COMMENTONAPPEAL

Passes on Schley Matter.

CHIEF FEATURES OF THE CASE

Commentators Say the Admiral and His Counsel Have Shifted Their Ground-The Question of Command.

WASHINGTON, Jan. 30 .- The "com ment" of Judge-Advocate-General Lemly and Solicitor Hanna upon the appeal of Admiral Schley, as submitted to the President by Secretary Long, is less than a third as long as the appeal itself, a fact accounted for by the comparatively few quotations from the court's finding in the

The commentators begin with the state ment that Admiral Schley and his counse have shifted their ground. They say the chief features of the case were the "retrograde movement," "disobedience of or-"inaccurate and misleading official reports," "failure to destroy vessels of the enemy lying within sight," and "injustice to a brother officer." These matters are all grave. The first is that the finest aggregation of American naval ves-sels under one command was, by Schley's directions, turned about and headed for Key West, more than 700 miles distant, when within 22 miles of Sentiago, where the enemy's ships were. The second is that Schley deliberately and knowingly disobyed the Secretary's order overtaking him in his retrograde movement. The given, for the retrograde movement and disobedience of orders, i.e., "that the fly-ing squadron was short of coal," was not true. The fourth is that for four days the Spanish ships lay within reach of the flying squadron and no sufficient effort was made to destroy them. The fifth involves the point of honor. The commen-

"Upon all the above-named features, belleved by us to be the most important, if not the only really important matters into which the court made inquiry, the con-duct of Admiral Schley was condemned by that most distinguished tribunal. Admiral Dewey and Rear-Admirals Benham and Rameay unite in their findings and opin-ion upon all these several points, and they unite also in the significant recommenda-tion that no further proceedings be had, in view of the length of time which has clapsed since the occurrence of the events of the battle of Santiago."

The commentators charge that Admiral Schley now ignores all these grave mat-ters and base his appeal upon unimportant features of the case, as compared with the grave matters referred to, "upon which there was not, and in the face of the testimony, could not have been any difference of opinion in the court."

The commentators say they recognize the fact that Admiral Schley devoted by far the larger part of his appeal to the question of command, and consequently give that question a proportionate space in their comment. They declare that the question is between Sampson and Schley; both alike are interested, and to investi-gate it fairly both should be heard. Such Sampson. They add:

sampson. They add:

"To determine an important question of
this nature under such conditions is contrary to the underlying principles of Anglo-Saxon justice. Nevertheless, it is precisely what the appeal asks the President

It is admitted that the precept was broad enough to have permitted the court your agent for rates to the American. The House then went into committee the received your agent for rates to the American. pressed a willingness to enter upon it, the court did not deem it necessary or proper to do so. The Judge-Advocate, they say, might have shown that it was Admira; on's plan of night blockade that forced Cervera to come out in the day-light, and Captain Clark is quoted in his testimony to the effect that the American ships charged, "according to the original plan, to sink the enemy in the channel, and that "that plan failed because the enemy succeeded really in passing the bat-tle line." They ask, why did the enemy succeed? And declare "the Brooklyn, hav-ing abandoned her position on the left of the line, thereby left an unguarded opening along the western shore, through which the Spanish fleet passed our ships and attempted to escape." The court's opinion is quoted that the Brooklyn lost distance in position by the loop and delayed the Texas. To sustain their contention that Sampson was in command, the ommentators quote passages from Schley's report of July 6, 1888.

The commentators next state: "If Commodore Schley were in absolute command furing the battle, and if he had made any use of his authority, he must have exercised some control over some of the vessels participating," whereby they take up in detail the testimony of the commanding officers on this point, and say:
"Wainwright, of the Gloucester, said
he saw no orders from the Brooklyn;

Taylor, of the Indiana, said he saw no signals from the Brooklyn; Evans of the Iowa, said of the Brooklyn, I never saw any signal from her. I did not maneuve to any signals from ooklyn'; the commanding officer of the Toxas is dead, but the officers' testimony

Speaking of this ship, the commentators

"The question is not so much one of possible credit to, but of possible censure of Admiral Schley, in connection with the work of that vessel in the battle of Santiago. The plain truth is that Admiral Schley did not during the battle in any way direct or control the splendid per formances of the Gioucester and the three bettle-ships Indiana, Iowa and Texas. officers in command of these ships neither received nor obeyed a solitary order from him."

Next the commentators turn their at-tention to what they declare were persist-ent efforts by Schley's attorneys to show that in some manner the Oregon, at least, was under his orders during the battle, first by answering the signal, "Close up, and afterward by firing her 18-inch guns under signal from the Brooklyn, and they "But that attempt, as the testimony to be quoted below shows, was a failure."
They quote therefore, passages from Captain Clark's testimony, in which he said in regard to the order, "Close up." that that was a standing order in the squadron to attack the enemy at once if they ap-peared, and to keep the heads of the ships always toward the entrance, and "I remember a feeling of satisfaction that there was an order to close in, in case any accident had happened-any colliding

with other ships."
As to the alleged order from the Bro lyn directing the Oregon to fire her B-inch guns, the commentators again quote from guns, the commentators again quote from Captain Clark's testimony, where, when asked if the guns were fired in pursuance of an order from the Brooklyn, the Cap-tain said: "No. sir; I fired them after delberating with the officers," and "if they (the Brooklyn) made a signal, I did not see it." The comment closes in the fol-

work of the Oregon, or any part of it, was a single order from Commodore Schley from the time the Spanish ships were

sighted to the time of the surrender of th Judge-Advocate-General

Judge-Advocate-General

are weight of the featiments is the effect that the commodore controlled the movements of his flagship, the Brooklyn, well, with the exception of the loop. But it also shows—nor negatively, but affirmatively and beyond question—that he did not control the operations of the fleet in general on that day. All this is estab-lished, not by theoretical deductions or expert or inexpert opinion, but by direct positive, unimpeached and unimpeachable

testimony given under oath by the Ad-miral's brothers in arms. "The plain truth of the matter, therefore, developed for the first time under the searchlight of this inquiry, although quite incidentally, is that, so far as the quite incidentally, is that, so far as the Gloucester, the Iowa, the Indiana, the Texas and the Oregon are concerned, not the stroke of a propeller-blade, not the touch of a helm, not the firing of a shot was done under the direction or by the orders of Admiral Schley during this memorable battle."

WILL DISCUSS LAND LEASING

Call for a Convention of the American Cattle-Growers' Association.

DENVER, Jan. 30.-The American Cattie-Growers' Association, composed of leading cattlemen of the West, will meet in Denver March 4 to discuss the landleasing question, the association now having a bill pending before Congress. The official call issued today is as follows:

To the Members of the American Cat-

tle-Growers' Association and All Cattle-Growers and Breeders: The second an-Association is hereby called to meet at the Tabor Opera-House, Denver, Colo., at 10 o'clock A. M. on Tuesday, March 4, 1902, and continue through as many sessions as business may require. The basis of representation in this association is indirepresentation in this association is individual membership, and any grower or breeder of cattle, or the managing officer of any corporation engaged in the grow-ing or breeding of cattle, is eligible to membership upon the payment of an ini-tiation fee of \$5.

"The programme will be limited to few set subjects or papers, it being the purpose of the convention to confine the proceed ings to open debate and argument on the part of the members. After the presentation of each subject or paper sufficient time will be given for the members to dis-cuss the same in five-minute speeches. The convention will be wholly hands of its members and ample time will be given for the discussion of all

subjects presented.
"Many matters of interest to cattlemen
of the West will be introduced, one of
the most important of which is the 'landleasing bill' now in Congress prepared by a committee appointed for that pur-pose by the association at its last annual meeting. The 'diseases of cattle and their remedies' will also come up for discussion and papers will be presented by the most able men in the country on 'the best mode of feeding and fattening cattle for market in the arid regions of the West, where but little grain is raised.'
"One of the objects in fixing the date of

this convention in March was to enable the Northern buyers to meet the cattle-raisers from the South and give them a chunce to become better acquainted, which, doubtless, will result in many sales being consummated at this meeting. This association was organized to protect and advance the interests of cattle-grow-ers, both large and small, and all should ers, both large and small, and all should be interested in becoming members. The proceedings of the convention will be highly beneficial and of vital importance to the cattle interests, and we are assured that there will be a large attention of coal mines. He offered an amendment providing that managers of coal mines where the cattle interests are assured that there will be a large attention of coal mines. He offered an amendment providing that managers of coal gate it fairly both should be heard. Such incidental testimony on this point as came before the court was on Schley's side only and the details were entirely closed to grower who can possibly do so is respect.

fully urged to be present.
"Immediately upon your arrival in Denver you should register with the secretary

sale March 3 and 4.

"By order of the executive committee.

"F. C. LUSK, President,

"H. W. ROBINSON, Secretary."

CENSUS STATISTICS.

Preliminary Reports on Wool Manu-Inctures and Other Matters. WASHINGTON, Jan. 30.-The Censu

Bureau has issued a preliminary report on the wool manufactures in the United establishments ...

The average number of wage-earners is 159,108, drawing \$57,523,617 in wages. The cost of material used was \$181,156,628. These figures are exclusive of hostery, knit goods and for hats.

and steel blast furnaces in the United States for 1900, as compared with 1800, fol-

No. of establishments. 222 Capital \$143,159,232 Wage - earners, average number 19,241
Total wages \$ 18,484,400
Cost of material 181,562,655
Value of products 205,756,557 The preliminary report regarding slaugh-

tering, and meat-packing, wholesale, for

No. of establishments. 929 Capital \$186,681,264 Wage-carners, average \$7.908 number 67,888
Total wages 23,144,612
Cost of malerials 770,147,423
Value of products 770,147,423 The preliminary report regarding printing and publishing, newspapers and periodicals, in 1900, follow:

 number
 94,604

 Total wages
 \$ 50,311,651

 Cost of materials
 50,214,904

 Value of products
 222,883,569

*Decrease. STORM OF SLEET.

Wires Are Prostrated in Several

NASHVILLE, Tenn., Jan. 20. - Wire communication, which was almost en-tirely suspended yesterday in some parts of Kentucky, Tennessee, Arkansas and Texas, on account of a heavy sleet storm, has not yet been resumed. The prostra-tion is the most complete known in years.

Chicago's School Fund. CHICAGO, Jan. M.-The Board of Edu cation has fixed upon \$6,34,201 as the total to be expended upon the public schools of Chicago for the ensuing year. The total for 1901 was \$7,342,398. The building fund this year exceeds that of 1901 by \$1,051,412. In economizing, the board reduced salaries of 2500 grade teachers, all principals and members of the official force. The schools will be kept open for

Jim Howard Again Convicted. FRANKFORT, Ky., Jan. 30.-At 11:25 o'clock the jury in the case of Jim Howard returned a verdict of guilty against the prisoner, and fixed his punishment at

CENSUS

FRIENDS OF CIVIL SERVICE SUF-FER DEFEAT IN THE HOUSE.

All Present Employes Are Eligible for Retention or Transfer to Other Departments,

WASHINGTON, Jan. 33.—The House to-day passed the bill for the creation of a permanent Census Bureau. The friends of the civil service law, who were op-posed to making the employes of the bu-reau eligible for transfer or retention. were overwhelmingly defeated. By the terms of the bill the permanent organiza-tion will succeed the present temporary tion will succeed the present temporary, organization July 1, 1902, and all employes on the rolls upon the date of the parsage of the act will become eligible for transfer to other departments or retention in the permanent organization. The bill also provides for a manufacturing census in 1966 and for the collection of certain special statistics annually.

After some preliminary minor business

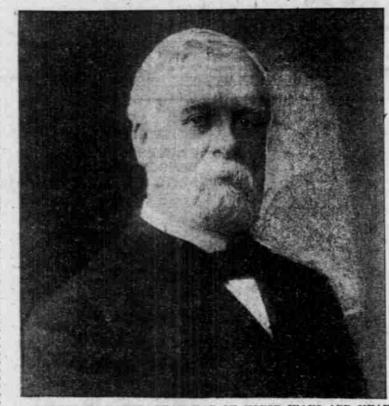
living that they work for wages which respectable American workmen cannot afford to take. Andrew Furuseth, of the Seamen's Union, San Francisco, gave the extent of Chinese labor on the Pacific Coast, showing that they practically monopolize the labor field in the salmon-manife industry and are competing with monopolize the labor field in the salmon-canning industry and are competing with American labor in eigar-making, tallor-ing, laboring and many other branches. He said the Chinese worker in these-cases accepts wages so much lower than the white man that the former secures the work. Mr. Furuseth said the labor organizations will not be satisfied with any bill which does not protect American workmen from Chinese coming from the Philippines, as well as from China.

Maxwell Evaris, of New York, continued his statement begun several days ago, against the pending bill. He criticized its features in detail, and said the measures showed that it was not drawn by an experienced lawyer. He pointed out that the requirement of new registry certificates within six months would give \$40,000 in fees to the Government officials issuing the certificates.

Republican Caucus Call.

WASHINGTON, Jan. 30 .- A caucus o Republican members of the House was called for next Monday night to consider the subject of election suffrage in the South and to determine what action, if any, shall be taken on the proposed Crumthe committees were called, and Moody packer bill, reducing Southern representa-

WILL REPORT IN FAVOR OF REPEAL OF WAR TAXES.



SERENO E. PAYNE, CHAIRMAN OF HOUSE WAYS AND MEANS

ing, presented a bill for the protection of miners in the territories. It provides that in every mine over 160 feet in depth mincowners be required to provide 5500 mines, should employ shot-firers to fire

shots therein.

While the bill was being discussed some thing of a stir was caused by the appear ance of officers and marines of the Ger-man cruiser Moltke, who marched into the public gallery in uniform and ac-countred with their side arms. The confuof the association at the Tabor Opera-House, at which place you will be pro-vided with a badge admitting you to the convention hall.

"All rallways have granted a reduced "All rallways have granted a reduced The Lacey amendment was adopted, and

eration of the bill for the creation of a permanent Census Bureau. Hopkins, chairman of the census committee, took the floor and explained its provisions. He said that the committee in the prepara-tion of the bill had endeavored to meet the demands of the House as evidenced when the bill was before the House 10 days ago Under the latitude allowed for debate Thayer (Dem Mass.) presented a petition signed by 1260 business men of Worcester Mass, in favor of reciprocity with Can-

of the bill, Ball (Dem. Tex.) asked if Hopkins would accept an amendmen to provide that clerks eligible to trans fer or retention under the bill should b

Hopkins replied that such an amend ment was unnecessary, and alluded to the well-known civil service record of the President as a guarantee that justice and

fair sealing would prevail.

Gillett (Rep. Mass.), chairman of th civil service committee, opposed the bill, which, he argued, would keep the friends of members of Congress in office and milltate against those who in good faith had passed the civil service examination, Gil-lett offered, but the House rejected, an amendment to provide that all new ap-pointments in the Census Buredu shall be made in accordance with the requirements of the civil service act, and au-thorizing the President, in his discretion,

to classify the employee in the Census An amendment was adopted providing that all employee of the Consus Bureau should be citizens of the United States. Madiox (Dem. Ga.) demanded the ayes and nors upon the passage of the bill, but only II members seconded the demand, and the bill-was passed without division. Sevbegu who were in the gallery applauded

PHILIPPINE TREASON ACT.

Rawlins Wants to Know if the Commission Passed It.
WASHINGTON, Jan. 30.—Senator Raw-

lins introduced a resolution making in-quiry of the Secretary of War whether "the treason act in the Philippines" has been passed by the Philippine Commission. The resolution cites a circular purporting to give the language of the act. One provision makes the concealment of treason against the United States or the treason against the United States or the Philippines punishable by a fine of \$1000 and imprisonment for one year; one pro-vides for a fine of \$3000 and imprison-ment for two years, for uttering sedi-tious words, and a third provides a fine treason. Another prohibition is against advocating the independence of the Philippines or their separation from the United States, "whether by peaceable or forcible means." The penalty for the infraction of this requirement is a fine of \$5000 and imprisonment for a year. The resolution went over for future con-sideration.

AGAINST THE CHIVESE.

Arguments for Excission From the Labor Standpoint. WASHINGTON, Jan. 20.—The hearings

on Chinese exclusion were continued to-day before the House committee on for-eign affairs. H. R. Fuller, in behalf of the Brotherhood of Railway Employes. the prisoner, and fixed his punishment at life imprisonment. It is understood that the Brotherhood of Railway Employes, the only division in the Jury as to the kind of verdict was over the extent of the punishment. Those favoring a death sentence came over after several ballots. This was Howard's second trial, the first one having resulted in a death sentence.

A Rear-Admiral John A. Howell will be filled by the vacancy tire for age March 16, and the vacancy tire for age March 16,

tion in Congress, or the Gibson bill, making stringent regulation for the election procedure. Eighty Republican members signed a call for the caucus.

Power to Negotiate Treaties. WASHINGTON, Jan. 30.—In view of the contention set up by Senator Culiom in the Senate yesterday, that reciprocity effecting the revenues can be negotiated without action of Congress, Tawney, of Minnesota, today introduced in the House a resolution directing the ways and means committee to investigate fully the case and report the result of such investigation to the House

Train Inspection on the Border. WASHINGTON, Jan. 30.-Senator Lodge today introduced a bill authorizing the inspection of trains coming into the United States from Canada and Mexico with the view of determining whether there are on board aliens who are no residents of these countries. The object of the measure is to prevent illegal

Selection of Reserve Banks. WASHINGTON, Jan. 30.-The House ommittee on banking and currency has ordered a favorable report on the bill of Representative Cousins, of Iowa, authorizing the selection of reserve banks in cities of 15,000 population, instead of 50. 939, as at present, and having a minimum

General Wood on the Situation. HAVANA, Jan. 30 .- Governor-General food has written to certain Senators a Vashington regarding the present situaing that it is impossible at the present prices and with the present duties to land sugar in the United States at a profit,

Named by the President WASHINGTON, Jan. 20.—The President today nominated Charles R. Scobey agent for the Indians of the Fort Peck

Metcalfe's Nomination Confirmed. WASHINGTON, Jan. 30.-The Senate today confirmed the nomination of W. S. Metcalfe, to be pension agent at Topeka,

AGAIN NEGOTIATING.

Agents Once More in Communication

RASLIOG, Rumella, European Turkey Jan. 20.—A reporter for the Associated Press here has had an interview with the delegates who have been negotiating for the release of Miss Stone and Madame Tsika. They said that their negotiations with the brigands had been unsatisfactory and that they had intended to return to Constantinople. Before starting, ever, they say, they received fresh mation which induced them to renew their communications with the brigands, and that these negotiations are now proceed-

Turks Prevented the Release LONDON, Jan. 31.—The Constantinople orrespondent of the Daily News asserts that the reason for the fullure to plish the release of Miss Stone is that the Turks invisted, against the wishes of M. Gargiulo, dragoman of the American Legation Legation at Constantinople, upon sending 50 soldiers as far as Raslog. ernor of Rasiog said he had orders not to let the messengers out of his sight, adding that he would not allow the money to be paid on Turkish soil. Gargiulo there-upon telegraphed to Constantinopie today, and was ordered to remain where he was,

Sampson and Cromwell to Be Retired WASHINGTON, Jan. 30 .- The Navy De partment today issued an order that Rear-admirals Sampson and P. J. Cromwell will be placed on the retired list on the first of next month on account of age. Admiral Sampson is now in this city on waiting orders, his health having copelled his relinquishment of active duties several months ago. Admiral Cromwell is in command of the European station. These retirements will result in the promotion of Captains P. H. Cooper and George Wadleigh to the grade of Rear-Ad-

YESTERDAY'S SESSION VOID OF EX-CITEMENT.

Tillman Spoke of the Part His Stat Took in the Revolution-Many Bills Passed.

WASHINGTON, Jan. 20 .- Today's session of the Senate was entirely void of tumultuous scenes, which characterized the sessions of the past three days. After the Pamppine tariff measure was taken up at 2 o'clock, Tillman delivered a speech devoted almost entirely to discussion the part his state took in the war for the independence of the colonies. Incidentally he referred occasionally to the pending bill, drawing morals, as he said, for the benefit of the majority that they might be applied to the Philippines. About 30 of the petty officers of the Ger-

man ship Moltke were among the spec-tators in the gallery.

The Proceedings.

A resolution offered by Proctor direct-ing the Secretaries of the Interior and of Agriculture to report to the Senate any facts they possessed regarding the preservation of the American buffalo or bison, and whether any steps ought to be taken to prevent the extinction of the animals,

ousiness, called up for consideration the joint resolution proposing an amendment to the Constitution of the United States respecting the succession to the Presincy in case the President-elect should die between the time of his election and the date of his inauguration. Without a word of comment the resolution was passed, the president pro tem, announcing at the request of Hoar that two-thirds of the Senators had voted for it. Among the bills passed was one to es-tablish the Fredericksburg and adjacent National battle-fields memorial park in

lirginia. The bill appropriates \$100,000. Other bills passed were as follows: Adding \$1,500,000 to the cost of the public building at San Francisco; to increase the limit of cost for the public building at Butte, Mont., from \$225,000 to \$400,000; to provide for the establishment of a light and fog signal station on one of the Mile rocks, San Francisco Bay; to establish a fog bell and lens lantern light on the southeastern end of Southampton Shoal, San Francisco Bay; to establish a light and fog signals at a point on Carquines Strait, Cal., opposite that now occupied by the Selby smelting works; for the construction of a lightship for Blunts Reef, Pacific Ocean, off Cape Mendocino, Cal.; to establish a fog signal at Fort Winfield Scott, Fort Point, Cal.; fixing the compensation of district superintendents in the life-saving service at \$2000 per annum; appropriating \$100,000 for the erection of a public building at Evanston, Wyo.; grant-ing to the State of Wyoming 50,000 acres of nonmineral land to aid in the continua Wyoming State Soldiers' and Sallors iome; providing that bona fide settlers in forest reserves may make good their laims to land in certain cases; granting the State of Iduho 50,000 acres of land o aid in the continuation, enlargement and maintenance of the Idaho State Sol-diers' and Sallors' Hoxne.

The vote by which the bill for the use by the United States of devices invented by its naval officers and covered by letters patent was passed yesterday, was reconsidered at the instance of Cockrell, and the bill again placed on the calendar.
At 2 o'clock the unfinished business (the Philippine tariff bill) was called up, and Tillman addressed the Senate. He desired, he said, to continue the discussion of the very interesting historical subject" which had been brought to the attention of the Senate by Money. He would have had something to say about the matter yesterday, had not Lodge employed what he considered ungracious tactics. These tactics were supplemented by other Republican Senators, he said, "and my gallant young friend from Indiana (Beveridge) leaped into the arena and charged the minority

"The Philippine tariff bill," he continued, 'is very important from the standpoin of those who propose to pursue relentless ly and remorselessly the present Philip-pine policy, although the Senator from Utah (Rawlins), has shown that there is now over there plenty of money for the carpet-baggers to spend."
Discussing the historical subject raised

vesterday. Tiliman said: I am glad that Massachusetts has one representative in this chamber-even if th Carolina has only one,' 'he interpel ated significantly, "who stands sturdily principles upon which this Gov-

He then entered upon an elaborate ac count of the part South Carolina took in the war for the independence of the colo-While Tillman was speaking, several

Senators engaged in conversation among themselves. To this Tillman objected, be-cause of the interruption, and he requested that those so engaged retire to the cloakrooms. For once he was, he said, making speech for home consumption.

"Of course," he said, "the Senators on the Republican side are not interested. ould hardly hope to reach on such a sub ject the minds and hearts of the calloused majority, the commercialiszed, moneygrabbing, money-loving majority, as such a subject is not in consonance with the miserable, canting, dampable attitude

which that party is now assuming.'

By the time he had concluded this lin guistic diversion. Tillman had the atten-tion of all the Senators present. Tillman declared it was the history of all conquering armies when prosecuting such a strug-gle as the British pressed against the revolutionary colonists, and which is now being carried on by the British in South that they committed cruelties and trampled upon all the obligations of hu-

"And I would ask the majority in this house," he said, "if. in trying to force the Filipinos to accept our government without promise, they are not inviting the exasperation of the natives and a spirit of perpetual insurrection."
The effort to treat the Filipinos as

"chattels - cattle" - he declared, was damnable, and he charged the majority side with being the "real murderers of our cops in the Philippines."
"But." he asserted, shaking his finger at Republican side, "if we can gag you and force down your throats a scintilla or small dose of the principles which actuated the men of Massachusetts in 1776, we will have done our duty to the country

In a brief colloquy with Burton, allu-In a brief colloquy with Burton, allusion was made to the remark of Tillman yesterday about the burning of negroes in Kansas. Burton said that no one in Kansas was proud of committing murder, and Tillman retorted: "They prefer to murder them in the Philippines."

Commenting upon the sedition laws promplysited by the Philippines. Commenting the Philippine Commenting. mulgated by the Philippine Commission, Tilman inquired of Hoar whether the Springheld Republican, which, he said,

and humanity.'

was opposed to the Republican "Imperialistic policy," under these laws, would be permitted to be circulated in the Philip-"While I decline to enter upon any dis cussion of Massachusetts newspapers, said Hoar," "I will say to to the Sension

if he wants to know my opinion of the commission's order that I think it is an abominable order."

In conclusion, Tillman said the pending

DOWN PAINE'S CELERY COMPOUND

Most Famous Remedy in the World It Makes People Well.



The nerves control and determine the | Paine's Celery Compound is not in any health of every function of the brain and body.

More than nine-tenths of all diseases that are not infectious are known by every physician to be merely the local symptoms of a coming break-down of the nervous system.

In one person the diseased condition of the nerves manifests itself in insomnia; in another, by indigestion; in another, by rheumatism; some organ of the human body becomes affected, and refuses to perform its proper work.

When these symptoms begin to show themselves, medicine today knows but this one remedy, the famous discovery of Professor Edward E. Phelps, M. D., LL. D., whose wonderful achievement has spread the fame of one of this country's greatest universities. No other emedy was ever universally prescribed first put within the reach of the public. I that it is claimed to do.

The Senate, then, at 4:29, went into ex-scutive session, and at 5 P. M. adjourned.

and of the free and the home of the brave. Idaho and Utah millers that the rate of 40 cents, recently made at the request of Oregon millers, would put them out of business. Several of the local millers

Protest Against Cuban Concessions. WASHINGTON, Jan. 20.-H. G. Levitt, representing the beet-sugar interests of Nebraska and the West, and James J. Hill, representing the cane-sugar in dustry of Louisiana, had a conference with the President today in regard to the proposed reduction on Cuban sugar. Mr. Hill said in substance that they quite agreed with the President in his desire to render aid to Cuba in every proper way, but they protested against sacrificing the interests of the sugar industry of this country that Cuba might be benefited. The President said that he was very much interested in building up the industries of Cuba, when this could be done with only

a minimum loss to this country. CAPTAIN PORTER'S MARINES Further Particulars of the March

Through Samar. WASHINGTON, Jan. 30.-Secretary Long today received the following cable-grams from Rear-Admiral Rogers at Ca-

vite, concerning the march of the marines Samar not yet received. Much credit is due Shoemaker for services rendered in connection with the rescued detachment at Lanang. Marines in Samar will be re-

lieved in about 10 days.' The second dispatch reads: "Following casualties occurred in Captain Porter's command while attempting to march from Lanang to Bosey, Samar Lieutenant A. S. Willis, slightly wounded

chest and suffering from eczema; Corporal W. Slattery, Privates J. McBay, E. Witzell, J. W. Hackler, W. D. Smith, R. D. Demond, J. Egan, T. J. Correy, condition serious from weeping eczema. Privates P. J. Connell, T. Sanjule, G. M. Foster, T. Bredtt, J. Woods, F. F. Brown, T. Murray, M. Bassett, L. A. Bailey and Baronie, missing; hope abandoned. Lieutenant William R. Shoemaker, who commended in Admiral Rodgers' first

dispatch commands the gunboat Arayat, and has figured with distinction in a num-ber of engagements in the islands. "Weep-ing eczema" is a form of that skin dising eczema" is a form of that skin dis-case in which the encrusted cuticle breaks and the sores "run." Previous reports from Admiral Rodgers have shown that the marines suffered great hardships from exposure in their march through the country of the island.

RATHBONE'S DEFENSE.

Other Officers, He Says, Furnished Their Houses From Insular Funds.

HAVANA, Jan. 30 .- A number of minor HAVANA, Jan. 30.—A number of minor witnesses testified today at the hearing of the case growing out of the Cuban postal frauds. The defense introduced as a precedent for Rathbone's expense in furnishing his house in Havana the fact that certain Army officers, including Colonel George H. Burton, of the Inspector. General's Department, formerly in Cuba, had their official residences furnished from the insular funds. The Government contends that in all such cases the mili-tary officers referred to had authority for so doing, while Rathbone did not have such authority.

Two volumes from the report of the

Senate committee containing receipts and expenditures in Cuba have been filed as evidence by coursel for Rathbone. These reports contain many bills contracted by Army officers for their private residences similar to those contracted by Rath-

Paderewski at New York. NEW YORK, Jan. 30.-Ignace Paderew ski arrived on the Oceanic today, accompanied by his wife. He comes to superin-tend the production of his opera, "Manru," at the Metropolitan Opera-House, carly next month. He will also make a short concert tour.

Will Restore Old Flour Rate. SALT LAKE, Jan. 30 .- It was announced today that the Short Line would. Feb-ruary 8, restore the old rate of 52 cents on flour shipped into Utah and Southern Idaho from points east of Umatilia. The

physicians of every school have proved beyond question that in every case of dyspepsia, billousness, liver complaint, neuralgia, rheumatism, or other diseases, that imply impaired nerves, Paine's Celery Compound invariably

way a patent medicine. It is so superior

to all the so-called remedies that no

serious comparison can be made be-

The formula of Paine's Celery Com-

pound has been freely furnished from

the first to reputable physicians any-

where, and the thousands of authenti-

cated cases that are reported yearly by

tween them.

gives lasting reilef.

It succeeds again and again in completely curing diseases where everything else has failed. It is the only prepared remedy in the world that is openly and publicly indorsed by mediby physicians. It was by the advice of cal journals. A single trial of Paine's the most eminent practitioners in the Celery Compound will convince any one country that this great remedy was that it accomplishes in every case all

> had begun preparations to close down AVOIDANCE OF STRIKES.

Radical Step Taken by the Amaigamated Association.

PITTSBURG, Jan. 30.—The Amalgamat-ed Association of Iron, Steel and Tinworkers has just taken a radical step that may have a wholesome effect in avoiding strikes. The organization has made an agreement with the American Steel Hoop Company and the Republic Iron & Steel Company that the mills of these concerns shall not be shut down next Summer pending the wage adjustno stop, even if a disagreement on wages results. The new scale will be formu-lated at the annual convention of the association at Wheeling in April. An effort will be made to have the scale ex-tended through three years, which would relieve much of the uncertainty aroused every year by the wage question. President Shaffer said today that at the Wheeling meeting a movement will be in-augurated which will do away entirely with mill committees, salaried district presidents being elected, whose duty it shall be to settle disputes in their dis-

CONDEMNED MEN ESCAPE.

Two Desperadoes Received Assist-

tricts.

ance From a Warden's Wife. PITTSBURG, Jan. 30 .- Edward and John Biddle, awaiting execution in the County Jail for the murder of grocer Thomas D. Khaney, of Mount Washington, overpowered the guards at 4 o'clock this morning and escaped. Both prisoners had been provided with saws with which they cut the bars in their cells. The prisoners i adjoining cells on the second They evidently had assistance range.

from the outside as both were armed with Warden Peter K. Soffel has authorized the publication of the allegation that his wife is responsible for the furnishing of the revolvers and saws to the Biddles which enabled them to escape. In her infatuation for the handsome desperado, Edward Biddle, it is alleged that she has left her husband and her four children, and, it is supposed, is to meet the escaped convicts at a place agreed upon.

Tonight

Just before retiring, if your liver is sluggish, out of tune and you feel dull,

illous, constipated, take a dose

Hood's Pills

And you'll be all right in the morning.

Tutt's Pills Cure All Liver Ills.

lisease by the timely use of Tutt's Liver Pills, an old and vorite remedy of increasing pularity. Always cures

SICK HEADACHE, our stomach, malaria, indigesion, torpid liver, constipation and all bilious diseases.

TUTT'S Liver PILLS

6 % Grove the remody that cures a cold in one day.