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AGAIN BEFORE THE JUDGE

The Jury for the Third Trial of the Election Conspirators Obtained.

Several of the Venire Challenged for Cause—The Twelve Men Who Compose the Panel—Matters from Other Courts.

The trial of the remainder of those charged with conspiracy in procuring election officers to omit to do their duty, out of which grew the other crimes of tally-sheet forgery concerning the election of 1886, began, yesterday afternoon, shortly after 2 o'clock, before Judge Woods. Yesterday morning, however, plea in abatement was filed by Judge McNutt, in which it was charged that D. W. Coffin, foreman of the grand jury, had contributed money to the committee of one hundred for the purpose of prosecuting the defendants.

Judge McNutt gave notice as soon as the court had ruled in the plea in abatement that he would file on behalf of the defendants plea in bar for each of the defendants. This was done in the afternoon, and it is claimed in these pleas that the foreman of the jury at the first trial misrepresented to Judge Woods, and he to attorneys for defendants, that there was no chance for an agreement of the jury, it being claimed that the jurors were so divided on party lines and party prejudices as not to be able to return a verdict.

In the afternoon there were not over half a dozen spectators present in the court-room besides those who had been summoned to serve as jurors and those directly interested in the case. All the defendants, except Sullivan and Budd, were present with their attorneys when the marshal rapped for order and the preliminary work of the trial began. Sullivan and Budd appeared in a short time, and the whole six, Span, Sullivan, Metcalf, Metcalf, and Connelley, took their places immediately in front of the court with their counsel, and the work of selecting a jury was commenced.

Judge Woods granted Mr. Span a separate trial in still in force. I have heard no objections from the District Attorney to its continuance; this being the case, the court will order again that the case against Mr. Span be given a separate hearing. I believe all the defendants have not entered pleas to the indictments—Mr. Connelley and Mr. Budd have not, as I remember.

When Mr. Span had been granted a separate trial he arose and left the room. The first juror questioned was Lorenzo D. Secham, of Fillmore. He was excused on account of a peremptory challenge by the defense. Martin McGee, of New Albany, and E. D. H. Goshen, were also peremptorily challenged by Judge McNutt. James Claystone, of Valerius, knowing nothing of the case, was retained. William Whitmore, of Princeton, had read the evidence in the previous trials in the Journal and had formed an opinion. He was challenged by the defense for cause and excused. Mathias Johnson, of Huntington, was challenged peremptorily by John W. Kern, although he had heard nothing whatever of the case. Joseph Yates, of Derby, Perry county, had read the Indianapolis weekly papers and followed the former cases through to such an extent that defense concluded that he knew too much about the present case already and he was challenged by Judge McNutt for cause. Thomas C. Burgess, of Columbus, was a reader of the Journal and the News during former trials and had formed an opinion, hence he was rejected by Judge McNutt. E. E. Curtis, of Crawfordville, had read reports of the evidence in the former trials, but thought he could try the present case fairly. After some deliberation by the counsel for the defense he was rejected also. Nathan Smith, of Monroe county, knowing comparatively nothing of the case, was retained. William Olney, of Scott, Lagrange county, said he had read nothing at the case and knew nothing of it, but he was excused on account of a peremptory challenge by Judge McNutt. John S. Merritt, of Lagrange, knew all the evidence in former trials and had his mind made up about the present defendants. He was excused for cause. Samuel Alkire, of Sullivan, was suffering from illness and asked to be excused. When questioned as to the nature of his ailment, he said that he had been exposed to the mumps about ten days ago, and had something of a fever now, he thought therefore he must be taking the mumps. This created a little stir in the audience and Judge Wood said: "Have you not had the mumps? Did you not have them when you were young? Gentlemen, I think you had better excuse him, or I do not want him to have the mumps here, and I do not care about having them myself. I have only had them once—I might take them again."

Mr. Alkire was given plenty of space in which to get out of the room, and after some little delay the examination went on. William McMakin, of Crawfordville, the next juror, was excused also on account of sickness. W. H. Alkire, of Hope, had read the reports of the former trial in the Journal and News.

"Have you read the editorials in those papers?" asked Judge McNutt. "Yes, sir; both the evidence and editorial comments on it."

"You have formed an opinion, then?" "Excuse Mr. Alkire," said Judge McNutt. Harvey Milligan, of Wabash county, was peremptorily challenged by District Attorney Sellers. J. M. Moncuel, of Brooklyn, had read a little concerning the case, but had formed no opinion. He was retained. Frank Abernethy, of West Point, Tippecanoe county, was excused by Judge Woods on a challenge by Kern because he had formed an opinion. George Alspaugh, New Castle; Henry B. Sparks, Aurora; J. M. Davore, Quincy; N. C. Gibson, Daville; John Shing, Vincennes; Harry Henry, Pleasant; Alex. Crunk, Mt. Vernon, were all accepted, none of them knowing anything of the case on trial, while Israel A. Cooper, Cadis, and Chas. Alling, Madison, were rejected by defense on account of having read accounts of former trials in Indianapolis papers. The jury as finally accepted is as follows: WM. NELSON, Bloomington, Parke county, farmer. J. M. DEVOILE, Owen county, farmer. Dem. ALBERT CRUNK, Mt. Vernon, Posey co., farmer. Dem. JAMES CLAYTON, Valerius, farmer. Dem. JOHN Q. THING, Vincennes, farmer. Dem. N. C. GIBSON, Daville, farmer and contractor. Dem. J. MAT MONICAL, Brooklyn, farmer. Dem. GEO. ALSPAUGH, New Castle, mechanic. Dem. HARRY HENRY, Pleasant, Switzerland county, farmer. Dem. NATHAN SMITH, Clear Creek, farmer. Dem. HARRY B. SPARKS, Aurora, farmer. Dem. JOHN MARSH, Madison, farmer. Dem.

There are eight Democrats in all and four Republicans.

eligibility to serve, and judging from their general appearance will hardly be influenced by political considerations. After the selection of the jury was complete Judge Woods charged them briefly and court adjourned. He cautioned them strongly against having the slightest conversation with anybody on the subject of the guilt or innocence of the defendants and ordered them to report promptly any attempt by any one to talk to them. He further charged them to remain in a body as far as was convenient, though they will be allowed to separate each day at adjournment of court.

All of the defendants took the liveliest interest in the proceedings. Sullivan was especially active and frequent in his communications to his attorneys. Dr. Metcalf sat watching closely everything that was going on, and making notes in a small memorandum book which he carried. Connelley appeared to take things easy, while Budd and Secham came in and went out frequently. None of the prominent politicians, either Democrats or Republicans, were present. The taking of testimony will begin this morning at 9 o'clock.

A New Divorce Law Needed. A large number of divorce suits that cover come to trial for want of prosecution are constantly being filed, and the Superior Court judges have concluded not to allow them to remain on their dockets as long as heretofore. Judge Howe took the initiatory step in the new more yesterday by striking from his docket several cases of this character. "I am becoming more firmly convinced that Indiana needs a new divorce law," said an attorney yesterday. "It is entirely too easy for a husband or a wife to procure a divorce. My experience has been that not more than one-half the applicants are entitled to a divorce. A husband or a wife gets mad or discontented, and the first thing they do is to run off and make application for a divorce. In about one-third the instances the temporary trouble is healed before the case comes to trial."

Could Not Give Bond. Philip Coup and wife, the diamond thieves, made no defense when they were arraigned before the Mayor yesterday morning, and both were bound over to the grand jury. The Mayor fixed their bond at \$3,000 each, and, as neither could furnish a bondsman, they were taken to the county jail. Coup has two or three brothers still in the show business, who are quite wealthy, and he expects them to come to his assistance. A telegram to Superintendent Travis from Madison, Indiana, of Washington, Ind., yesterday, stated that some of the stolen property had been found there, and an officer will be sent down to claim it. Several diamond rings have been traced to Vincennes, and Detective Thornton thinks he will be able to recover all the stolen property.

Complicated Interests. In the trial before Judge Taylor to test the ownership of the Brunsvold Hotel property it is shown that the block at present is claimed by David A. Nicholson, but his wife holds a second mortgage on it, while Fletcher & Churchman have a first and third mortgage covering the same property. Through the defalcation of City Clerk Newton Pattison, Messrs. Eram, Loftin, Cooper and Bassett are brought into the case as co-defendants. Mr. Nicholson was on Pattison's bond, and his ownership in the property has a bearing upon the amount for which he is liable on the bond.

They Say He Still Drinks. The effort of ex-Councilman, William McLaughlin, to have James Renihan, his guardian, removed is attracting considerable attention in the Circuit Court, where the case is being tried. Mr. McLaughlin is seeking to be freed from the legal restraint on the ground that he is no longer a drunkard. He is being opposed in his attempt by his wife and daughters, who testify that he still drinks and is not capable of managing his affairs. Mr. McLaughlin has property valued at about \$8,000, and his family state that it is being well cared for by Mr. Renihan.

Wants Damages. James S. Wilson, a carpenter, has instituted suit against John L. McClintock and Mathias Garver for \$5,000 on account of personal injuries he received several months ago by an ice-house blowing down. The ice-house was being built by Garver, and McClintock was the contractor for the work. Mr. Wilson, employed on the building, was on the roof when a gust of wind upset the frame-work. He was badly injured by the fall and he alleges that he has not been able to do anything at his trade since the accident.

The Maloney Assignment. Richard S. Turroli yesterday qualified an assignee of Captain John Maloney by filing his bond in the Circuit Court. He will take immediate charge of the stock and will dispose of it for the benefit of the creditors. It is thought none of them will lose anything. E. F. Jaquith, the wholesale dealer in boots and shoes, on south Illinois street, last evening filed suit against Mr. Maloney and the assignee for \$350, which he alleges assignee owes him for goods purchased.

Wm. Owens Acquitted. William Owens, charged with attempting to murder Thomas Ramp, was acquitted by the Mayor yesterday morning. The evidence showed that Ramp, without provocation, threw a hatchet at Owens, who in return fired two shots without any effect.

Nichols Sent to Jail. Edward Nichols, arrested for stealing a watch from Grace Brown, has been committed to jail to await the action of the grand jury. Frank Stewart, charged with stealing \$120 from O. C. McGannon, will be tried before the Mayor today.

New Term of the Circuit Court. The regular May term of the Circuit Court will begin next Monday, and will continue six months.

The Court Record. SUPERIOR COURT. Room 1—Hon. N. B. Taylor, Judge. Stoughton A. Fletcher et al. vs. David A. Nicholson et al.; foreclosure. On trial by court. Robert N. Lamb et al. vs. Mrs. Tracy Cunningham et al.; foreclosure. Cause dismissed by plaintiffs.

Room 2—Hon. D. W. Howe, Judge. Annie Hooker vs. John Hooker. Cause dismissed. Annie Baker vs. William Baker. Cause dismissed. Luitia Finn vs. George Baker. Cause dismissed. Mary E. Talbot vs. Henry N. Talbot. Cause dismissed. Bridget Toomer vs. Chesapeake & Ohio Railroad Company. Cause dismissed. Giggitta E. Carter vs. William Carter. Cause dismissed. Casper H. Speakerworth vs. John Baer. Cause dismissed. Merit Peckham et al. vs. Jeremiah A. Weakley. Cause dismissed. William H. Neff vs. Alice Neff. Cause dismissed.

Room 3—Hon. Lewis C. Walker, Judge. Maggie Wombaugh vs. Joseph Wombaugh; divorce. Granted on grounds of cruel treatment. NEW SUIT FILED. James Wilson vs. John L. McClintock and Mathias Garver; complaint for damages. Demand \$5,000. E. F. Jaquith vs. J. Maloney; complaint on account. Demand, \$350. Clara Hunt vs. Otis Hunt; complaint for divorce. Allegation cruel treatment.

Circuit Court. Hon. Thomas L. Sullivan, Judge. In the matter of guardianship of Wm. F. McLaughlin; to have guardian removed. On trial by court.

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May is a fraud. The poets have sung about it till mankind has been deluded into the belief that May is all that is sweet and beautiful. It is one of the worst months of the year. It is likelier to be cold and wet than not, and catching you with the fires out full you full of "cold." It is a good month to shop, though. The spring lines are "all full and a yard wide," so to speak. That fits our offerings throughout, from our drapery department up through wall-paper, carpets, and all the house furnishings that we handle. Join the majority and come inspect our goods. Come see the "Dark Room," if nothing else.

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