

STRAIN IS KILLING

FATHER OF NAN PATTERSON SEES SIGNS OF ISSANITY.

HIGHLY NERVOUS STATE

DECLARED TO BE PHYSICAL AND MENTAL WRECK.

Profess of Bill Up to Fifty Thousand Dollars by Wealthy West Virginia Men.

NEW YORK.—Nan Patterson's father who spent the greater part of the day with his daughter in the Tombs, said after leaving her that she feared she was going insane.

"She is breaking down completely," he said. "I tell you my little girl is a physical and mental wreck. I am afraid that her mind is giving away under this dreadful strain. She is worse than she was when she collapsed after hearing of the jury's disagreement. I have sent for our family physician."

Dr. Maguire was sent for later, and after examining Miss Patterson said: "Miss Patterson is highly nervous and even in an hysterical condition but in my judgment there need be no fear of insanity. She laughs a good deal, but laughter is more on a hysterical character than from any impulse that would appear from insanity. She needs good care and constant watchfulness and company."

The former show girl was in better spirits than at any time since the second jury which had the testimony in her case reported that they were unable to agree upon a verdict. She believed, she said that the freedom for which she has longed for more than six months was about to be granted. Telegrams had come to her from Wheeling, W. Va., announcing that four prominent men in that city were prepared to furnish bail for her in the amount up to \$50,000.

If the offers from Wheeling have been made in good faith it is probable that the court will be asked within a few days to fix the amount of a bond.

While Miss Patterson would not reveal the names of the Wheeling men who offer to go on her bond, dispatches from that city say they are Charles W. Swisher, secretary of state-elect, of Wheeling and H. J. Price, a merchant; T. A. Devoney, a lawyer, and Edward Slack, a banker of Fairmont.

Later one of Miss Patterson's counsel gave what he said was the telegram sent her from Fairmont, W. Va., dated December 23, offering to give bail for her release. The copy was as follows:

"Fairmont, W. Va.—Nan Patterson, care Tombs, Prison, New York City. We furnish bail to the extent of \$50,000 if necessary.

"T. J. DEVONEY,
"H. J. PRICE,
"EDWARD SLACK,
"C. W. SWISHER,
Secretary of state elect."

Miss Patterson's counsel conferred with assistant District Attorney Rand. Afterwards it was learned that both sides desired delay and it seems probable that Miss Patterson will not be put on trial again, for several months.

FAIRMONT, W. Va.—T. A. Devoney, one of the wealthiest men in this city, confirmed the report that he, H. J. Price and Edward Slack, also local business men would furnish Nan Patterson bond to the extent of \$50,000 if necessary not in order to receive no money, but because they believe her innocent of the crime with which she is charged.

A telegram sent Nan Patterson at the Tombs, New York City, bore the names of the above and also that of C. W. Swisher secretary of state-elect. Swisher positively claims he never signed the telegram, or even authorized his name in any way to be used in this connection.

Signs Of Upheaval

ST. PETERSBURG.—It is evident from the reports received from the interior that the fairly good impression produced by the imperial manifesto on the subject of reforms may be more than offset in many places by the effect of the government note of warning to the zemstvos. Private reports from Moscow, especially, indicate that much excitement prevails there and the gravest fears are expressed that the ancient capital of Russia may be the scene of bloody excesses.

NOT FREE OF FLAWS

RUSSIAN IMPERIAL DECREE OPPOSED BY EXTREMISTS.

Many Reforms Demanded by the Zemstvos, However, Conceded, and Movement a Step in Right Direction.

ST. PETERSBURG.—While Emperor Nicholas' manifesto on Russian reforms, coupled with the government note of warning on the same subject, leaves no doubt that it is the firm intention of the emperor to maintain unimpaired the autocratic principle which no observer ever imagined he would relinquish and not yield to the zemstvoist demand for a national legislature, the program of reforms outlined is a broad one, and if it has not been accomplished with universal acclaim in Russia as extremely liberal. The raising of the peasants to an equality with other citizens of the empire is alone practically second only to the emancipation of the serfs, but hardly less important are the guarantees which the manifesto direct to be incorporated in the law for the protection of the personal liberties of the people against the abuse of administrative arbitrariness.

The measures taken under the state of siege are on longer permissible except in cases of crimes against the state.

The increase in the independence and scope of the dumas and the zemstvos, as well as the creation of smaller zemstvos units, the definite protection of the Jews, Armenians and other unorthodox sects and the revision of the press laws are all on the line of the zemstvo demands.

The extremists of course are not satisfied and many of the moderate liberals are disappointed. The government note threatening drastic measures in the event of a continuation of the violent agitation which the government considered necessary in order to put a stop to the existing ferment, is resented deeply by them, and it is feared will inflame rather than allay the present agitation. Harsh measures, it is understood will, however be avoided, and the government expects that the solid nature of the reforms offered will gradually draw to its support all except the extreme radicals.

Fully as important as the government's response to the zemstvoists is the position in which M. Witte is placed. The old finance minister becomes the man of the hour, confirming the reports that he is again in high imperial favor. Moreover, this body, the duties of which heretofore have been purely perfunctory, are raised to the highest dignity and constitute for the first time a species of ministerial which is apt to make the committee of ministers a real cabinet. In addition to the ministers six grand dukes are members of the committee. As the imperial manifesto directs into effect some papers, notably the Russ Band in these words that the committee may call in zemstvo representatives.

The general opinion is that the manifesto represent a victory for Interior Minister Sviatopolk-Mirsky and the conservative liberals over M. Poretskoff and the reactionaries and practically places the strong combination of M. Witte and Sviatopolk-Mirsky behind the government's program. The vagueness in which the reforms are outlined gives possibilities of expansion or limitation according to their ideas prevailing. With a man of M. Witte's domination or force at the head of the ministers the general belief is that he will control in the end.

Those allied with the zemstvoists express the intention of continuing the agitations despite the czar's note of warning. They believe that the dissimilarity of the two documents will enable them to continue the fight on the ground that the manifesto is a conciliatory spirit and represents the views of the emperor and that the government note, with its over threat of repression, is the work of the bureaucracy, against which their campaign is aimed.

The response of the people generally and of the extreme liberals and revolutionists to the government's attitude is awaited with intense anxiety. No one imagines that any of these classes will be satisfied out upon the courses they have elected to pursue will depend the question of a possible crisis in the near future.

SENT TO HER CELL

JURY UNABLE TO AGREE IN NAN PATTERSON CASE.

RESULT BLOW TWO MEN

ALL IN THE TOMBS AND ON VERGE OF A BREAKDOWN.

Counted Confidently on Acquittal, and Outcome Bitter Disappointment—Future Action Not Decided On.

NEW YORK.—Following a day of intense nervous strain, Nan Patterson is in the Tombs, ill and on the verge of a breakdown but with constant attendance. The former show girl expecting acquittal at the hands of the jury which has listened to the evidence in her trial for the murder of Caesar Young last June, went into the court this noon to learn that the twelve men chosen to decide as to her innocence or guilt had been unable to reach an agreement, in fact had divided evenly over the question as to whether or not she held the revolver which ended Young's life.

The jury stood six to six, half for acquittal the other for conviction. Although no official announcement was made further than this, court house talk had it that of the six deciding against Miss Patterson none was for conviction for the murder in the first degree; that one held out for murder in the second degree, two for manslaughter in the first degree and three for manslaughter in the second degree.

Immediately the announcement of the verdict was made Miss Patterson broke into a fit of weeping which continued even after she was led from the court room to another chamber, where physicians were called. Then she was taken to the Tombs but she again wept and moaned and became hysterical and the efforts of her father, the prison matron and attendants to quiet her were futile.

The demonstration in the court after the announcement of the decision, was somewhat remarkable, many pressing forward to express sympathy for the young woman.

Abram Levy, chief counsel for Miss Patterson, called on his client in the Tombs and remained with her an hour. He was ill in bed when the court convened, but when he learned of the action of the jury he went to the jail to cheer his client.

"The girl is in a very bad mental condition," he said, after he left her.

"She is almost constantly hysterical but I don't think she will collapse. I hope I left her in a somewhat better frame of mind. I, of course, cannot tell what we will do for her yet. The counsel for the defense will have consultation and will then do the best we can for her.

"If the retrial is not right away I am going to make a desperate effort to get bail for her. I will plead with Mr. Jerome to reduce the bail to \$15,000 and will be able to think to arrange for that amount and thus let her have her freedom while again waiting the long nerve-wrecking ordeals she will have to face."

Interest tonight centers in District Attorney Jerome's future action. He has not said what he will do, but it is intimated that the way the jury stood may influence him as to a new trial. The jury took but one ballot, according to the foreman and devoted the remainder of the time to discussion. From first to last the division was even. For twenty-four hours they discussed the evidence and one juror is quoted as saying five of those who stood for acquittal tried on the coast which Young wore at the time of his death and with a revolver attempted to demonstrate that suicide was possible.

The interest in the case was so intense that the crowds which had stood outside the court building all the morning pursued Foreman Hamer of the jury when he left the court after the final adjournment. He boarded a trolley, but men chased the car to its business office and mounted police were called on to disperse the throng.

FALL ONE BY ONE

POSITIONS BEFORE PORT ARTHUR CAPTURED BY JAPANESE.

Plans Made to Meet Emergencies That May Arise Following the Arrival of the Baltic Fleet.

TOKIO.—The Port Arthur besieger occupied Tanchutai on Saturday. It is announced officially that the whole of the positions in front of the Japanese right has fallen.

TOKIO.—The following report was received from the besiegers at Port Arthur.

"A body of our right wing surprised the enemy at Housantantun (Housantantun) and Siantantun (the latter about six and a half miles northwest of Port Arthur), at 10 o'clock Saturday night and occupied the villages, and subsequently dislodging the enemy, occupied the whole of Talluchiantun (about five miles northwest of Port Arthur), at 2:35 o'clock this morning.

"Our repeated attacks during the past few days were uniformly successful and now the whole of the enemy's advanced positions fronting our right wing is in our hands."

Great Military Camp.

TOKIO.—Tokio is again a great military camp, and the scenes of last spring, when the first armies were mobilized and dispatched are being duplicated. Thousands of recruits and reservists are assembled, drilling and equipping preparatory to taking the field. The permanent and temporary barracks are filled, and it is necessary to billet the soldiers brought to the city. Oyama field is the center of activity, where infantry, cavalry and artillery are constantly drilling. The batteries fire blank charges for the purpose of breaking in the new horses. The general military preparations are enormous. It is planned to give Field Marshal Oyama a rough total of half a million men, with a heavily increased artillery arm, besides providing a defense for Formosa and the southern islands in anticipation of the Russian second Pacific squadron attempt to seize a base. The part of Kelung, in Formosa, has been declared in a state of siege, and other positions in Formosa and the Pescadores are progressing. Winter is not interfering with the Japanese transport service. The railway between Dalny and Yental is working well, and other running time between Tokio and Liao Yang is six days.

To Arrest Dr. Chadwick.

CLEVELAND.—Sheriff Barry left for Albany, and New York, carrying with him papers for the arrest of Dr. Leroy S. Chadwick, who is expected to land at New York on the steamship Pretoria some time Wednesday morning.

Mrs. Chadwick showed unusual nervousness. She finally sent for the sheriff with the statement that she wanted to take over the trip to New York and the impending arrest of her husband.

The sheriff spent almost an hour with the woman in her cell, during which time she wept convulsively. "I know you will treat my husband as kindly as possible, but please remember that he is innocent of any wrong doing," said Mrs. Chadwick, as the sheriff entered her jail quarters. During the hour that the sheriff was talking with her Mrs. Chadwick repeatedly asked him to be kind to Dr. Chadwick. To this the woman deplored the indictment against her husband and said it was all an awful mistake.

"This is the worst thing that has happened during all the trouble of the last few weeks," said Mrs. Chadwick. "I never thought my husband would be dragged into this affair, it is so unjust, for if ever an honest man lived it is my husband."

Mrs. Chadwick asked the sheriff to tell her in detail of all his plans. Several times she referred to the doctor's daughter by a former wife, who is returning with Dr. Chadwick to this country. The woman also especially asked that the sheriff do everything possible for the young girl.

"Remember all I have told you," called out Mrs. Chadwick as Sheriff Barry was leaving the jail. "This is terrible, but there is one satisfaction, I will see my husband soon."

NEW ERA PROMISED

PLEDGE OF REFORM IN RUSSIAN IMPERIAL UKASE.

MORE LIBERTY FOR PEOPLE

MEASURE OF SELF-GOVERNMENT DECLARED IN STORE.

Time Admitted to Be Ripe for Change, and Will Be Met, Though It Involves Essential Innovations.

ST. PETERSBURG.—An Imperial ukase issued makes decidedly liberal promises under a number of heads. It promises a full and equitable enforcement of existing laws; assured a zemstvo of the fullest possible measure of self-government and the enforcement of laws now existing in their behalf; promulgates a scheme of workmen's insurance; extends the liberty of the press and promises a full legal trial of all persons accused.

The imperial decree, which is entitled "A scheme for the improvement of the administration of the state," is addressed to the senate and is as follows:

"In accordance with the revered will of our crowned predecessor, and thinking unceasingly of the welfare of the realm entrusted to us by God, we regard it as our duty and the government's duty in conjunction with undeviating maintenance of the immutability of the fundamental laws of the empire, to have unflinching care for the country's needs, distinguishing all that really interests the Russian people from tendencies not seldom mistaken and influenced by transitory changes and circumstances.

"When the need of this change is proved ripe, then we consider it necessary to meet it, even though the transformation to which it leads involves the introduction of essential innovation in legislation. We do not doubt that the realization of such an undertaking will meet with the sympathy of the well disposed section of our subjects, who see the true prosperity of our fatherland in the support of civil tranquility and the uninterrupted satisfaction of the daily needs of the people.

Simultaneously with an investigation of the initial proposals of the ministry of the interior, which are being carried out locally, conferences are now being held by commissioners especially selected from amongst the most experienced of the highest administrative officials regarding the most important questions of peasant life, assisted in their investigation of the general needs of the agricultural industry by the knowledge and experience of local committees. We command those to labor to bring the laws regarding peasants into unity with the general imperial legislation, thereby facilitating the task of attaining permanent security of this estate, which, by decree of the czar liberator, is recognized as consisting of free citizens possessing full rights.

"Surveying the wide domain of the peoples uttermost needs, we regard as urgent in the interest of the legal strengthening of civic and public life:

"First—The adoption of effective measures for safeguarding the law in its full force as the most important pillar of the throne of the autocratic empire, in order that it inviolable fulfillment for all alike shall be regarded and the first duty by the authorities and in all places subject to us, its non-fulfillment shall inevitably bring with it legal responsibility for every arbitrary act, and that persons who have suffered wrong by such acts shall be enabled to secure legal redress.

"Second—That municipal institutions should be given as wide scope as possible in the administration of various matters affecting local welfare, and that they should have conferred upon them the necessary independence within legal limitations and that representative of all sections of the population is interested in local matters would be called upon, under equitable conditions, to take part in these institutions with a view to the complete satisfaction possible of their needs. Besides the government and zemstvo district institutions hitherto existing there should be established in close connection with them public institutions for the public administration of local affairs."