

A FATAL FIRE.

Nineteen People Burned to Death and Forty Injured

IN EAST NEW YORK.

Many Acts of Bravery Performed by the Firemen and Others. Fire Chief Croker Asserts that the Police and Tenement House Department Are Liable.

In New York on Tuesday morning of last week before daylight nineteen persons were burned to death in a fire which destroyed the five story tenement house at 105 Allen street. More than 40 were injured and only a few of the sleeping inmates escaped unhurt. Several of those who perished were rushed to death in plain view of thousands in the streets. Coroner Goldenkrans declared after an investigation that he had reason to believe the blaze was the work of an incendiary. The fire started in the basement and spread with frightful rapidity to the roof. The victims were caught in traps of flames, the walls and exits being rendered impassable in a few minutes after the blaze started.

The building was one of the usual crowded tenements and the disaster was the worst in the history of the East Side. The district attorney's office has begun an investigation to place the blame for the great loss of life. Chief Croker of the fire department asserts that the police and the tenement house departments are to blame for the violations of the fire escape law. The tenement house department officials, however, say that the blame is on the shoulders of the fire commissioner.

Of the 19 dead, three bodies, those of a boy and two girls, remain unidentified. The identified dead are: Solomon, 45 years; Jacob Solomon, 19; Isaac Solomon, 18; Jesse Cohen, 15; Gershon Wiener, 30; Rose Wiener, 23; Sarah Wiener, 30; Sarah Kline, 60; Belle Zeldler, 30; Harry Zeldler, 11; Ida Muskow, 10; Harry Kaufman, 10; Rose Miller, 4; Morris Miller, five months old. Crowded fire escapes in the rear of the tenement houses were largely responsible for so many deaths and injuries among its population, which approached 200 souls.

HEARTRENDING SCENES.

The scenes were heartrending. The fire started in the basement occupied by Isaac Davis, his wife and three children. When Davis reached his home early Tuesday morning and went into his store on the same floor he saw a kerosene lamp in the rear explode. He awoke his wife and both tried to put out the flaming lamp, but without success. A policeman who heard the cry of alarm rushed to the scene and every effort was made to rouse the sleeping people.

Meantime the flames had spread with startling rapidity and the occupants of the upper floors awoke to find themselves confronted by a wall of flames on nearly every side. Panic stricken people rushed to the fire escapes only to find them littered with rubbish. On some of the escapes the rubbish was so closely packed that it became impossible to pass certain points and men, women and children stood literally roasting to death as the flames roared through the windows around them. One of the escapes was manned by Policeman John J. Dwan, who had ran a plank across to the window of an adjoining building. He rescued nearly a dozen persons, but finally fell 20 feet to the pavement and shattered his shoulder. Dozens of people were taken from the crowded fire escapes and upper windows. By this time the building was a furnace and the rescues were effected in many cases only through heroic efforts of the firemen. Lieutenant Bonner, son of the former fire chief, ascended the now red-hot fire escapes five times.

MANY HEROIC RESCUES.

Four times he brought down a woman or a child in his arms. The fifth time he was descending with an unconscious woman, but staggered and was barely saved from death. Once Bonner rescued a little girl from a window where she stood surrounded by flames. She pleaded with him to leave her on the escape and go in after her little brother who she said had fallen unconscious. Bonner then jumped into what looked like a furnace, found the boy and saved him. Fireman Hannigan repeated Bonner's feat on the third floor. Death reared a harvest quickly on the fire escapes. In the rear two men and two women were descending, the men helping the women to remove heavy obstacles from the escapes. Suddenly flames darted from the third floor windows and the quartet fell and roasted to death. Another person with clothes afire was following but likewise sank in the flames. On top of one fire escape lay three bodies, Mrs. Solomon and her two sons, Isaac and Ja. ob. They had been overcome by the flames. Two others of the Solomon family were seen to look from the windows and then fall back in the burning building.

The elder Solomon, the husband and father, was rescued. As the rescues recognized the charred bodies of their loved ones they wept and cried agonizingly. The streets were filled

with half dressed, weeping, searching people, imploring the rescue of those within the burning structure. When the tenants dashed for the roof, they found the door, which should have swung easily open, fastened down. Unable to burst it open, and wedged in by the surging mass below, numbers were burned to death.

COTTON REPORTS.

The Southern Cotton Association Will Issue Them in Future.

Absolute correct statistics of the cotton crop will be one of the main features of work to be done by the Southern Cotton association. Reports will be issued through the press of the country every ten days telling of the conditions of the crop, the number of bales ginned and general crop conditions. The association will have reports of its own, and will not depend on the hearsay reports of the government. President Harvie Jordan has written an article on the subject of statistics which will be read with great interest. Mr. Jordan says: "One of the most important and valuable features in connection with the work of the Southern Cotton association will be its ability and opportunity to gather correct statistics with reference to the cotton crop of the South. Since the wide agitation of the cotton question during the last three months through the general press of the country and the opportunities of the farmers to get information quickly through the establishment of rural delivery routes, and also their growing interest in securing information, it is highly important that they be placed in possession of all the information possible which relates to the handling of the great staple crop in which they are so deeply interested as producers. At the present time there is a widespread and general demand for some definite information in cotton acreage and use of commercial fertilizer, the detailed plans of retreating the 2,000,000 bales surplus and also the extent of and the present temper of the farmers to continue to hold their cotton for better prices. The farmers in North Carolina, for instance, desire to know the exact condition of affairs in Texas, and the Texas farmers wish to be informed as to what is being done in Georgia and the Carolinas. All of this information cannot only be gathered through the Southern Cotton association and distributed for the benefit of the farmers and business men of the South, but steps are already being actively taken to get up these statistics in the near future for general distribution. The state presidents and secretaries of the various state divisions have been requested to get in close touch with the presidents and secretaries of the various cotton growing counties and parishes and have this detailed information gathered through the chairman of the various civil sub-divisions. This information as it is gathered will be submitted to the secretaries of the counties or parishes and will be by them compiled and forwarded to the state secretaries, the state secretaries in turn will forward the information to the secretary of the Southern Cotton association, where a general and condensed compilation will be made of such statistics and prepared in proper form to be mailed to the members of the Southern Cotton association throughout all the cotton states and territories."

The office of the censor has been removed to Santoupu, eight miles north of Tlie pass, as existence at Tlie pass for civilians is almost impossible. Practically all the newspaper correspondents have left for Harbin. For several nights the Associated Press correspondent has slept without covering on the frosty ground and for two days he had nothing to eat. It is rumored that Chinese killed 80 foreigners in Mukden after the Russian evacuation of that place. According to Chinese reports the governor of Mukden gave a banquet in honor of the Japanese generals after their triumphal entry into the city.

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Another Big Battle.

News is expected of another great battle at Tieling similar to the engagement on the Shalke river, after the fall of Liao Yang. Many experts believe Kuropatkin's position at Tieling is stronger than the one he held at Mukden, owing to the protection given his right flank by the inward sweep of the Liao river and the necessity for the Japanese to cross the two rivers, Fan and Tobai, before they can begin the turning movement. On the other hand it is pointed out that Oyama's force must outnumber the Russians two to one, and if the Japanese can overcome the difficulties of crossing the rivers, they have a better chance of surrounding Kuropatkin and compelling him to surrender than at any time since the war began.

A Bold Thief.

A dispatch from Charleston to the State says Magistrate Bouse was called upon Wednesday to dispose of a youthful negro burglar, Edward Sledge, who was sentenced, as far as he was concerned, by committing the boys for trial at the next term of the sessions court. Not content with forcibly entering the residence of Mr. J. D. Kelly, on Wentworth street, but after helping himself to what he wanted, the negro had the audacity to go to sleep in Mr. Kelly's bed, where he was found by the head of the house. Mr. Kelly applied a razor strap vigorously in awakening the boy, and when he was thoroughly awakened, Mr. Kelly turned him over to a police officer, with the result just stated.

Don't Like It.

A fight which threatens to assume proportions of that waged against Roosevelt's Crum appointment is being fought by local Republicans against the appointment of C. W. Anderson, colored, collector of internal revenue for the second district of New York. The nomination was confirmed by the senate. Enemies of the negro Republican leaders are basing their opposition to the selection on two countenances. One is along racial lines, the other embodies the charge that he bears an unsavory record. Anderson, at present, is spending his time at Hampton, Va.

Believes Kuropatkin.

A dispatch from St. Petersburg says it is now definitely stated that Emperor Nicholas has approved the decision of the council of war to send Grand Duke Nicholas Nikolaievich to replace Gen. Kuropatkin as the best means of putting a stop to the intrigues and jealousies among generals of the army both at St. Petersburg and at the front. Gen. Soukhomlinoff will be chief of staff.

Captured American Officers.

Minister Grisco reports to the state department that the American military attaches who were captured with the Russians at Mukden are Col. Valley Havard, of the medical corps, and Captain W. V. Judson, of the engineers. Later reports to the Grisco minister are that both are well and receiving every possible courtesy from the Japanese.

TIE-PASS LOST.

Japanese Are Pushing Russians Steadily On To Harbin.

THE JAPS REPULSED.

In His Masterly Retreat a Fertile and Well Supplied Country Lies Before Gen. Kuropatkin, With Few Defensible Positions in Reach of His Army.

A dispatch from St. Petersburg says flanking tactics by the Japanese apparently are in progress again. The Associated Press correspondent, who remains at Tlie pass telegraphs that Gen. Mishchenko on March 14 engaged a Japanese force on the Russian right. It is possible that the attacking force was a Japanese column which disappeared from observation during the battle of Mukden. The Japanese do not appear to have renewed the frontal attack up to noon Wednesday, the demonstration on Tuesday having shown that the Russians were prepared to make a determined resistance.

A dispatch from Santoupu says a sanguinary combat occurred on March 14 on the centre advanced line of the Russian army eight miles south of Tlie pass. The Russians repulsed the attack and even made a small advance through 1,000 corpses of Japanese, advancing a large force on the right flank, where Gen. Mishchenko, who has taken command of his detachment, though his wound has not yet healed, is holding the Japanese in check. The Russian troops have regained their normal spirits and fought cheerfully.

NEARLY STARVED.

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JAPS AT TIE PASS.

A dispatch from Tokio says the Japanese occupied Tlie pass at midnight, March 15. Details of the occupation of Tlie pass have not yet been received at imperial headquarters. An official bulletin reports the action and that the Japanese are in hot pursuit of the retreating Russians, but it does not mention any particulars about the fight.

The Russians have abandoned their advanced positions on the Fan river where the desperate attack of the Japanese Wednesday was repulsed, and have fallen back upon the defenses at Tlie pass. Previous to the retreat the supplies of wood, etc., collected there were set on fire. A desperate, bloody battle is now waging north of Tlie pass.

RUSSIANS ARE PUZZLED.

A dispatch from St. Petersburg says with the evacuation of Tlie pass Wednesday night the Russian army abandoned the last stronghold in southern Manchuria and definitely turned over the section to the Japanese for the campaign of 1905. At last no other strategy is possible for Gen. Kuropatkin in view of his scanty supplies of ammunition, and stores the shattered condition of his army and wide enveloping movements which the Japanese have contemplated almost without a stop since the Russian defeat at Mukden.

Nothing has been heard of the part which Gen. Kawamura's army is taking in these operations, but Gen. Nogi and Oku, operating in the low hills of the Tlie pass gorge, were themselves sufficient to turn the shattered Russian army out of the fortifications which had been prepared with a view to being held by the army after it should have been withdrawn from Mukden. The evacuation of Tlie pass

involves the loss of the coal mines in that vicinity, which, with the Fushun and Yental mines gone, is a severe blow. The railway shops at Tlie pass and more supplies were sacrificed.

JAPS PASSING ON.

The Japanese are doing their best to accomplish the envelopment of the Russian army, which all but succeeded at Mukden, but Gen. Kuropatkin with the railway for a line of retreat, probably will be able to keep ahead of his pursuers. A constant succession of delaying rear-guard encounters may be expected. Military men at St. Petersburg have but the haziest ideas as to where the next stand will be made.

Apparently there are no more fortified positions in readiness and the retirement probably will not stop short of Kirin or Kuanchentzy, on the railway line; and if the Japanese press the pursuit the Russians may retire beyond and up the Sungari river, there to await new levies, the mobilization of which will begin immediately in Russia.

A report received in Tokio March 14 from the Japanese headquarters in the field: "In the direction of Sling king our forces have been dislodging the enemy from Yingpan, 18 miles east of Fushun, and on March 11 occupied that place."

A St. Petersburg dispatch says the following dispatch has been received by Emperor Nicholas from Gen. Kuropatkin, dated March 15: "The troops are retreating Tlie pass in good order. I have inspected the fourteenth division of infantry. The men seemed in good spirits."

"Up to the time of my departure from Tlie pass fighting had not commenced. Luring my progress northward I saw many troops and trains in good order. I also inspected the regiments recently from Russia who presented an excellent appearance."

"I received no further reports of fighting after the repulse of the Japanese at the Fan river. Individual soldiers and bodies of men separated from their units have been rejoining their commands during the previous two days. The train service is partly restored to order, the troops have been provisioned again and are ready for fighting."

A dispatch from Harbin says large numbers of Chinese bandits and Chinese troops are reported to be west of Tielshar, and an attack on the railway is apprehended. In spite of the heavy withdrawals of convalescents and those who have been sent westward, this city is being filled to overflowing with wounded soldiers from Mukden. A number of Chinese suspects have been arrested here.

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SOCIAL STATUS.

Of the Races Legally Considered by the Supreme Court.

A LIBEL DECISION.

It is Defamatory to Publish a White Man as a Negro. Amendments to Constitution Have No Effect in Regard to Social Relations.

The Columbia Record says a very interesting and important decision was rendered by the supreme court Wednesday morning. It is decided that for a newspaper to publish that a white man is a Negro is defamatory to the white man, and the newspaper making the publication is liable to a suit for damages. The case was that of an appeal on the part of Mr. Augustus M. Flood, of Charleston, a libel suit having been instituted by him against The News and Courier and The Evening Post, of Charleston, for damages in the sum of \$10,000 because he was referred to as being a negro.

The case is stated as follows: Mr. Flood is a white man and a citizen of Charleston, where, it was alleged, he always enjoyed the respect and confidence of his fellow citizens, the same having been of value in his business and a source of pride and pleasure to him in his social life. The complaint further alleges that the News and Courier and The Evening Post published local items in regard to a suit entered against the Charleston electric street railway by Mr. Flood for damages for injuries and referred to him as a colored man. By reason of being published as being a negro, Mr. Flood claimed that the statement tended to exclude him from society and by reason of "said false and defamatory publication this plaintiff has been injured in his reputation and hurt in his feelings to his damage \$10,000."

In answer to the complaint it was denied that the publication was defamatory or that any legal damage was suffered therefrom, it being claimed that under the provisions of XIII, XIV and XV amendments to the constitution of the United States and of the provisions of the constitution of South Carolina, the use of the said word "colored" in application to any one is not libelous nor defamatory nor can any legal damage or cause of action arise from such application. This demurrer having been sustained by the presiding judge, an appeal was taken on the grounds that the judge erred in holding that the application "negro" or its equivalent, "colored," when applied to a white man is not libelous per se. That the law in this state, before the adoption of the XIII, XIV and XV amendments to the constitution of the United States was that the term "negro" or "colored," when applied to a white person, was libelous per se, in that it tended to exclude him from society. His honor erred in holding that this had been changed and that the negro's social status has been changed by said amendments, whereas it is submitted that only the negro's legal and political status has been affected thereby.

The supreme court says: "The only question presented by this appeal is, 'Is it libelous per se to publish a white man as a negro?' To call a white man a negro affects the social status of any white man so referred to." Authorities are quoted on this point and the court continues: "When we stop to think of the racial distinction subsisting between the white man and the black man, it must be apparent that to impute the condition of a negro to a white man would affect his white man's social status, and in case any one published a white man to be a negro, it would not only be calling to his pride, but would tend to interfere seriously with the social relation of the white man with his fellow white men; and to protect the white man from such publication it is necessary to bring such a charge to answer quickly."

In Strader vs. West Virginia, the court held that these amendments accord members of the negro race the same protection in life, liberty and property which was already enjoyed by the white race, and nowhere does the court in that case refer to the social relations of each race. The statute laws of this state forbid the association of the two races, in such a way it excludes the negro from white society and vice versa. By the miscegenation statutes, the intermarriage of the two races is forbidden and made a crime. Railroads are required to furnish separate coaches for the two races. White children and colored children are forbidden to attend the same school. Various opinions are quoted to show that publishing a white man as a negro has been held to be libelous by various courts.

The court then quotes the language of the three amendments to the constitution of the United States referred to and argues that it must be apparent from consulting the texts that there is not the slightest reference to the social condition of the two races. "All take pleasure," it is stated in the opinion, "in bowing to the authority of the United States in regard to these amendments, but we would be very far from admitting that the

Castro Is Hostile.

Castro, the president of Venezuela, wants to punish the United States. His attitude is reflected in a pamphlet just issued through one of his advisers, Col. Juan Bautista Damede, in which plans for sending 30,000 Venezuelans against New Orleans are disclosed. The pamphlet urges the public to avenge the insults offered Venezuela by the Americans and declares that the invasion of the Mississippi valley would be the most effective means of curbing the power of the United States.

A Severe Storm.

A storm of hurricane force burst over the Irish and English coasts during Wednesday night, and it is feared that many disasters have occurred. Telegraph lines are broken at many points. The British ship Khyber, from Melbourne, Australia, October 28, for Queenstown, was totally wrecked off the Cornish coast. Twenty three of her crew were drowned, and three saved. Numbers of minor wrecks, accompanied by loss of life, are reported.

social distinction subsisting between the two races has been in any wise affected." In concluding the court holds:

"We, therefore, hold that these three amendments to the federal constitution have not destroyed the law of this state, which makes the publication of a white man as a negro anything but libel. The judgment of this court is that the judgment of the circuit court be reversed when it sustained the demurrer in this case and the action is remanded to the circuit court for such other proceedings as may be in accordance with law."

COTTON HOLDING.

Company Organized at New Orleans, La., Last Week.

Officers Elected and Plans Perfected to Take Two Million Bales

The Atlanta Journal says John D. Walker, secretary and treasurer of the Southern Bankers' executive committee and treasurer of the Georgia division of the Southern Cotton association, has returned from New Orleans, where the organization of the Planters' Cotton Holding and Commission company was perfected, officers elected and plans made for at the proper time retiring two million bales of cotton from the market until October.

The following officers were elected: W. P. Brown, of New Orleans, fourth largest cotton exporter in the world, president; Harvie Jordan, first vice president; E. S. Peters, second vice president; A. Brittan, third vice president; S. P. Walmley, fourth vice president. The secretary and treasurer will be named at a meeting of the directors in New Orleans on the first Monday in April.

The following were elected directors in the Planters' Cotton Holding and Commission company and subscribed for the \$3,000 worth of stock necessary to secure a charter:

- Alabama—H. Y. Brooks, A. M. Hill, L. B. Farley.
- Georgia—Harvie Jordan, Hoke Smith, John D. Walker, M. O. Gay.
- Louisiana—W. P. Brown, W. L. Foster, A. Brittan, S. P. Walmley, F. L. Maxwell.
- Mississippi—Walter Clarke, S. P. Witherspoon, Jacob Bernheimer.
- North Carolina—J. A. Brown, J. P. Allison.
- South Carolina—E. D. Smith, W. S. Lipscomb.
- Tennessee—W. T. Bowdre.
- Texas—J. F. Hibkey, J. S. Davis, R. R. Dancy, E. S. Peters, F. M. Green.
- Oklahoma—L. B. Irwin.
- Indian Territory—G. W. York.
- Arkansas—Dr. L. E. Love, J. J. Scroggins.

The following executive committee was appointed: W. P. Brown, A. Brittan, S. P. Walmley, W. L. Foster, Harvie Jordan, John D. Walker, E. S. Peters.

This executive committee will direct the company and have active charge of the cotton holding movement.

The meeting in New Orleans, which was held Friday and Saturday was an enthusiastic one and the greatest faith is expressed in the ability of the company to accomplish the ends for which it was organized. Mr. Walker who attended the meeting, speaks interestingly of the organization.

"The company will not begin operating," said he, "until \$100,000 has been paid in. Ten million dollars worth of stock will be sold at \$1 a share and the directors are confident that there will be no trouble in selling this stock. The stock is to be offered to the states in proportion to the amount of cotton raised by them. The banks will be made the trustees for this stock and in each county the president of the local organization will be the agent to sell it."

"There will be no effort made to take cotton off of the market in any great quantity until May the first. By that time the farmers will have demonstrated whether they are cutting down the acreage. If the acreage is cut down, as agreed then two million bales will immediately be taken off of the market and the price run up there would be danger of the acreage not being reduced."

Mr. Walker also calls attention to the fact that the Planters' Cotton Holding and Commission company is the only organization of its kind which has the backing of the Southern Cotton association.

Had Three Husbands.

The vault in the bank of Petersburg, Tenn., was blown open Thursday and all the cash taken. The amount stolen is reported to be \$4,000. The Bank of Petersburg is a State institution. The officials say that the thieves secured \$7,000. The steel vault was blown open with nitroglycerine and the strong bar smashed. The burglars escaped.

Had Three Husbands.

A woman was arrested on Tuesday in New York city for bigamy, who is only 23 years old and has been married three times, all her husbands being alive. Her mistake was getting divorced in the wrong state.

A NEW CHIEF.

Linevitch Relieves Kuropatkin of Command of Army.

HE WAS TOO SLOW.

New Armies Will be Raised and Efforts Will be Made to Put Effective Forces in the Field to Meet and Overcome the Japanese Armies Under Oyama.

A dispatch from St. Petersburg says with the Japanese hanging on the heels and flanks of the remnants of the broken, defeated Russian army Gen. Kuropatkin, the idol of the private soldier, has been dismissed and disgraced and Gen. Linevitch, 65-year-old commander of the First army, appointed to succeed him in command of all the Russian land and sea forces operating against the Japanese. The word disgrace, written in large letters in a laconic imperial order, which is a general and which contained not a single word of praise, disposes of the rumor that Kuropatkin asked to be relieved.

Russian military annals contain no more bitter imperial rebuke. Emperor Nicholas upon the advice of Gen. Dragomiroff and War Minister Sakharoff, determined the step necessary when it became apparent Wednesday that Kuropatkin, while concentrating for a stand at Tlie Pass, seemed unaware that the Japanese had worked around Westward again and allowed himself to be surprised. Old reports brought by Gen. Gripenberg, regarding Kuropatkin's falling morally, also had influence.

Linevitch has been able to bring off his army in order after the battle of Mukden. Kuropatkin will return to St. Petersburg forthwith. The task confined to Linevitch of withdrawing the remnants of the army of 250,000 to Harbin is desperate. He is hemmed in all sides. Gen. Kwamura is presumably pressing northward through the mountains eastward ready to sweep down and Gen. Nogi and Oku are on the west of the Russian forces, while the railroad is threatened if not already cut and Chinese bandits are reported in rear of Harbin. The consummation of the Mukden disaster is feared.

It is feared the decimated battalions have again been thrown into confusion by Oyama's relentless and almost merciless pursuit. The war office fears that more of the army and field guns which Kuropatkin saved at Mukden have been sacrificed in the flight from Tlie Pass. The Russians were compelled to burn fur stores at Tlie Pass and the commissariat was only beginning to feed the half famished troops when a new retreat was ordered.

In the face of the possibility of the complete loss of the army and the admitted fact that Vladivostok is already possibly lost, preparations for continuing the war on a larger scale than ever are proceeding. Another army of 450,000 men is to be dispatched to Manchuria.

It has been decided to form the new army largely of regular units leaving reserves to replace the regulars in garrison duty at home. A division of the imperial guards will be sent to the front. Some of this year's conscript may be sent as a separate army to be organized under Gen. Grodekoff, Gripenberg and Kasaroff. General mobilization is likely to be accompanied by widespread disorders unless the competition and function of popular representation under the imperial restrictive are more satisfactory than now appears probable. The Emperor twice postponed action on Governor Boulligan's recommendations.

Thanks Miss Hubbard.

A dispatch from Anderson says the legislature of the State of Maine at its recent session passed resolutions warmly commending the services of Miss Laura C. Hubbard of that city as a nurse for the graves of six federal soldiers buried in the cemetery of the First Presbyterian church. The resolutions are engrossed on parchment and are signed by the secretary of state and the chairman of the committee on military of the Maine general assembly. The soldiers referred to in the resolution belonged to the federal garrison stationed at Anderson at the close of the war. Miss Hubbard, who is a teacher in the city schools, had been caring for the graves of these six Maine soldiers for a long period, placing flowers upon the graves regularly on each memorial day.

Robbed a Bank.

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