

BRIEF TELEGRAMS.

Recent cold weather in Texas did but little harm to live stock. Thomas W. Marchment, who died recently in Philadelphia, bequeathed \$18,000 to the humane society of that city.

One man was killed and several were injured by a mine explosion at Joplin, Mo. The training school of the University of Utah is destroyed by fire at Salt Lake City. Loss, \$50,000.

Senator Hanna has introduced a bill granting a pension of \$5,000 a year to Mrs. McKinley, widow of the late president.

William Fay, who was an English soldier in the Crimean war, died at Osage City, Kan., aged more than 100 years.

The transport Thomas arrived at San Francisco from Manila. She has 91 cabin passengers on board and 813 soldiers.

The New York state legislature is now composed of 141 republicans fifty-seven democrats and two independent democrats.

Secretary Long has sent to congress naval deficiency estimates aggregating \$5,000,000, of which \$4,000,000 is a deficiency for ordnance.

Miss Emily Carew, cousin of Mrs. Theodore Roosevelt, who has been living in Genoa, Italy, for fifteen years, has arrived in New York.

At Guthrie, O. T., Mrs. Bert Haverly committed suicide by drinking carbolic acid because she was named co-respondent in a sensational divorce suit.

Joseph F. O'Grady was nominated for congress in the Seventh New York district by the democrats, who refused to participate in the convention last week.

The wife of Senator John P. Jones, of Nevada, who has been critically ill in New York as the result of an operation, has passed the critical stage and is now convalescing.

A check for \$10, given by President Roosevelt in aid of the Washington Newsboys' home at a bazaar last week, was framed by the lady receiving it and sold at auction for \$50.

All cases in the district court at Wichita against Carrie Nation and her saloon smashing colleagues were dismissed, the supreme court having decided all important points at issue.

At Kansas City, a receiver has been appointed for the Farmers' Mutual Hall insurance company, which was incorporated January 21, 1900, to insure crops against hail on the mutual assessment plan.

The Altoona Iron works, one of the largest in Central Pennsylvania, has suspended operations because of the car shortage. The Eleanor Iron works in Hollidaysburg are idle for the same reason.

Richard H. Cooper, a private of the Eleventh United States cavalry, who has just returned from the Philippines, has brought with him the regalia which Aguinado always wore on dress parade before the outbreak.

HIS REMOVAL IS LEGAL

Maclay Notified that It Was Not Violation of Usages.

RECEIVES NEWS AT THE YARD

Fay Director Putnam Reads Telegram of Dismissal to Historian, Who Says He Will Return to His Work in the Usual Manner.

WASHINGTON, Dec. 27.—The civil service commission notified Edgar S. Maclay, the historian recently employed in the Brooklyn navy yard, that his removal from his position at that point was not in violation of the civil service act.

Mr. Maclay's letter is as follows: NAVY YARD, New York, Dec. 25.—John R. Proctor, Civil Service Commissioner—Sir: On December 23 I received the following communication from the secretary of the navy: "Sir: I am directed by the president to ask Edgar S. Maclay, special laborer, general storekeeper's office, navy yard, New York, to send in his resignation.

The communication was addressed to the commandant of this navy yard and was duly forwarded to me. I desire to get an authoritative opinion from the civil service commission on the following points:

1. Has the president of the United States any authority under the laws governing civil service to demand the resignation of a civil service employe under this classified list?

2. Has the president the authority to cause the dismissal of any civil service employe without preferring charges in writing and giving said employe an opportunity for making a defense? Very respectfully yours, EDGAR S. MACLAY.

To this the commission replied as follows:

December 26, 1901.—Mr. Edgar S. Maclay, Office of the General Storekeeper, Navy Department, New York.—Sir: The commission is in receipt of your letter of December 24, 1901, asking its opinion on the following questions:

Has the president any authority under the laws governing civil service to demand the resignation of a civil service employe in the classified list?

Has the president the authority or power to cause the dismissal of any civil service employe without preferring charges in writing and giving said employe an opportunity in which to make a defense?

In response you are informed that it is contrary to the practice of the commission to undertake to answer hypothetical questions. Your separation from the service, according to the facts in your case as they appeared in the public press, was made upon the order of the secretary of the navy, in whom the power of removal rests.

The demand for your resignation, followed by your removal upon the direction of the president through the secretary of the navy, was in violation of the civil service act and rules, in view of the well known facts in your case. The object of the rule requiring notice and a hearing was to prevent political removals or removals upon secret charges. No issue of this kind is involved in your case. Very respectfully, JOHN R. PROCTOR, President.

HAS CONFIDENCE IN CHAFFEE

General is Able to End Insurrection in the Philippines.

MANILA, Dec. 27.—It was publicly announced that the ratio for the first quarter of 1902 will be \$2.10, Mexican silver, to one American gold dollar. General Wright, the acting civil governor, says that, though unsatisfactory, this is the only solution of the matter the Philippine commission thought possible. He hopes for early action by congress on this subject.

General Wright considers that the situation in those parts of the Philippines, where military operations are being carried on, as promising. He has the greatest confidence in General Chaffee's ability to end the insurrection in the islands and says perfect harmony prevails between the civil and military authorities.

Schley Gets Prize Money. WASHINGTON, Dec. 26.—The treasury department drew a warrant in favor of Rear Admiral Schley for \$3,334, his share of the prize money due him for the destruction of the Spanish fleet at Santiago July 3, 1898.

Young Takes Otis' Place.

CHICAGO, Dec. 27.—Major General S. M. B. Young, at present in command of the Department of California, will assume control of the Department of the Lakes, with headquarters here. The change, made at his own request, will take place March 1. The transfer is in the line of promotion. March 16, 1902, Major General Elwell S. Otis will retire because of age. He is in command of the Department of the Lakes.

CLEVELAND ACCEPTS PLACE

Will Become Member of the Labor Arbitration Committee.

NEW YORK, Dec. 27.—Former President Cleveland has accepted an appointment to the industrial department of the National Civic Federation created at the recent peace conference of labor and capitalistic leaders. His letter of acceptance, in which he approved the plan of industrial peace, was delivered to Oscar Strauss, who was chairman of the conference. It read as follows:

PRINCETON, N. J., Dec. 24, 1901.—My Dear Mr. Strauss: Your letter of the 18th inst. is at hand. Illness has confined me to my room for almost five weeks and I am now hardly able to sit up and write this.

My desire for the quiet and comfort of absolute retirement from public or semi-public service is very strong, and grows stronger as the days pass. I should, without hesitation, yield to this and decline your request that I accept a place among those who are to seek the promotion of industrial peace by friendly intervention in troubles between employers and the employed, if I were not afraid that I should thereby disregard an important duty. My reflections have made it clear to me that I should accept the place assigned to me, and I do so with an earnest wish that those selected to actively represent the purposes and motives of your conference may not labor in vain. Yours very truly, GROVER CLEVELAND.

Hon. Oscar S. Strauss, New York. Mr. Strauss said, in giving the letter to the public, that every man named on the general committee had signified acceptance of the trust and work.

WAR CLOUD IS DISPELLED.

Chile and Argentina Withdraw Troops and Will Arbitrate.

WASHINGTON, D. C., Dec. 27.—The Argentine minister, Dr. Garcia Garcia-Merou, today received a dispatch from the minister of foreign affairs at Buenos Ayres, announcing the satisfactory termination of the Chile-Argentine trouble and giving the basis of settlement. The dispatch is as follows:

"The pending incidents with Chile have been solved by agreement directly with the government of that country and in a satisfactory form. Chile gives explanation of the opening of roads through the disputed territory, and both governments agree to withdraw the police forces which they have maintained in the territory in controversy, situated near the inlet of Ultima Esperanza. ALCORTA, 'Minister of Foreign Affairs.'

Garcia-Merou expressed himself as highly gratified at the disappearance of the war cloud and pointed out that that terms of the settlement showed that Argentina's earnest desire to maintain peace has led her to make considerable sacrifice.

By both forces withdrawing their police from the locality the government ownership of the Ultima Esperanza territory becomes a question of arbitration.

SOLDIERS INDULGE IN RIOTING

While Away Lonely Hours at Presidio by Wrecking Saloons.

SAN FRANCISCO, Cal., Dec. 27.—Last night's riot at the Presidio had a sequel tonight. The saloon of Dave Tarpey, just outside of the Presidio, where last night's trouble occurred, was completely wrecked.

About 7 o'clock nearly 200 soldiers surrounded Tarpey's saloon and began shooting and firing rocks into the building. The windows and doors were broken and bar fixtures demolished. A riot call was answered by a platoon of mounted artillery, who quickly suppressed the riot. Several arrests were made.

William Ross, a soldier, who has been doing extra duty at Tarpey's saloon, ejected two soldiers from the place on Tuesday night because they were unruly and for this he secured the enmity of the mob element among the soldiers.

Notable Ex-Slave Killed.

GUTHRIE, Okl., Dec. 27.—Simon Owens, aged 102, was burned to a crisp in his cabin in this city today. He was born a slave on General Andrew Jackson's plantation and was crippled for life at Vicksburg, when the city was besieged by General Grant.

Russia Gets a Treaty.

ROME, Dec. 27.—The draft of a treaty of commerce between Italy and Russia has been signed at St. Petersburg. It will require ratification by the Italian chamber of deputies.

Canadian Train Collide.

SAULT STE. MARIE, Ont., Dec. 27.—The local express and a work train on the Canadian Pacific railroad collided between this place and Webberwood while running at full speed and four or more men were killed and several severely injured. The crew of the work train, which contributed most of the killed, were from the Michigan Soo. With the exception of Engineer McDivit, the names of the dead have not been learned.

IS NOT AFTER MONEY

But Italy Wants Protection for Its Citizens Residing in America.

OUR LAWS ARE NOT ADEQUATE

The Authorities of that Country Apprehend the Difficulties Which Our System of Government Entails in Such Matters.

WASHINGTON, Dec. 26.—The Italian government has renewed its efforts of late with the authorities in Washington to have our federal statutes so extended as to protect foreigners in cases arising within the jurisdiction of states, thus giving a federal remedy for lynchings and like affrays directed against Italians, such as have occurred in Louisiana, Colorado and Mississippi. It is the exchange of views in this connection which recently brought on the discussion in the Italian senate when Baron Fava interpolated the Italian premier as to the progress of an adjustment. Immediately on the arrival of the new ambassador, Signor Mayor des Blancs, he took up this question, which had arisen in connection with the lynching of several Italian citizens at Erwin, Miss.

In this connection Signor Mayor said: "Under the treaty which exists between Italy and the United States the citizens of each country are guaranteed the fullest protection while residing in the other country. In the case of Americans residing in Italy, they had exactly the same rights, the same protection, the same recourse to the courts, that Italian subjects enjoy. The only exception is in connection with political rights. In the case of Italians residing in the United States the treaty assures them the same rights and protection given to American citizens. But unfortunately the expression of the treaty, so far as it relates to Italians in this country, is somewhat theoretical, for under the American system which limits the federal authority over states, the central government is not able to give effect to the guarantee laid down by the treaty.

"We fully recognize the difficulties of this situation, which has been apparent to the statesmen of this country as they have to those of Italy. We have hoped this would bring about the enactment of a law which would permit the federal government to carry out the guarantees of treaties. This would be a genuine remedy for affairs similar to those which have occurred in Louisiana and Mississippi and would prevent the periodical agitation over cases arising in the states. As these cases arose they would be assured of attention under the federal authority with careful regard for the execution of treaty obligations.

"Since the recent lynchings at Erwin, Miss., there has been more or less discussion of the payment of a money indemnity. But, in the view of the Italian government, the question of indemnity does not enter into the case. There has been no suggestion coming from us, much less a demand for a cash indemnity to the government. The Italian government does not seek blood money."

To Use Boers Against Boers.

PRETORIA, Dec. 26.—The formation of a new burgher corps to be known as national scouts has aroused great interest among the surrendered burghers. In view of numerous meetings and applications, General Lord Kitchener has authorized the creation of new fresh wings to operate in the southern and eastern Transvaal under prominent Boer leaders elected by the burghers themselves. It is stated that much of the recent success of the British is due to the co-operation of Celliers' and Cronje's commands acting under General Bruce Hamilton.

Maclay Will Be Guided.

NEW YORK, Dec. 26.—When seen at his home and informed of his dismissal from his position in the navy yard by President Roosevelt, Edward Stanton Maclay said: "I have written to the civil service authorities at Washington, asking for a formal opinion on this subject. I shall be guided in my action by the advice received from this source."

Dunlap Smith is Dead.

CHICAGO, Dec. 26.—Dunlap Smith, a leading financier and real estate dealer of this city, died of pneumonia. He was the youngest son of Perry H. Smith, who was one of Chicago's wealthiest citizens during the '70s and '80s.

Gomez on a Campaign Tour.

HAVANA, Dec. 26.—According to telegrams printed in Senor Estrada Palma's official organ, General Gomez is faring badly on his political tour in favor of Palma. In the Puerto Principe province his meetings have broken up, he has been greeted with shouts of "traitor," and stones have been thrown at him. General Gomez was mounted on the same horse he had used during the war, and is accompanied by a band and veterans.

SHAW FOR THE CABINET.

Iowa Governor is Suggested as Successor to Secretary Gage.

WASHINGTON, Dec. 25.—It is announced in official circles that Governor Leslie M. Shaw of Iowa has been tendered the office of Secretary of the treasury to succeed Secretary Gage. President Roosevelt is waiting to hear from Governor Shaw about the matter, and in the event of his refusal it is said Myron T. Herrick of Cleveland will be offered the treasury portfolio. Senators Allison and Dooliver have been using their influence with the president in Mr. Shaw's behalf and in addition numbers of other senators have been importuned in favor of Iowa's executive. Should Governor Shaw accept the tender this would give Iowa two representatives in the cabinet, as James Wilson, secretary of agriculture, hails from that state.

At the Washington office of the Associated Press it was said with authority that a tender of the office of secretary of the treasury to succeed Secretary Gage had been made to Governor Shaw, but it was understood that no response had been received from Governor Shaw to the inquiries sent him.

RECORD YEAR FOR SALES

American Agricultural Implements Took Russia by Storm.

WASHINGTON, D. C., Dec. 25.—The sale of American agricultural machines and implements in Russia during 1901 was the largest on record, according to the report of United States Consul Henan at Odesa. Mr. Henan says the increased tariff exacted by Russia on certain American products in retaliation for the American tax on Russian sugar, up to the date of his report, November 9, had not made much impression on the imports of those articles, but he adds that it probably is too early to determine the effect of the Russian increased tariff.

He says that such machines as harvesters, binders, mowers, reapers and horse rakes of American make are so well and favorably known as to defy serious competition in Russia, and that there are a number of other agricultural implements, such as plows, drills, seeding machines, etc., of American make, which are not to be found in the empire.

MUST LEAVE DEPARTMENT

Historian Maclay Falls to Respond to Resignation Request.

WASHINGTON, Dec. 25.—Nothing has been heard at the navy department from Historian Maclay in response to the department request for his resignation. Under the rules an employe is allowed three days' grace in which to show cause why he should not be dismissed, and although this rule having been made by the executive authority may be disregarded at its pleasure, it is believed that Maclay will be given a reasonable time to quit the naval service, for it is certain that he must go. In line with the determination already reached to stop the further discussion of the Schley case, so far as the executive branch of the government is concerned, the navy department has decided that it will ignore the reported recent utterances of Rear Admirals Brown and Bellknap in the lines of General Miles' interview.

Place for James B. Parker.

ALTOONA, Pa., Dec. 25.—James B. Parker, the negro man who gave Czolgosz his quietus on the day of the assassination of William McKinley, stopped in Altoona en route to Washington, where he has been summoned at the instance of Senators Hanna and Mason. Arrangements have been perfected for appointment of Parker to be senate messenger.

Religious Excitement Causes Suicide.

SIOUX CITY, Dec. 25.—Emma Stillwell, aged 26, burned herself to death while in a fit of insanity caused by religious excitement. She loosened the neckband of her dress, poured kerosene between her clothing and her body and set fire to the fluid with a match.

Roosevelt's Holiday Program.

WASHINGTON, D. C., Dec. 25.—President Roosevelt's present intention is to remain in Washington during the holiday week, but he desires to obtain a respite from official duties and will see only such visitors as have urgent and important public business to present.

Asks Withdrawal of Name.

WASHINGTON, Dec. 25.—Charles F. Wencker, who was nominated for the position of collector of internal revenue for the St. Louis district just before the holiday recess of congress, but whose nomination was not confirmed, has telegraphed the president to withdraw his name. Wencker was not an avowed candidate for this position, but was selected by the president as a compromise between the opposing factions in Missouri.

ASKS A FORMAL TRIAL

Maclay Disputes Right of Discharge Without Investigation.

HE APPEALS FOR A HEARING

Secretary Long Intimates that Maclay Will Be Summarily Removed if He Refuses to Obey President's Order to Leave His Position.

NEW YORK, Dec. 25.—Edgar Stanton Maclay, whose connection with the Schley case led President Roosevelt to request his resignation as special laborer to the navy, made formal demand for trial today by usual naval procedure. He averred that his case came under the civil service law and that he could not be dismissed without formal charges, trial and conviction. The request for his resignation was sent to him by Rear Admiral Barker, commander of the navy yard at Brooklyn, and he replied at once by letter, formally setting forth his position.

Discussing the case Maclay said: "The president cannot have me dismissed under the law, as I see it. I do not see how he can force me out. "I am protected by the civil service laws enacted by congress, whose enactments the president is bound to execute. I do not know positively, but I believe that my position under the civil service furnishes me a complete protection so long as I violate no rules of the service, and that I have not done, and that I have so stated in my letter to the commandant in answer to the request for my resignation.

"No, I did not say that the president is as bad as the czar of Russia. I have done nothing more than write the commandant and ask that charges be preferred against me, and I will do nothing more just now. I have not been suspended, and am working here today as I have been doing for fifteen months. I have tried to do my duty here and have broken no rules, and shall simply stand by my rights more for the principle of the matter than anything else, for my position here pays me very little, and is chiefly valuable because of the experience and information it affords me as material for my books."

Rear Admiral Barker forwarded Maclay's letter to Washington.

WASHINGTON, Dec. 25.—Secretary Long said tonight that he had not received the reply of Mr. Maclay to the request for his resignation. Pending its receipt the secretary said he did not wish to enter into a discussion of the matter for publication.

In his informal discussion of the matter today Secretary Long made it perfectly plain that the president's intentions in regard to Maclay would be carried out regardless of the latter's declaration that he is protected by civil service rules. It is expected if he does not resign he will be removed summarily.

GERMANY HAS CLEAR TRACK

Attention Called to the Position of the United States.

NEW YORK, Dec. 25.—A dispatch to the Herald from Berlin quotes the Vossische Zeitung as follows upon the question of the Venezuelan claims: "The matter can certainly be arranged without coming into conflict with the United States. We have only to recall the memory of the words of the recent presidential message in which Mr. Roosevelt used these expressions: "We do not guarantee any state against punishment if it misconducts itself, provided that punishment does not take the form of acquisition of territory by any non-American power." "It will be remembered that two weeks before that message the German representative in Washington had delivered a very precise message from Emperor William to the effect that Germany had no intention of acquiring land either in South America or in the West Indies.

"Therefore, the relations between Germany and America upon that point are the clearest possible, and it cannot be difficult to assert the demands of Germany in Venezuela."

Hill Letter Has No Effect.

ST. PAUL, Dec. 25.—Attorney General W. B. Douglass, in an interview, states that the published letter of J. J. Hill, in explanation of recent transactions in the stocks of western railroads and the purposes of the Northern Securities company, would not in any way influence the action which has been contemplated by the state officers of Minnesota. Attorney General Douglass declined to discuss the matter of the letter at this time.

Alger in Good Condition.

DETROIT, Mich., Dec. 25.—Dr. Longyear, attending surgeon on General R. A. Alger, stated this evening that the general's condition was good. "His pulse is 76 and his temperature is less than 100 and he is very cheerful," said the doctor. "The general says that he feels better tonight than he has for some time," continued Dr. Longyear, "and I have no apprehension at present of a change for the worse."