

The thermometer ranged as follows at 7:15 A. M. today: 75 A. M., 66; 12 M., 72; 3 P. M., 81; 6 P. M., 71; 9 P. M., 67; 12 midnight, 65. Average 70-6.



Forecast for Tuesday and Wednesday: Virginia—Fair Tuesday and Wednesday light east to south winds. North Carolina—Fair Tuesday and Wednesday; light to fresh easterly winds.

WONDER WEEK AT THE RICHMOND CARNIVAL. EVERYBODY COME. OCT. 7-12

JURY CHOSEN TO TRY ASSASSIN

Those Who Had Formed Opinion Excused.

HE PLEAD GUILTY

But by Direction of Court This Was Subsequently Changed.

WILL LIKELY BE A SHORT TRIAL

The District Attorney Said He Would Conclude His Side by Tuesday Noon—Judge Titus Was Non-Committal, Saying Much Depended Upon the Turn Things Took.

(By Associated Press.)

BUFFALO, N. Y., Sept. 23.—Leon P. Czolgosz was placed on trial this morning, charged with the murder of President William McKinley. He entered a plea of "guilty," which was subsequently changed to "not guilty" by direction of the court.

All the events of the day indicated that the trial will be short. Court convened at 10 o'clock. Within two hours eight jurors had been selected. Technicalities were not raised by examining counsel, but it was significant that every man who said he had not formed an opinion on the case was excused by the District Attorney. Those who acknowledged that they had formed an opinion, or stated that their opinion could be changed by evidence, were accepted by each side.

Justice Truman C. White, one of the oldest and most experienced of the Supreme Court judges, was on the bench at the opening of the trial. The opening of the court and after the prisoner had pleaded, Justice Loran L. Lewis, senior counsel for the defendant, announced that together with his colleagues, the former Justice Robert G. Titus, and Mr. Carlton E. LaFollette, they were ready to act in behalf of the prisoner.

MADE A STATEMENT.

"I thought it best," he said, "for my colleagues and myself that I should say something regarding our presence here as attorneys for the defendant. At the time my name was suggested I was out of the city, and knew nothing of the trial was transpiring here with reference to the selection of counsel for the defendant. When the circumstances of my selection were told to me I was extremely reluctant to act, but my name had been imposed and I considered it my duty, in all the circumstances, to defend this man."

"I ask that no evidence be presented here—that the court will not permit the immediately before the opening of the trial would be accepted at the trial of the most meagre criminal in the land."

"I am familiar with these circumstances," said Justice White in reply, "and I wish to say I will give you every assurance that the prisoner will have a fair and impartial trial, and that during the progress of the trial he will receive such treatment as the law demands in any criminal case."

CELEBRITY AMAZING.

The work of securing the jurors was then undertaken with a celebrity that was amazing. Before the day was over the entire panel had been selected. The jurors had listened to a description of the Temple of Music where the crime occurred, had seen photographs of the interior of that structure, and had been told of the reasons which had led to the selection of the President, and the effect of the assassin's shot upon the various organs of the body. They had also learned why the fatal bullet had not been located.

The present case of the government's case began shortly before 9 o'clock when Assistant District Attorney Haller began with much deliberation to address the jury. He spoke very briefly.

THE FATAL WOUND.

"He fired twice, in fact. One of them took effect. The bullet which caused that mortal wound which resulted in the President's death. That in brief is the story we shall show you. Witnesses will tell you this story and I am sure that as you have heard the evidence you will have no difficulty in reaching a verdict of murder in the first degree."

The first witness, Samuel J. Fields, chief engineer of the Pan-American Exposition, described the ground floor plan of the Temple of Music, and was followed by Perry A. Bliss, a photographer, who presented views of the interior of the building. The remainder of the afternoon was taken up with the testimony of three physicians, two of whom had attended the President during his last days, while the other performed the autopsy.

The prisoner, Czolgosz, during the morning having evinced no interest whatever in the proceedings, but as the testimony was introduced he paid more attention to what was said and looked at the various witnesses closely. The probable duration of the trial, it is believed, can be placed at two full days.

NO DEFENSE PROBABLE.

When District Attorney Penny was asked by Justice White as to the time he would take in the presentation of his case, he declared that he would conclude by Tuesday noon. Judge Titus, for the defense, for non-committal, however, and merely replied: "That depends upon the turn things take."

It is not probable that any defense will be put in, owing to the character of the prisoner. The problem now is to find in any way to procure the witnesses which they could use in his favor. The idea of an attempt to enter the question of his sanity is not thought of in view of the reports of the two alienists who have recently examined him, and there is ground for the belief that the trial will be concluded with a session of but one day more.

THE PRISONER.

The prisoner when brought into court was attired in a new suit of dark gray, a white shirt and a collar and a light blue

how tie. His face was cleanly shaven and his hair combed.

The jury is composed as follows: Frederick V. Lauer, plumber; Richard J. Garrick, street railway forger; Henry W. Wendt, manufacturer; Silas Carmer, farmer; James S. Stuyck, plumber; William Loton, farmer; Walter E. Everett, blacksmith; Benjamin J. Roth, farmer; cashier; Samuel P. Waldo, farmer; Andrew J. Smith, dealer in butter and eggs; Joachim S. Mertens, shoe dealer; Robert J. Adams, contractor.

Dr. Harvey R. Gaylord, of Buffalo, who was the first of the physicians called, testified that he performed the autopsy upon the body of President McKinley. He described the location of the wounds in the stomach and the direction of the bullet. "Back of the stomach," he said, "was a tract into which I could insert the tip of my finger. It was filled with a dark fluid matter. The pancreas was seriously involved. The cause of death was a gunshot wound. The organs of the body other than those affected by the wound were in a normal condition.

On cross-examination by Judge Lewis, witness said that the autopsy had been performed nine days after he would have been caused. The process of healing of the wounds in the stomach had begun. The tissues beyond the stomach had been affected by gangrene.

ALL AGREED.

Dr. Herman Mynter was the next witness. District Attorney Penny questioned him closely regarding the operation performed on President McKinley at the Exposition Hospital shortly after the shooting. "What was the cause of death?" asked Mr. Penny.

"The cause was blood poisoning from the absorption of poisonous matter caused by the gangrene. Primarily it was the gunshot wound."

"By the way, do you mean that there may have been microbes in the intestines of the President?"

"Oh, yes," was the reply, "You have them and so have I."

"Was the pancreas broken?" asked Judge Titus.

"No."

"How could the fluid escape from the organ if it was not punctured?"

"By degeneration of the tissues surrounding it."

ASSASSIN'S BULLETS WERE NOT POISONED.

City Chemist of Buffalo and Bacteriological Expert Make Exhaustive Tests With Cartridges and Revolver, But Fail to Discover Traces of Poison.

BUFFALO, N. Y., Sunday.—No poison has been found on the bullets or the revolver with which Czolgosz shot President McKinley. Chemical and bacteriological examinations were made and no trace of poison was discovered.

Immediately after the death of the President one of his staff of physicians expressed the opinion that the bullets might have been poisoned. Thereupon Dr. Hill, city chemist, was directed to make a chemical examination of the bullets and the chambers and barrel of the revolver, and Dr. Herman G. Matzinger, one of the surgeons who performed the autopsy on the President's body, was ordered to make a bacteriological examination.

Both reported to the District Attorney this afternoon that they were unable to find a trace of poison. This question is now eliminated from the case.

"How far, as you traced the line of this bullet, did this poisonous substance extend?" he asked.

"It existed along the whole tract as well as I could find out."

"Why did you not continue and locate the bullet when you made the autopsy?"

"You were present and consulted?"

"TRIED FOR HOURS."

"Yes, Dr. Gaylord performed it. They tried for four hours to locate the bullet."

"Why did they stop then?"

"The family of the President would not allow them to continue any longer or to injure the corpse any more. They would not permit anything to be removed from the body for bacteriological examination."

Dr. Mann went over the ground covered by Dr. Mynter and described the operation performed at the Exposition Hospital.

"To find the track of the bullet back of the stomach," Dr. Mann explained, "it would have been necessary to remove the bowels from the abdominal cavity. That operation would have probably resulted fatally as the President had already"

(Continued on Eighth Page.)

ALL WAITING FOR SUFFRAGE REPORT

There May Be a Democratic Caucus Held.

FREEDOM OF SPEECH

Report of Legislative Committee Provides for That.

SESSIONS OF THE LEGISLATURE

Result of the Fight Now on is Much Complicated and the Result Very Much in Doubt—Captain Wise is Expected to Speak To-Day.

"When will the Constitutional Convention get through with its work?" This question is being generally asked of the delegates.

And it is a hard one to answer. Indeed, no man can answer it.

The fact is, everybody is completely at sea, so to speak. One of the most level-headed members of the body said last night: "We must settle the suffrage question and then there will be plain sailing. The Committee on the Franchise might

months' skirmishing in trying to fool ourselves and everybody else, up against the real thing."

Mr. Flood said last night he did not know whether or not he would make a speech to-day. He is one of those who favor biennial sessions.

Senator Carter Glass says all the talk in the newspapers about the convention "sitting down" on the free speech proposition is without foundation. "George Mason did not put into the original Bill of Rights," said he, "the provisions of 1829 and 1850 did not place it there. It was placed in the Bill of Rights by the Underwood Convention. The very report we are now considering, that of passage, contains a provision that the General Assembly shall enact no law to abridge the freedom of speech or the freedom of the press."

Yesterday morning was the time fixed by the Judiciary Committee to take a vote on the report to be made by the sub-committee, composed of Messrs. Withers, Walker and Eggleston, on the subject of the proposed amendment to the Bill of Rights.

The committee did not feel justified in making a report; that it was ready for the approval of this matter was postponed until Wednesday.

Mr. Braxton asked that further consideration of the motion to prohibit judges from holding other positions of trust or honor be postponed until after the members from the smaller towns having corporation courts had held a conference and desired the committee to hear argument.

Wednesday was set to hear delegations from Winchester, Staunton and other towns in opposition to the resolution.

Colonel Summers gave notice of a motion to reconsider the vote prohibiting judges from practicing law in other States.

There was considerable discussion as to the expediency of the motion, but no conclusion reached.

The committee will meet again Wednesday.

The Committee on Corporations was unable to hold a session for want of a quorum yesterday afternoon.

While the Suffrage Conference has agreed to submit its reports directly to the convention, it is not to be supposed that there will be no party caucuses. The reports will probably be presented Wednesday or Thursday after the convention is off of the hands of the committee. It is generally conceded that the reports will be discussed and agreed upon in an executive conference or all Democratic meeting.

A movement was begun yesterday morning to have night sessions begin next week, but it was soon abandoned by the statement being repeatedly made that the night sessions would be fully taken up with conferences on the suffrage report.

Rumors are again being circulated to the effect that several of the suffrage majority have "dropped the coat" since Saturday, but two reported backsliders positively denied any backsliding intentions.

Colonel Francis L. Smith was greeted cordially by his appearance in the convention yesterday.

This able delegate has been absent for a week attending the bedside of his mother, who has been very ill. She has recovered sufficiently to permit Colonel Smith to attend the sessions during the day, though he will spend each night for the present with her in Alexandria.

Judge A. C. King, of Roanoke city, was a guest at Judge Robertson's desk in the convention yesterday.

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SCHLEY MERELY OBEYED ORDERS

Presentat on Made to Court by Mr. Raynor.

SAMPSON TO APPEAR

Notwithstanding Efforts to Keep him Out of Controversy.

PART OF TEXAS IN THE BATTLE

This Was Basis of Greater Part of Proceedings in Schley Court of Inquiry on Yesterday—Graphic Account of Battle by Commander Heilner, Who Was Navigating Officer.

(By Associated Press.)

WASHINGTON, Sept. 23.—The part played by the battleship Texas in the naval battle off Santiago, July 3, 1898, in which the Spanish fleet under Admiral Cervera was sunk, was the basis of the greater part of to-day's proceedings in the Schley Naval Court of Inquiry. Of the four witnesses examined during the day, three had been officers on board the Texas during the battle and two of them were new witnesses. These were Commander George C. Heilner, who was navigator on the Texas, and Commander Alexander H. Schley, who was chief engineer on that battleship.

Executive officer and the chief surviving officer of the ship since the death of Captain Philip, was recalled. The fourth witness was Commander Seaton Schroeder, executive officer on the Massachusetts and now Governor of the Island of Guam.

The testimony several times during the day was exciting, especially so when Commander Heilner described the battle and the part the Texas had taken in it. He said that when the Brooklyn made her loop at the beginning of the battle she passed across the Texas bow at a distance not to exceed 100 or 150 yards, and at the command of Captain Philip the Texas had been brought to a dead stop. Engineer Easton testified that the starboard engine had been stopped, and he said he thought this had also happened to the port engine.

Commander Heilner expressed the opinion that the vessel engaged in this maneuver and because part of the machinery was damaged. He considered the Texas in greater danger at that time than at any time during the battle.

It was also pointed out to-day that the Navy Department has no intention at present of bringing Admiral Sampson to Washington as a witness or to participate in any other manner at the inquiry.

SCHROEDER RECALLED.

After the introduction of the log-books of the vessel engaged in the battle, the testimony was recalled, and Commander Schroeder was recalled and asked if he desired to make any corrections in the official record of his testimony.

There is one omission from Admiral Schley's remarks on the Massachusetts on the day of the bombardment of the Colon, which I overheard, which I would like to report."

"It is this: He said when he came aboard, that Admiral Sampson would be there on the following day. He made that statement in connection with his remarks that he had communicated with Cuban Commander Schroeder was then asked concerning the coal supply of the Massachusetts, and when he replied that he had no information on that point, he was asked to read the log to secure this information.

Counsel for Admiral Schley objected, but Assistant Judge-Advocate Hanna insisted, saying that Admiral Schley's counsel was merely creating delay by their objections.

"I propose to develop the facts in this case, and the technical objections will not avail to prevent," he said.

The court then was to develop what Messrs. Lemly and Hanna considered an error in Admiral Higginson's testimony. He had said that the Massachusetts could not have remained on blockade duty for more than twelve days, and that then the vessel would be without coal and powerless to proceed to coal.

The objection to the question was not sustained, and upon reading from the log, Commander Schroeder said it showed that the Massachusetts had over 50 tons of coal aboard, when it arrived at Santiago.

Commander Schroeder said the Massachusetts could have remained on blockade duty twenty days with that supply of coal or could have remained sixteen days and had enough coal left to reach Key West.

Lieutenant-Commander L. C. Heilner, who was navigator of the Texas during the Spanish War, was next called. He said he had heard no guns fired when the squadron approached Santiago. To his knowledge no effort was made to ascertain whether the Spanish fleet was in the harbor or to destroy Spanish works there. Had there been an effort would have been made to communicate with Cuban shore until Captain McCalla arrived on the Marblehead.

Witness was asked to describe the battle of July 3, and said:

"The Texas was being heading about east when the enemy was seen coming out of Santiago. Lieutenant Bristol, who was officer of the deck at the time, wanted to go ahead full speed, and put the helm hard to starboard to make a turn. When I got the deck he informed me of what had happened, and I sent him below and assumed charge of the deck. The captain told me that he had eased the helm until he could find out which way the ships were going, and he also ran half speed. I suggested full speed. He said the battery was not ready. I told him it would be ready before the ship was in position to fight, and he said all right, and ran full speed."

"When the second of the enemy's ships followed the first to the westward he put the helm hard to starboard. I made several reports to him about the Brooklyn regarding her signals. He said, 'Never mind.' I also referred to the way I thought the Brooklyn was standing up to the fight—very nicely. The captain said, 'You look out for this ship!'"

The Brooklyn then was about on her port beam, so I said, 'All right, captain, I will look at the Brooklyn no more, and I turned my back. After we had come around and got to the westward, I suggested to give her a little port helm. It got closer in and he did. Right after he

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MONTAGUE IN NELSON COUNTY

Receives an Ovation at Lovingson.