that only one of the jurors was holding out against him. He looked as well as he has at any time during the past few months and said that he felt better than he has for a long while. This improvement in his health he attributes to the fact that he has been deprived of his favorite cigar during the hours that he has been in the courtroom and he declared that he is seriously considering his ability to break away from the smoking habit altogether.

When the jurymen had taken their seats in the box, the senator turned and half faced them.

The stereotyped, "How say you, gentlemen of the jury: do you find the prisoner at the bar guilty or not guilty?" brought promptly from the foreman's lips the words, "Not guilty," and at this point Senator Quay's face flushed and he seemed momentarily as if about to be overcome by the feeling of emotion that was surging over him. This was only for an instant, however, and the great political leader was his imperturbable self again as he smilingly responded to the congratulations that were being heaped upon him.

Senator Quay did not look at the jury at all, or in any way express gratitude to it for its verict in his favor. His friends, however, surrounded the jurors, patted them on the back and told them what heroes they were.

Senator Quay's only comment on the verdict was: "Well, I expected it."

The case went to the jury at 3 o'clock yesterday afternoon, and four ballots were taken before the final decision was reached. The first ballot stood 10 to 2 for acquittal, the next two stood 11 to 1. The one standing out for conviction by this time had very much modified his reasons for conviction and when the last ballot was taken he voted for acquittal. The jurors who stood out for conviction are said to have been Charles Pensier, shoemaker, Seventeenth ward, and Edward Bevan, painter, Nineteenth ward. Pensier voted for acquittal after the first ballot, but Bevan held out until this morning, when the final ballot was taken.

After the crowd left the courtroom, District Attorney Rothermel was questioned regarding the remaining indictments. He said there are three of them still pending, but he would not say what his course will be regarding them. In two of these indictments, Senator Quay is charged with conspiring with Hopkins and Haywood as he was in the one under which he was to-day acquitted. In the remaining indictment he is charged with conspiracy jointly with his son, Richard R. Quay. This charge grew out of the loan of $100,000 to young Quay, and was obtained through a deposit of that much of the state money in the People's bank. Senator Quay's lawyers say the district attorney picked out the indictment on which he could make the best case for the trial just ended, and he will not dare bring the senator to the bar again.

Political friends of Senator Quay are urging him to bring criminal prosecutions against those enemies who, they claim, are behind the prosecution of their favorite, but the senator will not indicate what his course in this respect may be.

QUAY APPOINTED SENATOR.

Governor Stone Acted as Soon as Verdict of Acquittal Was Returned.

HARRISBURG, PA., April 21.—Immediately on receipt of the news that Colonel Quay was acquitted of the charges against him, Governor Stone appointed him United States senator to fill the vacancy until the next legislature meets, and notified Vice President Hobart as follows:

"Sir:—By virtue of the power invested in me as executive of the state of Pennsylvania, under article 1, clause 2, section 3 of the constitution of the United States, I hereby make temporary appointment of the Honorable Matthew Stanley Quay, to be United States senator from Pennsylvania until the next meeting of the Pennsylvania legislature to fill the vacancy now existing in this state. Very respectfully,

"WILLIAM A. STONE,
"Governor of Pennsylvania."

Governor Stone said that in appointing Colonel Quay he felt that he had done the fit and proper thing. He thought it would make the issue, and is better done now than by waiting for weeks.

The authority cited by the governor says that the governor of any state may make temporary appointment during a recess to hold until the next legislature meets.

United States Senator Boies Penrose said to-night:

"As to the power of the governor to appoint there has been some question raised. The governor would not have made the appointment had he not been convinced of his authority by law and precedent. The precedents on this point in the senate have been somewhat conflicting. The early precedents are all in favor of this power, while a few of the later precedents have apparently been against it. In the senate some of the ablest lawyers in the body are divided on the question. As a matter of fact, the senate, not being a judicial body, is avowedly not bound by its precedents. Cases of this character in the past have been decided largely on personal grounds and in compliance with the wishes and exigencies of the party in the majority. Mr. Quay has remarkable personal strength with senators in both parties and the senate is Republican by a considerable majority. The Democrats in the senate are grateful to Mr. Quay for his aid in defeating the force bill while the Republicans will be glad to strengthen their majority in the body. Under these circumstances I have no doubt that his credentials will be accepted at the meeting of congress next fall."

WANAMAKER IS BITTER.

Says Quay's Acquittal Is a New Chapter of Shame for Pennsylvania.

PHILADELPHIA, April 21.—John Wanamaker made the following statement relative to the acquittal of ex-Senator Quay and the latter's appointment by the governor as United States senator:

"The acquittal of Senator Quay will be a disappointment to every lover of justice and every friend of good government throughout the United States. It records with emphasis the difficulty of convicting potent political defendants, charged with public crime, no matter how clear, convincing and overwhelming the evidence may be. The story of the corrupt use and speculation in public money in Pennsylvania is an old one and has been a matter of notorious accusation against a long line of state treasurers and political bosses for many years. Mr. Quay himself has been again and again accused of participation in treasury jobbing by the newspapers of this and other states, with circumstantial detail. Heretofore, however, the basis of these accusations largely consisted of oral testimony and of allegations by political opponents. The case which terminated today, unlike previous accusations, was founded exclusively upon documentary proof in his own handwriting and that of his friends and confederates. The evidence of the guilt did not depend upon the veracity of any man or men, but was supported exclusively by his own letter and by written entries and statements recorded by his trusted friends and supporters.

"From the day the prosecution against him was instituted until the verdict was recorded, he has sought by every device to delay and obstruct the efforts of the commonwealth's officers to produce the written evidence of his misdoing and to bring him to trial for his offenses.

"The removal of the case from the lower court on the eve of the day when it was first set down for trial by an extraordinary writ issued by the supreme court, which that court subsequently dismissed, was successful in taking the prosecution away from the management of Former District Attorney Graham, whose ability, zeal and effectiveness as a prosecutor had been demonstrated by eighteen years of service. The same efforts to prevent a full exposition of his acts as a public official and his connection with the private use of the public money, marked every step in the extraordinary line of defense which his skillful attorneys adopted during his trial in resisting the zealous and able efforts of District Attorney Rothermel to introduce all the inculpating evidence in possession of the commonwealth. By technical objection, he excluded the evidence offered to show that during his term as state treasurer he was paid interest on state deposits, and also the receipt of interest by subsequent treasurers charged in the bill of indictment as being conspirators with him in crime, and finally failed to take the stand in his own defense and submit himself to cross-examination upon the charges made.

"The 'red book,' kept by his trusted friend, Mr. Hopkins, and which set out the story of treasury corruptions, was overwhelmingly corroborated and its verity established by the testimony and admission of his friend McKee and by the signature of his friend and co-defendant, B. J. Haywood. Notwithstanding all this proof, emanating exclusively from the lips and pens of himself and his closest friends, and in the face of his own silence and failure to testify to his innocence, he was acquitted.

"This is a new chapter of shame for Pennsylvania, a new record of failure in the administration of justice that will do much to encourage the corruptionists and public plunderers generally throughout the country. The first shout of defiant exultation over his acquittal has proceeded from the governor of the commonwealth, who promptly appointed him a United States senator without authority, and in violation of law, and in defiance of the will of the people as expressed by the votes of the legislature. It is fitting in every way that the capstone should have thus been put upon the edifice of boss rule and machine jobbery by the Quay representative in the governor's chair.

"We will thus see more clearly, it is to be hoped, the reckless disregard of right and decency, of public morality and political purity, that characterizes the Quay machine now intrenched in office in Pennsylvania.

"But friends of good government should not despair. There are other indictments undisposed of still hanging over Quay, and whatever may be their fate, even though it should be a technical acquittal, the contest against the degrading forces, practices and principles which Quay and his machine represent will be carried on until justice and right, morality and honesty shall triumph. The friends of good government will reenlist in this warfare to-day, and must continue unremittingly and unflinchingly the strife against all wrong doing and wrong doers in any party and in all parties, regardless of temporary setbacks or defeats, until the treasury jobbers shall be driven from official power in the commonwealth.

"To-day's verdict settles nothing but the fate of the single bill of indictment upon which Mr. Quay was tried. The facts of the treasury speculation and jobbery elicited in his trial and wholly unanswered by him or any other witness, cannot be effaced by the surprising verdict of to-day. They must be iterated and reiterated and laid bare in all their hideous deformity before the people so that a verdict in accordance with the trust may be reached by that larger jury before whom the special pleadings of attorneys and the stolid silence of the accused will be unavailing. Quay has got his technical verdict, but the trial of corruptionists and public plunderers will still go on."

THE CHARGES AGAINST QUAY.

History of the Case Which Has Just Ended in His Acquittal.

PHILADELPHIA, April 21.—The charges against Senator Quay followed the collapse of the People's bank in March, 1898, and the examination of its books by a receiver. The warrants were issued in the following October, and included, besides Mr. Quay and his son, the names of Charles H. McKee, a Pittsburg lawyer, and ex-State Treasurer Haywood. On November 21 the grand jury found true bills against all but McKee. The suicide of Cashier Hopkins just prior to the bank's failure prevented his coming within the scope of criminal action. The indictments were five in number. These were reduced to four by the death of Mr. Haywood, on February 23 of this year. One week after true bills had been found, counsel for Mr. Quay and the other defendants filed demurrers to four of them and moved to quash the fifth. Judge Finletter, on December 1, decided against the defendants. Counsel then carried the case to the supreme court, on the plea, among other contentions, that the prosecution was actuated by political motives, which would prevent an impartial trial in this country. The supreme court declined to interfere. The trial was set for February 20, and was postponed until the 27th, when it was again postponed until Monday of last week.

Mr. Quay Refuses to Talk.

WASHINGTON, April 21.—Senator Quay, of Pennsylvania, is in the city, stopping at his house on K street. He was met at the station on his arrival to-day by a number of friends, who congratulated him upon the outcome of his trial and appointment as senator. The senator declined to be interviewed. There were a number of callers at the house and many congratulatory telegrams received.

MORE WARSHIPS FOR SAMOA.

Germany Said to Have Ordered the Protected Cruiser Gefion to Apia.

LONDON, April 21.—A dispatch from Shanghai to a news agency says the German protected cruiser Gefion has been ordered to proceed to Apia, Samoa, after embarking an extra supply of ammunition at Kiao-Chou, China, and that another cruiser is to follow her.

WASHINGTON, April 21.—The report coming from Shanghai via London that another German war vessel has been ordered to Samoa was received with interest by officials here, though no particular importance was attached by them to the report, the opinion being expressed that the German government was simply making an addition to its naval representation in Samoa so as to equal that of Great Britain, a step she has a right to take because of her large commercial interests there. From the German point of view, the dispatch of another war vessel to Samoa would be entirely consistent with the maintenance of Germany's prestige in the island group, where her material interests are greater than those of other nations represented there. There, it is claimed, have been endangered by recent happenings to the prejudice of the country.

Admiral Schley to Visit Omaha.

OMAHA, NEB., April 21.—It is announced that Admiral Schley will visit this city about May 1 as the guest of ex-Senator Manderson. He comes for rest, and, aside from a dinner given by the Loyal Legion and a reception at the Omaha Club, no public demonstration will be accorded him. The admiral will be accompanied by his wife, and after a short visit it is proposed, in company with General and Mrs. Manderson, to take a trip through the West.

Rain Interferes With Mining.

JOPLIN, MO., April 21.—(Special.) The rains of the past two days have flooded all streams in the mining district and have materially interfered with mining in many of the camps. The week's output of zinc and lead ore will be reduced fully 25 per cent by the rains. This represents a big loss to the mine owners, with zinc ore selling at from $50 to $55 per ton. The Davy tract of mineral land, near Carterville, containing eighty acres, was sold to-day to an Eastern syndicate for $50,000.

Windsor Fire Inquest.

NEW YORK, April 21.—The adjourned inquest on the people killed at the Windsor hotel fire was begun to-day before Coroner Fitzpatrick and a jury. According to the records in the coroner's office, thirty persons lost their lives in the fire on the afternoon of March 17, last. Besides this number there are fourteen others who have been unaccounted for and who are believed to have perished.

Large M. S. U. Attendance.

COLUMBIA, MO., April 21.—(Special.) Dr. R. H. Jesse, president of the Missouri state university, stated to-day that the enrollment at Columbia had reached 800, and that the enrollment of the school of mines at Rolla has reached 125, making a grand total for the university of 925. This is the largest enrollment in the history of the university. Dr. Jesse says the enrollment will reach 1,000 next year.

Vice President Hobart's Condition.

WASHINGTON, April 21.—Vice President Hobart had a fairly good day and was able to sit up several times. His progress toward recovery is very tedious, but the physicians are confident he is gaining.

If it's in the blood

Ayer's Sarsaparilla

will take it out.

Other kinds may, but probably will not.

SET UP AN ALIBI

MRS. GEORGE'S ATTORNEYS TOOK A NEW TACK YESTERDAY.

MRS. KLINGLER'S TESTIMONY

SWEARS MRS. GEORGE WAS AT HER HOME WHEN SAXTON WAS SLAIN.

Former Husband of Mrs. George on the Stand—Defense Tries to Establish the Fact That Mrs. Eckroate Is a Morphine Fiend.

CANTON, O., April 21.—The testimony on behalf of the defense in the trial of Mrs. George was concluded to-day. A brief cross-examination, by agreement, will be conducted to-morrow morning and then testimony in rebuttal will be offered. If this is concluded before the regular hour for noon adjournment, court will adjourn until Monday, when arguments will be commenced and they will probably occupy two days. The jury will probably be charged Wednesday forenoon.

The features of to-day were the calling of Sample C. George, the former husband of the defendant, to the stand; the alibi of Mrs. George, and the effort to impeach the testimony of Mrs. Eckroate, the woman who claims to have recognized Mrs. George in the act of firing two of the shots.

Joseph Eckroate, husband of the woman who testified that she had seen Mrs. George in the act of firing two shots into Saxton's body, was called to the stand to-day. He testified that his wife had been using a white powder, presumed to be morphine, for the past twelve years. He said it made her drowsy and irritable.

Fred P. Shanfelt and Alexander Garver, druggists, testified to selling morphine to Mrs. Eckroate.

Former Policeman Smallfield was prevented from telling about finding Mrs. George in the Saxton block after midnight one night.

Miss Effie Farr told of seeing Mrs. George near the Lineman house about 7:20 o'clock the evening of Saxton's death, and Mrs. Etta Fink testified to seeing Mrs. George at that house during the day and leaving it at 5:30 o'clock; also to the presence of burrs and Spanish needles in the yard.

Former tenants of Saxton's farms testified to Mrs. George going with Saxton to the farms a number of times.

Miss Alice Mandbaugh testified to having often seen Mrs. Althouse enter the Saxton block in 1896.

Florence B. Klingler, formerly roomed at the Finley house, where Mrs. George made her home for a time. She was expected to say that Mrs. George, while living at that house, was making preparations to go to housekeeping, but the court excluded the testimony on the ground that there had not been sufficient evidence of a promise of marriage to admit the testimony.

The witness then testified that, on the night of Saxton's death, she saw Saxton at about 5:55 o'clock riding west on his bicycle, and that she went to her home on Marion, five or six blocks from the square, entered the house just as the clock struck 6. Mrs. George came in at about 5:25 and remained until 6:50 o'clock. She left, saying she was going to Attorney Sterling's office. This evidence set up an alibi for Mrs. George, for Saxton was shot before 6:50.

On cross-examination Mrs. Klingler said she was a divorced woman and a warm friend of Mrs. George. The cross-examination was largely devoted to an assault upon Mrs. Klingler's character.

Ira Howenstein testified to having visited the Klingler woman on the evening of Saxton's death and of finding Mrs. George there at the time of his arrival, which he definitely fixed at 5:35. Both Mrs. Klingler and Howenstein said that Mrs. George appeared entirely natural.

The court docket showing the beginning and settlement of the damage case of Sample C. George against Saxton for the alleged alienation of his wife's affections was offered in evidence. Benjamin Beuter, one of the managers of the Zoar hotel, testified to Saxton having visited the hotel for three days, accompanied by Mrs. George on one occasion and by Mrs. Althouse on another occasion.

Michael Burke and his daughter, Laura, of Barberton, formerly neighbors of the Eckroate family at Navarre, testified to knowledge of Mrs. Eckroate using morphine to the extent of making her drowsy and irritable and to two separations from her husband, in which the drug was the cause of differences. Miss Burke related several instances in which Mrs. Eckroate became violent and attempted violence to her stepdaughter.

M. C. Barber appeared on behalf of his wife and said that none of the papers he was subpoenaed to produce had been found among Saxton's effects. Mrs. M. C. Barber is a sister of Mrs. McKinley and of Saxton. When the especially desired paper was more fully described, Attorney Grant announced that he had it, and he produced it. There were two receipts on one sheet in which Mrs. George receipted for all claims against Saxton, especially mentioning the two replevin suits and also the breach of promise suit.

Sample C. George was the next witness called to the stand. After detailing his marriage and the early years of his married life with the defendant, he was asked:

"From the time you married Mrs. George until you met Saxton, what were the relations between yourself and your wife?"

"They were pleasant and happy."

In cross-examination he said they had never had any trouble of consequence until they moved into the Saxton block. Shortly after that time, and until they separated in 1889, they had much trouble.

The state called for Mrs. Klingler and Mrs. Lizzie Miller, the woman who saw the mysterious man in black, for additional cross-examination. Mrs. Miller was reported ill, and an effort will be made to have her in court in the morning.

Mrs. Klingler was asked several questions and, with the exception of this one cross-examination, the direct evidence was then concluded.

ACCUSED OF THREE MURDERS

Pana, Ill., Woman, Her Son and Another Man Have Grave Charges to Face.

PANA, ILL., April 21.—The mutilated body of Miss Jane Brunot, a wealthy woman of Danna, Ind., was found buried in an abandoned well on the place of her sister-in-law, near here. Mrs. Anna Brunot, her son, Henry Brunot, and Frederick Sibley are under arrest in this city charged with murder.

The chief of police says the three persons under arrest decoyed Miss Brunot to the garret of the farmhouse, shot her through the head and buried the body in the well.

Miss Brunot came to this city on a visit about April 1. It is said she brought with her a valise containing a draft for $500 and other valuables. Neither Miss Brunot nor the valise was ever seen after April 1. A few days later Henry Brunot and Sibley disappeared. The police learned that the two went to Indianapolis, where they, it is said, cashed a draft for $500 and spent the proceeds. On the strength of this clue and a letter from Indiana friends inquiring for Miss Brunot, the three inhabitants of the Brunot farm were arrested at 3 o'clock this morning. At 8 o'clock the police found Miss Brunot's decomposed body in the old well. Her clothing was found in the garret of the farmhouse.

The police claim Mrs. Anna Brunot and her son Henry are guilty of poisoning Charles Brunot, husband of Anna Brunot, who fell dead at the dinner table a year ago. Brunot carried $2,000 insurance. The police also allege that Henry Brunot and Frederick Sibley killed Widow Mary McIntyre, whose mutilated body was found under the bed at her little home in Flatham mining district last February, their object being robbery. Considerable talk of lynching is heard, but the strong guard of militia on duty here in connection with the strike troubles will prevent it.

This afternoon Henry Brunot, who, with Frederick Sibley, was arrested to-day for the murder of Brunot's aunt, Miss Jane Brunot, made a full confession to Chief of Police Kiety. Brunot said:

"On Mondy, April 10, the day of the Pana riot, Sibley and I having laid our plans to kill my aunt that night, I brought my mother to Pana. I then drove home. My aunt was then in the barnyard milking. She went into the kitchen and was preparing supper. Sibley and I entered. We had planned both should draw revolvers and fire simultaneously. I drew my gun and fired first. She fell and I fired several more shots into her body. She died instantly. Sibley did not fire. Sibley tore all her clothing from her searching for money but found none. We dragged her out on the porch, threw her into a wheelbarrow and Sibley wheeled her to the well and dumped her in, head first.

"We then built a platform a few feet below the surface of the ground and filled it with earth. My mother had nothing to do with the murder. Our object was robbery. We thought that Aunt Jane had money on her."

Sibley later made a confession corroborating that of Brunot. Brunot denied that his mother and himself poisoned their father three years ago to obtain his insurance. Both Sibley and Brunot denied all knowledge of the murder of Widow McIntyre, in Flatham district, two months ago. Mrs. Brunot has been released from custody. Sibley and Brunot were remanded without bail.

MRS. WILHOIT'S STORY.

W. C. T. U. Leader Says Ballard Confessed to Her Before He Was Taken to Prison.

WICHITA, KAS., April 21.—(Special.) Mrs. L. D. Wilhoit, superintendent of the Seventh district W. C. T. U., who has stated that Convict Alvin Ballard told the story of his confession in Wichita before he went to the penitentiary, says that she can produce evidence to prove the truth of all Ballard has told concerning the Allgood gang and the murder of old man New at Eureka, and will do so when the trial is called. She says: "When the W. C. T. U. missionary people began to visit Ballard in jail here he refused to see us or to talk for several days. One day he consented to let us read him the story of a criminal who reformed after a sentence in the penitentiary of Illinois. When we were through he said that he had so many crimes against him that he didn't see the use of trying to reform. He said that he had pledged faithfulness to several men who were associated with him. He broke down and cried and finally told me that he would like to talk with me if I would promise never to tell the officers what he said. The other missionaries retired and Ballard told me what he said to Warden Landis, except as to detail. When I left, he begged me never to tell an officer nor even one of my sisters in the work. After that I talked with Ballard frequently. That was before his sentence. He begged that I keep what he had said, because it would bring his mother into public disgrace, as well as other people to prison. We pleaded with him for three months before we got him to consent to telling the officers anything. I visited him and others at Lansing a number of times. From what I know of criminals in my long work with them I believe every word Ballard has told me. There are other great crimes to be unearthed yet."

SLAIN FROM AMBUSH.

Tennessee Sheriff Shot Down While Engaged in a Raid on Moonshiners.

KNOXVILLE, TENN., April 21.—Sheriff J. S. Dawson, of Cook county, was killed last night from ambush in the mountains near the North Carolina line, not far from Walkerville, N. C. The sheriff, accompanied by a party of deputy marshals from this city, was on a raid. The marshals walked into the ambush about 2 o'clock this morning. The first shot was aimed at Chief Deputy J. Dalton, of this city. The bullet passed through his coat, striking Sheriff Dawson in the neck. The sheriff died almost instantly. The scene of the ambush is in the mountains twenty-five miles from the nearest telegraph office and details are meager. It is said the moonshiners have gathered in considerable force and reinforcements will be sent to the deputies at once.

INNOCENT MAN IN PRISON.

Gold Brick Swindler Pleads Guilty to a Charge on Which Another Man Is Doing Time.

NEW YORK, April 21.—Hirsch Coppelman, who pleaded guilty a month ago to swindling Jacob Bernstein, of Cincinnati, out of $13,000 by means of the gold brick scheme, was to-day sentenced by Judge Newberger to four years and ten months in prison. Saul Jacobs is now serving a sentence of seven and a half years in Sing Sing prison for the crime committed by Coppelman, who was arrested in Chicago after having made a confession to Minnie Jacobs, the daughter of Saul Jacobs. Miss Jacobs searched the country for the real offender in order to effect the release of her father. A petition is now being signed for the pardon of Jacobs. It will be sent to Governor Roosevelt.

SUSPECTED OF PARRICIDE.

Martin Christian Is in Jail at Taloga, O. T., on a Charge of Murder.

GUTHRIE, O. T., April 21.—(Special.) Martin Christian is in jail at Taloga, Dewey county, suspected of the murder of his father, a cattleman, about two weeks ago. The body of the elder Christian was found in a canyon with six bullet holes through the head. The coroner's inquest failed to fix the crime, but suspicion pointed to the son, who had left the country. Officers were put on his trail and he was arrested this week at Gainesville, Tex. The father and son had had a falling out on account of the general worthlessness of the son.

LAKE CITY LYNCHING CASE.

Jury Is Out and Is Said to Stand Seven for Conviction, Five for Acquittal.

CHARLESTON, S. C., April 21.—The Lake City lynching case was given to the jury in Judge Brawley's court at 12:45 p. m. this afternoon. A disagreement is generally expected. Judge Brawley, in delivering his charge to the jury, showed much emotion and shed tears, when referring to the horror of the crime, the outrage of the law, and the shame incurred by the people of Lake City.

At midnight the jury was still out and is said to stand seven for conviction and five for acquittal.

John Stevenson Acquitted.

PARIS, TEX., April 21.—John Stevenson, charged with killing Deputy United States Marshal Joseph Gaines, at Paul's Valley, I. T., in 1893, was acquitted in the federal court this morning. It is a celebrated case, Stevenson having been once sentenced to hang and again sentenced to the penitentiary for manslaughter, the case being reversed both times.

Insane Man Fires a Court House.

YUBA CITY, CAL., April 21.—Richard Willis, insane, confined in the court house, managed to fire the building to-day and was himself burned to death. The county jail, adjoining, was also completely destroyed. There were no prisoners in the jail. Most of the county records were saved. The loss will amount to about $40,000, well insured.

For Beating a Sailor.

SAN FRANCISCO, April 21.—Captain John Dillon, of the United States transport Morgan City, has been found guilty of cruelly beating a sailor on the high seas and sentenced to pay a fine of $250. Dillon almost killed a sailor who had struck his superior while in an intoxicated condition.

New Trial Was Refused.

MARION, KAS., April 21.—(Special.) District court closed its regular session yesterday, adjourning until June. Judge Moore refused a new trial to Harry Mason, president of the defunct Marion bank, convicted on three counts of misuse of funds. Sentence is deferred to June. The case will be appealed.

To Apply Civil Service Rules.

TOPEKA, April 21.—(Special.) It is proposed to establish civil service rules in the accounting department of the Santa Fe general offices. If it is introduced it will mean that all prospective employes of that department and all the employes who hope for promotion must successfully pass an examination not unlike that required by the government.

The idea is original with General Auditor H. C. Whitehead. Its adoption will depend on the opinion of President Ripley. Mr. Whitehead will take the matter up with him when he returns from Europe.

TO CURE A COLD IN ONE DAY

Take Laxative Bromo Quinine Tablets. All druggists refund the money if it fails to cure. 25c. The genuine has L. B. Q. on each tablet.

Don't fail to attend the Cane-McCaffrey sale of boys' clothing at The Palace to-day.

15c Boys' and Girls' Caps, 35c. All our Boys' and Girls' Golf, Yacht, Etons and Golf Yacht Caps, made from the finest materials, lined with silk; none worth less than 75c; each 35c.

The Palace Clothing Co., 909-911 MAIN ST.

1,200 pairs KNEE PANTS of strong gray hairline cassimere, taped seams, hip pockets, worth 50c; special to-day, 29c

THE GREAT RUSH

IN OUR BOYS' CLOTHING DEPT.

is no surprise to us; it's but the natural consequences of selling the best qualities made on the face of this globe at prices far less than ordinary cheap qualities usually sell for. That great purchase from Cane, McCaffrey & Co., New York, finest boys' clothiers, will forever live in the memory of those participating in this bargain feast. It's a chance of a lifetime, and at a GUARANTEED SAVING OF 40 CENTS ON EVERY DOLLAR YOU SPEND.

SALE ON IN FULL BLAST TO-DAY. BRING THE BOYS. SEEING IS BELIEVING.

Cane-McCaffrey's fine Vestee Suits, ages 3 to 8, richly trimmed; are real $2.50 Suits—in this sale at..... $1.35

Cane-McCaffrey's very handsome 2-piece Suits—are made and trimmed right up to date, and are real $5.00 Suits; in this great sale at..... $2.95

Cane-McCaffrey's handsome new Novelty Suits, in vestee, reefer, military and regular styles, extremely stylish; are real $6.00 Suits; they go in this sale at..... $3.95

1,000 fine Percale Boys' Waists, are regular 25c kind; special to-day, only.... 15c

SPALDING BASE BALL AND BAT FREE WITH SUITS.

Cane-McCaffrey's Boys' 2-piece Suits, strictly all wool; in plain and fancy cheviots—are real $3.50 Suits—on sale now at..... $1.65

Cane-McCaffrey's perfect fitting Young Men's Suits—14 to 19 years—elegant fabrics—are real $7.50 Suits—on sale at..... $4.95

Cane-McCaffrey's perfect fitting Young Men's Suits—14 to 19 years—cut in latest fabrics—latest fashions—are real $10.00 Suits—in this special sale they go at..... $7.45

Cane-McCaffrey's Boys' 2-piece Suits and Little Tots' Vestee Suits—at least 50 styles to select from—every garment a gem in make and stylish—to the ideal—are $4.00 and $4.50 Suits; these grand garments go at..... $2.45

FACTS CALLED FOR

PRESIDENT M'KINLEY'S INSTRUCTIONS TO THE BEEF COURT.

WHOLE TRUTH WAS DEMANDED

COURT WAS INSTRUCTED TO FIX RESPONSIBILITY.

Another Letter From an Armour & Co. Representative in Relation to the Powell Preserving Process—General Eagan's Reply.

WASHINGTON, April 21.—The Wade court of inquiry devoted to-day's session to reviewing testimony and to-night held another session for the purpose of reading reports, letters, depositions and other papers bearing upon the beef investigation. The most interesting matter developed was President McKinley's instructions to the court of inquiry, which were delivered to the members of the court on February 20 last. These instructions were read by Colonel Davis in order to make them a part of the record, and are as follows:

"The character and quality of the meat, refrigerated and canned, furnished to the army; how purchased; how shipped to the soldiers; if good when shipped; what the cause of its deterioration, if any.

"If the meat was doctored, did the commissary general or any of his officers have any knowledge of it or means of knowledge?

"Was it the meat of commerce?

"Was it inspected by the government inspectors as provided by law?

"Was it an authorized ration in the army?

"If good when purchased, what made it bad?

"Was it anybody's neglect or fault, and, if so, whose?

"When unfit for use, if you should so find, was the fact made known to the war department? When and by whom?

"If, after leaving the depot commissary, it was not cared for and properly preserved, whose fault?

"Was it a suitable ration for the campaigns in Cuba and Porto Rico?

"Was there anything better that was practicable?

"Would it have been prudent for our troops to have made the expeditions to Santiago and Porto Rico without the preserved meats, either refrigerated or canned, with which they were supplied?

"Could the army, with any certainty, rely upon the cattle on the hoof on those islands?

"Did the commanding officers in Santiago or Porto Rico, or the major general commanding, report during the war that either the refrigerated or canned beef was an unfit ration?

"When were these reports first made and by whom?

"If the allegations of the major general commanding are established, I want the court to find the cause and fix the responsibility for the fact, that the guilty may be properly punished.

"Did the cattle in Porto Rico make a wholesome ration?

"If the packers of the country are guilty it must be known.

"If the officers of the commissary department are guilty, it must be known. If any officers of the army are guilty, it must be known."

Both Major Lee and Colonel Davis submitted a number of reports and a mass of correspondence.

Among the documents read by Colonel Davis was a letter from the Washington attorneys of Messrs. Armour & Co., dated June 15, 1898, after the contract for beef had been let, asking for a reconsideration of the subject in the interest of their client and indorsement by General Eagan as commissary general opposing the request. In their letter the attorneys represented that the Armours controlled the Powell process for the treatment of meat and that this fact gave them such an advantage in the preservation of fresh beef as to justify the war department in disregarding the difference in price and awarding them the contract.

In his indorsement, General Eagan referred to the letter of the attorneys as a "special pleading," and said there was no reason in this plea why the subject should be reopened. "The tests made by Armour & Co. are not the only tests that have been made," he said, "and there is no doubt whatever in my mind but that the beef can be furnished as required." This document was introduced by Colonel Davis to show that General Eagan had not been influenced by the representations concerning the Powell process.

Major Lee submitted a deposition by J. S. Armstrong, president of the Armstrong Packing Company, of Dallas, Tex., which, among other things, set forth the substance of a conversation with General Eagan. Mr. Armstrong was one of the bidders for beef in block and said that while he was here in Washington he discussed with General Eagan the question of beef being kept for seventy-two hours after being taken from the refrigerator. Mr. Armstrong said he expressed the opinion that it was impossible, to which General Eagan replied that Swift & Co. and Armour both had knowledge of a process by which beef could be kept for that length of time.

DEWEY'S PLAIN WARNING.

Captain Coghlan Tells of the Word That Was Sent to Admiral Diedrich.

NEW YORK, April 21.—Captain J. R. Coghlan and his officers of the United States cruiser, Raleigh, were entertained at the Union League Club to-night. The dining room was handsomely decorated with American and British flags, and ten large tables were weighted with good things for the returned heroes of Manila.

President Elihu Root presided, and after a speech of welcome, called for three cheers for Admiral Dewey. They were given so that the building seemed to throb in sympathy. Three cheers followed for Captain Coghlan. Almost greater than for either were the shouts of approval when President Root called for "three cheers for the men behind the guns."

Captain Coghlan was called upon to speak. He accepted, he said, all the good things that have been said about him and his men as being meant for Admiral Dewey.

"Every day we were with him," he added, "we learned more and more to love him and more and more how the country's interests were safe in his hands, and how he could do nothing but that which would redound to the country's credit. Through all those long, weary months of waiting and the most outrageous nagging that anybody could suffer, wearing him to the very bone, he held himself up and he held us up with him."

Then Captain Coghlan told the following story of the admiral:

"An officer of our friend, Admiral Von Diedrich, came down one day to make a complaint. It was my pleasure to step out on the quarterdeck just as he came aboard. It was partly by accident and partly by design. I heard him tell the admiral about his complaint, and I heard the admiral reply:

"'Tell your admiral those ships of his must stop when I say so. I wish to make the blockade of this harbor complete.'

"The German officer replied: 'But we fly the flag.'

"The reply of the admiral was just like Dewey. He said:

"'Those flags can be bought at a half dollar a yard anywhere.'

"There was no fun in that expression of the admiral. He told the officers that anyone could fly a German flag, and that a whole Spanish fleet might come upon him with German flags up. Then he drew back and stroked his mustache. He has a great habit of stroking his mustache when he gets mad. He said:

"'Tell your admiral I am blockading here. Now note carefully what I say, and tell your admiral that I say it. I have been making this blockade as easy for everybody as I could, but I am getting tired of the puerile work here.

"'It has been of such a character that a man would not notice it, although children might fight over it, but the time has come when it must stop. Tell your admiral that the slightest infraction of any rule will mean but one thing. That will be war. It will be so accepted and resented immediately. If your people are ready for war with the United States they can have it at any time.'

"I am free to admit that that almost took my breath away. It came so suddenly. We had expected it all along, but things you have been expecting always come unexpectedly. As he left, with a face about this long," (indicating by holding up his hands far apart), "the German said to me:

"'I think your admiral does not exactly understand.'

"'Not only does he understand,' I told him, 'but he means what he says and you had better look out.'

"After that they did not breathe more than four times successively without asking permission."

Won't Ask for Their Return.

SALEM, ORE., April 21.—Governor Geer, in reply to numerous requests that he make a demand for the return of the Oregon volunteers now in the Philippines, has issued a statement to the effect that he would consider such a proceeding a discredit to the state and unjust to the boys themselves. He declines to act on the suggestion.

Kansas Wounded Doing Well.

TOPEKA, April 21.—(Special.) Colonel Fred Funston, of the Twentieth Kansas, to-day cabled Governor Stanley to the effect that the Kansas soldiers in that regiment, who were wounded in the recent engagements with the insurgents in the Philippine islands, were all doing well and would recover.

Ed Little in Command Again.

ABILENE, KAS., April 20.—(Special.) Letters from Manila say that Lieutenant Colonel Little has been in command of the First battalion in the field since March 19. He has entirely recovered from his wound.

FIVE KILLED IN A MINE.

Fatal Explosion Caused at Madrid, N. M., by Disobeying Positive Orders.

ALBUQUERQUE, N. M., April 21.—Four men and a boy employed in Cook & White's coal mine at Madrid lost their lives at noon to-day. Orders are strict to the effect that only safety lamps shall be used in the mine, but two men, some time after the foreman had made his rounds, carried in open lamps. While the men were ascending for their noon meal, a terrific explosion occurred. Four men, John Sienwesky, Adam Jelasewiest, John Reya and Fred Aira, and a boy, F. E. Wapps, were still in the pit.

The machinery refused to work and it was not until 2:30 that a descent could be made. Two dead bodies were found at once and about 4 o'clock the remaining three. The men evidently died from suffocation, as no bruises could be found. Had it not been for the injury to the machinery it is thought all could have been saved. The two open lamps were found by the bodies. The mine is badly wrecked.

The steamship Campania, sailing for Europe from New York to-day, will take out 1,062,000 ounces of silver.

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