

SCHLEY ENDS HIS CASE

Captain Lemley Called Witnesses in Rebuttal.

NO MORE IMMATERIAL EVIDENCE

Court Refused to Admit Report of Conversation On Massachusetts. Objection to the Recall of Captain Sigbee.

Washington, Oct. 31.—The long ordeal to which Admiral Schley has been subjected since Monday morning ended yesterday afternoon, when his cross-examination was concluded and he was allowed to leave the witness stand. One of the most interesting features of the day was the development of the fact that the report of the battle written by Admiral Schley, July 6, 1898, was not the original report. The original never has been published, and in accordance with a previous decision, the court declined to allow it to go into the record. Admiral Schley was allowed to explain, however, that Admiral Sampson declined to receive the first report because it did not mention the presence of the New York. "I felt that the victory at that time," said Admiral Schley, "was big enough for all, and I made this change out of generosity, and because I knew if the New York had been present she would have done as good work as anybody else."

At the inquiry Thursday a number of witnesses were introduced by Judge Advocate Lemley to testify in rebuttal of the evidence given in Admiral Schley's behalf. The court decided early in the day that no witnesses could be introduced at this stage of the proceeding to give testimony on immaterial points. This announcement was made in connection with an effort to prove a conversation on board the Massachusetts, in which Lieutenant Sears, who was Admiral Schley's flag lieutenant, was represented to have said:

"For God's sake don't discourage him (meaning Commodore Schley); it is all that we have been able to do to work him up to this."

It had the effect of relieving Lieutenant Commander Grant, Lieutenant Commander Potts and other officers of the Massachusetts who had been called to testify concerning this conversation with Mr. Sears, which is said to have occurred on the Massachusetts just before the reconnaissance of May 31.

On the other hand, the court held that it was not bound by the ordinary proceeding in civil courts as to the time when testimony can be taken, and that witnesses might be called or recalled any time for the purpose of making additions to former statements, but that none of them could reiterate testimony previously given. This decision was rendered upon an objection raised by Mr. Rayner to allowing Captain Sigbee to give new testimony when called as a witness for rebuttal purposes.

The witnesses called in rebuttal were Captain Charles D. Sigbee, Captain Francis E. Chadwick, Captain Joseph G. Eaton, Lieutenant John H. Roys and Chief Quartermaster Neil Anderson, all of whom testified to incidents connected with the campaign of 1898.

Captain Chadwick in his statement Thursday said that the precautionary dispatches from the navy department in regard to attacking the Spanish shore batteries had not been communicated to Commodore Schley. This statement is regarded of great importance by Admiral Schley's opponents, as it distinctly contradicts the admiral's own statements.

Captain Sigbee testified concerning his interview on the Brooklyn with Commodore Schley. Captain Eaton was the commander of the dispatch boat Resolute during the war, and his testimony related largely to events which occurred just before and just after the battle on July 3. Lieutenant Roys served on board the Eagle, and his statement bore upon the Eagle's meeting with the Brooklyn when the latter was enroute to Cienfuegos, and again while the flagship lay off that port. He stated that Lieutenant Commander Southerland had asked not to be sent to Port Antonio for coal, and had asked to be allowed to coal from the Merrimac.

The court adjourned at 12:45 o'clock Friday, when Judge Advocate Lemley announced that he had no more witnesses to call, and Mr. Rayner, following him, said that no witnesses would be summoned on behalf of Admiral Schley in sur-rebuttal. For a moment it appeared as if the now famous case was about to reach a sudden conclusion. But this delusion was soon dissipated by the announcement on the part of Captain Lemley that he might ask to be allowed to bring in one more witness on Monday, and also a statement from Mr. Rayner that Admiral Schley himself would desire to return to the stand on Monday to correct errors in his evidence as officially reported.

The only witness that the judge advocate still has in mind is Lieutenant Straus, and Captain Lemley said that if the lieutenant's attendance could be secured he would detain the court for a short time only. Captain Sigbee also will return to the stand on Monday to make corrections in the testimony given by him.

These details completed, the argument of counsel will begin, and then counsel and the public will withdraw and leave the court to its deliberations. The task before the court is not a light one, and it may be weeks before the final verdict will be reached.

TRAMP MURDERED IN A BARN

He Was Burned to Death, Evidently By a "Hobo."

Media, Pa., Nov. 1.—Nicholas McHenry, an aged tramp and a character about Media, was burned to death in the barn of William Hanley, of this place, early yesterday morning, and circumstances point to the fact that the old man was murdered. Mr. Hanley had been greatly bothered by tramps for several years, and he gave McHenry permission to sleep in the barn, with the proviso that he would keep others out.

Late on Wednesday night a strange tramp was seen in the vicinity, and the crew of the trolley car which passes the place about midnight report having seen two men in an altercation. One is supposed to have been McHenry.

The flames, which had gained too much headway to be extinguished when they were discovered, were doubtless started by the ejected "hobo." The charred remains of the old man were found near the centre of the structure. Coroner Fry is investigating, but there is no clue.

KILLED IN THEIR HOME

Victim Said Crime Was Committed By Former Strikers.

Columbia, S. C., Nov. 4.—Two machinists working in the Southern railway shops here, Walter Binder and William Seaver, were shot in their home some time after midnight Saturday by a party of men. Seaver was killed instantly and Binder desperately wounded. It was at first supposed that there was a woman in the case, but according to the ante-mortem statement of Binder the attacking men were former strikers who were bent upon killing the "scabs." Harry Jones and Arthur McCraney have been arrested. More arrests will follow.

McCraney told the sheriff that he did the shooting in self-defense, but does not explain his presence at the house at that time of night. The strike has long since fizzled out here, but there is still deep feeling against the men who took the places of the men who quit.

Lovers Die Together.

Reading, Pa., Nov. 2.—At noon yesterday Walter Snyder and Minnie Reichsteller were found on Mount Penn, with bullet holes through their temples and a pistol by the man's side. He was 20 years old and she 21. They having agreed to die together, the man evidently shot the woman and then himself. He formerly worked in the local hardware factory. She was a domestic. They left a letter, in which they say that outsiders interfered with their love affairs, and that they thought it best to die together. The letter concludes: "With malice towards none; charity for all." Accompanying the letter were their pictures to be used by the newspapers.

Fatal Gunning Accident.

Huntingdon, Pa., Nov. 4.—Lemuel Lanorman, a prominent and wealthy farmer of Walker township, was fatally shot on Saturday afternoon while hunting on Tussey's mountain. While sitting on a log, in company with Marshall R. Heffner, a well-known mail route agent, the latter's gun, loaded with No. 4 shot, was discharged accidentally, the load penetrating Mr. Lanorman's left side and embedding itself in the lungs.

Diphtheric Anti-Toxin Caused Death. St. Louis, Mo., Nov. 2.—Agnes Keenan, the 7-year-old daughter of Mr. and Mrs. William Keenan, died yesterday from lockjaw. The child is the sixth victim. It is said, of diphtheric anti-toxin, made and provided for by the city health department, and given at the city hospital. Chester and Mamie Keenan are also suffering with lockjaw, and their physician holds out no hope for their recovery.

Cruelly Tortured by Thieves.

Massillon, O., Nov. 4.—Baleser Race, his wife and two sons, living near this city, early yesterday morning were tortured by burglars until they gave up over \$1,000 in certificates of deposit and \$40 in money. The burglars set fire to the hair of their victims and threatened to roast them alive. One of Race's sons may not recover. The burglars escaped in vehicles stolen from Mr. Race.

Woman Kills a Saloonkeeper.

Newport News, Va., Nov. 2.—At North Newport News Fanny Bourne late on Thursday night shot and killed Louis Maffeo, a saloonkeeper, with whom she lived, and the case has been sent to the grand jury of Warwick county. The woman claims self-defense. There were no witnesses. Maffeo's wife separated from him some time back.

Will Open Up Indian Reservation.

Devil's Lake, N. D., Nov. 2.—Major McLaughlin, special agent of the interior department, has concluded a treaty with the Fort Totten Reservation Indians and the government, and it was signed yesterday. The Indians agreed to sell 104,000 acres of land for \$350,000. The reservation will be ready for settlement next spring.

He Did Not Believe in Banks.

Cumberland, Md., Nov. 2.—Jacob Nickelson, who lives near Hyndman, did not believe in banks and kept his money hidden in his house. Thursday robbers stole \$4,500 in greenbacks. Yesterday Nickelson deposited in the bank \$1,000 in gold, which the robbers overlooked.

Stabbed With a Pen Knife.

Milwaukee, Wis., Nov. 2.—William Raash stabbed his wife twice with a pen knife yesterday and then cut his own throat. The woman will recover, but Raash will die. The two had not been living together for some time.

A WEEK'S NEWS CONDENSED.

Tuesday, October 29.

The Peruvian congress convened in extraordinary session.

The Porto Rican delegates arrived at Detroit last evening.

Third Assistant Secretary of State Crider will shortly resign his office.

The sugar production of Europe is estimated at 5,928,264 tons, an increase of 212,841 tons over last year.

Baron Walburg, of Vienna, has been arrested for attempting to practice extortion on Emperor Franz Joseph.

Right Rev. Thomas J. Conely, D. D., of Washington, has been appointed bishop of Samos, a port in the Ionian Archipelago.

Wednesday, October 30.

Fire destroyed the entire business section of St. Joseph, La., on Monday.

John D. Rockefeller presented 40,000 marks to an American church in Berlin.

Another victim of the Hunt, Wilkinson & Co. fire, in Philadelphia, was found yesterday morning.

The 125th anniversary of the battle of Fort Washington will be celebrated November 16 in New York.

It is estimated that the orange and lemon shipments of Southern California will exceed 20,000 cars.

The bishops of the Methodist Episcopal Church in this country will hold a week's session in Cincinnati.

Thursday, October 31.

Andrew Carnegie gave \$5,000 for the erection of a library at Kinning Park, Scotland.

Edwin Gould was elected president of the reorganized Seventh National Bank in New York.

The municipal council of Havana has rejected all bids for sewerage and paving contracts, owing to grave errors.

The fifth annual convention of the Southern Cotton Spinners' Association will meet in Charlotte, N. C., in November.

All of the Siberian peninsula, embracing about 68,000 square miles, will be thrown open to mining operations next spring.

The case of Dr. Swallow, who is on trial for falsehood before the Central Pennsylvania Methodist Conference, will go to the jury today.

Friday, November 1.

Henry C. Baird, the oldest member of the Bradford county bar, died yesterday, aged 81 years.

The Will Colvig building, in Wheeling, W. Va., was destroyed by fire yesterday. Loss, \$50,000.

Owing to a strike two fruit jar glass factories, employing 1,000 hands, at Muncie, Ind., have closed down.

The United States consul at Liverpool reports that two cases of bubonic plague have developed in a hospital there.

The President yesterday denied six applications for pardon, granted one and restored three applicants to citizenship.

Saturday, November 2.

No fresh cases of bubonic plague have been reported at Liverpool.

The Pennsylvania Railroad company declared an extra dividend of 1 per cent.

The transport Kilpatrick sailed from San Francisco yesterday for Manila, with 140 recruits.

James C. McCook, former United States consul at Dawson City, died at his home in Philadelphia.

The Passaic Auto Transportation company, of Paterson, N. J., has suspended, owing to lack of patronage.

Will Jackson, a negro, of Cartersville, Ga., was legally hanged for assault, in the presence of 2,000 people.

Sunday, November 4.

A fire on the Welsh mountains, near Beartown, Lancaster county, burned over 200 acres.

Half the business section of Booneville, Miss., was destroyed by fire on Saturday night.

Edward S. Stokes, slayer of "Jim" Fiske, and one time coal-mill hand, died in New York on Saturday.

The delegation of Porto Rican merchants left St. Louis for Washington, from where they will return home.

President Roosevelt Saturday issued his proclamation fixing Thursday, November 28, as a day of national thanksgiving.

About 4,000 Irish-Americans gave a reception at Carnegie Music Hall, New York, to John E. Redmond, M. P., leader of the Irish Nationalist party in England.

Philadelphia Live Stock Market.

Philadelphia, Nov. 2.—Live cattle ruled unusually dull and low, best, \$5@5.35; choice, \$4.75@5; good, \$4.50@4.75; medium, \$4.25@4.50; common, \$4@4.25; stockers and feeders, \$3.50@4. Sheep were fairly steady; extra, \$3.50@3.75; choice, \$3.25@3.50; good, \$3@3.25; medium, \$2.50@2.75; common, \$1.50@2.50. Lambs were inactive, at \$3.50@5.25. Hogs were a shade easier; western, \$3.50@9. Fat cows, \$2@3; thin cows, \$1.25@1.75; veal calves, \$3@6.50; extra choice do., \$7.50; common do., \$2.50@3; milk cows, \$4@5.50 per head; common to fair do., \$2@30 per head; dressed steers, \$7.50@9.25; dressed cows, \$5@6.50 per 100 pounds.

Employment For 300 Hands.

Milville, N. J., Nov. 4.—T. C. Wheaton & Co.'s new window glass plant, which is the largest east of Pittsburg, started operations today. The new works gave employment to over 300 hands.

Many Fishermen Drowned.

London, Nov. 4.—It is announced in a dispatch to a news agency from St. Petersburg that scores of fishing boats were wrecked and that 170 men were drowned during a recent storm on Lake Baikal.

DUAL LIFE CAUSED TRAGEDY

Woman Succeeded in Killing Herself, But Man Still Lives.

Chicago, Oct. 21.—Grieving over the dual life she was leading with Dr. Orville Burnett, a Chicago dentist, Mrs. Charlotte Nichol, wife of W. L. Nichol, Jr., commercial agent of the Nashville, Chattanooga and St. Louis railroad, committed suicide yesterday in the Marlborough Hotel. Burnett also tried to end his life at the same time but was unsuccessful. The two were found in their rooms, stretched across the bed, the woman dead and Burnett with his neck pierced with a hat pin, a bottle of morphine clutched in his hand and the gas turned on from each of the six jets in the suite. Dr. Burnett is still alive and has been arrested.

In one of the rooms was found a note written by the woman, which told of her reason for the act. She said:

"To whom it may concern: I did it because I loved him better than anything on earth and he loved me and we could not be separated. Good bye. 'CHARLOTTE.'"

The note, supplemented by a statement by Dr. Burnett tells of the tragedy. According to the dentist's story he met Mrs. Nichol while yet a young girl, in Nashville, Tenn., and fell in love with her. Burnett moved to Chicago and married several years later. "Our love was still strong for each other," said Burnett, "and she moved to Chicago to be near me. We were together nearly every day. There seemed, however, to be a constant remorse on her part on account of the dual life she was leading. Saturday we went down town together and after having several drinks, she proposed suicide to me and we went to the Marlborough Hotel. She produced a bottle of morphine she had hidden in her dress. She again asked me to die with her and I consented. Then she swallowed nearly all the contents of the bottle and handed it to me. I drank what was left, but believing that I had not taken enough to prove fatal, I tried to end my life by sticking the hat pin into my neck. I saw this also was going to be a failure so I turned all the gas on and laid down to die."

MORGAN'S LUCKY ESCAPE

Attempt Made to Blow Up and Kill Mine Superintendent.

Wilkesbarre, Pa., Oct. 21.—A dastardly attempt to blow up the house of Reese Morgan, superintendent of the Murray mine, and kill himself and family was made last night. Mr. Morgan's home is on Grant street, one of the resident thoroughfares of this city. He attended services with his family at a nearby church early in the evening, returning leisurely with a neighbor, shortly after 9 o'clock.

He had just opened the gate to go into the house when a terrific explosion occurred which nearly knocked him off his feet. At first he did not know what had happened, but when he was able to collect himself he saw that a portion of his dwelling had been wrecked. A further investigation showed that the whole rear portion of the house had been torn away by the explosion.

The police were notified and hurried to the scene. They could obtain no clue as to the parties who committed the deed and Mr. Morgan could throw no light on the matter.

"I am utterly bewildered," he said. "I did not know I had an enemy in the world."

BAINS SAVED GARRISON

Another Samar Tragedy Averted By Lieutenant's Vigilance.

Manila, Oct. 21.—Owing to the vigilance of Lieutenant Thomas M. Bains, Jr., of the Ninth United States Infantry, another slaughter of American troops by insurgents has been averted. It seems that Lieutenant Bains discovered a prisoner re-entering a cell at Carbiga, Island of Samar, where several were confined, through a hole that had been let in the wall. An investigation showed a plan to let the jail with bolomen and to call the guard, which would be necessary to get the door open, and then to attack the garrison. It also developed that the instigators were a priest and the president, both of whom have been arrested, together with several other prominent persons. Other attempts have been discovered, but forunately frustrated, at Pambujan and other points in Samar. Several persons have been arrested in connection with these.

Steamer Sunk; Passengers Slept On.

Detroit, Mich., Oct. 21.—The passenger steamer City of Cleveland, of the D. & C. line, ran on a rock about six o'clock yesterday morning, during a heavy fog, just east of Ballard's Reef, and stove a large hole in her bottom amidships. The water rushed in with great force and the steamer gradually filled until she rested on bottom, with, however, her main deck still above water. The shock was so slight that none of the 40 passengers who were asleep in their berths were awakened.

Flanagan's New Throwing Record.

New York, Oct. 21.—John Flanagan, the champion hammer thrower, in his efforts for championship honors at the track and field games of the Greater New York Irish Athletic Association, made a new world's record in throwing the 56-pound weight, a distance of 36 feet 9 1/2 inches. The best previous record was 35 feet 10 inches, held by J. S. Mitchell.

Hard Luck For Simplificissimus.

Berlin, Oct. 21.—The current issue of Simplificissimus, the comic paper, was confiscated yesterday at Breslau for an offensive cartoon directed against Emperor William.

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I then saw your advertisement, accidentally in a New York paper, and ordered your treatment. After I had used it only a few days according to your directions, the noises ceased, and to-day, after five weeks, my hearing in the diseased ear has been entirely restored. I thank you heartily and beg to remain Very truly yours, F. A. WERNER, 720 S. Broadway, Baltimore, Md.

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