

OPPOSING MR. OLNEY.

Choate Answers Arguments in the Income-Tax Controversy.

THE DEGREES OF WEALTH

Counsel for Corporations Say They Are Not Equally Protected.

QUESTIONS OF UNIFORMITY.

Rich Men May Escape the Levy by Putting Their Money in Savings Banks.

WASHINGTON, March 13.—At the opening of the session of the Supreme Court Mr. Choate, resumed his argument about the constitutionality of the income tax. The inevitable income of all accumulated property, whether the rent of land or the interest on lands, is, he claimed, necessarily the subject of direct taxation and of no other. He hoped to establish this fact and to further show that such a tax was subject to the rule of apportionment.

Whatever else was not included in the term "direct tax" certainly real estate was included. There had been universal assent to this proposition, and he would take this as the basis of his first step. He controverted the proposition that this idea was to apply only to unimproved land, but contended that the application was to all property designated as real estate. He followed this argument with the assertion that the income from the rent of real estate was indistinguishable from the tax on the real estate itself, and combated the position of the Attorney-General that the income from rent after it enters the pocket is money and is to be considered as such. For that matter, any tax on land was in substance and effect a tax on its rental.

Returning to the position of the Attorney-General that the proceeds were not rentals, but money in the pocket, he declared it was a distinction without a difference and was a fiction which had been stamped upon by the court with all its might and noted precedents to sustain their disposition. Furthermore, he controverted the right to tax "money in the pocket" as a taxation on personal property.

Mr. Choate contended that in exchange for the surrender by States of the power to collect duties, imposts and excise the General Government had necessarily conceded the protection of all men in their equality before the law, and the rule of uniformity must be observed. This rule had been observed without exception by Congress in all tariff acts.

Justice White here asked if the observance of this rule would not destroy all specific duties. Mr. Choate thought not, and he also dissented from a suggestion that a difference was made in taxing men of different degrees of wealth. Such a construction would involve a direct violation of the constitution. Mr. Carter had declared that there was no help for it if a mistake had been made in the law, but Mr. Choate contended that the court was here for the purpose of proffering help in such cases.

No wonder, he said, the President, after ten days' deliberation, could refuse to put his name to the bill. No wonder the President and the Secretary of the Treasury refused to indorse it. "Do you," asked Justice Harlan, "dispute the validity of any exemption?" Mr. Choate replied that he did not, but without explaining his reply, took up the denial by the law of any exemption to corporations, contending for uniformity in the treatment of corporations and individual persons. Mr. Choate characterized as "capricious" the exemption of the property of schools, churches and similar institutions, as well as the savings banks, loan associations and mutual insurance companies, and said that a far harsher term would be justified. Was it just, for instance, to tax the people of Colorado and Nebraska for the support of Trinity Church or Columbia College of New York?

Referring to the other exemptions, he said that Mr. Vanderbilt or Mr. Astor could put all his money into a savings bank and thereby escape taxation under the law. "Why," he exclaimed, "it looks as if there was a job in it." Mr. Choate quoted from official records to show the enormous extent of the business done by the mutual companies, declaring that there were no institutions in the land which were more noted grabbers for, and hoarders of, money than these mutual companies.

At 3 o'clock Mr. Choate reached his peroration. He did not believe, he said, any member of the court had ever sat in a case, or that any of them would ever live long enough to hear a case of more vital consequence to the people of the country. The question involved was whether we could rely upon the guaranty given us by the framers of the constitution and under which the nation had so far in its history prospered. It was of the utmost importance to the future welfare of the country that the court should see if it has the power to decide such questions, and if it finds it has that it should exercise it to stop such legislation as this.

Nothing now remains but for the court to determine the validity of the income tax.

RAILROAD LANDS. Secretary Smith Renders an Opinion Regarding Indemnity Tracts.

nearer Cour d'Alene than Yakima. He also holds that losses for an Indian reservation are subject to indemnity. In the matter of selection tract by tract the company claimed the reservation lands had not been surveyed so such selections could not be made in the same way, but the Secretary thinks sufficient surveys have been made on the reservation to enable such a selection. The Secretary quotes opinions by Attorney-General Garland and Secretary Villas in support of his findings.

TERMS OF PEACE.

The Basis Upon Which China and Japan Will Cease Hostilities.

WASHINGTON, March 13.—As a result of the negotiations between Minister Dun in Japan and Minister Denby in China the terms of the peace about to be concluded between China and Japan are now known with little short of exactness. As understood in official circles they are as follows: One—The treaty between Japan and China has ceased to exist by reason of the war, but on the renewal of peace the new treaty will grant Japan extraterritorial jurisdiction over China, but the latter country will surrender the extraterritorial jurisdiction she formerly held in Japan.

Two—There will be no extension of Japanese territory on the mainland of Asia, but the island of Formosa, a Chinese possession lying off the coast, will be permanently ceded to Japan.

Three—The Japanese will by treaty be granted the right to continue the occupation of Port Arthur and Wei-hai-wei, the two great naval stations leading to the Gulf of Pechili, for a term of years.

Four—The claims of China that Korea is a dependency of her shall be forever relinquished, and Korea shall henceforth be independent.

Five—The cash indemnity to be paid by China will not exceed \$50,000,000 in gold. The foregoing terms give a number of new features which the cable information from Peking and Tokio has not thus far disclosed. The purpose not to extend Japanese territory on the mainland, but to confine it to the outlying island of Formosa, assures the conclusion of a peace without European intervention.

The maintenance of Japanese extraterritorial jurisdiction leaves China as the only Oriental country submitting to this jurisdiction. Until recently all civilized nations have insisted that the courts were so primitive and so barbarous as to be unworthy in both China and Japan that consular courts should protect foreigners residing in these countries. Japan has recently negotiated a new set of treaties with the United States, Great Britain and other countries, in which her modern procedure is recognized and consular courts abandoned. In conformity with this system Japan now terminates China's consular courts in Japan, although consular courts in China are to be continued. This presents the singular spectacle of China conceding the advance of Japan into modern methods, while at the same time conceding that she is still in the benighted condition requiring extraterritorial jurisdiction to protect foreigners in China.

Probably the most important concession is the Japanese occupation of Port Arthur and Wei-hai-wei for a term of years. This will assure a continuance of peace for many years, as China is in no condition to render hostilities so long as the gateway to Peking and to China's commerce is guarded on either side by the great fortresses, and which China grants to Japan for a term of years.

The permanent annexation of Formosa to Japan will give a rich and fertile country to the Japanese. The productions of the island are very extensive. Moreover, there are extensive tracts of land well suited to Japanese coolie labor, should it be desired to withdraw the Japanese from Hawaii.

THE PATENT TO BE ISSUED.

Secretary Smith's Decision in Reference to Overlapped Claims.

WASHINGTON, March 13.—Secretary Smith has rendered a decision in the case of the Last Chance Mining company vs. the Tyler Mining Company, being a claim made by the former from the Tyler lode at Cour d'Alene, Idaho. A portion of the Tyler claim overlapped the Last Chance. The Tyler company, in its application for a patent, waived its right to the overlapping portion, but the Last Chance asked that no patent be issued while there was pending in the Supreme Court a case affecting the title of the property. Secretary Smith holds that as the overlapping tract has been waived by the Tyler Company the patent shall issue for its claim.

Meade's Squadron Sails.

WASHINGTON, March 13.—Admiral Meade's squadron sailed last night from the port of Spain, Trinidad, for Laguna, Venezuela. In case of trouble there the United States will have three fine warships, the New York, Minneapolis and Cincinnati, ready to protect American interests.

Condition of the Treasury.

WASHINGTON, March 13.—To-day's statement of the condition of the treasury shows: Available cash balance, \$184,504,296; gold reserve, \$89,986,308.

Of Interest to the Coast.

WASHINGTON, March 13.—C. P. Huntington is expected to arrive here to-morrow. Pensions have been granted as follows: California—Original—Frederick Willis, Woodland; William McCormick, Downey; Thomas J. Noble, Veterans' Home, Napa. Original widow—Mary E. Molait, Colita, Sonoma County.

Gresham Is Convalescing.

WASHINGTON, March 13.—Secretary Gresham is convalescing slowly.

BERING SEA PATROL.

Warships of Uncle Sam and England to Be Withdrawn.

WORK FOR THE CUTTERS

The Corwin, Rush, Bear and Perry to Guard Sealing Interests.

BIG VESSELS NOT TO BE USED.

This Summer the Treasury Department Battles Alone Against the Poachers.

WASHINGTON, March 13.—It is said that the usual patrol of Bering Sea by United States and British warships will be dispensed with this season. The change in the programme is due to the report on the sealing industry made by Assistant Secretary Hamlin as a result of his visit of inspection to the seal islands last summer. The officials observe their usual reticence on the subject, but there is good ground for the statement that the policy was adopted by the President before his departure on the Violet and that it has received the approval of the British authorities.

One reason given for the change is that last year's experience showed that the patrol was an expensive failure, inasmuch as in spite of it seal-poachers secured a catch of over 130,000.

Under the new order of things the protection of the seal industry will devolve entirely upon the Treasury Department, and orders have already been sent by Secretary Carlisle to revenue cutter officers at San Francisco to make the necessary preparations. The programme for the coming summer is to have no naval vessels engaged in patrol work. The duty is to be performed by vessels of the revenue cutter service exclusively.

For the purpose four steamers have been selected, and one more may be detailed. The four which have been named are the Corwin, Rush, Bear and Perry.

With the exception of the Perry the vessels are now at San Francisco preparing for the cruise. The Perry is on her way to the Pacific Coast, and it is expected that she will be in California waters some time this month.

It is proposed to start the vessels north at an earlier date than usual, it having been learned that some of the leaders of the seal herd are already on their way toward Pribyloff Islands. Telegraphic information from Vancouver is to the effect that several Canadian poachers are getting ready to clear from that port for a summer cruise.

The senior revenue marine officer will command the fleet. His instructions are now being prepared at the Treasury Department, and when completed will be sent without delay. The fleet will start from Port Townsend, the rendezvous of the naval fleet last summer during the preparations for patrol service. For the past three years the American Government has maintained a large fleet of naval ships and revenue cutters in Bering Sea to patrol forbidden waters and make seizures where schooners were found unlawfully taking seals. These fleets have consisted of from seven to nine vessels and have invariably been under command of the senior officer.

Two years ago Commander Evans with the Yorktown carried out the orders of the department, while last season this duty devolved on Commander Clark with the Marion as flagship. Probably fully \$500,000 has been expended in this time in the efforts to prevent poaching. Last season's coal bill alone for five naval vessels amounted to \$70,000, while that of the revenue cutters brought the total up to over \$100,000.

Drifts have been made upon the naval establishment until there were practically no vessels available on the Pacific Coast for ordinary peace work of the service.

FACTORY BUILDING BURNED.

WITH IT WENT THE WORKSHOP OF NICOLA TESLA, THE INVENTOR.

DISASTER ON THE EVE OF A GREAT DISCOVERY IN ELECTRIC LIGHTING.

NEW YORK, March 13.—The large factory building at 33 and 35 South Fifth avenue was burned to-day causing a loss of \$100,000. It was occupied on all but the top floor by Gillis & Goochan, steamfitters' supplies; and the top floor was used as a manufactory and workshop by Nicola Tesla, the electrician.

The loss of Gillis & Goochan is \$60,000, of Tesla \$10,000 and of the owners of the building \$30,000.

The destruction of Tesla's workshop comes just when it was whispered in the scientific world that the inventor was on the eve of one of the greatest discoveries connected with the problem of improving the electric light.

It is feared the disaster may result in the physical collapse of the great inventor. He has long been in a state bordering on exhaustion through overwork. Mr. Tesla is the controlling electrical engineer of the Niagara Power Company and of many other important concerns.

CONDITION OF WINTER WHEAT.

Reports on the Crop in the Middle and Eastern States.

CHICAGO, March 13.—The following reports on the condition of winter wheat and rye in the Middle and Eastern States will appear in this week's Farmers' Review.

while others report the crop as badly blown out on sandy land or much damaged, but late snow is better. Rye is generally good.

Nebraska—Reports are quite good, although in some sandy localities the crop has been hurt by high winds blowing it out. Too dry is reported in some cases, but a great many counties have excellent prospects for a crop. Rye is, on an average, better than wheat.

In Minnesota, Iowa and the Dakotas little has been grown any year, and the conditions will not greatly affect the crop of the country. The States that grow the largest amount of winter wheat report the condition good and the adverse conditions are quite generally reported from States that grow comparatively small quantities. From this it will be seen that the general average is good and that a large winter wheat crop may be looked for.

HOW TAYLOR WAS TRACED.

Pinkerton's Agents Finally Ran Him to Earth in Mexico.

TAMPA, Fla., March 13.—The information concerning the arrest of W. W. Taylor, the defaulting Treasurer of South Dakota, comes by way of Havana.

No reason to doubt the accuracy of the news exists. Taylor, who went under his mother's name, Mason, and a companion calling himself Phelps were traced to Port Tampa. William A. Pinkerton himself was here last week conducting the search and stopped at the Tampa Bay Hotel, as though he were there for pleasure.

He had an agent with him. He learned that Taylor had sailed by the steamer Mascotte a few days before. The agent went to Havana and discovered that Taylor had sailed two days previously for Vera Cruz. A Pinkerton agent in Vera Cruz was notified, and he is reported to have missed Taylor at the steamer in Vera Cruz, to have followed him up and to have arrested him in the City of Mexico last Sunday.

PRIEST KARMINSKI UPHELD.

CONSTABLES SENT TO HELP HIM HOLD POSSESSION OF ST. PAUL'S CHURCH.

RIOTERS ARRESTED AND WARRANTS FOR MEMBERS OF BOTH FACTIONS ISSUED.

OMAHA, March 13.—The District Court, which recently tried the case, to-day sent constables to the church to maintain Priest Karminski in possession. When the trials of the rioters are concluded they will be charged with contempt of the District Court. Eight of the rioters were arrested to-day, charged with assault with intent to murder, and were released under \$1000 bonds.

It is the intent of the defendants to issue warrants for the arrest of those who are now in possession of the church. If this is done they will have a hearing at the same time that the members of the other faction have theirs next week. A warrant was issued for the arrest of Priest Karminski and it was served this morning. The complaint charges him with assault upon Xavier Dargaczewski with intent to kill. Dargaczewski is the man who was shot in the legs by the priest.

Bishop Scannell said to-day: "I don't recognize this man Karminski as a Roman Catholic priest. He claims to have been ordained by Archbishop Vilati. There is no such Archbishop in the church. There is a man in Wisconsin by that name who calls himself a Bishop, but with no right whatever."

Everything is quiet in the vicinity of St. Paul's Church and no further trouble is anticipated, at least for the next few days. Members of the two factions congregated in different saloons to-day and were quietly talking over yesterday's troubles. It is thought though that if the church building and property is not taken possession of by a large force of officials, more trouble will be caused. Members of the Scannell faction have given expression to the intention of getting possession of the building after the present trouble blows over.

BOTH PREPARED TO FIGHT.

Walter Scott Hale and Young Gilroy May Fight a Duel.

Haverhill, Mass., March 13.—Walter Scott Hale of Haverhill to-day confirmed a report current this afternoon that Thomas Gilroy Jr., son of the ex-Mayor and Hale's brother-in-law, had as the result of a violent quarrel in the cafe of the Parker House challenged Hale to fight a duel and the challenge was accepted.

The quarrel occurred through personal charges and countercharges resulting from young Hale's endeavors to have his mother removed as his guardian.

Gilroy told Hale he would meet him with pistols at any New York hotel. Hale accepted the challenge, but declared that he would fight nowhere but in the vicinity of Boston.

Gilroy refused to meet Hale except in New York, and an exchange of epithets occurred during which a crowd gathered and Gilroy escaped into his room. Hale stated that he was prepared to fight at any time, but not within 100 miles of New York.

SESSION OF THE A. P. A.

Charles T. Beatty Re-elected President of the Supreme Council.

SAGINAW, Mich., March 13.—At the session of the State Council of the American Protective Association to-day Charles T. Beatty was re-elected State supreme president.

Colonel Sellers, attorney for President Beatty, announced that suit for damage for libel would be at once commenced against papers publishing the story regarding the soliciting and use of money from candidates during last year for the political campaign.

READY TO APOLOGIZE.

Spain Anxious About the Firing Upon the Allianca.

NO OFFICIAL NEWS YET.

Minister Muruga Says Only One Side of the Story Is Known.

AN INVESTIGATION STARTED.

The Assailing Gunboat Was Probably Searching for Cuban Filibusters.

WASHINGTON, March 13.—Senor Muruga, the Spanish Minister, visited the State Department to-day for the purpose of stating the position of Spain, from the information now at hand, on the firing of the Spanish gunboat on the American mail steamer Allianca. The Minister telegraphed for full particulars to the Governor-General of Cuba, and in reply received a dispatch that the cruiser which presumably figured in the affair has not yet returned, having prolonged her watch along the Cuban coast. The Governor-General had no particulars of the incident. Under the circumstances Senor Muruga feels that only one side of the story has been told. But should it appear that there has been any offense or indiscretion on the part of the Spanish warship Senor Muruga says that Spain will speedily make every apology consistent with the friendship she bears to the United States.

Taking the version of the affair as given by Captain Crossman of the Allianca Minister Muruga says it is apparent that the American ship was in the jurisdictional waters of Cuba and not on the high seas. It is evident, the Minister says, from the firing of the blank cartridge, that the vessel was hailed that she might be asked as to whether insurgents were on board.

The letter of Captain Crossman was received at the State Department in the afternoon mail. Secretary Uhl, after looking over the letter carefully, wrote to Captain Crossman asking for more particulars bearing upon the incident. Until these are furnished it is not probable the complaint will be formally brought to the attention of the Spanish Government. The point upon which the State Department requires further information from Captain Crossman is the exact location of the Allianca when she was first signaled by the Spanish Government cruiser, and it is possible the whole case may turn on this point.

According to Captain Crossman's own story he had been in the habit of taking his ship on a course that brought it within a mile of Cape May, the eastern extremity of the island of Cuba. He is reported to have said on this occasion, hearing at Colon that there was trouble in Cuba, that he kept off the land so he was six miles off the cape when the incident occurred. From this incident it appears the captain was aware that Spanish cruisers were patrolling the coast in search of filibusters and that a rebellion was in progress, but it is not clear that he was outside of the Spanish marine jurisdiction, considering the fact that there are outlying keys or islands belonging to the same nation. That these may be regarded in establishing the boundary of the marine jurisdiction is shown by the act of our own Government in laying out the sixty-mile exclusive line around the Pribyloff islands last year.

There is another but minor point upon which further information will be demanded, and that is whether the ship's officers can be sure that the shots fired by the Spanish vessel were directed at the Allianca or across her bows.

REVOLUTIONISTS PLEASED.

Would Like to See an American Fleet in Cuban Waters.

NEW YORK, March 13.—In the Cuban colony to-day the firing upon the American steamer Allianca by a Spanish man-of-war was eagerly discussed. The revolutionists appeared to be greatly pleased at the possibility of a fleet of United States men-of-war being sent to protect American merchantmen in the vicinity of Cuba.

ONE-HALF TO HER SON.

Bequests Made in the Will of the Late Mrs. Tabor.

DENVER, March 13.—The will of the late Mrs. Augusta L. Tabor, the divorced wife of ex-Senator Tabor, was filed in the County Court to-day. She bequeaths to her son, Nathaniel Maxey Tabor, half of her entire estate, valued at over \$1,000,000. She directs that the other half shall be divided equally between her brothers and sisters, Edward W. Pierce, Frank H. Pierce, Fred M. Pierce, Ruth E. Pearson and Mary F. Marston, all of Augusta, Me.; Melvina L. Clark, Leadville, Colo.; Lea F. Taylor, Leadville, Colo. She appoints her son, Nathaniel Maxey Tabor, and her brother, Frank Pierce, as executors.

REV. GEORGE FREEMAN DEAD.

He Was Noted as the Pioneer Missionary of the Northwest.

ST. LOUIS, Mo., March 13.—Rev. George J. Freeman, a noted pioneer preacher and missionary of the Northwest, died suddenly of heart disease in Elk Point, S. D., to-day. Rev. Mr. Freeman came from Connecticut in 1851 and did missionary work throughout Minnesota, Wisconsin, Iowa, Dakota and Montana. When the Central Pacific Railroad was building he was a missionary along that line. In 1871 he was made general missionary for the Territory of Dakota and organized Baptist churches all over the State. He was 76 years old and probably the widest known divine in the Northwest.

ENVELOPED IN FLAMES.

Five Men Badly Burned by an Anneling Furnace.

SHARON, Pa., March 13.—By the flashing of the lamp from the door of an annealing furnace in the Sharon Iron Works late this afternoon five employes were frightfully burned.

They are: John Straus, Emanuel Brandt, Arthur Bailey, Thomas Boyd and George Strom.

When the flames burst forth from the furnace the men, who were standing near, were completely enveloped in fire.

STORY OF POLITICAL CORRUPTION.

Zella Nicolaus and Husband Appear Before the Grand Jury.

whose trouble with George J. Gould was so prominent a few months ago, was before the extraordinary Grand Jury. She was accompanied by her husband, R. Ruhman. Both husband and wife are said to be in the employ of the Parkhurst Society at present. It is said they told the jury a new story of police corruption.

LEVIED POLITICAL TRIBUTE.

An Ex-Member of the A. P. A. Makes a Sensational Statement.

DETROIT, Mich., March 13.—The Evening News published to-day a three-column sensational interview with a prominent ex-member of the A. P. A., in which it is alleged that a prominent official of the order received \$9000 from Colonel Bliss, one of the candidates for nomination as Governor last year, and various sums from other candidates. It is also charged that an attempt was made to secure \$500 monthly from United States Senator McMillan during the Senatorial campaign last winter. Fac-simile letters between this official and members of the A. P. A. State political committee are published to substantiate the charges. Other allegations of "working" the candidates and appropriating the proceeds are set forth in detail.

ALL HANDS BADLY BRUISED.

A Lively Fight in the City Council of Nashville.

NASHVILLE, Tenn., March 13.—A committee of the City Council held a session to-night to consider the application for a new electric railroad charter, and the session ended in a free-for-all fight. Accusations were made that members of the committee were owned by the street railway and bonds followed. Councilman Stewart knocked Mr. Rhea, one of the company's representatives applying for a charter, down several times, and then assailed Attorney Bradford, who came to Rhea's assistance. The peacemakers who tried to stop the fight were battered and bruised considerably.

TO STEAL THE GOLD BASE.

DARING ATTEMPT OF THIEVES DISCOVERED IN TIME AT KANSAS CITY.

AFTER A VALUABLE MONTANA RELIC OF THE COLUMBIAN EXPOSITION.

KANSAS CITY, March 13.—What was doubtless an attempt to steal the \$225,000 gold base of the famous Montana silver statue exhibited at the World's Fair, was frustrated here to-night. The statue is on exhibition in the dry goods store of a local firm and has attracted thousands of sightseers. It rests in plain sight of the street and is easy of access.

Late to-night two men, who it developed later had hidden themselves in the store when it closed this evening, got so far as to wrench an iron bar off the door near where the statue stood and were opening both doors when discovered.

The men fled and were chased for several blocks, and though fired at half a dozen times escaped.

They left tools of various descriptions which would have been necessary to remove the statue, showing their intentions, and tracks in the alley near by where a rear door had been opened indicated they had confederates. The statue was that for which Adah Rehan posed as model.

BEING CLOSELY WATCHED.

A Steam Yacht That May Carry Arms to the Cubans.

SAVANNAH, Ga., March 13.—The steam yacht Pedro Pablo, Captain Greenwood, which arrived here to-day from New York, is being closely watched by revenue officers, who are suspicious that she has come to this port to take on arms and ammunition for the Cuban insurgents.

New York, March 13.—All telegraphic messages in Spain in secret language are subject to Government censorship.

Lost in the Snow.

OMAHA, March 13.—A severe snowstorm prevails in Nebraska to-night. As much as four inches has fallen in some localities. The storm is general throughout the State. It is hardly cold enough to produce suffering to man or beast, and little wind accompanies the snow.

Death of Colonel Moore.

WALPOLE, Mass., March 13.—Colonel William Moore, well known in the piano business throughout the country, died here to-day, aged 57 years. He was born in Devonshire, England. He was the ex-Mayor of Idaho Springs, Colo., and was for two years a member of the Governor's staff in that State.

Delaware's Senatorial Struggle.

DOVER, Del., March 13.—Five ballots were taken to-day for United States Senator without result: Higgins 8, Addicks 6, Massey 4, Wolcott 6, Tunnel 4. Seventy-five ballots have thus far been taken.

Died From the Poison.

COUDERSPORT, Pa., March 13.—Associate Judge Stern died this afternoon at his home from the effect of poison taken with suicidal intent Monday while temporarily insane.

PERISHED IN FLAMES.

Three Guests Lose Their Lives During a Hotel Fire.

OTHERS FATALLY HURT.

Stairways Quickly Cut Off and Escape Made Impossible.

MEN CORNERED IN ROOMS.

In a Short Time the Building Was in Ashes and the Victims Burned Past Recognition.

HENDRICKS, W. Va., March 13.—The hotel of J. D. Jenkins at Maceville, four miles from here, was burned last night. Three lives were lost and four persons injured. The hotel was a big two-story frame structure, and the fire was sweeping through when first discovered by Mrs. Jenkins, who aroused the family and guests as quickly as possible. No effort could be made to save any effects.

All had retired when the fire broke out in the kitchen and rapidly spread to the second story. The only two stairways in the building, one in the front part and the other in the rear, were both cut off when those from the lower floor gave the alarm.

Those who escaped jumped from the windows, and some sustained slight injuries in addition to their burns. Every room was burned.

There were over forty people in the hotel. Jacob Coffner, William Wilson, J. K. Williams and James Jenkins were in one room. They were driven back from the hallway exit by the flames, and all were badly burned in trying to escape by the stairway. Then they tried the windows, but the flames were raising up so they had to jump through a furnace of flames. They were also badly hurt and burned. Coffner is the only one of the four who can recover.

In two rooms on the second floor were Eugene Sisson, Homer Catlett and James Corley. They all perished and their remains were so charred as to be beyond recognition. It is believed they were suffocated and unable to get out of their rooms. The loss was only \$6000, but nothing was saved. The building was burned to the ground in a short time. The guests were mostly lumbermen and had but little baggage.

REFUSED INFORMATION.

So a Suspicious Steamer Was Taken Into Custody.

LONDON, March 13.—A steamship with two smokestacks arrived at Gravesend yesterday, and refused information as to her destination. In consequence, the Government ordered the British ship Bustard, a small coast defense gunboat carrying one gun, to take charge of the steamer.

This was done and a guard was placed on board of her. From the fact a Japane officer was found on board the steamship, it is presumed that the captured vessel is either a Japanese ship or else a steamer chartered by the Japanese Government.

Banquet of British Merchants.

LONDON, March 13.—Sir Albert Kaye Rollit of the Associated Chamber of Commerce presided last night at the banquet given by that body. Among those present were the Hon. Thomas F. Bayard, the