



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.

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.

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.

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.

General Toral had either surrendered Thursday or acted in bad faith, but the documentary evidence on the fact 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.

First—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—That 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.

"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 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.

Prior to the landing, a naval demonstration probably will be made against the San Juan fortifications. The vessels taking part in the bombardment will be a part of the fleet of Admiral Sampson, but what vessels have been ordered to Porto Rico, could not be ascertained.

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.

Santiago itself is a city of approximately 40,000 people and in addition there are a large number of people in the captured territory whose interests have to be looked after. The commercial side of the matter also must be attended to promptly. Santiago being ours, the presumption follows that the blockade maintained by this government will be declared not to exist and the place made an open port—the government maintaining a strict surveillance to keep supplies from getting behind Santiago and being furnished to the Spaniards.

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.

Steam launches from the New York, Brooklyn and Vixen entered the harbor and examined the batteries, wreck of the Merrimac and sunken Spanish cruiser Reina Mercedes and the torpedo firing station. They discovered six Spanish merchant steamers and one small gunboat in the harbor, and a prize crew was placed upon the latter.

This afternoon the torpedoes were taken up or exploded, after which the Red Cross steamer State of Texas entered to give assistance to the sick and wounded. The Spanish warships may not enter the harbor for several days, probably until after the arrangements have been completed for transporting the Spanish prisoners to Spain. Nearly all the American men of war are now in Guantanamo Bay.

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.

At 9 o'clock this morning the Spanish troops under command of General Toral left their trenches and marched into the American lines, where, one by one, the regiments laid down their arms. At the same time the Spanish flag was hauled down and the Stars and Stripes hoisted in its place.

The work of loading the Spanish prisoners on transports preparatory to sending them back to Spain will be commenced as soon as ships are provided.

The authorities at Washington have been urged to use haste in this matter. It has been suggested to use Spanish transports for this work, fear being expressed that the use of American vessels would result in rendering them dangerous for use in moving American troops on account of the exposure of the Spaniards to yellow fever.

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.

The contact mines in the harbor were removed by the day Admiral Cervera left, but two chains of electric mines, one from Estrella Point and the other from Socapa, are still down. The arrangement of the shore batteries of Santiago consists of five brass 6-inch muzzle loaders in the Morro fortifications, two 6-inch Howitzers, from the cruiser Reina Mercedes and three 21-centimetre mortars—never used in the Socapa upper battery; two useless 21-centimetre mortars, two 8-centimetre mortar loaders and four 8-centimetre field pieces in the Estrella battery; one 57 millimetre and one 25 millimetre Nordenfledt and one 25 millimetre Hotchkiss, in the Socapa tower battery and two 6-inch Howitzers, two 9-centimetre Krupps and two 15-centimetre mortars at Punta Gorda.

VESSLS CAPTURED.

Four Spanish merchant steamers—the Thorata, Reina de Los Angeles, the Thornton 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 Gorda, 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 the 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.

The Spanish troops laid down their arms at 9 o'clock this morning. They will be camped two miles outside the city limits under guard, until their embarkation takes place.

The docks are crowded by incoming refugees in a starved condition, awaiting the arrival in the harbor of the Red Cross society's steamer State of Texas, as there are no establishments to be bought in the city.

The entrance of the refugees was quiet and peaceful, they viewing their captors with interest as the fortune of war. Admiral Sampson's last bombardment of Santiago wrecked 57 houses in the city, causing heavy damage.

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 Cervera's attack. At the request of Major Hayes no announcement of the matter was made in the official dispatches.

His regiment did not participate in 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.

Adjutant General U. S. A., Washington: My ordnance officers report about 7,000 rifles turned in today and 600,000 cartridges. At the mouth of the harbor, there are quite a number of fine modern guns, together with a saluting battery of fifteen old bronze guns. Disarming and turning in will go on tomorrow. List of prisoners not yet taken.

(Signed) Shafter, Major General Commanding.

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.

The report that Senor Moret, minister of the colonies, in the last previous cabinet of Spain in the negotiations with the United States, is without foundation.

Insurrection at Kansas.

St. Petersburg, July 17.—Advices received here report that on July 1 an insurrection occurred at Kansas, the most serious since the war. The insurrection was west province of Cuba, arising from dissatisfaction with the new taxes.

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.

Captain William McKittick, who had the honor to raise the Stars and Stripes over the palace in Santiago, is an aide-de-camp of the staff of General Shafter. On the 12th of May he was appointed by the president to be an assistant adjutant general with the rank of captain and was assigned soon afterward to the Fifth army corps, now under Shafter's command in Cuba. He is a resident of California.

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 high mass at St. 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.

The church, which is the only one of the Roman Catholic denomination in Annapolis, is one of the landmarks of the city, and embraces in its membership some of the most prominent and aristocratic of Annapolis' people. It is completed by the Redeemptorist brothers, is a handsome structure and is thought to possess one of the handsomest interiors of any religious edifice in the state. This morning's services were conducted by Brother John, one of the most prominent of the Order of the Redeemptorists. In the presence of a congregation which filled the capacity of the edifice to its utmost, probably no service held within its walls for many years possessed so great an interest or made a more profound impression upon those who attended it.

At the close of the services the officers returned to the naval academy and spent the balance of the day in strolling about the grounds or lounging on the broad piazzas which surround most of the buildings in which the prisoners are quartered. They are rapidly becoming accustomed to their surroundings and seem cheerful and contented. Ample provisions have been made for their comfort, their food is plentiful and of the best quality and clothes will be provided for such as will accept.

San Juan Fulate, of the Vizcaya, is the only one of the officers who has thus far refused to sign the terms of his pledge. His reasons for it are that Admiral Cervera was only requested to give a verbal promise and that his (Fulate's) rank entitles him to the same privilege. The authorities here have endeavored to get the matter amicably arranged and that the scruples of the gallant officer may be overcome.

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.

The Porto Rican blockade is being keenly felt at San Juan and the refugees are overcrowding the accommodations there.

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.

Supply Tugs Sail.

New York, July 17.—The ocean tugs Gladstein and Ivens, each towing three barges, left today for Santiago. The barges were laden with structural iron and other material for the docks to be built by the government at Santiago.

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.

Washington, July 17.—The American flag is now waving over Santiago. The first message conveying the news of Santiago's formal surrender was received at the White House shortly before 11 o'clock, just as the president was preparing to go to church. About 5 o'clock in the afternoon General Shafter forwarded a dispatch that graphically told the story of the day and portrayed a situation entirely satisfactory from the American point of view. The first message did not come from Shafter but from the vigilant signal officer who has before shown that he was alert for vital events. The first message was brief, only saying that the surrender had been accomplished, that the Spanish troops marched out of the trenches, one regiment at a time, stacking arms for delivery to the American forces and that the Spanish flag had been hauled down. Secretary Alger and Adjutant General Corbin were at the war department at the time, and were soon apprised of the news, but as it did not come in the usual form as a report from General Shafter, the fact was not bulletined. Secretary Alger expressed his deep gratification at the culmination of the Santiago campaign. He had fully expected the surrender to be formally carried out at 9 o'clock this morning according to General Shafter's telegram last night, yet it was a relief to know that the last chance for parley and Spanish diplomacy had passed and that our flag was now flying over the city.

"It is a magnificent achievement," said he, "and most of all it is a tribute to the bravery, pluck and endurance of our American soldiers. Now that their efforts have brought final and complete success, I believe their campaign will be recorded as one of the most glorious pages of our military history. Not more than ten thousand men were engaged when the most serious fighting occurred, but they pushed forward and created a condition which has brought the surrender of twenty-five thousand men."

The official despatch. Late in the afternoon the official dispatch came from General Shafter giving in brief military fashion an unusually clear statement from 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 battery 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 defenses. 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

guard. General Toral formally surrendered the plaza and all stores at 9 a. m. (Signed) Major General.

The president, after his return from church, had a conference with Secretaries Alger and Long, and Captain Crowninshield, chief of the bureau of navigation and a member of the naval war board. It was stated after the meeting that plans had been discussed for an aggressive movement, in which both army and navy will take part, against Porto Rico. Before going to the white house, Secretary Alger had been in conference with General Brooke for two hours. They had before them a large number of maps of Porto Rico and the plans of campaign were discussed from every point of view. It is expected that General Miles will go direct from Santiago to Porto Rico and that General Stone and Colonel Michler, of his staff, will leave from New York in a day or two on the Kosciusko to join the general at Santiago. Secretary Long would not discuss the naval programme except to say that active preparations are on foot for the next forward movement.

During the day, the secretary of war endorsed the plans of Colonel Hecker, for the transportation of the Spanish forces at Santiago back to Spain approving a circular, Colonel Hecker had prepared, calling for bids for transporting the Spaniards home. It provides for an aggregate of 1,000 Spanish officers with first class accommodations and twenty-four thousand soldiers with third class steerage passage. The circular says that the Spaniards will be delivered on board at Santiago for transportation to Cadiz, Spain, or such other port as may be designated. It is provided that the accommodations are to be up to the standard required by the United States army regulations as to officers and men, in regard to galleys, ventilation, etc. The subsistence furnished is to be equal to the prescribed United States army ration, which is four times as full as a guide to bidders as to what they must furnish.

The only disquieting information received during the day was as to the yellow fever conditions at the front and this disquiet was modified in an encouraging way by General Shafter's later news. It was a dispatch from Colonel Greenleaf, chief surgeon with the army in Cuba, saying that sixteen new cases had appeared. While this is regarded with some apprehension by laymen, the surgeon in general's department considered the showing entirely satisfactory. Colonel Alden, acting surgeon general during the absence of General Sternberg, said a report of only sixteen cases was an exceptionally good showing, as the number of cases of yellow fever existed on the Harvard, which brought a large number of sick Spanish prisoners to Portsmouth, N. H. This not only relieved officials as to the condition at Portsmouth but also as to the Harward, for it would be a severe handicap to the navy if this crack craft had to go into quarantine.

The navy department received word from the officers at Annapolis as to the arrival there of Admiral Cervera and the other Spanish officers. Captain Concas, of the imprisoned officers, is personally known to Secretary Alger and his military aide, Major Hopkins. Captain Concas was entertained at Detroit in 1855, while taking the caravals through the great lakes to Chicago, at which time General Alger and Major Hopkins took a prominent part in the entertainment. They speak of Captain Concas in most complimentary terms. Senator Cannon was at the war department when the first news was received that the American flag had been raised over Santiago.

"That is a notable episode," said he, "and one which will be recorded in history. The Anglo-Saxon flag is going up constantly and this is but one more flag to be raised as an emblem of civilization and good government. The work must go on until the Spanish flag disappears from the western hemisphere, for it is impossible for the Stars and Stripes and the yellow flag of Spain to float together in the new world."

THE NEWS THIS MORNING

Weather indications today: Showers and Thunder Storms.

- 1 General—Old Glory Fleets Over San-Terms of Surrender. Refuges Return to Santiago. Financial and Commercial.
- 2 News Round About Scranton.
- 3 Local—Services in Scranton's Churches.
- 4 Editorial.
- 5 Local—Another Chapter in Bonta History.
- 6 Local—West Scranton and Suburban.
- 7 Advertisement.
- 8 General—Will the Thirteenth Go to Porto Rico?

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.