

B. H. ROBERTS TO THE COMMITTEE.

Utah's Representative-Elect States His Position in the Contest Waged Against Him for His Seat in Congress.

Proceedings Opened by a Letter from John M. Carlisle—Latter Makes an Uncertain and Mystifying Statement About Citizenship—Committee Wants it Clearer, and Asks for Further Explanation—Ex-Secretary Says Mr. Roberts is a Polygamist, and Cohabitation is Immaterial—Mr. Roberts Review Proceedings in His Case—Discusses the Question Before the Committee—He Was Regularly Elected and There Was No Contest—Chairman Taylor's Procedure.

[SPECIAL TO THE "NEWS."]

Washington, D. C., Jan. 5.—Representative Brigham H. Roberts made his arguments today before a special committee appointed to investigate the charges against him. His argument bristled with points in his favor, and he handled himself with the skill of a trained lawyer.

The committee room was crowded almost to the point of suffocation. Among the interested spectators was Senator Rawlins. Before Roberts began, Chairman Taylor read to the committee a letter he had received from ex-Secretary Carlisle, who had been retained to prosecute the case against Roberts. Mr. Carlisle said it appeared from the testimony that the question of citizenship had been abandoned. In his opinion the chief question at issue was the naturalization of Roberts. Mr. Carlisle, in his letter, claimed that Roberts's naturalization was irregular, and on that ground he was ineligible to a seat in the House. The committee, Mr. Carlisle said, had a right to pass upon the right of the member to a seat in the House.

In his opening argument Roberts demurred to the proceedings, claiming the committee had no jurisdiction. He referred to the testimony of the two sets of witnesses, and charged that they were unreliable and that they had given no direct testimony that the member from Utah was living with plural wives in open violation of the laws.

Several colloquies occurred between Roberts and Chairman Taylor, in which the member from Utah held his own. Chairman Taylor several times tried to confuse Roberts by asking questions with a view to drawing an admission from the member from Utah that he was living in polygamy, but Roberts cleverly parried the questions, and asked that he be permitted to proceed in his own way.

Roberts quoted Story on the Constitution, to show that a representative was not an officer of the United States within the meaning of the Constitution. He also boldly declared that his certificate of election was regular in form, and that he was as much entitled to his seat as any member of the committee. He had been wronged by being denied the emoluments of his office, but a greater wrong had been done his State, Utah, by denying him, without due process of law, representation on the floor of the House. Roberts will conclude his argument late this evening.

Washington, Jan. 5.—The Roberts-investigating committee continued its session today. Miss Roberts, the daughter of the Utah member-elect, sat near him.

Chairman Taylor stated at the outset that he had received from ex-Secretary John G. Carlisle a letter giving his views on the case.

Mr. Carlisle said he was suffering from a cold and was unable to make an oral argument at this time. As to the case, he said:

"It seems to me that the question of citizenship has been abandoned, or at least, nothing is said about it in the testimony. The record of Roberts' application and admission to citizenship does not comply with the law as I understand it, and I do not think he would be allowed to vote in any State upon a certificate based upon that record."

"The resolution under which the commission is proceeding directs it to ascertain and report not only upon Roberts' prima facie right, but upon his general right."

This Mr. Carlisle discussed on the evidence and says:

"He is at this very moment a polygamist, not having at any time abandoned or renounced the relation assumed by the plural marriages, and

cohabitation with the alleged wives is not at all necessary. The question, therefore, is whether the committee will decide on the question of final right that an undoubted polygamist who justifies the doctrine and practice of polygamy shall be allowed to hold a seat in the House."

It was determined by the committee to ask Mr. Carlisle for his views more at length on the general right of Congress to exclude a member.

Mr. Roberts then began his argument. Mr. Roberts read a typewritten statement reviewing in detail the proceedings of his case up to date. It said in part:

"The questions to be considered are the prima facie and final right of B. H. Roberts, representative-elect from Utah, to a seat in the House of Representatives, to which he was elected in the month of November, 1898, by the people of Utah; the electorate of said State gave him a plurality vote of 5,665. It is a case in which there is no contest and where it appears, so far as the proceedings before the committee are concerned, the representative-elect possesses all of the qualifications prescribed by the Constitution of the United States, and where there is no statute so far as made to appear before the committee, either in the State of Utah or in the United States, applicable to the case which disqualifies the representative-elect from the office of Congressman in the lower House of the American Congress."

Mr. Roberts dwelt with special emphasis on the right of a constituency to determine on the moral character of a member.

"It is left to those constituents to determine," he said, "what shall be the moral status of the man they wish to send to Congress as their representative, and not to the House of Congress."

In support of this he read with emphasis and approving comment a Congressional report signed by B. F. Butler, Daniel W. Voorhees and others, in the course of which it is said that the House of Representatives shall be composed of members chosen by the people of the States, and not by the representatives of other States, "according to the notion of the necessities of self preservation and self-purification" which might suggest themselves to the reason or caprice of members from other States in any process of "purification or purification."

Mr. Roberts declared that Utah, one of the great silver producing States, had been denied representation of late while the important financial bill vitally involving Utah's silver mining industry was considered and passed.

He analyzed the evidence of other witnesses, and in general questioned the directness and conclusiveness of the testimony.

"It has not even been established," he said, "that B. H. Roberts was ever married to Margaret C. Shipp Roberts."

"How do you account for his picture being found in her house," inquired Chairman Taylor.

"I don't know how to account for it," answered Roberts.

In the main the evidence was as to general reputation, he contended, which was short of that conclusive proof required. He challenged the charge that he had contracted three polygamous marriages.

Mr. Taylor said he had never heard of such a charge, as three polygamous marriages would mean four marriages in all.

"I challenge this," said Mr. Roberts, "because it is one of the charges upon which excitement has been worked up."

Mr. Roberts was still arguing when, at 12:30 o'clock, a recess was taken until 2 p. m.

he came ostensibly to thank her for the kindness.

After the assault, Watt took a train for Richmond, but a special officer jumped the train as it was moving out, handcuffed the man and brought him back on the next train. Watt was locked up and at four o'clock this morning a mob of armed and masked men came to the station house, disarmed the sergeant, and at the point of revolvers, made him unlock the cell where the wretch was crouching, pleading for life. The prisoner was taken out to a strip of woods on the edge of the city, about three-fourths of a mile from the station house, tied by the hands to a tree and shot to death. Probably as many as forty bullets entered the body.

Thousands of people visited the scene today.

Watt was identified by the woman at the jail last night and again this morning. Watt claimed to be an electrician, but did not follow the profession while here. No arrests have been made.

and it is not believed that the affair will be investigated until the grand jury convenes at the regular term, a month hence.

Troops for Alaska.

Washington, Jan. 5.—The meeting of the cabinet today was devoid of important features. One of the members stated after the adjournment that the question of tendering the good offices of this government for a settlement of the South Africa dispute, as suggested in the dispatches from Brussels this morning was not touched upon and that the question of the seizure of American cargoes by British ships had not come up.

It was definitely decided today to send additional troops to Alaska in the spring. The points to which they will be sent have not been determined, except Cape Nome, where, it is estimated, there will be 30,000 people as soon as navigation opens.

The place is now without government of any kind, and some sort of force will be necessary to protect the country against law-breakers in the mad rush of people in the spring.

That Kentucky Squabbles.

Frankfort, Ky., Jan. 5.—Representative Hickman was today elected chairman of the joint committee on the governor's contest and Senator Coleman, chairman on lieutenant governor's contest. The committee adopted a rule allowing until January 15 to prepare contests and defense, nine days to be then allowed for hearing evidence before the committee, after which a reasonable time shall be given for argument. It is believed a vote on the contest will not be reached before the first week in February.

In the house Mr. Carlisle, Democrat, offered a resolution denouncing as false the charges made by Representative Haswell and other Republicans, charging Chief Clerk Leigh with manipulating ballots in the drawing for the committee on contest for governor.

Mr. Orr, who is classed as an anti-Grobel Democrat, said he did not think the Republican members were serious in their charges against the clerk, but merely smearing under their luck in the drawing and were making these charges for advertising purposes. He said as a matter of justice to all concerned, however, an investigating committee should be appointed.

Mr. Barker offered a substitute that the Republican members be required to either withdraw the charges or bring them in a formal way.

Trouble for the Canal.

Peoria, Ill., Jan. 5.—Chairman Taylor of the canal commission was today notified by the Illinois river bottom lands commission that the board of education close the public schools for a period of thirty days and that general vaccination be observed.

This motion was called forth by the breaking out of smallpox and the number of persons who have been exposed to said disease.

Very Respectfully,
ELI A. FOLLAND, Clerk.

The letter reached Clerk Moreton this morning and in accordance with arrangements made in anticipation of it, a special meeting was called for 4 o'clock this afternoon. It will be attended by all the members who are in the city and Mayor Thompson and members of the board of health will be present.

President Wilson of the board of education, when seen by the "News" today said that he would certainly follow the request of the board of health in this matter. That body was charged with guarding the public health and presumably knew what it was doing in making such a request.

Mayor Thompson said he would favor any reasonable precaution. Surely there was nothing alarming in the situation here, and in his opinion this was just the stage to make quick work of the disease and stamp it out. This could easily be done, and no one should consider the closing of the schools and the suspension of the city government as anything but for the good of all, a hardship, neither should such actions be considered as showing that any alarm was felt.

[The closing of the public schools for a month, while merely adding to the scare that is spreading, will render needless the election for power to borrow money for school purposes, which was arranged for by the board of education. This supports the saying that "there is no evil without some compensating good."]—Ed.

The following was received by Mayor Thompson this morning:

Dear Sir—We are property holders and residents of Salt Lake in the neighborhood of Aberdeen and Third West streets. There is a family named Hobbs living on the corner of Third West who have been quarantined for smallpox. One of the Hobbs recently moved a family living a short distance from his house on to Aberdeen street and now this family has a smallpox flag out. What we wish to notice is the fact that this man Hobbs, whose family is quarantined for smallpox, is pursuing his calling of drayman and coming in contact with people who have not been so affected, thus spreading the contagion. We do not feel that the quarantine now on at Eighth South and Third West and at the house in Aberdeen street is sufficiently strict and that unless prompt measures are taken the disease will no doubt spread rapidly in those localities, and earnestly beg that you at once notify the proper officials so that due precautions will be taken immediately.

Respectfully,
JAMES M. ANDERSON.
J. A. REEVES.

NEW SIX CASES.

All of Them Developed in the Hobbs-Kilpack Families.

When the facts surrounding the development of smallpox in the Hobbs family were ascertained yesterday, it was considered more than likely that other cases would develop through having come in contact with members of the Hobbs household, and the expected has happened. Yesterday afternoon it was found that Mrs. W. A. Hobbs and three of her daughters, aged respectively 11, 14 and 19 years, were afflicted with the disease, which had also developed in the case of a lad named Kilpack, aged 14, and a Mrs. Tillie De Groot. These cases are grouped with those discovered at the Hobbs household on Wednesday and are traced to the same source. It seems Susie Kilpack Cotton, a daughter of Mrs. Kilpack, came from Butte two weeks ago, after having been exposed to the disease there. She went to the home of her sister, Mrs. Eula Wray Hobbs, with her two children, came down with the disease. Mrs. De Groot and Mrs. Hobbs Jr. were also at the Eula Wray Hobbs household. The Kilpack boy resides at 223 F street with his mother, who has been doing washing in that neighborhood for some time. It will thus be seen that the connection between all of these cases is very close, and all of these families have been placed under strict quarantine. Health Commissioner Keogh enforced it upon

the cases so far found are very mild ones and evidently have not made a very deep impression on some members of the family, for last evening license

was granted to the Hobbs family.

Gold for Europe.

New York, Jan. 5.—Lazard Freres, and Heidelbach, Schuler & Co. will each ship \$1,000,000 gold tomorrow. Goldman, Sachs & Co. will ship \$1,000,000 gold tomorrow. Baring, Messager & Co., have ordered \$500,000 gold at the sub-treasury for shipment to Europe tomorrow. Total engagements, \$3,500,000.

Embezzling Bank Teller Sentenced.

Boston, Mass., Jan. 5.—Joel G. Tyler, late teller of the Suffolk National bank of Fitchburg, was today sentenced in the United States courts to serve five years in Worcester jail for embezzling the funds of the bank.

NO NEW SMALL-POX CASE TODAY

The Situation is Very Satisfactory to the Health Officers.

PUBLIC SCHOOLS TO CLOSE.

This, However, Is Merely a Precautionary Measure, and Not Due to Any Alarm.

Not a single new case of smallpox was heard of by the health department today, and the situation at this time is very satisfactory.

There is not, according to authorities, the least occasion for alarm. The few cases that have developed are of a mild form, and the patients are progressing finely. All those known to have been exposed to the contagion are under rigid quarantine, and within a very short time it is believed that the disease will be entirely stamped out.

In all probability, the public schools will remain closed for a short time after the holiday vacation expires on Monday next. Such action is deemed advisable, not because the situation is at all alarming, but to prevent the possibility of a spread among school children. This, it is thought, will remove the only danger, practically, of contagion.

A meeting of the board of health, Mayor Thompson presiding, was held yesterday afternoon, when the propriety of closing the schools was suggested. All the members concurred in the idea, and the following communication was sent to the board of education:

Salt Lake City, Jan. 4, 1900.

Mr. Cooper, Superintendent of Public Schools, Salt Lake City.

Dear Sir—At a session of the Salt Lake City board of health held Jan. 4, 1900, the following motion was passed:

That the board of health recommend that the board of education close the public schools for a period of thirty days and that general vaccination be observed.

This motion was called forth by the breaking out of smallpox and the number of persons who have been exposed to said disease.

Very Respectfully,
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Inspector Seeley informed the board of health that he had just seen W. A. Hobbs Jr. out peddling fish at the corner of Sixth South and Second West streets. Seeley was certain as to the man's identity as he was personally acquainted with Hobbs, and had issued him his peddler's license. Hobbs has since been given to understand that such a violation of quarantine regulations will subject him to severe punishment.

The six persons afflicted have been taken to the pest house, and extra precautions will be taken to prevent any infraction of the quarantine law on the part of the big group of suspects. Susie Kilpack Cotton is the wife of Andy Cotton, now in the penitentiary for taking a shot at Fred Farr, of Ogden, last summer. Her sister, Eula Wray Hobbs, achieved equal notoriety some time ago as a principal in a sensational damage suit.

PEST HOUSE FOR EUREKA.

One Selected Today—Citizens Declare That Trouble Is Only Chicken Pox.

[SPECIAL TO THE "NEWS."]

Eureka, Jan. 5.—The recently discovered cases of smallpox in this city resulted in a meeting of the city council and other municipal officials last night and of the establishment of a pest house and the appointment of a quarantine policeman today. This officer is S. J. Brinton, an immune, who will enforce the quarantine rules and attend to the immediate wants of those afflicted. Vaccination is in progress on a large scale though there is a great deal of feeling on the part of many citizens who declare that the trouble is nothing more than a severe form of chickenpox. As a consequence the municipal authorities are being made the subjects of a good deal of sharp criticism. A good many persons believe, though, that their action will be ultimately approved.

The home of John T. Sullivan was placed under quarantine today, his wife being ill with some sort of affliction supposedly smallpox. One new case was reported from Mammoth today, where P. M. Gillespie is said to have been stricken with the disease. The pest house here is being managed jointly by city and county patients.

A PHYSICIAN'S VIEW.

Dr. Warner Thinks Vaccination is a Safe Preventive.

To the Editor:

Dear Sir—I have read several articles in your paper regarding the subject of vaccination, and am surprised that some one in the medical profession has not taken up the subject before, and explained to the public that there is more than one mode of vaccinating. I have always been a firm believer in vaccination myself, and have been vaccinated twice successfully. When I heard of the smallpox breaking out in Sanpete county, I procured glycerized vaccine lymph, and vaccinated myself and wife at once. With me it did not take, having been vaccinated twice before, but worked successfully on my wife, the only disagreeable feature was the itching sensation. I think the writer should take into consideration the mode of vaccinating. As to vaccinating from arm to arm, I think it is an old barbarous procedure, and liable to produce disastrous results. As to vaccinating with points, I am undecided, because there is danger of infection from the points, and so forth. But by vaccinating with the glycerized lymph in tubes, used strictly under antiseptic precautions, I never know one to have an excessively sore arm or to be at all sick, and as far as my experience goes, it is proof against the disease.

Since being vaccinated the John S. Lindsay troupe have brought smallpox into our town and have been quarantined here for over a month. There have been so far, eleven cases, and by using a separate suit of clothes I have been waiting upon them, as I would upon any other cases, without contracting the disease. After beginning to vaccinate with the glycerized lymph, in tubes, I have been vaccinated many times, and about its not working, I quit using the tubes, and got two dozen points and used. Some that I vaccinated with the points were very sick, others had very sore arms. By the time I had used these points I discovered that the vaccine lymph in tubes had worked successfully, but so mild, that it even deceived many of the doctors. Glycerized vaccine has been officially adopted by the government and health authorities of the United States, Germany, France, Russia and Belgium. It should be universally adopted in private practice. If the opponents of vaccination will confine their reports and statistics to cases vaccinated by bovine glycerized lymph, even in private practice, and not by the use of tubes, and by the use of glycerized lymph, under strict antiseptic precautions, does away with the horrors and dangers of vaccination.

DR. W. E. WARNER.

FROM JOHN THOMPSON.

Statement Regarding a Case That Has Caused Much Comment.

To the Editor:

In view of the many false and malicious reports that have been printed and circulated regarding the spread of smallpox by the negligence of myself and family I take this method to place before the public the facts in relation to the whole affair and to show that the spread of the disease was not due to our negligence.

Last fall my son, Lester Thompson, was in Canada and being in poor health determined to come home. He stopped on the way in Montana about thirty miles beyond Great Falls and worked for a while. He wrote me for money to come home on and I sent him a money order, which he received on the 28th day of September. He started for home the same day. Great Falls was not quarantined at that time and there were about one hundred passengers who left on the same train with him. He never "jumped quarantine" at Great Falls or any other place.

Now, after having seen the disease, my boy recalled that a case whose face was broken out the same as those who have had the smallpox here, got on the train at Butte and as he came down with the disease in about nine days after that, he believes he was exposed at that time. There were three comrades from Grand Falls bound for Tintic in the same car and it is probable that they took the disease to that section of the State.

He was at home about five days, when he began to break out. I went immediately to Mantle after Dr. Oisten, telling him the boy had broken out with some skin eruption and requested him to come out and see him, but he could not go home with me, having received a money order from me to come home. Mrs. Thompson went after him again, but promised to come out Sunday. On Tuesday I went for him again and told him just how the boy was. He said better get Dr. Andrews, the county quarantine officer for that district, as it was his duty to look after such cases.

I went right to Gunnison and got Dr. Andrews. He examined the boy and pronounced it nothing more or less than smallpox.

(Continued on page two.)

NO SUCCESS YET FOR THE BRITISH

Extraordinary Tenacity of the Boers at Colesberg Prevents Gen. French from Securing a Victory.

He Appeals for More Reinforcements—Hussar Officers Shot—Col.

Pilcher Had to Hurry from Douglass to Get Out of Reach of the Boers, who Reoccupy Sunnyside—Boers Retire from Molteno—Gatacre Does Not Pursue—British Report Sortie at Mafeking—Lost 21 Killed and 33 Wounded Out of 80 Men Engaged—Boers Were Waiting for them—Steamer Mashona Released, but American Flour Held—Restlessness of the Zulus.

London, Jan. 5.—There is still no important news from the front, but the silence which has descended on Gen. Buller's huge force at the Tugela river is believed to be the prelude of another attempt to reach Ladysmith.

In the meanwhile, the extraordinary tenacity the Boers are displaying around Colesberg tends to detract from the success of Gen. French.

The latest news of Col. Pilcher's raid shows that some of the first accounts considerably exaggerated its effect on the Boers and their sympathizers. While it is true he successfully drove a couple of hundred rebels from Sunnyside, killing or wounding thirty and capturing forty-three, Col. Pilcher's immediate evacuation of Douglass seems to prove that he had information that there was a sufficient number of Boers in the neighborhood to make his position unsafe. Indeed, there is reason to believe that only the dispatch of the cavalry brigade from the Modder river prevented the force of 600 men sent by Gen. Cronje from attacking Col. Pilcher's column, and as soon as the cavalry returned to the Modder river, Gen. Cronje's troops re-occupied Sunnyside.

According to advices from Sterkstroom, the Boers have completely retired from the neighborhood of Molteno, but Gen. Gatacre does not appear to have pursued them, as the reinforcements from Sterkstroom have returned there. Gen. Gatacre's report of the Molteno affair confirms the Associated Press dispatch, showing it was merely a skirmish of outposts. There were no British casualties.

A Mafeking dispatch just received, but dated December 26, confirms the report of the British sortie from that place, which was first announced from Pretoria, December 20. The Mafeking dispatch says:

"There was a sortie today with the view of capturing the Boer earthworks, but it was unsuccessful. The works were crowded with Boers awaiting the assault, and a hail of bullets forced the British to retire, killing and wounding a number. The British storming party numbered eighty men, of which number twenty-one were killed and thirty-three wounded."

It is rumored at Capetown that Col. Baden-Powell has again defeated the Boers at Mafeking.

A dispatch from Capetown dated today says the prize court has released the British steamer Mashona, captured by the British gunboat Partidge early in December, with American flour said to be intended for the Boers on board, but ordered her cargo to be warehoused pending a trial of the case.

Rensburg, Thursday, Jan. 4.—The Boer attacks at Colesberg this evening numbered a thousand men. The Buffs' dragoons cut their way through the Boers who were forced to retreat by a heavy artillery and musketry fire.

London, Jan. 5.—The war office this afternoon published a dispatch from Capetown dated Wednesday, January 3, saying that at Gen. French's special request the household cavalry, a battery of field artillery and the first battalion of the Essex regiment have been dispatched to reinforce him temporarily.

A special dispatch from Rensburg says Maj. Harvey, of the tenth hussars, was killed and Maj. Alexander wounded while the hussars were pursuing the retreating Boers after the attack on the British left, January 4, near Colesberg.

The British foreign office has no knowledge of any private messenger having been sent by Emperor William to Queen Victoria, supposed to be connected with the seizure of German ships or any other matter. The officials point out that even if dispatches have been sent by his majesty to the queen any indication of their contents must be purely suppositions.

Pietermaritzburg, Jan. 5.—The restlessness of the Zulus is increasing. Many of them are on the verge of starvation, and there have been several instances of looting stores. It is feared the magistrates will not be able to restrain the warriors much longer. It is asserted they are anxious to attack the Boers.

Capetown, Jan. 5.—The Transvaal's high sheriff J. J. van der Merwe, arrested here. He was subsequently paroled.

Belmont, Cape Colony, Jan. 5.—Col. Pilcher's column with the Douglas refugees returned to camp this morning.

HERE IS MORE EXPANSION. FREED FROM THE REBELS.

American Gunboat Takes an Island Outside the Philippines.

But the Sultan of Jolo Claimed It, and Therefore the Occupation Was All Right.

Washington, Jan. 5.—The United States navy has taken possession of another island in the East. The news of the seizure was contained in the following dispatch:

"Cavite, Jan. 5.—On December 21, Wentsbaugh, commanding the Albay (a little gunboat) hoisted the flag on Sibutu island and the chief dato provided and raised the pole.

"Natives and North Borneo authorities pleased."

The island lies at the southwestern angle of the boundary line of the quadrangle enclosing the Philippine group. It is probably outside of the line, and lies very near the coast of Borneo, commanding the principal channel but is not one of the islands of the Philippines. The Sultan of Jolo, whose group is close to this island, is believed to claim jurisdiction over it, and as his authority is recognized by the native tribes on the north coast of Borneo and vicinity, it is believed his claim is well founded. It was probably at his instance that the naval officer commanding the gunboat moved.

The Lawton Fund.

Washington, Jan. 5.—The total subscriptions to the Lawton fund up to noon today amount to \$45,721. This morning's contributions aggregate about \$1,000, of which Harry Payne Whitney of New York subscribed \$500.

Although active operations to increase