600. The cash balance in the treasury on Dec. 31, 1894, available for current expenses of the government, but not including the gold reserve fund, is given as follows:

| | |
|---|---|
| Silver dollars and bullion | $7,650,305 |
| Fractional silver coin | 14,483,636 |
| United States notes | 34,914,157 |
| Treasury notes of 1890 | 28,379,950 |
| National bank notes | 4,759,952 |
| Minor coin | 1,104,186 |
| Deposits in banks | 15,081,275 |
| Bonds and interest paid | 12,247 |
| Making a total, cents omitted, of | 106,375,740 |

The actual amount of gold in the treasury on July 1, 1894, was $64,873,024 and on Jan. 1, 1894, $80,891,600. The amount of gold received from the sale of United States bonds from Jan. 1, 1894, to Dec. 31, 1894, both inclusive, was $117,380,282. The amount of treasury notes and United States notes redeemed in gold between the same dates was as follows: Treasury notes, $17,804,025; United States notes, $123,941,059, making a total of $141,745,104. The cash balances of gold on this account on Dec. 31, 1894, was $86,244,445. The amount of United States notes and treasury notes in the treasury on Jan. 1, 1894, exclusive of United States notes, held for the redemption of currency certificates outstanding was $6,289,986. Adding to this $141,745,104, the amount of such notes redeemed to Dec. 31, 1894, as above stated, and $45,117,738, the amount of like redemptions during the following months, gives a total of $193,151,928 of such notes available during the whole period, exclusive of ordinary receipts. The amount of these notes remaining in the treasury on Jan. 31, 1895, the date of the resolution, was $85,627,989, showing that of a total of $186,862,842, redeemed in gold from Jan. 1, 1894, there have been paid out the sum of $107,523,939, and there was remaining in the treasury a balance of $79,338,903. Of the amount paid out $67,985,453 was for current expenses, and $39,538,486 was in exchange for other kinds of money, including gold. The report also shows that on July 1, 1894 the unexpended balances of appropriations aggregated $78,291,105, and the total amount available for expenditures on that date was $364,616,414, making the total available appropriation on July 1, 1894, $142,907,520. The expenditures during the six months ended Dec. 31, 1894, amounted to $186,932,480, leaving an unexpended balance on Jan. 1, 1895, of $255,955,039.

## BRITAIN HOLDING BACK.

### Delay in Promulgating the Agreement to Prevent Collisions at Sea.

WASHINGTON, Feb. 14.—The Vice President to-day received a communication from the Secretary of State in response to a Senate resolution concerning the international agreement to prevent collisions at sea. The Secretary states that France, Germany, the Netherlands, Portugal, Sweden, Spain and Russia have promised to promulgate the regulations and Japan has already promulgated them. Great Britain, Austria and Italy express a desire to postpone action until a later day. It appears from the correspondence transmitted that Great Britain at first fell in with the plan for an international understanding, but that on Oct. 15 last, Secretary Gresham was informed that the Earl of Kimberly had reached the conclusion that as all the maritime powers had not signified their acceptance of the agreement it had been found impossible to put them into effect on March 1, 1895, as agreed upon. This led to more or less diplomatic representation, closing with a recommendation by Embassador Bayard of Jan. 31, that a joint resolution be adopted by Congress authorizing the President to temporarily make his first proclamation. Mr. Bayard thinks the British government will ultimately accept the agreement. The correspondence shows that Austria and Italy acted in accord with Great Britain in asking for a postponement of the date of putting the agreement into effect.

## INCOME TAX CASE.

### Arguments of Ex-Senator Edmunds and Mr. Whitney.

WASHINGTON, Feb. 14.—The case of John G. Moore, the New York broker, who instituted suit against the Commissioner of Internal Revenue to test the constitutionality of the income tax law, came up on appeal before the District Court of Appeals to-day. The points discussed in the hearing were mainly reiterations of those raised in the Equity Court several weeks ago. The lower court had erred, it was claimed, in holding that the act imposing the tax was constitutional; that the double taxation as in the case of the complainant was lawful, and that the income tax was an indirect tax, though not apportioned among the several States as provided by taxation. Ex-Senator Edmunds, of Vermont, made the argument for Mr. Moore. He sought to show that the tax was a direct one, and that even if it were an indirect tax it was not levied constitutionally, in that it makes an arbitrary distinction between classes of individuals, and, therefore, lacks uniformity. He also upheld the legal right of the petitioner to bring the suit in its present form.

Assistant Attorney-general Whitney, who followed, held that there was no ground for the equitable proceedings in the case, and reiterated his former contentions as to the constitutionality of the tax. He wanted, he said, to correct a general mistaken impression about the tax. The $4,000 limitation, he declared, does not apply to corporations, and the tax applies to their net profits, not to the dividends. Mr. Edmunds made a short closing argument, and the court took the case under advisement.

### Army and Navy Appointments.

WASHINGTON, Feb. 14.—The President has sent to the Senate the following nominations:

War—Lieut. Col. Edmund C. Bainbridge, Third Artillery, to be colonel; Maj. Edward B. Williston, Third Artillery, to be lieutenant colonel; Capt. John R. Myerick, Third Artillery, to be major; First Lieutenants William Everett, Fourth Artillery, and Henry C. Danes, Third Artillery, to be captains; second lieutenants E. T. Wilson, First Artillery, and M. G. Zalinski, Second Artillery, to be first lieutenants.

Navy—To be assistant naval constructors: Washington L. Capps, of Virginia; Frank W. Hibbs, of Minnesota; R. P. Hobson, of Alabama; Thomas F. Ruhm, of Tennessee; H. G. Smith, of Ohio; John D. Buret, of Michigan; Robert Stocker, of Minnesota; Elliott Snow, of Utah; George H. Rock, of Michigan; Lawrence Spear, of Ohio; H. G. Gilimer, of Wisconsin; Joseph E. McDonald, of Illinois, and Homer L. Ferguson, of North Carolina.

### Crush at a Reception.

WASHINGTON, Feb. 14.—The army and navy reception, the third of the season, at the White House, took place to-night. The crowd was the greatest for years, and strongly emphasized the inadequacy of the building for such purposes. People stood in line for over an hour before they could reach the dressing room. Several ladies had their dresses torn nearly off, and many more were badly crushed. There were comparatively few diplomats present, but both Congress and the army were well represented.

### Campbell's Nomination Rejected.

WASHINGTON, Feb. 14.—The Senate, in executive session to-day, rejected the nomination of William M. Campbell, to be United States marshal of Minnesota, and confirmed Brigadier General Thomas Howard Ruger to be major general, Feb. 8, 1895, vice Schofield, appointed lieutenant general.

### General Notes.

Special to the Indianapolis Journal.

WASHINGTON, Feb. 14.—Martin Leahy and his wife, of New Albany, are here en route to New York, whence they sail on Saturday for a trip on the continent.

Representative Holman has been unable to attend the sessions of the House for several days on account of the very serious illness of his grandchild.

The President has signed the Chicago public building bill and the act authorizing a survey of the Kalamazoo river from Lake Michigan to Saugatuck.

To-day's statement of the condition of the treasury shows: Available cash balance, $144,334,031; gold reserve, $45,641,811.

The Secretary of the Treasury has given instructions that United States gold coin now below the limit of tolerance in weight may be received at the subtreasury at its face value. Only foreign coins and bars will be received at the New York assay office, where its value will be ascertained.

Representative Martin has made a favorable report on the bill to pension Elizabeth New, widow of Capt. Jethrow New, now living at Rochester, Fulton county. A bill granting Mrs. New a pension of $20 a month has already passed the Senate. Mrs. New is seventy-eight years old. Mr. Martin has also made a favorable report on Mr. Hammond's bill to pension Michael Costello.

### Attempt to Kill a Manager.

WHEELING, W. Va., Feb. 14.—At an early hour this morning a bomb was thrown into the office of the Buckeye glass works, at Martin's Ferry, O., doing considerable damage. Manager Humphrey was supposed to be sleeping in the office at the time. This is the second attempt on his life, as he was shot at about ten days ago. A strike was inaugurated in this factory some months ago, and early in January operations were resumed with nonunion men. Since then there have been frequent outbreaks.

# SEXSON'S QUEER TALE

## CLAIMS TO HAVE BEEN CONVICTED FOR ANOTHER MAN'S CRIME.

### Says He Was Induced to Stand Trial for the Murder of McDonald by the Oily-Tongued Patterson.

# AN ALLEGED DEFALCATION

## LATE AUDITOR OF HARRISON COUNTY SHORT IN HIS ACCOUNTS.

### Deficit May Reach Thousands—Another Natural Gas Explosion at Anderson—General Indiana News.

Special to the Indianapolis Journal.

DANVILLE, Ind., Feb. 14.—There is now a condition resulting from the trial of John Sexson, of Thorntown, who was last Friday found guilty of the charge of killing McDonald, at Thorntown, in August, 1894, and sentenced to prison for twenty-one years, that is peculiarly strange, throwing a new light on human nature and showing how one man may be controlled by another, either from friendship or fear. Sexson all through the trial bore himself with remarkable bravery and ease. He was cool on the witness stand, and when he came into court to hear the verdict of the jury and receive sentence he was evidently in a happy mood, and he heard the sentence, which is generally believed to be quite severe enough, without a change of expression.

T. S. Adams, one of the attorneys for the State in the case, sent word to Sexson that he would like to have a talk with him. On Saturday Sexson said he would like to talk with Mr. Adams, who, in company with J. K. Little, one of the jurors who found Sexson guilty, and John Taylor, deputy sheriff, went to the jail. Mr. Sexson greeted Mr. Adams pleasantly, and said he had no feeling other than one of friendliness toward him, as what he did in the prosecution was simply his duty. They talked in general about the trial, and Sexson sighed and said:

"It is hard to have to go to prison for a crime of which one is not guilty. I did not kill McDonald."

Mr. Adams expressed no surprise, as he had felt all through the trial that there was something being concealed.

"Tell the story," said Mr. Adams.

Sexson drew a long breath, looked at the floor thoughtfully for a minute, and said:

"Charley Patterson struck the blow that killed McDonald."

This caused a sensation, and Sexson was induced to tell all the story. He said that Patterson wanted to whip a man named Sutton, and the night of the murder he (Sexson) and Patterson were in Smith's saloon in Thorntown. When they left, Patterson took with him a piece of gas pipe, the identical piece which had been produced in court, and which the State claimed had been used in dealing the fatal blow. As they went down the street, Patterson took a bottle of beer out of his pocket and drank it, handing the gas pipe to Sexson to hold while he drank the beer. This was in front of O'Rear's house. On the witness stand O'Rear had testified that he had seen Patterson and Sexson together, the latter holding a club of some description. After Patterson finished his beer, he threw the bottle away and took the gas pipe again. Soon they saw McDonald, and Patterson called him to them. They talked a few minutes and then McDonald walked away and, as he turned, Patterson struck him with the gas pipe from the rear, and he fell, just as the State has claimed he fell, and as the State had claimed that the blow was struck. Then Patterson said to Sexson:

"We are in for this now, and if I am convicted for this I will hang, because my reputation is bad here. Now, Sexson, you say that you did this in self-defense. I will swear to the same, and will get others to do so, and as your reputation is good, you will be acquitted, and neither of us will suffer."

To this proposition Sexson consented, and in the evidence before the coroner, before the grand jury and in the trial just concluded, Sexson told the story that Patterson put in his mouth for the sole purpose of freeing Patterson, he assuring Sexson that all would go well with him and that he would be acquitted.

While Sexson was confined in the Boone county jail Patterson called on him, and would urge him to "stand by the story I told you and you will be all right." Lately, Patterson has been arrested on a charge of burglary and has been in jail. Sexson has been confined in the Danville jail for some time, and since Patterson's arrest he has written Sexson letters, in which he has urged him to stand by that story.

Mr. Adams asked Sexson if he had the letters, but Sexson said he had destroyed them that morning as he was making his preparations to go to the penitentiary. He had showed them, however, to another prisoner, who said that Patterson had written what Sexson told him. Sexson continued his story that, after the blow was struck, they went down the street and hid the gas pipe under the church where it was found. When asked about a statement that was used in the trial about "knocking some one so high that he would never come down," he said that they were then talking about the pitcher of a ball club which was to play there. It had been the opinion that these words had been used as a threat against some one, but Sexson said they had not. He told his story in a straightforward manner, and said that in his evidence before the coroner, the grand jury and before the local court he had perjured himself. There was no trace of embarrassment in reciting the details, and he could make no explanation of the power by which Patterson wove the web that would bind Sexson so strongly. The story produced a profound sensation, and will further complicate matters in a case that is not yet at an end.

The conception and execution of such a daring plan is not placed beyond Patterson. He has been arrested numerous times, but has always escaped with a light jail sentence, if tried at all. He broke jail at Frankfort once, and the manner of his escape was not discovered for some time. He was brought to Danville to testify in this case in chains, as a few weeks ago he was arrested, charged with breaking into Welshan's store at Thorntown, and has since been confined in the Lebanon jail. The few days he was confined in the Danville jail last week he broke several locks, and when the officer started to Lebanon with him he asked to be left in jail here one more night. What his object was no one knows, unless he thought he could escape in a few hours more. Sexson was taken to Lebanon yesterday, and to-day he was to testify in regard to the affair before the grand jury.

What has been the cause of considerable talk among the attorneys was the peculiar condition of the indictment against Sexson when it was received in Danville from Lebanon. It was in two different hand-writings and was in three counts. The first charged Sexson with murder in the first degree, the second with murder in the second degree, the third with manslaughter. A similar indictment was never before seen in this court. The State's attorney "nollied" the second and third counts and Sexson was tried on the first. An investigation will be made to see if it has been tampered with, and by whom, at the present sitting of the Boone county grand jury.

### Sexson on the Witness Stand.

Special to the Indianapolis Journal.

LEBANON, Ind., Feb. 14.—The trial of the notorious Jeff Powell, charged with the burning of Abe Fall's residence, Aug. 7, began in the Boone Circuit Court this morning. The morning was consumed in securing a jury, and the prosecution began the introduction of evidence this afternoon. John Sexson, recently sentenced to twenty-one years in the penitentiary for the killing of Hiram McDonald, was on the stand the greater part of the afternoon, and says Charles Patterson and himself told defendant's fortune with a pack of cards, and thereby secured Powell's confession of his guilt.

## BETRAYED HIS TRUST.

### Late Auditor of Harrison County Short in His Accounts.

Special to the Indianapolis Journal.

CORYDON, Ind., Feb. 14.—County Auditor T. S. Getzendanner is preparing a report to be submitted to the Board of Commissioners at the ensuing term, which shows that his predecessor, Charles W. Cole, is short in his accounts several thousand dollars, the exact amount of which is not know at this time, as the examination of the books is not yet complete. The announcement of Mr. Cole's shortage has created great surprise, inasmuch as he was regarded as strictly honest and had the confidence of every one, regardless of politics. His defeat for re-election last November was attributed to the Democratic slump and not to his unpopularity. A few days ago Mr. Cole removed his family to Louisville, where he is now engaged in the hotel business. He is about thirty-five years of age, is a member of the M. E. Church and of two or three secret orders. It is thought Mr. Cole became involved through the large sums of money he used in conventions and at elections. He was a candidate for auditor four times in Democratic conventions, and received the nomination three times, and yet only held the office one term, having been twice defeated by Republicans at the polls, the last time by Mr. Getzendanner, in November. In all of these contests he is said to have used money freely, and well-informed persons say that he spent $1,600 in the Democratic primaries last spring. Within the last twelve years there have been six defaulting Democratic county officials in Harrison county besides Mr. Cole.

### Gas Explosion at Anderson.

Special to the Indianapolis Journal.

ANDERSON, Ind., Feb. 14.—The business center of Anderson was startled this morning by an explosion of natural gas, which took place in the basement of the saloon owned by Louis Biest. Hundreds of persons rushed to the scene to find a half dozen persons mangled in the debris Henry Dittmer, a bartender, was the only person injured. His head, face and hands were pretty badly burned. Dittmer went to the cellar and, upon striking a match, the explosion followed, although no trace of gas had been previously noted. The plate glass front was shattered to pieces and blown across the street, the floor ripped open, bottles broken and pieces of plastering loosened from the walls and ceiling. A half dozen persons were at the bar, all of whom were slightly stunned by the concussion, but none injured.

### Wants a Receiver Removed.

Special to the Indianapolis Journal.

SHELBURN, Ind., Feb. 14.—To-day C. C. Heisen, of Chicago, through his attorney, Mr. Schofield, entered complaint against Frank Binz, receiver of the Shelburn Coal Company, alleging that under the present management the mine is not self-sustaining, but is contracting a large indebtedness. He demands the court to remove Binz. Heisen holds a first mortgage on the mine, which was foreclosed last June. A petition was circulated by some of the miners to-day for the present receiver's removal. A special session of court will be held to-morrow with Judge Moffett on the bench. If Binz is sustained the mining machinery will be taken out and hand-pick work substituted.

### Suit Against a Gas Company.

Special to the Indianapolis Journal.

ANDERSON, Ind., Feb. 14.—This morning a damage suit against the Alexandria Natural-gas Company was filed in the Circuit Court of this city, asking an award of $10,000. It is asserted in the complaint that during the illness of a child of the plaintiff, Jean Baptiste Grenier, the company shut off the supply of fuel. The child grew worse and died. The plaintiff claims that the house became chilled, and as a result the fatal illness of the child followed. One of the leading attorneys of this city has been retained to prosecute the case.

### Elopers Welcomed Back.

Special to the Indianapolis Journal.

VINCENNES, Ind., Feb. 14.—Last July Miss Lulu Antleitner, daughter of Louis Antleitner, eloped with John Allen, her father's hired man. They were married by a rural justice of the peace. The parental wrath was so great that the couple dared not venture back. Recently they were forgiven and returned home. Mr. Antleitner killed the fatted calf, gave a grand wedding celebration and induced the couple to be remarried. This time the ceremony was performed in church by the parish priest.

### New Enterprise at Frankfort.

Special to the Indianapolis Journal.

FRANKFORT, Ind., Feb. 14.—There is a movement on foot in Frankfort whereby a company is to be formed of home capital for the purpose of manufacturing various kinds of goods out of cloth and leather, such as ladies' and children's overgaiters, leggins, soft soled shoes, etc. The concern is to be incorporated with a capital stock of $10,000 and the Coulter Opera House is to be converted into a factory. The men back of the enterprise are among the most wealthy of Frankfort.

### Harry Worden Given Seven Years.

Special to the Indianapolis Journal.

LOGANSPORT, Ind., Feb. 14.—Harry Worden, who shot Warren Knowles, of Crawfordsville, in the breast, without provocation, here about a month ago, pleaded guilty to-day of assault with intent to kill and was sentenced to seven years in the Prison North. He told the court that he was crazy drunk and had no recollection of the occurrence. Riley Ellis, Worden's companion in the crime, will be tried to-morrow.

### Will Assess Income Tax.

Special to the Indianapolis Journal.

ANDERSON, Ind., Feb. 14.—James J. Netterville announced to-day that he would accept the position tendered him as assessor under the new income-tax law, and will enter at once upon the discharge of his official duties. Mr. Netterville will have charge of this district, and estimates that there are more than a thousand persons who will be subject to the assessment of 2 per cent. on incomes over $4,000 per year.

### Blackford County's New Courthouse.

Special to the Indianapolis Journal.

HARTFORD CITY, Ind., Feb. 14.—At a meeting of the County Commissioners, architect Labelle and contractor Boseker to-day, Blackford county's new courthouse was accepted. Work began in the summer of 1893. The contract price was $57,200 and changes and extras amounted to $2,000. It is one of the finest courthouses in the State.

### Funeral of Hon. Samuel Myers.

Special to the Indianapolis Journal.

ANDERSON, Ind., Feb. 14.—The funeral of Hon. Samuel Myers, which took place here this afternoon, at 2 o'clock, under the auspices of the Odd Fellows, was one of the most imposing ever witnessed in Anderson. A great many distinguished citizens from various parts of the State were in attendance.

### Boy Fatally Injured.

Special to the Indianapolis Journal.

FRANKFORT, Ind., Feb. 14.—Cloyd Meeneley, the nine-year-old son of J. V. Meeneley, of the Times, was run down, yesterday evening, by a cab, the wheels of the vehicle passing over his head and inflicting what is thought to be a fatal injury.

### Fire at Noblesville.

Special to the Indianapolis Journal.

NOBLESVILLE, Ind., Feb. 14.—The novelty works, belonging to Leonard Hinkle, caught fire at midnight and will be a total loss, amounting to $20,000. The origin of the fire is unknown.

### Indiana Death Record.

PRINCETON, Ind., Feb. 14.—Henry G. Wheeler, aged fifty-five years, died in this city to-day of typhoid fever. Mr. Wheeler was one of the best known farmers in the State, owning several hundred acres of the best land in this county. He is the father of Lon Wheeler, a well-known merchant of Hazelton, Ind.

Sylvester R. Maxam, aged seventy-three, died suddenly in this city to-day. Mr. Maxam has been a well-known grain dealer here for half a century.

MONTEZUMA, Ind., Feb. 14.—Julia, widow of the late Judge Donaldson, died here this morning of pneumonia. She was a native of Kentucky and came to Parker county in 1827. Her first husband was Matthew Russell.

VINCENNES, Ind., Feb. 14.—Mrs. Barbara Kupbens suddenly fell dead of heart disease last night while attending to her household duties.

### Indiana Notes.

Thieves, at Crawfordsville, on Wednesday night, stole a horse from John McClamrock and a sleigh from Dr. B. F. Hutchings.

Colonel A. Hardy, of Logansport has sold his famous pacer Brennan, with a mark of 2:16¼, to a Paris, Ky., horseman for $2,000.

The house of Mrs. Michael Callihan, at Crawfordsville, burned yesterday, from a defective flue. Loss, $1,000; insured for $700 in Ohio Farmers'.

A handsome new Masonic temple for Logansport is assured. It is to be located at North and Fourth streets and will probably contain an auditorium that will seat 1,400 people.

Barney Hamell, an aged German and veteran of the civil war, is missing from his home in Logansport and foul play is suspected. He was last seen Monday when he drew $24 pension money.

In the catch-as-catch-can wrestling match at Marion, last night, between Eddie Ross, of Marion, and James Bardell, an Englishman, $100 a side, Ross threw Bardell in two straight falls, one in twenty-two and the other in eleven minutes. Ross has challenged Eddie Bard, of Cincinnati.

A car was loaded at Crawfordsville, yesterday, for the needy in Nebraska, near Arborville. The contents were chiefly wheat, corn, flour, bacon and clothing. Money was also raised to pay the freight. The people of Montgomery county gave the goods.

## NO STATE'S LAND.

### Place Where Crime Is Rife and the Perpetrators Cannot Be Punished.

TEKAMAH, Neb., Feb. 14.—Three men met death in the past few days on the strip of land added to this county by accretion of the Missouri river and the murderers cannot be punished, since neither Nebraska nor Iowa claims jurisdiction over the disputed territory. Yesterday J. P. Blann was arrested for killing Robert Phillips, a squatter on the land to which Blann claims title. At the time of the shooting four squatters entrenched in the cabin were armed with revolvers and shotguns awaiting the midnight assaults of which they had been forewarned. The assailants were ambushed at long range with Winchesters and had secured the surrender of the squatters who had come out of the house with hands up when Phillips was shot down. Blann, the accused, was released because the State has no jurisdiction in the matter. The point of jurisdiction is the result of a survey of the ground which is alleged to have been within the Iowa boundary at the time of the government survey. None of these river accretions lands pay taxes, and the court decisions on conflicting points at issue have always added but little light to the matter. Wilse Wilson, on the same strip of land, clubbed an unknown man to death Monday, and in a free fight to-day J. J. Stevens was killed on the disputed land. Farmers are discussing measures to arrest the lawlessness in the county. These killings grew out of a dispute over the title to that land, which is very valuable.

## TEMPERANCE CRUSADE.

### Christian Women Invade the Drinkeries of Sioux City.

SIOUX CITY, Ia., Feb. 14.—The temperance crusade of the W. C. T. U. created a sensation in Sioux City to-day. Not since the days when Rev. Mr. Haddock was killed by an assassin while waging war on saloons has there been such a temperance revival. About two hundred women marched from saloon to saloon singing hymns and reading to barkeepers the section of the Martin liquor law, which they have been violating. At John Manderscheid's place the ladies received a "hot" reception. Manderscheid called them all sorts of names and commenced pushing them toward the door. In the rush to escape a number of women were hurt. The women say they will continue the crusade.

## SUNDAY OPENING IN ENGLAND.

### The Law Seems Satisfactory and Is Enforced with Strictures.

New York Sun.

Sunday opening of liquor saloons is permitted in Great Britain under regulations which have remained the same for a dozen years or more, and which seem to be pretty generally satisfactory all round. The regulations are strict and the penalties heavy. The hours during which saloons may be open are different for London, for the large cities, and for the country places, but under these three classifications the law is the same. In London saloons may be open on week days from 5 in the morning until 12:30 midnight, except on Saturday night, when they must close at midnight. In towns of not less than 1,000 inhabitants the week-day hours are from 6 in the morning until 11 at night. In the country saloons may only be open from 6 a. m. to 10 p. m. on week days.

On Sundays London saloons may be open from 1 to 3 in the afternoon and from 6 to 11 at night. Elsewhere the hours of Sunday opening are in the afternoon from 12:30 to 2:30 o'clock, or 1 to 3, as the local authorities may determine, and from 6 to 10 in the evening.

New York liquor dealers say the very best of Sunday trade is the early morning trade. Doubtless the same conditions obtain in London as here, but there is no Sunday morning selling in London or elsewhere in Great Britain. It is an interesting sight all over England to see the crowds slowly lining up toward a public house about twenty-five minutes after 12 on Sundays. By twenty-five minutes of 1 the saloons are full. This is not so in the evening. There is not such a rush for a drink in the evening. But there is a peculiar exception to the Sunday closing law which allows any thirsty soul to get drink if he is only willing to take a little trouble for the drink's sake. A "bona fide" traveler may go into any public house and demand "refreshments," and the keeper must serve him. Under the law, as interpreted, a man who makes a bona fide journey of four miles is a "bona fide traveler." Of course, this provision was at first greatly abused, until it was made plain, through convictions, that a man must be a traveler for some other purpose than to get a drink in order to be a "bona fide traveler." Still, a man may take a four-mile walk for his health, and want a drink at the end of it. In that case he can get it. But, as a matter of fact, this feature of the law is not abused much. The saloons where liquor is sold to "travelers" out of hours on Sundays are usually in the suburbs of big towns, and the business is, as a rule, entirely legitimate. If a man is out walking or driving on Sunday morning he may stop at a country inn and get a glass of ale without any trouble or question.

The exception as regards travelers also applies to all persons arriving at or departing from a railway station by rail. To accommodate such people the buffets on the station platforms are opened at the times of arrival and departure of trains, but a man must show his railway ticket in order to get a drink. Of course, if a man is dying for a drink he can take a train to a place four miles out of town and get a drink at the buffet. Another exception in the Sunday selling law is that liquor may be sold to persons actually lodging in the hotel or inn.

Still, these exceptions do not cut much of a figure in the matter of Sunday opening in Great Britain. The law is interpreted in the spirit as well as the letter, and the result is that, practically, all liquor saloons in Great Britain are closed on Sundays until 12:30 midday and between 3 and 6 in the afternoon. The penalty for keeping open out of hours, or "for allowing liquor to be consumed" on licensed premises out of hours, is £10 for the first offense and £20 for the second. If a saloon keeper is convicted a third time he is liable to lose his license.

There is little or no business done behind dark shades or by side doors. At about five minutes before 11 at night the head bartender sings out in a loud voice: "Five minutes of closing time, gentlemen." Prompty at 11, to the second almost, the doors are closed, and no one is thereafter permitted to enter. The courts have decided that three minutes is sufficient time for a man to drink anything he may have left at 11, and if any persons remain in the saloon at five minutes after 11 the keeper is liable to arrest.

The licensing laws as a whole are pretty strict in Great Britain. If a holder of a license permits drunkenness or riotous conduct on his premises, or sells liquor to a drunken person, or harbors a policeman on duty, or attempts to bribe a policeman, or permits gambling in any form, he is liable to a heavy pecuniary penalty, and the conviction is indorsed on his license. A third conviction causes the forfeiture of his license, and may disqualify him from getting another for five years.

### Blue and Gray at a Banquet.

CHICAGO, Feb. 14.—The "blue and the gray" mingled to-night at a banquet at the Auditorium, given by Columbia Post Grand Army. About three hundred men sat down to the table. The banquet was opened by Rev. Emil G. Hirsch in prayer. Commander H. G. Purington, of Columbia Post, introduced the speakers and Commander C. H. McConnell acted as toast master. The list of toasts included, "1861-1865," Major Wm. Warner, of Kansas City, past commander-in-chief of the Grand Army of the Republic; "The Stars in Their Courses," General John C. Black; "The Duties of Peace," St. Clair McKelway, of Brooklyn; "A New Nation," Wm. E. Mason, Chicago; "The New Century," General John B. Gordon, Georgia. The members of the ex-Confederate Association of Chicago were invited as guests of the Columbia Post.

### Stakes for Trotters.

LOUISVILLE, Ky., Feb. 14.—The Louisville Driving Fair Association has announced the following stakes for its meeting, Sept. 9 to 14, inclusive: 2:12 trot, $2,000; 2:16 trot, $5,000; 2:21 trot, $2,000; 2:29 trot, $2,000; three-year-old, free-for-all trot, $2,500; three-year-old, 2:29 trot, $1,500; two-year-old, 2:40 trot, $1,000; yearling trot, $1,000; 2:10 pace, $2,500; 2:20 pace, $5,000; 2:30 pace, $2,000. Entries close April 10. In addition to the above the association will give $15,000 for class races.

Thousands die every winter of consumption, bronchitis, diphtheria and lung fever, whom a few doses of Hale's Honey of Horehound and Tar, given in time, would have saved from a premature grave. Sold by all druggists.

Pike's Toothache Drops cure in 1 minute.

# IN HARRY'S DEFENSE

## MR. SMITH'S OPENING STATEMENT AT THE HAYWARD TRIAL.

### Effort Will Be Made to Show that Adry Is Insane and His Heart Filled with Deadly Enmity.

## HARRY TO GO ON THE STAND

## AND ENDEAVOR TO CLEAR HIMSELF OF THE CHARGE OF MURDER.

### Testimony of the Morgue Keeper and the Undertaker Who Had Charge of Catherine Ging's Remains.

MINNEAPOLIS, Minn., Feb. 14.—It was the defense's turn in the Hayward murder trial to-day, and there was eager curiosity to learn what course attorney Erwin and his assistants would pursue. The defendant's demeanor on entering the court room was positively jubilant. He nodded to some lady friends in the front row, and then, espying his mother, went up to her and said, "Good morning, little mother," and kissed her upturned lips. When John Day Smith arose to address the jury in his deliberate fashion Harry faced squarely around to the jurors and scanned their faces as the words fell from the lips of his counsel. Before the court opened he found time to tell the reporters that the report in a morning paper to the effect that he had remarked "they are going to hang me" was unqualifiedly false, and that he had never given utterance to any such statement.

Attorney Smith, in addressing the jury, called attention to a number of things the State had promised at the outset to prove, which, he said, it had not proved. It had not showed that Hayward had secured all of Miss Ging's money, as she had a balance in bank at the time of her death; it had not shown that he had gone riding with her the Wednesday and Saturday evening before the murder, as promised. Mr. Smith declared that the insurance transactions, the acquiring of an insurance interest and the waivure of the assault clause, of which much had been made by the State, were all in the ordinary course of business and not in any way unusual. The sweat-box method of wringing so-called confessions from Blixt and Adry Hayward were referred to in denunciatory terms. The defense admitted that Harry was a gambler, and deplored the fact, but asserted that he was not on trial for gambling, but for murder.

"Gentlemen of the jury," exclaimed the attorney, "the mute form of Catherine Ging lying at the county morgue gives the lie to Claus A. Blixt. The evidence presented by the defense will fairly prove to you that Blixt pounded that woman's head almost to a jelly before he fired the shot, and then only fired it when he thought she was not dead. When Blixt came on the stand his Honor, ex-Mayor Eustis, stepped up to him and shook hands with him with a smiling face. I could not help but think that it was to give him character before the jury. I confess you could not have touched the bloody hand of the murderer for a large sum of money. I believe in the religion of Jesus Christ, who has promised to forgive sins, but has not promised to remove the scars. Such actions as those of Blixt are a travesty.

SAYS ADRY IS INSANE.

"There is another witness with whom we are confronted here who is peculiar in many respects. We will show you that he has led a shiftless life. He was involved in this case at the beginning and put through the 'sweat process,' and showed the proverbial jealousy of the elder brother. You will remember that in the beginning of his testimony he looked with pity on his brother and said: 'I do not blame him for making the best defense he can.' You will remember how, later, when his mother was sitting yonder—that mother who has borne him and watched over him with tender solicitude—he told of a quarrel he had with her and other members of the family, and had said to that mother: 'Why did you raise such a litter of pups?' He was a peculiar man in many respects, and had a diathesis from which he could not separate himself. There have been experts here, both for the State and the defense, and they were examined on that point. There have been no less than six members of the family confined in the asylum because they were insane. We claim that Harry is much more sane than his brother Adry.

"Now you will doubtless want to know what is the theory of the defense. Gentlemen, we have no theory. Theories have hung many a man. You must be convinced of the guilt of the defendant beyond a reasonable doubt. We will also establish a complete alibi for Harry Hayward at the time he was said to have been at the Kenwood boulevard giving Blixt directions. We shall bring out some of the testimony which has lain immured in the county attorney's office, and shall show that there was a suspicious character in the city about whom the county attorney was told, but he did not use the information. We expect to compel the bloody clothes found on the shores of Lake Calhoun to be brought into court. The defendant will take the stand in his own behalf on the heel of the testimony given by Adry Hayward and Blixt, and that's all there is in this case.

"Harry Hayward comes into this court," concluded Mr. Smith, "confronted by the testimony of a brother whose heart is filled with deadly enmity, and Blixt, who, with perjured tongue, has sought to conceal and shield his real confederate. All we ask is that the sunlight of God's truth shall be let in on this most remarkable truth."

EVIDENCE FOR THE DEFENSE.

John Walsh, keeper of the morgue, was the first witness, and he described the incidents connected with the bringing of Miss Ging's body to the morgue. He undressed and washed the body immediately, and, in answer to Mr. Erwin's questions, described minutely the clothing found on the body, the wounds and where the blood was found.

Terrence Connelly, jr., an undertaker, was called and produced the clothing which had been turned over to him by Walsh. It developed, much to the astonishment and indignation of Mr. Erwin, that the sealskin sack had been cleaned. The lining still showed blood stain. The knotted blue veil, which had been pinned in the hat, was torn and clotted with blood. The jury and attorneys examined all the clothing carefully for blood stains.

Nearly the whole afternoon was spent in the examination of a number of police officers, who swore that there were pointed shoe tracks and buggy wheel marks at the scene of the tragedy. There was nothing especially significant in that, for the officers had two buggies at the scene and the doctor had driven one.

Then the alibi theory was sprung, and forty minutes were spent questioning the usher at the Grand Opera House over a point which the State will admit, that Harry was at the theater with Miss Bartleson the night of the murder.

Ole Thorson said he lived at the house where Blixt said he called the night of the murder, and stated that there was a light burning there all night, and no one called or knocked that night.

To-morrow morning George Hitchcock, who took Blixt's statements, will be examined in an attempt to impeach Blixt in cases where he stated that he did not make statements credited to him in the shorthand report. The defense expects to show the several contradictions pointed out in his cross-examination by Mr. Erwin.

## CANADIAN INSURANCE CASE.

### Further About the Arrest of Two Brothers on a Charge of Murder.

TORONTO, Ont., Feb. 14.—Harry Place Hyams and Dallas Theodore Hyams, twin brothers, doing business as brokers in this city, have been arrested on a charge of having murdered William C. Wells on Jan. 13, 1893. Seven years ago the brothers came to Toronto from Kingston and opened a brokerage office. Above five years ago they became acquainted with Martha and William Wells, brother and sister. The Wells family came from Somerset, England, and consisted of two boys and two girls. In the fall of 1892 Harry Place Hyams and Martha Wells became engaged to be married and young Wells, who was then twenty-one years old, entered the employ of Hyams. In August, 1892, Wells was induced to take out a life insurance policy for $1,000. A few days later a policy for $1,000 was also taken out. Fourteen days later application was made for $30,000 insurance on Wells's life in the New York Life, and half a year's premium of $384 was paid by H. P. Hyams. Three months later a second policy of $1,000 was taken out in the Covenant Mutual on Wells's life, the assessment of which was also paid by Harry Hyams. In November, 1892, the Hyams brothers sublet a warehouse, saying they intended to conduct a general auction business. On Jan. 16, 1893, the police were notified that young Wells had been accidentally killed in the elevator. The only person in the building at the time was Harry P. Hyams. He said he found the body lying at the foot of the elevator shaft. An investigation was made by the insurance companies, but they failed to ascertain any facts that would warrant an arrest for murder and paid the insurance on the young man's life, amounting to $38,000, to his sister Martha.

In the May following Harry P. Hyams and Martha Wells were married. Ten days ago a Toronto paper learned that an attempt had been made to place $290,000 insurance on the life of Mrs. Harry Hyams. When Mrs. Hyams learned this she became alarmed, had a detective guard her, refused to return to Montreal with her husband and asked the companies to cancel the policies. The Hyams brothers were known not to possess sufficient capital to warrant the incurring of a liability of $6,000 a year in insurance premiums, and further investigation has resulted in the arrest of the brothers for the murder of their brother-in-law. The Hyams brothers were born in New Orleans thirty-five years ago.

## AN OVERCHARGED BLAST.

### Large Number of Miners Seriously Injured by an Explosion.

ODEN, Ill., Feb. 14.—An explosion of powder and gas, caused by an overcharge blast, occurred in the coal mine here this afternoon. No one was killed outright, but several were seriously injured and a number quite badly hurt. The most severely wounded are: L. Winegardner, burned about face and body, perhaps fatally; Sam Smith, badly burned about face, and may lose his eyesight; James Tadlock and son, burned about face and arms, seriously. George Bain burned and also injured by flying coal; Albert Little, John Luch and John Chambers almost smothered to death; a stranger burned seriously; Ben Boyd, cut and burned seriously; John Christie, badly burned.

### Two Killed and Two Badly Hurt.

ASHLAND, Pa., Feb. 14.—William Gillespie, fire boss, and Michael Dunlevy, miner, at Preston No. 3 slope, died to-day from injuries received by an explosion of gas ignited by a shot fired in a breast. Patrick Dougherty and Joseph Grady are lying at their homes in a precarious condition, as a result of the same accident.

## HIGH LICENSE IN PRACTICE.

### It Operates in the Interest of Order and Sunday Closing.

Pittsburg Correspondence New York Evening Post.

You say in a recent editorial that "high license would make every liquor dealer an agent of the law in preventing illicit traffic and keeping down the number of the saloons," while a "Sunday law converts every liquor dealer into an enemy of the law and a debaucher of the police."

Our experience in Pennsylvania with the Brooks law proves happily that not only will high license do all that you claim for it in the way of preventing illicit traffic and keeping down the number of saloons, but it will also solve the vexed question of Sunday closing without debauching the police or converting liquor dealers into enemies of the law.

Previous to the passage of the Brooks law the people of Pittsburg talked as many New Yorkers are doing now. They said it was impossible to close saloons on Sunday; that there would always be collusion with the police; that the only way out of the difficulty was to effect a compromise with the liquor dealers whereby the latter would agree to close their doors half the day for the privilege of keeping open the other half. A few years of high license has convinced these doubters that not only can saloons be kept closed all day Sunday, but that reputable liquor dealers can be depended upon to aid in enforcing the Sunday-closing clause of the law. The Brooks law provides that a high license must be paid for the privilege of selling liquor, but it provides further that a license shall be refused to any man who has ever sold liquor on Sunday, or has ever sold to a minor, or to a person already drunk.

The power of granting licenses is removed from politics and vested in the courts. Whatever pernicious influence boss rule has exerted over the other departments of our local government, our courts have always been above suspicion, and the judges of the license court have administered the law without fear or favor.

Each year has seen a higher standard develop among liquor-dealers; drunkenness has diminished; petty crimes are noticeably fewer. The danger of collusion with the police is reduced to a minimum. The Sunday-closing question is practically solved. Are conditions so different is New York that a similar law would be inoperative there?

Every one in Pennsylvania appears satisfied with the law except a few politicians who, for purposes of their own, seek from time to time to amend it out of usefulness; but so far the good sense of the people has refused to allow it to be tampered with.

The clubs have contended that they could not be required to take out a license, but the court has recently settled that question by deciding that all clubs, no matter how private or exclusive, come under the provisions of the law. Henceforth they will be required to have a license, and they will obtain it and hold it under precisely the same conditions that apply to the ordinary saloon. The Brooks law thus makes no distinction between the rich man and the poor man; if the one may not buy beer on Sunday, neither shall the other be given the opportunity of buying wine. Rich and poor alike must lay in their liquid refreshment on Saturday.

### Heartbreaking.

New York Commercial Advertiser.

It breaks the iceman's heart to think that next summer will probably be distinguished for its mildness, and that half of this superabundant crop will have no sale. For the thought of reducing the price to the consumer and doubling the quantity sold will never invade the iceman's skull. It is too humane.


## TEMPORARY REMOVAL.

### To Our Friends and Patrons.

Since the disastrous fire of Sunday evening, in which our entire stock was ruined, we have adjusted our losses with the insurance companies and have moved into new quarters while the old stand is being remodeled. Our new line of spring goods arrived promptly yesterday, and will be ready for inspection at 56 North Pennsylvania street this morning. The insurance companies having taken all of the old stock to Chicago for disposal we will be able to show an entirely new line of the season's novelties for spring and summer wear.

A. J. TREAT & SON.

### Always Get the Best.

If, for instance, you desire to order some beer, do not hesitate, but call up 1050. The Home Brewing Company's products, viz., Home Brew and Columbia, are the best in the market.

### "Mrs. Winslow's Soothing Syrup"

Has been used over fifty years by millions of mothers for their children while teething, with perfect success. It soothes the child, softens the gums, allays pain, cures wind colic, regulates the bowels, and is the best remedy for diarrhea, whether arising from teething or other causes. For sale by druggists in every part of the world. Be sure and ask for Mrs. Winslow's Soothing Syrup. 25c a bottle.

Awarded Highest Honors—World's Fair.

DR. PRICE'S CREAM BAKING POWDER

MOST PERFECT MADE.

A pure Grape Cream of Tartar Powder. Free from Ammonia, Alum or any other adulterant.

40 YEARS THE STANDARD.

## Children Shrink

from taking medicine. They don't like its taste. But they are eager to take what they like—Scott's Emulsion, for instance. Children almost always like Scott's Emulsion.

And it does them good.

Scott's Emulsion is the easiest, most palatable form of Cod-liver Oil, with the Hypophosphites of Lime and Soda added to nourish the bones and tone up the nervous system. The way children gain flesh and strength on Scott's Emulsion is surprising even to physicians.

All delicate children need it.

*Don't be persuaded to accept a substitute!*

Scott & Bowne, N. Y. All Druggists 50c. and $1.

## EVERY CIGAR A POEM

LA FLOR DE RILEY

HAVANA 5¢ CIGAR

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## $22.00

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Tickets will be sold February 18th to 24th, inclusive; good returning until March 20. Call and see agents, No. 48 West Washington street, No. 46 Jackson place and Union Station.

GEO. E. ROCKWELL, D. P. A.

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| St. Louis Accommodation | †7:15 am | †7:30 pm |
| St. Louis and New York Lim | *8:00 am | *7:00 pm |
| St. Louis Fast Line | *11:50 am | *5:00 pm |
| Trains 21 and 20 | *12:40 pm | *2:35 pm |
| Terre Haute Accommodation | †4:00 pm | †10:00 am |
| Evansville Express | *11:20 pm | *3:35 am |
| St. Louis Express | *11:20 pm | *4:40 am |

Trains connect at Terre Haute for E. & T. H. points. Evansville sleeper on night train. Sleeping and parlor cars are run on through trains. Dining cars on Trains 20 and 21.

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Reduced Prices for the Matinee

BRING THE CHILDREN.

The Famous and Only

LILIPUTIANS

In the Grand Spectacular Production,

"Humpty Dumpty Up to Date"

4 GRAND BALLETS. 150 PEOPLE.

Magnificent Scenery, Novel Tricks and Surprises

PRICES—Night: Orchestra and orchestra circle, $1; dress circle and first two rows balcony, 75c; balance of balcony, 50c; gallery, 25c. Matinee—Orchestra and orchestra circle, 75c; dress circle, 50c; balcony, 25c.

## PARK Prices 10c, 20c, 30c. Matinees Daily

This Afternoon and To-Night,

Alden Benedict's Great Play,

## FABIO ROMANI

20... LIVING PICTURES....20

Monday—"OLE OLSON."

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EVERY EVENING THIS WEEK AND SATURDAY MATINEE

## THE SOCIETY CIRCUS

Benefit of the Free Kindergarten.

All participants prominent society people.

Prices—Admission, 50c; children, 25c; reserved seats, 75c; box seats, $1; boxes seating six persons, $5; season boxes, $40.

Seats on sale at Big Four Ticket Office.

## Y.M.C.A. LECTURE COURSE.

Tuesday, Feb. 19,

Arion Ladies' Quartet

AND

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Admission 50c, including reserved seats. On sale Saturday.

## EMPIRE Ladies' Entrance on DELAWARE ST.

MATINEE at 2. TO-NIGHT at 8.

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The National Trio, The American Two Macs, And Other High Class Cards.

Next Week—GUS HILL'S NOVELTIES.


The Sunday Journal, by Mail, $2 a Year