



TERMS OF THE CAPITULATION

Conditions Indicated in the Articles of Agreement.

Spanish Guerillas Shall Be Allowed to Remain in Cuba on Parole—Soldiers May Retain Personal Property and Officers Will Be Allowed Side Arms—General Miles Satisfied with Results—Terrible Hardships Endured Without Complaint by the American Troops Near Santiago—Generosity of the Sailors of Schley's Squadron.

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On board the Associated Press dispatch boat Wanda, via Kingston, Jamaica, Sunday, July 17 (12:15 a. m.) What will be done with General Shafter's force is not yet fully decided. The physicians declare that the army, owing to the hardships and the fever, will not be fit for active duty for some time to come, and General Miles is believed to be seriously considering the proposition to leave only immune regiments to hold the conquered province and return the body of the corps to the United States, and sending other immune men from there to reinforce the Santiago detachment if necessary.

Many of the troops are eager to participate in the Porto Rico campaign, which it is reported about headquarters will follow immediately, but this is strongly opposed by the surgeons. New cases of yellow fever continue to appear daily, and fully six hundred are now under treatment, but the disease is of a very mild form and the physicians say it is now well in hand. Only five deaths have occurred up to tonight, the low mortality being remarkable and encouraging to the doctors. Guiteras and the other fever experts who had grave fears when the disease first appeared that the death rate would be very heavy.

General Miles in an interview today with the correspondent of the Associated Press said he believed the danger from the pest was over and that the men do not seem to fear it in the least, owing to the mildness of most cases.

The formal sanction by the Madrid government of the terms of capitulation today unraveled the tangled skein of demands and counter demands between the opposing commanders which threatened yesterday to end the negotiations and compel a return to arms.

After numerous conferences had resulted in the agreement already sanctioned by General Blanco, General Toral decided that the approval of the Madrid government was necessary before he would leave the city.

General Shafter maintained that no such approval was necessary; that when General Toral agreed to surrender the province of Santiago and General Blanco sanctioned it, the agreement of surrender became an accomplished fact. He insisted that General Toral had either surrendered Thursday or acted in bad faith, but the documentary evidence shows that General Toral mentioned that he only capitulated subject to his government's approval, and the six commissioners by whom the articles were signed at 2:10 o'clock yesterday afternoon so ruled.

CONDITIONS OF SURRENDER.

The agreement consists of nine articles.

The first declares that all hostilities shall cease pending the agreement of final capitulation.

Second—That the capitulation includes all the Spanish forces and the surrender of all war material within the prescribed limits.

Third—The transportation of the troops to Spain at the earliest possible moment, each force to be embarked at the nearest port.

Fourth—That the Spanish officers shall retain their side arms and the enlisted men their personal property.

Fifth—That after the final capitulation the Spanish forces shall assist in the removal of all obstructions to navigation in Santiago harbor.

Sixth—That after the final capitulation the commanding officers shall furnish a complete inventory of all arms and munitions of war and a roster of all the soldiers in the district.

Seventh—That the Spanish general shall be permitted to take the military archives and records with him.

Eighth—That all guerillas and Spanish irregulars shall be permitted to remain in Cuba if they so elect, giving a parole that they will not again take up arms against the United States unless properly released from parole.

Ninth—That the Spanish forces shall be permitted to march with all the honors of war, depositing their arms to be disposed of by the United States in the future. The American commissioners to recommend to their government that the arms of the soldiers be returned to those "who so bravely defended them."

The articles were signed yesterday afternoon after a four hours' session of the commissioners, who agree that the terms of capitulation should await the sanction of the Madrid government.

TORAL DEJECTED.

General Toral, the white-haired commander of the Spanish forces, was present throughout the session and appeared to be utterly heart-broken. He spoke bitterly of the fate which compelled him to sue for peace, but had no word to say against the gallant men who had conquered his army. He declared that he had little chance to win. "I would not desire to see my worst enemy play with the cards I held," he said to one of the commissioners, "every one of my generals were killed or wounded. I have not a single colonel left and am surrounded by a powerful enemy. We have counted sixty-seven ships off this port.

"And, besides," he concluded, "warily

PORTO RICO NEXT.

Arrangements for an Expedition Are Discussed by the President.

Washington, July 17.—An important conference was held at the White House tonight, the participants being, besides President McKinley, Secretary Long, Admiral Sigsbee and Captain Mahan, of the war board. Adjutant General Corbin was present during a part of the conference. The president's happy conclusion of the campaign against Santiago affords the president's advisers intense satisfaction, but no disposition is manifested to let the war rest for a moment. Even before the details of the Santiago campaign have been cleared away, the expedition against Porto Rico absorbs the attention of the president. He fully realizes that the war can be prosecuted to a speedy and successful termination only by pressing the advantages already gained, and as one of the officials expressed it tonight, "the president proposes to strike while the iron is hot."

Arrangements for the Porto Rico expedition were under discussion by the president and the war board tonight. It may be two or three days before the details of the new invasion are worked out, but it is probable that before the end of the present week, the military forces of the expedition will have effected a landing not far from San Juan.

SANTIAGO PROBLEM.

Questions Regarding the Government of the Province.

Washington, July 17.—Coincident with the occupation of Santiago there are a vast variety of questions which are being considered by the president and his cabinet respecting the future political conditions which are to obtain there. There will have to be settled whether the government of Santiago province shall be a military one or a civil one with military powers vested in the executive officer or other form of administration. Unlike the Philippines, which although nominally in our possession are not formally so, all questions of jurisdiction over and administration of the occupied territory of Santiago are met immediately.

VESSLS CAPTURED.

Four Spanish Merchant Steamers—The Thorata, Reina de Los Angeles, the Theresa Brooks and the Mostro—and the Gunboat Alvarado are now in the harbor.

The market place has been sacked by the troops. Twenty-two thousand refugees are quartered at El Caney, 5,000 at Punta Prieta, and 4,000 at Cabañas de Fonta and San Vicente, where they have been living for a fortnight. In one case 500 were crowded into one building, which was a regular pig sty with a horrible stench. They used the water from the river where soiled clothes were washed and all manner of filth thrown about.

MORRO'S FLAG LOWERED.

Steam Launches Enter the Harbor and Examine the Merrimac.

Playa del Este, Guantanamo Bay, July 17 (7 p. m.)—At the president's order of the formal surrender of the 10,000 Spanish troops at Santiago and 15,000 others in the district of eastern Cuba which the Spanish have agreed to evacuate—the Spanish flag was lowered from Morro Castle.

SPANISH PRISONERS.

The Troops Surrendered at Santiago Will Be Sent to Spain.

In front of Santiago, Sunday, July 17 (10 a. m.)—Via Guantanamo Bay.—Old glory is now floating over the fortifications of Santiago.

WAR HISTORY OF A DAY.

SPANISH REGIMENTS march out of Santiago and lay down their arms, and the American flag is raised over the city.

SIXTEEN NEW CASES of yellow fever at Siboney; one death.

MEMBER OF THE SPANISH CABINET at Madrid asserts that the government is seeking an honorable peace with the United States.

NEW AMERICAN TORPEDO BOAT DESTROYER is launched at San Francisco.

UNITED STATES CRUISER New Orleans destroys the Spanish gunboat Antonio Lopez.

GENERAL MCKIBBEN is appointed military governor at Santiago.

THE REFUGEES ARE RETURNING

Stream of Hungry, Half-Naked Wretches Pouring Into Santiago.

FOREIGN CONSULS AND THEIR FAMILIES ALSO RETURN TO THE CITY—GENERAL PANDO NEVER ON THE SCENE—MINES ARE REMOVED FROM THE HARBOR ENTRANCE—VESSELS CAPTURED IN THE BAY.

Santiago de Cuba, July 17.—Since 4 o'clock this morning a stream of refugees has been pouring into the city, some naked, and all hungry, skeletons and footsore. Many had fallen by the wayside.

The town of Santiago presents a dismal sight. Most of the houses have been sacked and the stores have all been looted and nothing to eat can be had for love or money. In the streets of the city this morning, at the entrances, at the breastworks and at every hundred feet or so of the barbed wire fences were the living skeletons of Spanish soldiers.

Among the arrivals today were the German, Japanese and Portuguese consuls and their families, the British and French consuls having arrived day before yesterday.

General Pando was never here, but 3,500 men from Manzanillo arrived on July 5, making the total garrison here 7,900.

SANTIAGO'S GOVERNOR.

Sketch of Gen. McKibben, Who Will Have Charge of the City's Affairs.

Washington, July 17.—General Chambers McKibben, who has been appointed temporarily military governor of Santiago, is a member of an old and well-known Pennsylvania family. He was born in Chambersburg, not far from the famous Gettysburg battlefield. Early in the Civil war he enlisted as a private in the regular army and almost immediately afterward was appointed a second lieutenant in the Fourteenth infantry. His first promotion was given him on the 10th of June, 1864, when he was made a first lieutenant. On August 15, of the same year, he was given a brevet commission as compensation for gallant service in the battle of North Ann river, Va., and during the operations on the Weldon railroad. At the conclusion of the war, McKibben chose to remain in the army and on the fifth of January, 1897, he was promoted to be a captain in the Thirty-fifth infantry. On the 25th of April, 1892, he became major of the Twenty-fifth infantry and on May 1, 1896, lieutenant colonel of the Twenty-first infantry. It was as lieutenant colonel of the Twenty-first that he went to Cuba. During the battle of Santiago his services were of so distinguished a character as to win for him special mention in General Shafter's official reports. He was among the officers recommended for promotion, and was last week named by the president as a brigadier general of volunteers. That the administration and General Miles and Shafter impose great confidence in him is indicated by his appointment as temporary military governor of the city.

CERVERA AT CHURCH

The Spanish Admiral and His Associates Offer Thanks for Their Deliverance on July 3.

Annapolis, Md., July 17.—Maryland's ancient capital was crowded today with curiosity seekers who came from Baltimore, Washington and elsewhere by rail and by water in the hope of getting a peep at Admiral Cervera and the men who fought and lost in the great naval fight off Santiago. Those who reached here early in the morning were rewarded for their trouble, as Admiral Cervera and his associates, including the admiral, attended by General Shafter, Mary's Roman Catholic church where they offered up thanks for their deliverance from the fate that overtook so many of their less fortunate comrades who fell before the relentless fire of the American guns on July 3.

WEBB HAYES WOUNDED.

His Horse Killed Under Him During an Engagement.

Washington, July 17.—A cablegram from Playa del Este, Cuba, received today, conveys the information that Major Webb C. Hayes, of the First Ohio cavalry, son of the late President Hayes, was wounded on Friday, July 1, the first day of General Toral's bombardment of Santiago. Hayes' horse was killed under him during the engagement, being now under waiting orders at Tampa. Major Hayes was detached from his command and assigned to temporary duty on General Young's staff. While acting in that capacity his horse was killed under him, and he was wounded. That his wound was not particularly serious is indicated by the fact that he is out of the hospital and again ready for duty.

ARMY STORES CAPTURED.

Seven Thousand Rifles and 600,000 Cartridges Seized by Americans.

Washington, July 17.—At 11:05 o'clock tonight Adjutant General Conroy made public the following dispatch from General Shafter: Headquarters United States Army, Santiago, July 17.

LOPEZ DESTROYED.

The Spanish Gunboat Demolished by the New Orleans.

St. Thomas, V. I., July 17.—The United States cruiser New Orleans yesterday completely destroyed the Spanish gunboat Antonio Lopez, whose commander recently ran his vessel ashore at Salinas, near San Juan de Porto Rico, while attempting to enter San Juan with a cargo of provisions and war material.

FARRAGUT LAUNCHED.

The New American Torpedo Boat Destroyer Afloat.

San Francisco, July 17.—The torpedo boat destroyer Farragut was launched at 2:30 o'clock this evening from the yard of the Union Iron works. The selection of the hour was due to the simultaneous occurrence of high tide and moonlight. The ship was christened by Miss Betty Ashe, of this city, a distant relative of Admiral Farragut. The Farragut is a 273 ton boat. Her speed is thirty knots. She will be placed in commission as soon as possible.

MADDID PRACE TALK.

El Imparcial Says That Only Cuba Will Be Considered.

Madrid, July 17.—El Imparcial says that a member of the ministry declares that negotiations for peace with the United States are only possible so far as the question of Cuba is concerned. To demand more would be to say that Spain must commit suicide.

INSURRECTION AT KANNU.

St. Petersburg, July 17.—Advices received here report that on July 1 an insurrection occurred at Kanna, the most north-west province of Cuba, arising from dissatisfaction with the new taxes.

OUR FLAG WAVES OVER SANTIAGO

Official News of the Departure of Spaniards Is Received.

The Spanish Regiments Leave the City One at a Time and Stack Their Arms for Delivery to the American Forces. A Small Gunboat and Two Hundred Men Left from Cervera's Squadron Are Also Surrendered—At Noon the American Flag Is Raised Over the House of the Civil Government of the City—Obstructions Are Being Removed from the Harbor—The Spanish Soldiers Will Be Sent Home.

THE OFFICIAL DESPATCH.

Late in the afternoon the official dispatch came from General Shafter giving in brief military fashion an unusually clear statement of the general of the day's event. It was entirely satisfactory from every point of view, showing that the American army was in complete control of the city, that it would have cost 5,000 lives to capture by storm. Moreover it was very encouraging from a medical view in that it showed, contrary to what had been expected, that there was little sickness, and scarcely any yellow fever in Santiago, but a great deal of suffering and distress. The despatch follows:

SANTIAGO DE CUBA, July 17.

Adjutant General, United States Army, Washington.

I have honor to announce that the American flag has been this instant 12 o'clock noon, raised over the house of the civil government in the city of Santiago. An immense concourse of people present. A squad of cavalry and a regiment of infantry presenting arms and band playing national airs. Light batteries fired salute of twenty-one guns. Perfect order is being maintained by municipal government. Distress is very great, but little sickness in town. Scarcely any yellow fever. A small gunboat and about two hundred seamen left by Cervera have surrendered to me. Obstructions are being removed from mouth of harbor. Upon coming into the city I discovered a perfect entanglement of dead forces. Fighting as the Spaniards did the first day it would have cost 3,000 lives to have taken it. Battalions of Spanish troops have been depositing arms since daylight in armory, over which I have

WEATHER INDICATIONS TODAY.

Showers and Thunder Storms.

1 General—Old Glory Fleets Over San Terms of Surrender.

2 News Round About Scranton. Financial and Commercial.

3 Local—Services in Scranton's Churches.

4 Editorial. Comment of the Press.

5 Local—Another Chapter in Bonta History. Reformer Maloney in the County Jail.

6 Local—West Scranton and Suburban.

7 Advertisement.

8 General—Will the Thirteenth Go to Porto Rico? Scene at the Hoisting of the Stars and Stripes.

WEATHER FORECAST.

Washington, July 17.—Forecast for eastern Pennsylvania—Showers and thunderstorms; warmer; southeasterly wind becoming southwesterly. For western Pennsylvania—Unsettled, with showers and thunderstorms; warmer; brisk easterly winds.