

THE DURRANT EXAMINATION.

Some New and Interesting Testimony Introduced Yesterday.

A RAILROAD OFFICE ROBBED IN SAN MATEO.

Terrible Injury to a Young Woman in Grass Valley by a Flying Car from Scandal-Fatal Accident in Napa—Investigation of the San Francisco Custom-House.

Special to the Record-Union.

SAN FRANCISCO, April 24.—Parson-baiting was the prevailing feature of the examination of Theodore Durrant to-day.

There was some new testimony in the morning—the first positive identification of Durrant in company with a woman on the day of the Minnie Williams murder.

He was seen at the ferry shortly after the murder, talking to a woman shorter than himself, who wore a cape. Minnie Williams was short and wore a cape like that described by Adolph A. Hobe, the new witness.

Hobe has known Durrant for eight years, so there can be no question of a mistake in the identification.

Dr. Gibson was on the stand from the middle of the morning session until the adjournment of the court last evening, and they are not to see him until next year.

The District Attorney's questions to the witness did not detain him long, but the cross-examination seemed interminable. Dr. Gibson did not enjoy himself. The lawyers were anxious with him and his judge was not.

General Dickinson took the preacher over the whole course of his life, from his birth in Edinburgh to the day of the discovery of Minnie Williams' bloody body in his church, and every question seemed to veil an insinuation.

The witness answered promptly, but he was disposed to be execrably exact in his answers. He fidgeted a great deal, rubbed his brow, rubbed his hands and ran his fingers through his hair.

Whenever he turned to the court for relief he found he was leaning on a support beside which a broken record would strike him, and he would be obliged to deal with the preacher, and his tone conveyed a cruel snarl that soon cured the parson of appealing to the court.

The length of the court session and the manner of it indicated that Durrant's lawyers propose to throw the preacher forward as the center of their theory of the murder, for the District Attorney contented that Durrant did not commit the crime they must supply a possible substitute. And this is the theory of the defense.

It is hard to perceive just how the defense will connect the preacher with the murder, for on the night of the murder of Minnie Williams, young people at Dr. Vogel's house that night from 12:30 o'clock until about 11, while Durrant was at the house, did not appear until after 12:30 o'clock.

DURRANT IN COURT. SAN FRANCISCO, April 24.—Theodore Durrant passed the night and after sleeping well for ten hours, was loth to leave his parlor at 5 o'clock this morning. At that hour Durrant's father called to see him and remained with him for an hour or more.

He looked refreshed when brought into court, and through the day preserved his usual composure. He was conversed earnestly with Eugene Denney until Judge Conlan called the case. H. E. Snook was the first witness called by the District Attorney, and also the undertaker who went to the church for the body of Minnie Williams. He described the condition in which he found

Mrs. Amelia Voy testified to the hour (about 8 o'clock) at which Miss Williams left the house on the night of the murder. She said that she saw the body of Minnie Williams in the street at 12:30 o'clock, and when he reached the ferry on this day he looked at the clock as he entered the depot. He mentioned the fact that he had seen her name mentioned in the papers on the Sunday morning following. He had not seen Durrant's name mentioned before that in connection with the disappearance of Miss Lamont.

This was the first evidence that the prosecution has adduced to show that Durrant had come over to the city with Minnie or had met her at the ferry on Good Friday afternoon.

Miss Florence Voy, daughter of Mrs. Amelia Voy, related on the stand the facts detailed by her mother in relation to Minnie's departure from the house, and the clothing she wore.

Key Dr. Gibson, pastor of Emmanuel Baptist Church, was examined at great length, but no new evidence of importance was elicited. It was found that he had a memorandum-book in which were the names of Miss Lamont and Miss Williams, among others.

"Was Miss Lamont's name there as a member of the church?" asked Judge Conlan.

"No, sir."

"Was it there as a friend of the church?"

After the entry of Miss Lamont's name was written: "Call at evening, but not Wednesday; constant on narrow, Willow on broad."

During the recess hour, Durrant received a number of admirers in his cell in the City Prison. They were young women who seem to regard him as something of a hero. Some of them were acquaintances and some entire strangers, who called to gaze at him through the bars.

One party was snubbed by the suspect, who turned to her and tentatively gazed at the pages of a book which she withdrew. To his friends, Durrant chatted pleasantly until the officers came to take him into custody.

On reconvening of the court at 2 o'clock, Dr. Gibson was again called, but nothing new came out, most of the time being devoted to cross-examination.

HE ANSWERED: "I HAVE AN OPINION, BUT I NEVER INQUIRED."

A NEW DISCOVERY. SAN FRANCISCO, April 24.—A new discovery in the Durrant case has been made. When the body of Minnie Williams was found in Emmanuel Church, in search for traces of the murderer, the police and reporters found a dark stain on the door of Rev. Dr. Gibson's private study, to which he only, so far as known, had access.

The police decided that the stain was merely varnish, and paid no further attention to it. To-day, however, a reporter discovered a portion of the varnish-stained door, and a microscopic examination showed that it was blood, and that it had been there since the door looked as if it had been closed by flinging a wet cloth against it, and was about eighteen inches from the floor. The supposition is that the murderer, after going into the study, or attempting to enter it, brushed his bloody clothes against the door and left the stain.

COLLECTOR WISE. HIS CUSTOM-HOUSE IS UNDERGOING SOME SORT OF INQUIRY.

SAN FRANCISCO, April 24.—Throughout the entire morning Collector Wise's sanctum was the scene of secret consultations, the nature of which it was impossible to ascertain, but any number of rumors were rife that the investigation has again been revived.

Special Civil Service Officer Hobbs arrived in the city a few days ago. No sign of the collector was to be seen at the time, but it is now thought that the Government was not apprised of the report of the Board of Examiners, and that the power to suspend him had not yet been given to the collector.

The report of the local board has, as already stated, been for months in the hands of the Washington people, and an answer has been expected at any time.

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THE STANFORD UNIVERSITY.

It May Be Closed by the Suit Against the Estate.

AT LEAST A TEMPORARY CLOSING IS PROBABLE.

Train Robber Brady Believed to be in Oregon—Eccentricities of Lord Douglass of Kern County—Fatal Affray Up in Siskiyou—Land Troubles Near Bakersfield—San Francisco Races.

Special to the Record-Union.

SAN FRANCISCO, April 24.—The Bulletin this evening says: The teachers at Stanford University are looking for positions in other universities on the impulsion that the university founded by Leland Stanford will soon close its doors.

They fear that the college will close because there is no money in the Stanford estate to pay for its maintenance, the estate being tangled up in a suit with the United States, which is going on in the Federal Courts. The Probate Court has no power to use the funds of the estate to keep the college on a firm footing.

Some time ago the estate was held by the brandies and wines that have accumulated in the wineries of the estate, and the money derived from the sale was used in defraying the expenses of the institution. Meanwhile all the expenses of the university have had to be defrayed from the private income of Mrs. Stanford.

Just as the Stanford properties were being put on a first-class basis, United States Attorney-General Olney started his law suit against the Stanford estate. This had the effect of checking proceedings in private looking to a speedy distribution of Senator Stanford's estate, and has tied up things generally.

It was, so it is said, coupled with the previous feeling of unrest that has prevailed since the death of the Senator, that stimulated some of the educators to seek openings elsewhere, and set in circulation the report that the university was likely to be closed for a season. When asked as to this matter to-day, Mr. Lathrop said:

"If it is all this Government suit. If it succeeds, it seems inevitable that the university must be closed. As it is, it has tied up the estate in probate and prevented its distribution. We are pressing the suit, and wish to have it determined as early as possible."

It must be remembered that the university cannot pay its own expenses, for a tuition is absolutely free. The boarding department manages to pay its own expenses, but the Government is not paying the professors. There are now somewhere near 1,100 students connected with the university, and about seventy men in the faculty.

"We have just the Vima brandy trade on good paying basis, although it has been a long time since we have had a right against the prevailing liquor law. It is a business, at Palo Alto we have some fine stock—the best that Senator Stanford had in his collection. It is money in that line of business."

"The closing of the University temporarily has been talked of, and it may be closed as a result of the Government suit is speedily determined in our favor."

TRAIN ROBBER BRADY. He Is Believed to be Near Albany, Or., Color Northward.

PORTLAND, April 24.—J. Brady, one of the three bandits who held up the Southern Pacific train in Humboldt County, California, and killed Sheriff Logan last month, is believed to be in Oregon, somewhere between Eugene and Albany. It is reported that a boy saw a man a few days ago near Eugene answering Brady's description. The man offered the boy some money to get him something to eat. He said, in answer to the boy's question, that he had particular reasons for not going into town himself.

Foray Chief of Police Minto received a message from the City Marshal of Albany saying that there was a man there who wanted transportation to Portland, and that he had a trunk containing a trunk to communicate to the officers, and had traveled part of the way from California in company with Brady. The man was probably the same man who was seen at the depot, but the officers do not have any hopes of his giving any clue, and think that he will stay free to this city.

It is thought that Brady is endeavoring to work his way to British Columbia.

LORD DOUGLASS. Queensberry's California Son and the Varley Actress.

BAKERSFIELD, April 24.—Lord Sholto Douglas is still in jail on a complaint of being drunk and disorderly, and is bitterly fighting the charge of insanity. His friends here are paying off the checks that he gave on the bank, where he had no money, to save him from trouble. He still declares that he will marry Miss Addis.

The young man, who is just turned 22, is the merest maniac that ever graced an iron bar. He is a tall, thin, pale, white face and roving blue eyes show little sign of insanity. All day he has been receiving visitors, mostly English friends, who never fail to address him as "My Lord," and newspaper men. This evening he declared he never saw so many reporters.

"Why, blast them, they're an awful nuisance!" he said. Several took snap shots at the Lord with cameras.

A new turn was given to public opinion to-night, when it became rumored about that his lordship's friend, Burnester, who swore out the warrant, is also engaged to the little Irish actress, and is declared himself to a newspaper man to-day. It seems that jealousy, as much as a desire to keep his lordship from "throwing himself away" is a part of the scheme to have his friend incarcerated.

JOCKEYS INJURED. Three Horses Fall in a Race at the San Francisco Track.

SAN FRANCISCO, April 24.—Long shots won all the races except two to-day. Claudius, at thirty to one, was the extreme outsider.

In the two-year-old race there was a grand tumble. On entering the stretch Marionette, ridden by R. Isom, stumbled and threw the boy, Virgie A., with Lloyd up, and the Lenoke girl, Coady riding, also fell. Isom and Lloyd were not badly hurt, but Coady's arm was broken. He had just recovered from a previous accident in seven furlongs, selling, Claudius won, Melberry second, Rell Glenn third. Time—1:27.

Five furlongs, selling, Nervoso won, Blue Bell second, Lulu third. Time—1:02.

Four furlongs, two-year-olds, Her Majesty won, Monitor second, William Pinkerton third. Time—0:56. Mia and a sixteenth, handicap, Loyal

won, Firrita second, McLight third. Time—1:47.

Five and a half furlongs, selling, Banjo won, Thibault second, Gold Bug third. Time—1:38.

THE NATIVE SONS. They Will Celebrate Admission Day in Sacramento.

OAKLAND, April 24.—The third day of the Grand Parlor, Native Sons of the Golden West, opened this morning with a large attendance of delegates. There was also present quite a large number of visiting members of the order from San Francisco and points in the neighborhood.

A number of interesting questions were discussed, among them being amendments to the constitution proposed at the session held yesterday evening.

To-morrow the order will be devoted to unfinished business, and the grand officers for the ensuing year will be nominated and elected.

A special contest between Sacramento and Santa Cruz, the Native Sons at their session decided on Sacramento as being the choice of the grand Parlor for the annual convention to be held at San Francisco was withdrawn.

The resolution presented at the last session relative to permanently locating all meetings of the Grand Parlor at San Francisco was withdrawn.

Amendments as regards the serial features of the order were adopted. The grand officers for the ensuing year will be nominated and elected.

JUST LIKE JAPANESE. Miss Ashley's Baby in Search of a Father.

LOS ANGELES, April 24.—The dispatch from San Francisco regarding the answer of "Lucky" to the complaint of Miss Lillian Ashley, who is suing him for \$30,000 for seduction, created considerable comment in this section, where the defendant is so well known that even his very frank admissions occasioned little surprise.

The fair beauty of the reporter, the pretty lady of Pasadena, where she conducts a beauty and hair-dressing establishment, was shown the dispatch and asked what she had to say about Mr. Brady's assertion that she was fully aware of his recklessness and the impossibility of her being seduced by him.

Miss Ashley said she had been warned by her attorneys to keep silence on the subject, but she declared that previous to her meeting Mr. Brady she knew nothing of his character as a seducer, but trusted him implicitly.

Miss Ashley would say no more, but she said she would be glad to talk to the charges up to "Lucky" today, but is yet ready in need of a father.

STOFEN'S HARD LUCK. He Is Held for the Money Stolen From Him.

SANTA ROSA, April 24.—As a sequel to the sensational robbery of the Sonoma County Treasury December 23, 1894, a suit was commenced to-day by the county against ex-Treasurer P. N. Stofen and his bondsmen for \$7,815.75, the amount of money secured by the robbers who held him up and afterward locked him up in the county jail.

It is not claimed by the county or anybody that Stofen took the money, but the suit makes it necessary in such actions to allege the facts of the case, and in this case, as the robbery, according to the plaintiff's interpretation of the law, does not constitute a ground of defense.

Stofen's attorneys claim the county treasury was unsafe and that he was in no way to blame when the robbery was committed, and should not be held liable for the loss of funds and a substantial injury.

"WOULD PUT ON PANTS." A Crook's Bride Ready to Go Into the Burglary Business.

MARTINEZ, April 24.—The trial of George Nottingham, who robbed the station-agent at Walnut Creek at the point of a pistol and then got married on the proceeds, was continued to-day. Edgemoor, an 18-year-old boy, who was Nottingham's companion, turned State's evidence at the trial, and to-day told how the crime was committed.

Jones said that Nottingham told him he was broke, and proposed that they rob the station-agent at Walnut Creek. Nottingham did not wish to commit a crime. The day before the robbery Jones met Nottingham and they went to the station-agent's house and robbed him. They wanted money to commit the robbery, and they went to the station-agent's house and robbed him.

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USED AN AX. Probably Fatal Encounter in Little Shasta Valley.

YREKA, April 24.—In Little Shasta Valley, twelve miles east of Yreka, Will Dimmick terribly mutilated the head of Ed. Robbins with a dull ax yesterday morning. There are several Dimmick brothers, and they and Robbins have been in a quarrel for some time. Ed. Dimmick and Ed. Robbins began fighting, when Robbins got his man down, and yelled for help. His brother came to the rescue, and with a blow on the head with a blunt ax, then struck him on the head with the back of the ax. Dr. Collier dressed the wounds at once, and the man lay unconscious several hours. Robbins is about 30 years old, and has a family. He will probably die.

ON TRIAL FOR BURGLARY. SANTA ROSA, April 24.—The trial of John Eaton, one of the men arrested for robbing Ball's store at Windsor a few months ago, began in Judge Eaton's court to-day. Eaton went to Los Angeles and was found there and arrested.

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THAT INCOME TAX OPINION.

The Full Text Made Public for the First Time.

HOW THE SUPREME COURT REACHED ITS CONCLUSIONS.

The Tax on Government Stock a Tax on Contracts and the Credit of the United States—It is Therefore Repugnant to the Federal Constitution, Say the Court.

Special to the Record-Union.

WASHINGTON, April 24.—The text of the opinion of Chief Justice Fuller in the income tax case, which was delivered on the 8th inst., was made public to-day.

The opinion is preceded by an elaborate review of the history of the tax, and the opinion proper is introduced with the statement: "The Constitution provides that representative and direct taxes shall be apportioned among the several States, according to numbers, and that no direct tax shall be laid except according to the enumeration provided; also that all duties, imports and excises shall be uniform throughout the United States."

The man, says the opinion, who framed the Constitution had just emerged from the struggle for independence, whose rallying cry had been "taxation and representation go together."

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"It is conceded in all these cases, from that of Hilton to that of Springer, that taxes on land are direct taxes, and in none of them it is determined that taxes on real estate are derived from land and not taxes on land."

Summing up, the Chief Justice says, among other things: "The requirement of the Constitution that direct taxes shall be laid otherwise than by apportionment. The prohibition is not against direct taxes on land, from which the imposition is suggested by the fact that direct taxes on land would be constitutional, but it is against all direct taxes; direct taxes, therefore, are direct taxes on incomes issuing out of land is intrinsically so different from the land itself that it belongs to a wholly different class of taxes, such taxes must be regarded as falling within the same category as a tax on real estate."

The real question is, then, any basis upon which to rest the contention that real estate belongs to one of the two great classes of taxes, the one which is direct, which is the incident of its ownership, belongs to the other? We are unable to perceive any ground for the alleged distinction between a tax on the annual value or annual uses of real estate and a tax on the real estate itself, which would be a tax on the real estate itself, and the growth or produce of the land.

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