

ASSASSINATED AS HE SLEPT

General Wu, Brilliant Young Chinese Soldier, Victim

OF 30 MANCHUS SOLDIERS

When They Were Arrested They Charged That Gen. Wu Was Secretly Betraying the Manchus, Having Gone over to the Revolutionists.

Peking, China, Nov. 7.—General Wu, a brilliant young military officer, who was recently appointed governor of Shan-Si province, was assassinated this morning. General Wu was asleep in his tent at Sikia-Chuang when thirty Manchu soldiers rushed past the guard and murdered him.

Peking Stills Stands. The reports that Peking had fallen into the hands of the revolutionists were without foundation. There has been no fighting whatever here and there is no evidence that the emperor or regent have fled.

Censorship Removed. The removal of the rigorous censorship hitherto imposed on the Chinese press is a notable sign of the times. The Chinese papers to-day publish with the greatest freedom long accounts of the Hankow massacre, giving the gory details and attributing the blame to the imperialist leaders for both the Hankow and Shanghai outbreaks.

The United States and Great Britain have decided to take effective measures for the protection of their people in China, in event of danger to foreigners, which, however, does not yet appear probable.

A private letter from an officer of Yuan Shi Kwei's staff says that the rebel leader, Gen. Li Yuan-Heng, makes 25 demands, the most important of which is that the imperial household shall proceed to Jehoi, with the entire court, including the eunuchs, and shall remain there, receiving in return adequate pensions from the new government which is to be republican.

A special secret meeting of the national assembly yesterday decided to telegraph Yuan Shi Kai explaining the fearfully involved condition of the political situation at Peking, which required the immediate presence of the premier. Otherwise, the assembly would be unable to tide over the difficulties.

Chaos at Nanking, Situation Serious. Viceroy Committed Suicide To-day, He Had Disobeyed Instructions from Peking.

Nanking, China, Nov. 7.—The viceroy at Nanking committed suicide to-night. The situation is serious. The viceroy's instructions from Peking had ordered him not to resist the revolutionists by force. The Tartar general commanding the Manchu troops refused to obey these orders. The condition of a panic is prevalent.

TO VERMONT CONFERENCE. Bishop Hughes Has Been Assigned by Methodist Board.

Oklahoma City, Okla., Nov. 7.—Bishops of the Methodist Episcopal church in all of the world were assigned to preside over conferences of the church to be held next spring at yesterday's session of the board of bishops. Among the assignments was: Bishop Hughes, Vermont conference, Newport, Vt., April 10.

STATE CONCILIATION BOARD. Decided Upon to Settle the Lynn, Mass., Shoe Difficulty.

Lynn, Mass., Nov. 7.—Mayor William P. Conroy to-day decided upon the state board of conciliation and arbitration as the mediator in the difficulty that has arisen between the Knights of Labor shoe cutters and the shoe manufacturers here. The cutters want an 8 hour working day.

ARRESTED FOR ILLEGAL FISHING. Twenty Japanese Alleged to Have Been Angling in Alaskan Waters.

Ketchikan, Alaska, Nov. 7.—Twenty Japanese fishermen were arrested today by an agent of the United States fisheries bureau on the charge of illegally fishing in Alaskan waters. The Japanese were placed in jail here. The boats and gear were seized.

THREE WASHED OVERBOARD.

Tragedy of the Sea Revealed When Ship Reached New York.

New York, Nov. 7.—The chief officer and two men of the Morgan line steamer Momus, were swept from the deck of the vessel by a tremendous wave on the voyage from New Orleans, completed here yesterday, and drowned. The victims were: A. T. Boesch, chief officer; J. P. Serge, boatswain; R. Nordberg, seaman. The tragedy occurred last Friday off the coast of Florida.

The wave, described as one of tidal wave proportions, swept over the Momus with a deluge like Niagara and carried the three men overboard as if they had been corks. Before a lifeboat could be lowered the victims disappeared.

There were 25 passengers aboard the ship and many of them looked out of the cabin windows when the wave struck, saw the men carried away.

The three men were working on the forward part of the deck getting things shipshape to meet a rapidly increasing northeasterly gale, when without warning the tidal wave rose above the vessel and crashed down upon the deck. Chief Officer Boesch saw Seaman Nordberg rushed across the deck in the car-rack and thrown against the rail. Springing to his assistance, Boesch was seized and both went over the side together. In the meantime Serge, the boatswain was attempting to reach a foothold, but he was powerless against the vast high torrent, and, impelled by a lurch of the ship, shot overboard.

As soon as the Momus had shaken the tons of water from her decks, volunteers to man the lifeboat were called for and without exception all the crew stood forward while some of the men among the passengers offered to help. A crew of seven was picked and while the Momus rolled and pitched in wide arcs, the boat was lowered. Until darkness set in the little boat risked the mercy of the increasing gale and sea in the hope of recovering the bodies of the doomed men but without avail. Once the body of Nordberg was seen but before the lifeboat could reach it, it had disappeared. Two of the crew were painfully injured while lowering the lifeboat.

AUTOMOBILES BURNED.

Fire in Lynn, Mass., Garage Last Night Made \$7,000 Loss.

Lynn, Mass., Nov. 7.—Two touring cars were practically destroyed, three bodies were reduced to ashes and considerable damage was done by water to other automobiles in a fire which caused a loss of \$7,000 at the garage of Charles E. Whitten at Central avenue last night. Prompt work by the firemen confined the flames to the paint shop on the second floor of the garage, where the fire started in an unknown manner.

Both cars and the three bodies in the paint shop were owned by Mr. Whitten. Jesse Gibbs, a salesman, grabbed an extinguisher and tried to smother the fire, but the inflammable material in the paint shop furnished excellent food for the flames and Gibbs was able to remain on the second floor only a few seconds before he was forced to run to the exit.

The loss to Mr. Whitten and the owners of the cars damaged by water is covered by insurance. The fire occurred just as two theatres nearby were beginning to fill up and thousands watched the firemen at work.

RETIRING MINISTER HONORED.

Rev. Dr. S. G. Barnes Tendered a Reception Last Evening.

St. Johnsbury, Nov. 7.—A reception was tendered to Rev. Dr. S. G. Barnes at the South church parlors last evening by the congregation of which he has been pastor for the past nine years. There were present many members of the Sunday school, who were especially invited, many townspeople and the pastors of the other churches and their wives.

Dr. Barnes was assisted in receiving by Mr. and Mrs. Harry M. Nelson, Mr. Nelson being superintendent of the Sunday school; Mr. and Mrs. John T. Ritchie and Mr. and Mrs. Henry G. Ely, members of the business committee. The reception was informal and during the evening solos were sung by E. B. Mackay and Mrs. Don C. Styles. Dr. and Mrs. Barnes expect to spend the winter in Hartford, Conn.

BACK FROM PANAMA CANAL.

Committee Agrees with President That It Will Be Opened by 1913.

New York, Nov. 7.—All but two members of the congressional committee that went to the isthmus of Panama last month returned to-day, satisfied that President Taft's prediction will be fulfilled and that the canal project will be finished and open for business by 1913. As a result of the visit, Congress will probably be urged to pass at the earliest possible moment legislation regulating the government of the canal and settling the question of tolls. Included in the party was Senator Carroll S. Page of Vermont. Senator Brandegee said that the canal would be finished within the estimated cost of \$75,000,000.

OTHER POISONERS?

Indications That Mrs. Vermilyea May Have Had Help in Alleged Murders.

Chicago, Nov. 7.—Mrs. Louis Vermilyea, charged with poisoning Arthur Bissonette and suspected of having caused the deaths of at least half a dozen others, is to-day in the county jail hospital. That some other person may be connected with her is indicated by the statement of State's Attorney Burnham, who said that in all probability Mrs. Vermilyea and "others" would be indicted by the November grand jury.

HAD NARROW ESCAPE.

School Girl Went Under Barrel of Tar Weighing 500 Pounds.

Derry, N. H., Nov. 7.—A schoolgirl 10 years old, Loena Fullerton, came near being killed yesterday by a barrel of tar weighing 500 pounds, rolling over her protesting body. She was standing near the tar barrel when it started to roll from its fastenings, and as she fell it rolled over her, but the stone curbing partially protected her so that only crushed fingers and bruises resulted.

TWO VICTIMS OF THIN ICE

Boys Drowned at Athens, Maine, This Morning

BODIES WERE RECOVERED

Charles Ireland and Perley Corson Were the First to Be Drowned in Maine This Fall Because of Breaking Through Ice.

Skowhegan, Me., Nov. 7.—The first thin ice victims in Maine this fall were recorded to-day when word was received from Athens that two boys, Charles Ireland and Perley Corson, broke through the ice which had formed over night and were drowned. The bodies have been recovered.

HEAVY VOTE POLLED IN MASSACHUSETTS

With the Single Exception of Boston, Where the Voting Was Light This Morning—Weather Was Favorable.

Boston, Nov. 7.—With the weather conditions favorable, a heavy vote was cast during the morning hours to-day in the Massachusetts state election. Boston was the only exception, the vote in this city being light this morning. Massachusetts elects a governor, other state officers and members of the legislature. Rain during the night cleared when the early voters started for the polls.

Boston, Nov. 7.—"I shall win by 55,000 plurality," said Gov. Eugene N. Foss. "I shall carry every county in the state except Suffolk and reduce the Democratic majority of last year in Suffolk county by 60 per cent.," said Lieut.-Gov. Louis A. Frothingham, as the Democratic and Republican candidates closed their respective campaigns for governor last night.

In addition, the voters will choose other state officers and a new legislature, while all of the 354 cities and towns will express their opinion on various referendum acts submitted by the last legislature. The final day was one of hard work for all candidates, as well as for the state committees. Governor Foss started it by speaking in nearly every town on Cape Cod during the day and closed it by a whirlwind tour through the Boston wards last night.

Lieutenant-Governor Frothingham's day was almost as busy, for he addressed four meetings, including a noon rally in Faneuil hall.

The Republican state committee scented danger in the storm prediction for to-day and sent telegrams to city and town committees, urging that precautions be taken against apathy on account of weather.

"There are more dry weather Republicans than there are Democrats," remarked one of the leaders.

The campaign in Massachusetts this year has been unusually short, especially on the part of the Democrats. Lieutenant-Governor Frothingham began his appeal to the voters within a day or two after the caucuses had named him as the party leader. Governor Foss delayed his stump tour until a week before election. In his appeal yesterday to his constituents on Cape Cod, Governor Foss said that the people imposed upon him last year the duty of formulating progressive legislation, and the issue this year was whether he had performed that duty, while it was absolutely necessary for him to be re-elected in order to secure the passage of further progressive legislation.

LITTLE INTEREST IN ELECTION.

Rhode Island Voting Light and Little Activity Manifested.

Providence, R. I., Nov. 7.—If this morning's voting is to be taken as a criterion, there is little interest manifested in to-day's state election. The voting is light and party leaders displayed but little activity in getting out a vote.

AUTO HURLED HUB MAN TO DEATH

C. H. Flewelling Riding With Strangers in Portsmouth When Car Turns Turtle.

Portsmouth, N. H., Nov. 7.—Charles H. Flewelling, 30, a Boston traveling man, was killed yesterday when an automobile in which he was riding with two chance acquaintances turned turtle on the state highway near the Newington line. The others in the car, Kelly Littlefield, 32, and Walter Kelly, 30, both of Kennebunk, Me., escaped with slight injuries, and after having their wounds dressed at the hospital dropped from sight, leaving the car, which is owned by Littlefield, by the roadside.

Littlefield was running the car at the time of the accident and in some way lost control, allowing the car to run into a shallow ditch and overturn. Flewelling struck on his head on a stone wall and died a short time later. Littlefield was also thrown and Kelly was pinned beneath the car. Nearby residents telephoned for physicians, who carried the men to the hospital in their own automobiles.

Flewelling was a salesman for a fish and oyster house in Boston, and arrived on a late train Sunday night to call on the trade. Littlefield and Kelly came into town on a junket yesterday morning. So far as is known the Boston man had never met the Maine men before, and how he came to be in the machine with them is not known.

\$20,000 WAS LOST.

Mail Pouch Was Stolen From Railroad Train.

Greensboro, N. C., Nov. 7.—That a United States mail pouch routed from Raleigh to New York and containing \$20,000 disappeared two weeks ago in a manner similar to the recently reported theft of a pouch containing \$20,000 at Lynchburg, Va., became known here yesterday.

It is declared unofficially that the Raleigh pouch disappeared after being received for by a mail clerk on a north-bound train passing here, and that the clerk in whose custody it was last placed has been suspended from the service pending an investigation.

The pouch was handled by the local postoffice and later transferred to the mail clerk now under suspension. It is said he remembers seeing and checking it here, but that he did not detect its loss until he reached the end of his run. The name of the clerk is withheld. It is said his suspension is on the grounds of carelessness. Postoffice inspectors are working on the case, though they are yet without a tangible clue. The impression prevails that the disappearance of the pouch and the pouch reported lost from Lynchburg can be accounted for by the same person or parties.

EXCITING MAN HUNT

Conducted For Woman's Assault but Without Result.

Rutland, Nov. 7.—The vicinity of Sudbury was the scene of a feverish man hunt last yesterday and last evening, the searches being after the tramp assailant of Miss Nellie Meehan, 27, of Starkboro, as she entered her school house yesterday morning to begin teaching. The man is described as middle-aged, thick set and wearing a mustache. It was not until dark that the search was given up for the night, but men still watched the tracks and trains at this place and at Middlebury.

The officers and posse divided yesterday into three squads, each containing a dozen men armed with rifles. Seldom has any occurrence caused so much feeling in the vicinity. Farm work was completely suspended, and all the male people turned out to search. Miss Meehan is suffering from the shock of the attack. She put up so vigorous a fight that the tramp fled, fearing that her cries would arouse the neighborhood. Miss Meehan says the fellow talked like a foreigner.

WANTED VILLAGE CLEANED UP.

Winooski Village Trustees to Appeal to War Department.

Winooski, Nov. 7.—At a meeting last evening of the Winooski village trustees it was voted to send a petition to the secretary of war to keep the soldiers at Fort Ethan Allen away from the village and to send a copy of the petition to Congressman Foster. The petition is the direct result of the murders, hold-ups and general mix-ups that have been carried on in Winooski for months. It was also voted to petition State's Attorney Shaw to make a raid upon various resorts and dives and close them up. All of the trustees were present last evening with the exception of Charles C. Morse.

The resignation of Chief of Police Horton was accepted. Mr. Horton resigned because of ill health. The trustees appointed Charles Wardwell to take his place. Mr. Wardwell has been in the police force since 1902. He was deputy sheriff for two years and in the spring of 1905 he was appointed to the village force.

FAIR HAVEN MILL BURNED.

Loss Yesterday Afternoon Was \$12,000—Much Lumber Destroyed.

Fair Haven, Nov. 7.—The saw and finishing mill of Joseph Dagnais was destroyed by fire yesterday afternoon, together with a large amount of finished lumber and slabs, entailing a loss of about \$12,000. The fire started about four o'clock in the boiler room, a spark from the engine setting fire to a pile of shavings. When the fire companies arrived the mills were in flames and it was only by hard work that the men were able to save the building owned by the Fair Haven Foundry & Machine company, located across the street. The Dagnais mill was equipped with modern machinery, an expensive planer having just been installed. About 200,000 feet of finished lumber, several thousand feet of rough lumber and 50 cords of slab-wood were burned.

TALK OF THE TOWN

Wayne Knit hose at Fitts.

See the I. M. P. pictures at the Bijou to-day. Special display of Wayne Knit hose this week now on at Fitts.

Mrs. F. A. Scribner and Mrs. Howard Daley of North Calais are in the city to-day. A regular convocation of Ruth chapter, No. 33, O. E. S., will be held in Masonic hall the evening of Nov. 8, at 7:30.

Regular meeting of Bright Star Rebekah lodge on Wednesday evening at 7:30 o'clock sharp. A good attendance is desired as this is to be the annual district meeting of district No. 13. By order noble grand.

Rapid work has been done on the new Martin garage in the rear of the City Hotel, and to-day the roof was completed, marking the finishing of the exterior work in three days less than a month. It is expected that the building will be completed by December 1, when the Perry Automobile company will take possession. A. B. Lane has the contract.

There will be a business meeting of the ladies and pastor's union of the M. E. church Thursday afternoon at 2:30 o'clock. With all the ladies who have penny slips please bring them in. Each chairman of the different committees come prepared to give a report of the work accomplished by them and their committee. After the business meeting a short entertainment will be given.

The Clan Gordon and Ladies' Auxiliary fair made a great "hit" last night, but to-night (Tuesday) will be a great night. One of the finest minstrel shows ever given in the city will be part of the program. No one can afford to miss it; be sure not to miss it. Wednesday night will be equally as good. A musical program will be given, as follows: Violin solo, James Coutts; reading, Florence Inglis; cornet solo, Ed. Bruce; song, James B. Gall.

MURDER TRIAL AT GILDHALL

Arthur Bean, Aged 19, Is the Respondent in Case

WHICH WAS OPENED TO-DAY

Young Man Is Accused of Killing His Mother and His Sister Last March—Judge F. M. Butler Is Presiding over Trial.

Gildhall, Nov. 7.—Accused of the murder of his mother, Mrs. George Bean, and his sister, Miss Nina Bean, nineteen years old, Arthur Bean was placed on trial for his life in the Essex county court house here to-day. The tragedy, which aroused much interest, occurred at Maidstone, a place near here, last March.

It was expected that the work of impelling a jury to try the young man would be started this afternoon. The presiding justice is Judge Fred H. Butler, and the chief attorney for the prosecution is Attorney-General John C. Sargent. The prisoner is represented by Carl R. Powell.

Bean's attorney states that the defense will be a denial and plea of insanity. Bean, he says, has no funds to procure expert alienists, and the state does not allow for an examination by the defense at the state's expense.

Bean's sister, Georgia, believes in his innocence. Counsel Powell says that he believes that a motive for the deed for the crime lay in a dispute over property is untenable.

ST. JOHNSBURY BOY PLACED UNDER ARREST

Thomas Casey, Aged 17, Charged with Forgery—He Was About to Take Oath to Enter United States Army.

Worcester, Mass., Nov. 7.—Just as he was about to take the oath of service for three years in the regular army, Thomas Casey, aged 17 years, of St. Johnsbury, Vt., was arrested yesterday in the Worcester recruiting office by Inspector Romanus Thayer on a charge of forgery on request of the state attorney of Vermont.

Casey is accused of forging his employer's name to a check for \$40. With the letter of advice came a tip that Casey might try to enlist in the regular army. Inspector Thayer reached the recruiting office after Casey had passed through the other formalities and was about to raise his right hand to take the oath.

FINE DECORATIVE EFFECTS

At Clan Gordon and Ladies' Auxiliary Fair, Which Opened Last Night.

Last night's drizzling rain did not deter the members of Clan Gordon, No. 12, O. S. C., and the Ladies' Auxiliary from launching what promises to be the most successful fair ever held under the auspices of the joint organizations. A cool-headed crowd was present in Howland hall for the program and the attendance was considerably augmented later when Riley's orchestra started the order of dances. Mayor Mutch opened the exercises with a short address, in which he urged a liberal patronage of the affair in the meantime assuring everyone that an ample amount of pleasure would be furnished in return.

Mrs. W. Allen followed with a charming vocal solo, which called for an encore. A. W. Allen gave a humorous reading that evoked much applause. The closing number was a vocal solo by William Robertson, who did his share in sustaining the well balanced program. Commendable things concerning the elaborate decorations, which have been effected through the efforts of James Robertson, were heard on all sides and a glance at the interior revealed the reason. Three handsome booths erected at the north end of the hall have called forth considerable decorative skill in their arrangement. Especial mention should be made of the Clan Gordon booth, which is tastefully trimmed with clan plaids, emblems and American flags. The other structures have been made to present a splendid appearance through the use of colored paper and lights. Strung across the north end of the hall is a fine Clan Gordon banner.

Acting in conjunction with the Ladies' Auxiliary, the following members of Clan Gordon are included in the committee in charge: John Stewart, chief; James Booth, William Stephens, James Erick, Alex. Hadden, Joseph Graham, Alex. Ritchie, George Cormack, James Wallace, James Hogg, John Daguid. The fish pond is in charge of James Wallace and George Cormack has the oversight of the men's booth. The committee from the Ladies' Auxiliary is divided among the following booths: Apron booth, Mrs. Bella Johnson, Mrs. Margaret Keason; fancy booth, Mrs. William Booth, Mrs. Katherine Campbell; domestic booth, Miss Elsie McDonald; Mrs. Charles Williams; door, Mrs. George Angus, Mrs. George Williamson. In charge of the dart shooting competition are Alex. Hadden and James Booth.

The fair will continue every evening during the week and practically the same order will be followed as last night. A short musical and literary program will be succeeded by an order of dances, Riley's orchestra being present each evening.

TAFT CASTS VOTE.

Was Accompanied to Polling Place in Cincinnati by Police.

Cincinnati, Nov. 7.—President Taft cast the ballot he traveled several hundred miles for, to-day. The president came to the polling place from the home of his brother, C. P. Taft, accompanied by a detail of police.

LAMB'S RESIGNATION WAS ACCEPTED

By Barre City Council Last Night, Thus Ending a Contentions of Long Standing—Petition Made for Public Skating Rink.

Dr. M. D. Lamb formally presented his resignation as city health officer to the city council last evening and on motion of Alderman Brown it was accepted, thus closing up the contention which has been on between the city council and the state board of health for nearly two years relative to the appointment of a health officer. Dr. Joe W. Jackson, the appointee of the state board of health, is now the only acting health officer.

The council had little business to transact last evening and was in session less than an hour. Alexander Ritchie appeared before the council and stated that on behalf of the Socialist party of Barre he wished to call to the attention of the council the question of establishing a public skating rink in the city this winter. He upheld that such a project carried out to a successful end would be a public benefit not only to the children but also to the older people who, after their work in the dust-laden air of the stone sheds, need just such an enticement to get them out of the open air instead of having to spend their evenings in club rooms and pool rooms.

He said that the vacant marsh land off Third street at North Barre probably could be rented for a rink in that end of the city and the old forkshop pond could be kept cleaned up for the use of the people in the south end of the city. Alderman Brown stated that he would not be in favor of the Fork shop pond as one of the reasons for having artificial rinks was to keep people from the rivers where the danger of drowning is so great.

Alderman Thurston and Alderman Ward said that the question of expense in maintaining a rink would be no little item to be reckoned with. Alderman Thurston said that the private rink operated on North Main street two years ago did not pay by reason of the great expense of keeping it in condition. The city clerk also brought to the attention of the council its rights under the charter and the laws of the state to appropriate money for such a purpose. He said that he questioned if the council could legally make such an appropriation of the city's money. A special act gave the cities and towns the right to appropriate money for open air hand-concerts, but further than that he said there was no provision made covering other entertainments for the public.

On motion of Alderman Rossi the mayor was instructed to appoint a committee of three to make investigations as to what could be done and report with recommendations. For this committee the mayor appointed Aldermen Brown, Thurston and Rossi. The city clerk also stated that to get at the idea in the right way would be for the council to take steps for the broadening of the city's charter to conform with the more progressive ideas now fast coming in vogue throughout the country.

The lighting committee reported a recommendation that \$10 be deducted from the Consolidated Lighting company's bill for October for street lights found not burning. On motion of Alderman Thurston the report was accepted and the recommendations ordered carried out. Building permits were granted to Angelo Scampini to erect a wood shed on Berlin street and to G. Tosi to build a bay window on his house. The council then went into executive session. Just before the council went into executive session Mayor Mutch turned over his chair to President Thurston saying that he had to keep an appointment at 8 o'clock.

DISTRICT 13 REBEKAH MEETING.

To Be Held Here With Bright Star Lodge To-morrow Night.

The annual meeting of Rebekah lodges of district No. 13 will be held with Bright Star Rebekah lodge of Barre to-morrow evening. The meeting is to be called together at 7:30 p. m., and the local lodge will open the meeting, introducing the grand officers. Mrs. Estelle Philbrick, N. G., will welcome the guests and Mrs. Gertrude Holt, P. N. G., of Pleasant Valley lodge of Plainfield, will respond. The exemplification of degree will be done by Bright Star lodge and the unwritten work will be exemplified by Mrs. Frances E. Stone, president of the Vermont state assembly.

Following the degree work, the reports of the various lodges will be given, with remarks by the grand lodge and assembly officers and visitors, and the closing ceremony. A banquet will conclude the meeting.

The lodges represented in district No. 13 are Ramona of Cabot, Rippling Stream of East Barre, Pleasant Valley of Plainfield, Fraternity of Williams-town, Crystal Spring of Washington and Bright Star of Barre.

COMPLAINED OF SAND.

Blowing from New Granite Pavement on North Main Street.

Aldermen Thurston, Brown and Ward, comprising the street committee of the board of aldermen, met at the city council rooms this morning at 10 o'clock to conduct a hearing of matters pertaining to the new strip of paving recently completed on North Main street. Arthur E. Campbell, appearing for Mrs. Smith, an owner of property abutting the new strip, complained of sand blowing into the dwelling houses and of other inconveniences coming from the same source. He expressed a belief that macadam road did not cause the sand nuisance to any great extent and that the benefits of cement paving over the macadam road were not sufficient to merit the greatly increased expenditure. Others who complained of the same grounds were Mrs. Callista Bolster and F. D. Sartelle, who appeared for O. C. Sheplee.

Alex. Briggs of Charleston, Ill., was awarded the contract to erect the soldiers' monument in the Colles county courthouse yard, at a cost of \$9,000. The memorial, which will be 30 feet high, will be of Barre granite.—American Stone Trade.

The revival services at the People's Evangelical church in Montpelier will continue every evening this week.

PRIMAVERA IS SET FREE

Had Been Jointly Accused of Murder in McAuley Death

HIS CASE WAS NOL PROSSED

State's Attorney Carver Recommended It in Washington County Court To-day—Other Cases Heard, Including Liquor Action.

The sequel to the conviction of John Turley of second degree murder in killing John McAuley in Westerville last July came in Washington county court to-day, when the companion case of State vs. Alphonse Primavera, who was arrested at the same time as Turley, the day after the murder, was not prosessed at the recommendation of State's Attorney Carver. Primavera, who is a quarryman 40 years of age, has been in the county jail at Montpelier since July 12, having been held without bail pending the investigation of the grand jury and then following his indictment jointly with Turley.

In asking that the case against Primavera be not prosessed, State's Attorney Carver made no statement; but it is inferred that the recommendation was made because of the nature of the testimony during the trial, which went to show that Primavera had no trouble with the others in the party at the Staples house in Westerville, where all were gathered the night of the tragedy. Witnesses testified that he left the house at midnight, and others testified that McAuley was remaining there with several others.

A Liquor Selling Case.

The case of State vs. B. Idemex was next brought up, and the respondent pleaded guilty to one offense of selling, being represented by his attorney, W. N. Theriault of Montpelier. On recommendation of State's Attorney Carver, sentence was postponed till next term of court, bail being fixed at \$500.

The case of State vs. Rice, charged with dynamiting fish, went to the jury this afternoon at 11 o'clock, following the completion of the arguments this forenoon. The testimony was completed yesterday afternoon. The respondent Rice was put on the stand and said he placed the dynamite near the brook to break up a ledge from which it was desired to get building stone. He said he placed the stick of explosive four inches from the water and that he saw no dead fish after the explosion.

Several other witnesses were called to corroborate his story. One of them said the dynamite was placed six feet from the water and it was testified that after the blast was fired about a cartload of small stones were thrown into the large hole in the brook at this point. After the defense had concluded, State's Attorney J. Ward Carver called several witnesses in rebuttal.

CASE THrice TRIED AND THrice REVERSED

Final Decision by Vermont Supreme Court To-day Wipes Out Plaintiff's Verdict in Alleged Malpractice Case.

The November term of Vermont supreme court opened at Montpelier this forenoon, when several opinions were rendered. The most important was that Essex county case of Hattie Willard vs. E. F. Norcross, malpractice, which has been tried three times in county court and has come three times to supreme court. The court this time reversed the judgment and ordered that the defendant recover his costs. In reviewing the case, the opinion stated that there was no evidence of malpractice and the motion in the lower court for the defendant to recover ought to have been granted.

In the first trial the plaintiff got \$500, which verdict was reversed and the cause remanded. The second was for \$1,200, but a new trial was allowed on the ground of irregularity in the jury. The third time the case was tried a verdict for \$2,000 was given the plaintiff, which was wiped out by the decision to-day.

In two other cases of George Carruth and H. L. Streeter from Windham county, the decision was affirmed and the cause was remanded. In the case of City of Montpelier vs. John McMahon, question of a street line on Northfield street, the former won. Announcement was made of a settlement of the suit of Terrence McKane vs. M. M.