK, September 29.—The Cunarder Campania, which was due here Friday night from Liverpool, had not been sighted at 1 o'clock Sunday morning. She was then over 24 hours overdue. Her delay is no doubt due to the heavy gales, and is not sufficient to cause anxiety for a vessel like the Campania.

### ASSAILANT CUT HIS THROAT.

Gill Received a Gash Across the Throat in a Fight.

While engaged in a fight at the corner of Sixth and Clay Streets yesterday afternoon, Henry Gill, a white man, received a severe cut on his throat. The ambulance was summoned and Dr. Gill's wound is not serious. The gash is about an inch long, but not very deep. The name of the man who did the cutting is not known to the police and no arrest has been made. J. B. Rice, an employe of the C. & O., shops, had his right hand badly cut yesterday afternoon. The city ambulance was called and he was treated by Dr. Gill.

At 5:50 o'clock yesterday afternoon the ambulance was called to the corner of Sixth and Broad Streets, where J. T. Dempsey was suffering with an ugly cut across his left eye caused by broken glass. Dr. Gill treated him and left him.

### Price of Silver Advances.

(By Associated Press.)

WASHINGTON, Sept. 29.—Owing to the advance in the price of silver, Director of the Mint Roberts today increased the price to be paid by the Government for silver purchased from 55 to 57 cents a standard ounce. The Director of the Mint also has changed the value of the gold coin effect at the beginning of the next quarter. Thereafter the rupee will be reckoned at its gold value, 32.2 cents.

### Samuel Fenton Cary Dead.

(By Associated Press.)

CINCINNATI, O., Sept. 29.—Samuel Fenton Cary died here to-night, aged eighty-seven years. He was nominated for President by the Greenback party.

### SENTENCE PASSED ON JIM HOWARD

Prisoner Did Not Weaken During Ordeal.

TO HANG UNTIL DEAD.

Judge Visibly Affected As He Pronounced the Solemn Words.

NEW TRIAL WAS NOT ALLOWED

But Sentence Was Suspended for Sixty Days to Give Time for the Appeal Which Will be Taken to the Court of Appeals—The Prisoner Remanded to Steel Cage in Jail.

(By Associated Press.)

FRANKFORT, KY., Sept. 29.—The motion for a new trial in the case of James Howard was overruled by Judge Cantrell today and Howard was sentenced to hang December 7th. It was agreed that the attorney should be allowed to file his bill of exceptions in the appeal to the Court of Appeals any time between now and the third week in October.

Howard did not weaken or appear agitated when the solemn sentence of the Court consigning him to the gallows was pronounced upon him, but in answer to the usual question of the Court if he could show cause why sentence should not be pronounced, he said in a firm, clear voice: "I am innocent."

He stood erect facing the court and listening intently to every word uttered by the judge, who was visibly affected by the solemnity of the occasion and spoke in a voice choked with emotion.

The other party's motion for a new trial, which occurred only a few moments before sentence was pronounced, the court said he did not consider any of the matters set up in the affidavits filed by the defense as sufficient to cause a new trial. The affidavits in Howard's case attacked the qualifications of several of the jurors had been fully offset by counter affidavits filed by the prosecution. But as to the admission of one by the testimony of the principal witness, which was not being prejudicial, although the ruling admitting it was in accordance with decisions of the Court of Appeals.

NO OTHER COURSE.

The testimony in question was as to a conversation between Henry Youtsey and W. H. Gilton, alleged co-conspirators, and the Court said:

"While the Court of Appeals has held that this sort of testimony may be admitted as evidence, I have grave doubts as to the correctness of that ruling, and if left unhampered by that decision, I should not have allowed that part of the testimony to have gone to the jury. But the Court of Appeals is the highest judicial body in the State, and there is nothing left for this court except to follow the lines laid down by it.

The other matter raised by the affidavits filed, with one exception, relative to alleged remarks made by jurors prior to the trial, showing hostility to the defendant. The exception referred to was the affidavit of R. T. Guifty, who swore to alleged remarks in Howard's behalf. The court said that the standing of these affidavits was discredited by the fact that all of the persons making them had been in the courtroom almost every day of the trial, and on intimate terms with the attorney and friends of the defendant. The charges made in them, if presented to the court and proven, would have been the cause for discharging the jury, yet they were never made until the jury had returned its verdict.

SENTENCE PASSED.

Howard was then brought into the courtroom by Jailer Lawrence, and was seated next to his wife, who had been escorted by W. C. Owens. The court, turning to the defendant, said:

"James Howard, please stand up."

Howard arose and listened intently as the Court said:

"At the April term of the Franklin county grand jury you were indicted, charged with the willful murder of William Goebel. You have been represented by able counsel, but in spite of this you have been found guilty. Have you any reason to offer now why the Court should not pronounce sentence upon you?"

After a pause, Howard, who had stood motionless, replied:

"I am innocent."

"That is a matter," continued Judge Cantrell, "that was with the jury and over which the Court had no control. I therefore order that you be taken back to the jail and safely confined until December 7th, when you will be taken by the sheriff and hanged by the neck until dead, and may God have mercy on your soul."

The Court then suspended the sentence for sixty days to give time for the appeal which will be taken to the Court of Appeals.

After this Howard was remanded to his steel cage in the jail.

### THE YOUTSEY CASE.

Trial Will Begin at Georgetown Tomorrow.

(By Associated Press.)

FRANKFORT, September 29.—The case of Henry Youtsey, charged also with being a principal in the murder of William Goebel, was taken up at Georgetown, Monday. The prosecution claims that Youtsey was in the Secretary of State's office with Howard when the shooting occurred. Youtsey is represented by L. J. Crawford and R. W. Nelson, two of the ablest criminal lawyers in the State.

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### BEGAN THE DAY AT EARLY HOUR

Mr. Bryan Made a Speech Shortly After Six.

GREETED BY CROWDS.

Principal Speech of Day Was Made in Fargo, South Dakota.

AN IMITATION OF ENGLAND.

This Tendency of the Republican Party Was Theme of the Speech.

Porto Rican Policy Likened to the Treatment of the Colonies by England Before Revolutionary War.

(By Associated Press.)

FARGO, N. D., Sept. 29.—Wm. J. Bryan reached this city at 10 A. M. A stop of one hour and a half was made here. The Democratic presidential candidate was escorted to the city jail on the night of September 24, and across the city to a park where a large crowd had gathered to hear him. It was the principal speech of his day's journey. The special train bearing the party left Aberdeen during the night. Its first stop was made at Hankinson, N. D., at 6:30 A. M. Mr. Bryan spoke for five minutes from the rear platform, discussing "Imitation of England."

The next stopping place was Wahpeton. A stand had been erected at the intersection of the principal streets, and Mr. Bryan spoke to the people assembled there for fifteen minutes. He alluded to voters to stockholders in a corporation, and said: "Under the Republican administration, the trusts have increased. If you like the trusts you ought to vote the Republican ticket, and you expect that you want of them. If you have not enough of them now you will get enough if the Republican party stays in power, but when I remember how people have learned in the last four years what the trust is, and how they have learned to vote for a Republican party, I am reminded of one of Solomon's proverbs. I think there is a great deal of wisdom in what Solomon said, and stated his wisdom in such a way that people ought to be able to know. He said: 'The fool despiseth the evil and hath him smite, but the foolish pass on and are punished.'

Discussing the Philippine question, he said: "You will search history in vain for a more honorable policy in American public life than that which the Republican party has taken in turning a war for humanity into a war for conquest."

IMITATION OF ENGLAND.

At Fargo Mr. Bryan spoke to a large audience, dwelling upon the Porto Rican bill aroused, offered to give back to the people the taxes which had been collected from them. This was paraded before the public as an act of great benevolence, and yet it was an act in imitation of the British Government in dealing with the American colonies. On page 294 of vol. 7 of the 'World's Great Orations' will be found a protest read in the American Congress in 1774 by Mr. Jay, who had been appointed to prepare an address to the people of Great Britain. It was approved by Congress on the 21st day of October of that year.

"From this it will be seen that the English Government in order to silence complaint provided that the revenue collected in America should be expended in America for its protection and defense. The Republicans, who have never by their votes endorsed imperialism or the colonial idea, should be alarmed at the constant tendency of the Republican party to abandon American doctrine and sub-European ideas."

"When the Republicans tell you that the money question is more important than any other, they stamp their own policies as dollar mark policies and confess themselves unable to see around a dollar, no matter if human rights stand beyond the door."

"But," he continued, "if the money question was paramount the Republican party would not be able to defend its position."

Upon the Philippine question Mr. Bryan said:

"You think that the Philippines are fighting against our authority over there merely because I am a candidate for President. I answer that the Cubans struggled for thirty years when I was not a candidate for President. The Colonists fought for independence over one hundred years ago and my name had not even been heard of. No, it was not Democracy nor my candidacy that placed in the heart of the Filipino the hatred for foreign domination."

"Are these treaties looked up at night?" the Commonwealth Attorney asked.

"Sometimes they are and sometimes they are not. The cooks are never locked up in extremely hot weather."

On cross-examination by Mr. Smith, the witness declared that there was nothing in the cake which should not have been in it, and Turkey Tate was called as the next witness.

REPEATED THE ESCAPE.

Mr. Tate is the man who repeated Topeka Joe's performance by escaping from the jail himself with the aid of Rapley's implements in eight minutes. Mr. Tate testified that Guard Collins, one of the accused, went to West Point the day before "Topeka Joe" got out of jail, returning to Richmond about 3:30 o'clock in the evening.

"Do you know that he went to West Point?" the Commonwealth Attorney inquired.

"I know that he had been there," the witness answered. "I never heard him say where he was at the exact time that 'Topeka Joe' escaped. I can scale that wall as Rapley did in eight minutes myself, and I believe he would have gotten away as easily as he did through those cell walls as 'Topeka Joe' did."

"If the guard on duty had been standing at the iron gate it would have been impossible for the prisoner to have gotten away without being seen, but any body can get out of that jail. It is dangerous for one guard to go through those cell walls as 'Topeka Joe' did. The other guard is close at hand to protect him in the event of an outbreak. Those cells are so dilapidated that a man can stand in No. 3 and get materials or small articles from a prisoner in cell No. 10."

"This testimony in part explained the presence of materials with which 'Topeka Joe' made his implements of escape. Witness Tate said that it had been learned that three blankets, two bed ticks and three or four bucket handles were missing, and that these are supposed to have been used

### INSULT OFFERED STARS AND STRIPES

The American Flag Torn from the Consulate by a Mob in Chihuahua, Mexico.

(By Associated Press.)

SAN ANTONIO, TEX., Sept. 29.—United States Consul at Chihuahua, Mexico, has sent a note to the Federal authorities, and also to the State Department at Washington, detailing an insult offered to the American flag in the consulate on September 16th, the anniversary of Mexican independence, by a mob of Mexicans. He had hung in the Federal States and Mexican flags in honor of the day, and the mob tore down the United States colors.

### NEGOTIATIONS OFF.

Markle and Company Unable to Agree With Its Employees.

(By Associated Press.)

HAZLETON, PA., Sept. 29.—All negotiations between the Markle Coal Co. and its employes are off, and arbitration has received its first serious blow in the present struggle between the miners and the coal owners. To-night the committee of employes which presented grievances to the firm sent the following communication to the firm:

"We, the undersigned, committee of employes of the Markle Coal Co., appointed for arbitration under the agreement between the firm and the men, do report that the agreement is broken by the employes."

### GUARDS GO FREE, SAYS THE JUSTICE

No Negligence in Topeka Joe's Case.

PRELIMINARY TRIAL.

Testimony of Officers at the Jail Brings Out Some New Facts.

WHAT MAN WITH CAKE SAYS

Nothing in It That Should Not Have Been There—Evidence Shows That the City is Badly in Need of a New Prison.

Some Interesting Facts Developed.

(By Associated Press.)

The cases of Michael J. Roach and William Collins, charged with having negligently allowed "Topeka Joe" the alleged Williamsburg bank-robbler, to escape from the city jail on the night of September 24, were called in the Police Court yesterday afternoon at 4 o'clock, and after hearing the testimony from the Commonwealth and the defense, Justice Crutchfield discharged both men. The evidence submitted brought to the attention of the court a few facts which have not hitherto been published.

The examination was a joint one. The first witness called was Deputy-Sergeant E. M. Noble, who explained the duties of the guards and deputies at the city jail, especially the guard who was on duty at that institution at night. He said that these men were supposed to watch the iron gate on the right side of the building, while the other made the usual rounds. In order to see that all the cells were locked and in proper condition, one guard was supposed to be stationed at the iron gate of that department, while the other made the customary examination. Mr. Noble added that one of these guards were supposed to be on duty in the yard near the iron gate at night. He said that all hours of the night, and said that one of them was upstairs in the office and the other on the bridge, near the entrance to the women's department when the jail was closed.

Mr. Noble testified that he did not see what was going on in the cell-yards from either of these positions.

GUARDS ENTIRE JAIL.

In reply to a question by Mr. Smith, representing the accused, Deputy Noble said that these men had to guard the entire jail, and could inspect the female department from time to time, if they were not disposed. He also testified that all prisoners who had been in jail any length of time knew about how long it required for the guards to make the rounds of the cells. This, he said, consisted of the colored side and the white side.

"Did you ever see any of the night guards search the cells in the jail, Mr. Noble said that it was not, as this duty devolved upon the day men."

CARRIED CAKE TO JOE.

Thomas Smith, a former guard at the jail, testified that he carried a short time guard under City Sergeant Smith, having given up his place August 15th. He was there when "Topeka Joe" was incarcerated, and visited the jail twice after severing his connection with the institution.

"Did the Sheriff who brought 'Topeka Joe' to Richmond jail ask that he should be especially watched?" Commonwealth Attorney Richardson asked the witness.

"He did," he said, "the prisoner was a noted character, and would have to be watched closely."

Mr. Richardson then asked the witness if he saw the prisoner after he ceased to be a guard. Smith replied that he saw "Topeka Joe" on the occasion of both of his visits to the jail.

"Did you carry him anything during either of these visits?" inquired the Commonwealth Attorney.

"Yes, sir; I carried him a piece of cake," he replied. "Mr. Roach ate the cake, and so did Mr. Tate. I had the keys, and opened the iron gate to him. He also accompanied me to the cell door and saw me give the cake to 'Topeka Joe.'"

WHERE KEYS WERE KEPT.

Mr. Richardson inquired of the witness as to whether the jail keys were kept, when in use by the turnkey or others in authority at the prison. Mr. Smith answered that he had seen the keys hanging each morning from the old whipping post, in what is called the "cell block."

Mr. Smith testified that he was asked if he had ever seen these keys in the possession of any of the prisoners of the jail. His response was that he had only seen them in the possession of some of the trustees.

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