

WOLFE'S GIB GAB.

RESUMPTION OF THE FARICAL TRIAL PROCEEDINGS.

Lots of Visitors New Years, High-Toned, Middle-Toned and Low-Toned—The Court and the 50,000,000 American People Harangued in the Usual Style—A Controversy With Judge Cox and a Bath—A New Feature in the Defense Developing—Dr. Bowler of Kansas City Impaches the Testimony of Guiteau's Divorced Wife.

WASHINGTON, Jan. 3.—In the criminal court this morning Guiteau made the opening speech as follows: "I had a very happy New Year's day, and hope everybody else had. I had lots of visitors, high-toned, middle-toned and low-toned. That takes them all in, I believe. They expressed their opinions freely and none of them want me hung. They all, without dissent, expressed the opinion that I shall be acquitted."

Dr. Gray took the stand, and Scoville resumed the examination. Witness had not, in giving his opinion on direct examination that prisoner was sane, taken into account the evidence of the prisoner himself, but taking that element into consideration his opinion would still be the same, that the prisoner is sane and was sane on the 24 of July. Witness was asked if he was familiar with the Dr. S. S. Smith who was killed by Dr. Wright at Norfolk, Va., and replied: "Yes sir, I was sent by the president to make an examination and give an opinion on the case."

"How much did you get for it?" shouted Guiteau. "Your honor, doctor, that a man can't be insane unless his brain is diseased in a rather frivolous. You don't agree with the Saviour. You ought to study up spirituality, then you would catch some new ideas."

"Witness did not believe in what is termed by some of our 'emotional insanity,' or 'moral insanity,' (kleptomania.) He considered it simply a thieving dipsomania, drunkenness and pycnomania incendiaria. Their designations were simply convenient terms which had been used to cover certain crimes. 'Insanity,' said witness, 'is never transmitted any more than cancer.' The examination progressed with tedious detail. In the effort to extract something favorable to the defense, counsel renewed the attack upon witness again and again, and each time was met with evasive or qualified replies.

Finally, Scoville, with some impatience queried: "Can you tell me, doctor, how many direct replies you have given to this morning's attack?—do you know that I have given you any. I propose to answer precisely in my own way, Mr. Scoville. I am under oath, and I propose to give all the information bearing upon the case in my possession, but I do not intend to give my personalities into it any more than possible."

The prisoner meanwhile had observed marked decorum, at intervals gazing out of the window, but most of the time he appeared to be busily engaged in writing. His autograph upon which were handed up to him from the audience by attendants.

Scoville desired to put in evidence certain tabulated statements from the annual report of witnesses. From these it appeared that of the four cases of insanity in this country, seven were persons acting under insane delusions of divine authority for their acts. At the request of the district attorney witness described briefly these cases, and added: "Each case was a case of insanity, independent of homicidal act." Reces.

Dr. Gray was asked a few more questions by Scoville, when the district attorney announced conclusive on the part of the government. Scoville walked over to the dock and conferred with the prisoner a few minutes. After returning to his seat he said: "Your honor, I am taken somewhat by surprise by the action of the prosecution in not calling several witnesses whose names have been given in the witness for the prosecution. These gentlemen being employees of the government were in a position to know something of the mental condition of the prisoner about the time of the shooting of the president. I do not know what action in the matter the defense will take, but will inform the court to-morrow morning."

Dr. Bowler, of Kansas City, was called by Scoville. Witness met Mrs. Dumme, at Guiteau's head. At the first question, "Did you make a cast of the prisoner by insanity?" Davidge objected to any reopening of the question of insanity, such as would be involved by the identifying of the cast by this witness. The question of insanity had been gone into in the witness's testimony. The prosecution had already admitted the genuineness of the cast, and that was all that could be asked by the defense.

After further arguments, the court ruled against Scoville, and the witness was withdrawn. The prisoner undertook to read a letter, as he claimed from an old friend of President Garfield, in Ohio, showing that public opinion was against the defense. Judge Cox ordered him to be silent. Guiteau—"It shows the state of public opinion about this court room."

Judge Cox—"Be silent. Public opinion has nothing to do with this case." Guiteau—"When I speak to 50,000,000 of people, not to the little crowd in this court room."

Marshal Henry (rising and moving toward the dock)—"Keep quiet, sir." Guiteau—"I'll speak to you, sir." The marshal whispered some instructions to the bailiff sitting in the dock. A moment later the prisoner started upon another harangue, and the bailiff put his hand upon his shoulder and attempted to quiet him. Guiteau—"Get away from me, or I'll slap you in the mouth." With this outburst he subsided, however, and turned his attention to writing autographs.

John W. Guiteau was again put on the stand, and questioned in relation to Guiteau's letter to Senator Don Cameron. Davidge—"I object, your honor, to any attempt to introduce what has prima facie the appearance of manufactured testimony." Guiteau—"And so do I."

After an argument on the question the court again ruled against the defense, and this witness was withdrawn. Scoville again brought up the question of introducing new witnesses, and after argument an agreement was made by the defense to submit a motion in writing to-morrow, giving the names of witnesses and the facts to be testified to, and supported by affidavit, giving reasons why such witnesses were not introduced before. The court adjourned until to-morrow.

FROM WASHINGTON.

A NEW TURN IN THE CASE OF EAR-CUTTING WHITTAKER.

The Judge Advocate Raises the Point the Court was Illegally Constituted—Order of Gen. Sherman Atimed at the Abuse of Army Sick Leaves—Illness of Hon. David Davis, President of the Senate—Ex-Senator Kirkwood's Successor—Subjects to be Discussed at the Coming National Agricultural Convention in Washington—Public Debt Statement—Miscellaneous.

WASHINGTON, Jan. 3.—It is said on high authority that Judge Advocate General Swain, in reviewing the court martial proceedings in the case of Cadet Whittaker, has raised the point that the court was illegally constituted, because it was ordered by President Hayes without any request from the department commander, and that therefore all the proceedings were void. It is argued that the power of the president to order an army court martial is not inherent in him as commander-in-chief, but is conferred by statutory authority contained in the eighty-second article of war, which reads as follows:

"Any general officer commanding the army of the United States, a separate army, or a separate department, shall be competent to appoint general court martial, either in time of peace or in time of war, but when any such commander is the accused, or the prosecutor of any officer under his command, the court shall be appointed by the president and its proceedings and sentence shall be sent directly to the Secretary of War, by whom they shall be laid before the president for his approval all orders in the case." This article, it is contended, confers no power upon the president to convene an army court martial except in the contingency specified. The question will probably be referred to the attorney general for his opinion. The view above indicated is apparently strengthened by the fact that congress some years ago expressly authorized the president to convene court martials in navy cases without restriction.

Attorney General Brewster assumed charge of the department of justice this morning. A petition was sent to Senator Ferry by prominent citizens of Plainfield, urging him to protest against the confirmation of E. R. Pope as postmaster at that place. Pressure, it is said, is being brought to induce the president to withdraw Pope's name.

The senate contingent fund investigating committee reassembled to-day. W. P. Brown, foreman of the treasury department cabinet workshop, presented a memorandum in which it is said he gave dates of the time occupied and the character of the work done by him upon Secretary Sherman's new house and stable, and also showing that this work, or some of it, had been charged to different bureaus of the department.

Exports and Imports. Excess of departments of merchandise for the twelve months ended November 30, 1881, \$195,123,212; for the twelve months ended November 30, 1880, \$162,638,759. Excess of imports of gold and silver, corn and bullion for the twelve months ended November 30, 1881, \$2,903,036; for the twelve months ended November 30, 1880, \$59,342,990.

ARMY SICK LEAVES. The following order has been issued by General Sherman. The abuse of sick leaves on surgeon's certificates has grown to be so great that it becomes necessary to invite the special attention of officers granting certificates and authorities granting or recommending leaves, to the absolute requirements of the regulations on this subject. Officers whose ailments could quite as well be treated at their proper stations as elsewhere, are permitted to leave their commands; others, whose disorders are caused by some local influence, are permitted to leave the military departments in which they are serving, when a temporary removal to some other station within the department would alleviate their sufferings; still others are granted sick leave, who, while possibly incapable of discharging the severer duties pertaining to their positions, could perform many duties of a lighter nature at the post which they are stationed, or whose services might be usefully employed at other posts in the department. It is believed there are instances where medical officers have given certificates of disability on representations of the applicants alone, without making the searching inquiry into the supposed disorders, or what possibly caused them, what is expected of them in the examination which it is their duty to make. No inconsiderable number of officers are now absent from their proper commands in consequence of this abuse, who, it is believed should be rendering some service to the government. To prevent this in the future it is made the duty of the department commanders to examine with greater scrutiny every certificate of disability sent to them. If satisfied disorder does not arise from vicious habits, of the applicant their first inquiry should be whether the temporary relief from more arduous duties and rest from the cares incident to their positions would not accomplish the desired end, if not, whether a temporary change to some other post in the department would secure relief. Authority to go beyond the limit of the department on sick leave is contemplated by regulations only in two cases: First, where it is necessary to save life, and second where it is necessary to prevent permanent disability. Leaves granted sick officers to go beyond the department limits when certificates don't place the cases beyond question within the extent of this regulation must be ordinary and sick leaves.

AGRICULTURAL CONVENTION. A convention of delegates from the agricultural colleges and societies throughout the country will assemble next week for consideration of agricultural questions. The first of a series of meetings will be held on January 10, and will be devoted to cottons and agricultural principles of farming, and those of a permanent national organization, the delegates to be chosen by congressional districts.

Quarrelling Over a Murderer. JERSEY CITY, N. J., Jan. 3.—Rev. Dr. Seton and a priest from the French Catholic church, New York, visited Martin Karkowsky this afternoon. Rev. Mr. Mass was in the cell praying with the condemned, when a war of words ensued, ending in Karkowsky making choice of Mass for spiritual adviser and requesting the other to leave.

Lamar Will Win. JACKSON, Miss., Jan. 3.—The Democratic caucus will be held to-morrow night on the senatorial question. Lamar is in the city and will remain till after the caucus, when he will return to Washington. He will have no opposition for re-election.

Mississippi Legislature. JACKSON, Miss., Jan. 3.—The legislature assembled to-day. R. O. Reynolds was elected president pro tem of the senate, and D. P. Power speaker of the house. The inauguration of Gen. E. Lowry, governor-elect, will take place early next week.

Lately advertised by the Indianapolis, Ind., News, is the fact that Mr. Frank Patten, one of the editors of the Indiana Farmer, of Indianapolis, strongly indorses St. Jacobs Oil. It cured his wife of a very severe attack of rheumatism, and so quickly.

DISTRIBUTING THE BONDS.

A Crowd at the Capitol Yesterday—Claims to be Paid To-day—List of the Bondholders.

Yesterday was a field day at the capitol in the bond question. It was the first public movement on the bond business which has been made, an air of mysterious secrecy having been maintained heretofore. Mr. Selah Chamberlain, who was entitled to two thousand bonds (two million dollars) received his on Saturday. They were delivered to Gen. E. Skinner, Mr. Chamberlain's agent, and went east by a special car attached to the Saturday night train. Mr. Chamberlain met the car at Milwaukee, and Mr. Skinner, having discharged his trust, returned to St. Paul. Yesterday the bonds were distributed to all who called and signed the proper receipts. A good many were delivered on powers of attorney, but there were a large number of actual bondholders present and they formed in line to take their turns at the auditor's office, where the bonds were issued. The following bonds were issued yesterday, the figures given being the number of new bonds each one received:

Table with 2 columns: Name, No. of Bonds. Includes E. H. Bailey, Mrs. Von Glahn, H. Greve, Ansel Oppenheim, etc.

COINAGE. The coinage of the United States mints during December, 1881, were: Gold, 1,260,476 pieces, value \$10,220,530; silver, 2,455,100 pieces, value \$2,418,908; minor, 5,542,925 pieces, value \$58,263.

Chief Clerk Stevenson, of the Indian bureau, received the following telegram from Commissioner Price, dated New York, January 2: "My daughter died this morning. I may be absent three or four days. Act until I come." The daughter referred to in the dispatch was Mrs. S. Sully. She was on a visit to her sister, Mrs. Judge Dillon, New York City.

Senator David Davis is ill with sore throat, the result of a cold contracted at the president's New Year's reception. His physician has advised him to remain in doors for several days.

Only routine business was considered at the cabinet meeting to-day. James represented the postoffice department for the last time, and Attorney General Brewster the department of justice for the first time.

The president has accepted the resignation of J. Stanley Brown, his private secretary. A gentleman said to-night he had it from excellent authority ex-Senator Sargent, of California, is to succeed Secretary Kirkwood.

Ex-Gov. Overton, here for the purpose of protesting against the ratification of the act of the Choctaw general council of 1881, granting the right of way and other privileges to the St. Louis and Santa Fe Railroad company, called upon the secretary of the interior to-day, made a brief argument and filed a formal protest.

Ex-Senator Hogan is here for the purpose of contesting the seat of Senator Boyd, a Tammany senator. It is said Senator Fitzgerald will present the papers upon which Hogan bases his contest.

Public Debt Statement. WASHINGTON, Jan. 3.—The following is the regular monthly debt statement: Extd. per cent. bonds, \$149,693,900; Extd. five per cent. bonds, 401,663,900; Four and a half per cent. bonds, 250,000,000; Four per cent. bonds, 78,725,000; Refunding certificates, 675,280; Navy pension fund, 14,000,000.

Total interest bearing debt, \$1,554,624,000; Matured debt, 11,228,265; Legal tenders, 316,740,000; Certificates of the interior to-day, made a brief argument and filed a formal protest.

Total without interest, \$437,270,212; Total debt, \$2,003,233,078; Total cash in treasury, \$253,977,980; Total cash in treasury, \$253,977,980; Debt less cash in treasury, \$1,749,255,098; Decrease during December, 12,733,623; Decrease since June 30, 1881, 75,707,944.

Interest due and unpaid, 1,311,845; Debt on which interest has ceased, 11,228,265; Interest accrued, 714,285; Gold and silver certificates, 78,863,530; United States notes held for the redemption of certificates deposited, 9,520,000; Cash balance available Jan. 3rd, 156,359,834.

Total, 253,977,980; Cash in treasury, 253,977,980; Bonds issued to Pacific railroad company, interest payable in lawful money, 64,823,412; Principal outstanding, 2,003,233,078; Interest paid by the United States, 51,467,372; Interest paid by the companies by transportation services, 14,707,883; By cash payments, 655,198; Balance of interest paid by the United States, 36,104,186.

Disabled Veterans' Association. NEW YORK, Jan. 3.—Arrangements are being made for the speedy formation of a national association of disabled veterans. At a meeting of the Disabled Veterans' association in Brooklyn to-night, the committee appointed at a previous meeting to take steps toward the perfection of a permanent national organization of fully disabled veterans of the army and navy, reported the plan proposed was to get a list of all fully disabled veterans on the pension roll of the United States, and then call a convention and elect officers for a permanent national organization, the delegates to be chosen by congressional districts.

MURDER WILL OUT.

The Fiends Who Murdered the Gibbons Family at Ashland, Ky., Captured—Full Confession of One of the Murderers—The Terrible Story of the Crime—The Murderers at the Funeral, One on Full Bearings and Another Driving the Hearse.

CINCINNATI, Jan. 3.—Advices from Ashland, Kentucky, state that arrests have been made of persons believed to be the murderers of the Gibbons' children. The arrests were brought about by the confession of one of the number. All live in Ashland, and two are married men. They were taken to the Cattlesburg jail. Lynching is expected to-night.

ASHLAND, Ky., Jan. 3.—The men arrested for the Gibbons murder are Wm. Neal, Ellis Craft and George Ellis all white, all were arrested last night and kept quietly in the hotel in custody by Constable Cram, George Cram, constable to the constable. He says Craft and Neal awakened him on the night of the murder and urged him to go with them to Gibbons house, he went reluctantly, entered by a window, and Neal and Croft outraged the two girls. Emma Thomas recognized Neal and said she would tell her mother. Robert, the boy, was about to give the alarm, when Croft struck him on the head, killing him instantly. Croft then told Anna her time to die had come and amid the piteous cries of the child for mercy he struck her on the head and killed her instantly. Neal then killed Emma Thomas in the same way. Croft and Neal at first denied Ellis' story, but Neal confessed this afternoon, and both Ellis and Neal waived examination. Croft will have a hearing Thursday. Ellis and Neal are married. Croft is single. They all were present at the fire, and one drove the hearse at the funeral, and another was a pall-bearer. Great crowds have been gathering all day.

Ellis' strange conduct excited the suspicion of a citizen, who told Detective Hiffen. Hiffen sent for Ellis and locked him in his room, where he, Ellis, first said that last summer he had heard Craft and Neal boast, and that before Christmas they would see Miss Thomas and Mrs. Gibbons. This morning in Carnolly jail Ellis denied that Craft and Neal were guilty, but subsequently reasserted his first statement, saying he was compelled to retract by the prisoners who were in the same cell. The bodies of the victims were exhumed to-day and the wounds examined. It was found they corresponded exactly with the statement of Ellis as to the position of the parties when the murderous blows were struck. Ellis has made all preparations for death, and expects it. Detective Heflin thinks Ellis the chief actor in the tragedy, and that his confession is due to fear that the others would give information first.

ALL AROUND THE GLOBE. Wm. H. Ainsworth, the English author, is dead. Age 77. The old Vanderbilt homestead on Staten Island burned yesterday morning. Cornelius Switzer, of Biddeford, Me., left an estate of \$250,000 for public purposes. The czar has subscribed 100,000 roubles for the relief of the victims of the Warsaw riot. It is stated that Sarah Bernhardt receives \$100,000 for her engagement in St. Petersburg.

Michael McFadden, chief engineer Memphis fire department since 1874, died yesterday of pneumonia. A Cape Town dispatch states that T. A. Burger, ex-president of the old Transvaal republic, is dead.

The funeral of Col. Henry McComb took place this afternoon, and was largely attended. Senator Bayard was present. At Hot Springs, Ark., a destructive fire yesterday. Fourteen houses were burned. Loss \$30,000 and insurance \$65,000.

Another ten per cent. dividend is to be paid depositors of the defunct savings bank of Chicago, making 40 per cent. in all. A freight engine on the Savannah, Florida & Western railroad blew up yesterday, killing the engineer and scalding the fireman. G. W. Shosmaker, ex-chief police of Terre Haute, committed suicide at the Spencer house yesterday, by taking morphine.

The report that President Roberts contemplates retiring from the management of the Panama Railroad company is officially denied. Five prisoners escaped from the city jail at Cairo, Ill., Monday night by knocking down a sentry and stunning Jailor Martin. They are still at large.

Isaac Patterson, an old resident of Indianapolis, and founder of the Patterson Methodist church, was found dead in an outbuilding near his residence this morning. New York, Jan. 3.—The annual sale of pews at Plymouth church was held to-night. Bidding was set as spirited as last year there being a decrease of \$3,983 in the sum realized, Beecher delivered a few humorous remarks, after which the bidding began. The first choice fell to A. Stores, whose bid was \$425. The second to H. C. Clifton for \$400, and the third to O. V. White for \$400. These gentlemen selected their old pews for which last year Clifton paid \$700 and White \$675. All pews worth paying premium for were sold. The total rental being \$12,035. Chairs brought \$804 and premiums \$25,492, making in all \$38,129.

Beecher's Insinuation. NEW YORK, Jan. 3.—In a sermon Sunday, Rev. Henry Ward Beecher stated any man who perverted one dollar intended for the education of children should be gibbeted as a criminal, and he concluded by asking what he would say of a man who made the loss of a virtue a condition of giving him a place. What punishment would be found for such a miscreant? At a meeting of the new Brooklyn board of education to-day the remarks were read, and a motion made that a committee of three be appointed to visit Beecher and ask him for information on which he based his remarks. The motion being out of order was overruled, but will come up again.

The Color Line. ST. LOUIS, Jan. 3.—Rev. Richard Cain colored, bishop of Texas and Louisiana, and his wife, Laura Cain, have brought suit in the United States circuit court, at San Antonio, Texas, against the Galveston, Houston & Louisiana railroad company, for \$20,000 damages, for being refused the privilege of riding in a first class coach after the company had sold them their first class tickets.

Weather To-Day. WASHINGTON, Jan 3.—Indications for upper Mississippi and Missouri valleys partly cloudy weather; light snow; wind mostly from east to south; rising temperature and falling barometer.

Robert Lewis, living near Meridan, La., shot his brother's wife and her sister, seriously but not fatally wounded them and then killed himself. No cause given. Eighteen small buildings burned last night at Welland Post, Canada.

IRISH LANDLORDS LAMENT

Large and Influential Meeting—Resolutions Condemning the Land Act—The Corporation of Cork Again Confers the Freedom of the City Upon Parnell and Dillon—Miscellaneous.

LONDON, Jan. 3.—The following are the resolutions to be proposed at the meeting of the more moderate section of the landlords in Dublin to-day, at which it is expected the duke of Abercorn will preside, to criticize land court decisions. This meeting sees with alarm the land act being administered in a manner at variance with the pledge that it would not diminish or disturb the foundation of property, and contrary to assurances on the faith of which parliament was advised not to provide for compensation to landlords; that the antecedents of many assistant commissioners do not insure an impartial judicial exercise of these functions; that the commissioners have determined rents after cursory examination of the lands, and that they have been indiscriminately reducing rents; that it appears from the decisions of the assistant commissions result in the sanctioning of these decisions, the legislature should provide compensation for those land owners whose property will be thereby unjustly diminished; that a petition embodying the views of this meeting be presented to the queen.

The News states it is estimated that one-quarter of the Irish tenants who need protection have come under the operation of the land act, and that competent persons believe the whole question will be settled in two years. DUBLIN, Jan. 3.—Six thousand persons are present at the landlords' meeting here to-day, which is the most influential ever held. Earl Donoghmore, Earl Carysford, Marquis of Drogheda, Marquis of Headfort and all the principal representatives of the land interest are in attendance. The resolutions, already cited in previous dispatches, were unanimously adopted. A treasury minute will be issued, including occupying tenants in Ireland among those authorized to borrow money from the government for improvement.

Hart, a returned Irish-American, has been arrested at Carrigo under the coercion act. Archbishop Croke, of Cashel, bitterly complains of the police intruding into the parochial residence, on the occasion of the resolutions, in connection with the bazaar, although they were assured it was not a league meeting. The speakers at the grand land owners' meeting here to-day include the Earl of Drotrey, Marquis of Waterford, Earl of Westmeath, Baron Ardilan and important political personages.

Cork, Jan. 3.—The corporation has conferred the freedom of the city on John Dillon. Twenty-seven of the fifty-six councillors attended the meeting. Copies of the resolutions were sent to Gladstone and Foster and Irish corporations. LONDON, Jan. 3.—A committee consisting of Sergeant Simon, Baron Nathaniel De Rothschild and Messrs. Cohens and Wm. is collecting information regarding the persecution of Jews in Russia and Poland. The Standard says there is no longer any reason for hoping an Anglo-French commercial treaty will be arranged.

DUBLIN, Jan. 3.—The corporation conferred the freedom of the city upon Parnell and Dillon, 29 to 23. It was the general opinion at a meeting of landlords that until appeals from decisions of the sub commissions are heard, a demand for compensation would be premature.

GENERAL FOREIGN. MADRID, Jan. 3.—The operation for the conversion of privileged debts into 4 per cents. succeeded beyond expectation. About 55,000,000 sterling of the debt have been converted. St. PETERSBURG, Jan. 3.—Sankowsky, who made an attempt upon the life of the emperor, has been sentenced to transportation for life. VIENNA, Jan. 3.—A dispatch from Prague says Cardinal Schwarzenberg, on receiving the clergy on their return from Rome, stated that the pope had no thought of leaving the Vatican.

The Beecher Circus Sells Its Sitings. NEW YORK, Jan. 3.—The annual sale of pews at Plymouth church was held to-night. Bidding was set as spirited as last year there being a decrease of \$3,983 in the sum realized, Beecher delivered a few humorous remarks, after which the bidding began. The first choice fell to A. Stores, whose bid was \$425. The second to H. C. Clifton for \$400, and the third to O. V. White for \$400. These gentlemen selected their old pews for which last year Clifton paid \$700 and White \$675. All pews worth paying premium for were sold. The total rental being \$12,035. Chairs brought \$804 and premiums \$25,492, making in all \$38,129.

Beecher's Insinuation. NEW YORK, Jan. 3.—In a sermon Sunday, Rev. Henry Ward Beecher stated any man who perverted one dollar intended for the education of children should be gibbeted as a criminal, and he concluded by asking what he would say of a man who made the loss of a virtue a condition of giving him a place. What punishment would be found for such a miscreant? At a meeting of the new Brooklyn board of education to-day the remarks were read, and a motion made that a committee of three be appointed to visit Beecher and ask him for information on which he based his remarks. The motion being out of order was overruled, but will come up again.

The Color Line. ST. LOUIS, Jan. 3.—Rev. Richard Cain colored, bishop of Texas and Louisiana, and his wife, Laura Cain, have brought suit in the United States circuit court, at San Antonio, Texas, against the Galveston, Houston & Louisiana railroad company, for \$20,000 damages, for being refused the privilege of riding in a first class coach after the company had sold them their first class tickets.

Weather To-Day. WASHINGTON, Jan 3.—Indications for upper Mississippi and Missouri valleys partly cloudy weather; light snow; wind mostly from east to south; rising temperature and falling barometer.

Robert Lewis, living near Meridan, La., shot his brother's wife and her sister, seriously but not fatally wounded them and then killed himself. No cause given. Eighteen small buildings burned last night at Welland Post, Canada.

FROM WASHINGTON.

A NEW TURN IN THE CASE OF EAR-CUTTING WHITTAKER.

The Judge Advocate Raises the Point the Court was Illegally Constituted—Order of Gen. Sherman Atimed at the Abuse of Army Sick Leaves—Illness of Hon. David Davis, President of the Senate—Ex-Senator Kirkwood's Successor—Subjects to be Discussed at the Coming National Agricultural Convention in Washington—Public Debt Statement—Miscellaneous.

WASHINGTON, Jan. 3.—It is said on high authority that Judge Advocate General Swain, in reviewing the court martial proceedings in the case of Cadet Whittaker, has raised the point that the court was illegally constituted, because it was ordered by President Hayes without any request from the department commander, and that therefore all the proceedings were void. It is argued that the power of the president to order an army court martial is not inherent in him as commander-in-chief, but is conferred by statutory authority contained in the eighty-second article of war, which reads as follows:

"Any general officer commanding the army of the United States, a separate army, or a separate department, shall be competent to appoint general court martial, either in time of peace or in time of war, but when any such commander is the accused, or the prosecutor of any officer under his command, the court shall be appointed by the president and its proceedings and sentence shall be sent directly to the Secretary of War, by whom they shall be laid before the president for his approval all orders in the case." This article, it is contended, confers no power upon the president to convene an army court martial except in the contingency specified. The question will probably be referred to the attorney general for his opinion. The view above indicated is apparently strengthened by the fact that congress some years ago expressly authorized the president to convene court martials in navy cases without restriction.

Attorney General Brewster assumed charge of the department of justice this morning. A petition was sent to Senator Ferry by prominent citizens of Plainfield, urging him to protest against the confirmation of E. R. Pope as postmaster at that place. Pressure, it is said, is being brought to induce the president to withdraw Pope's name.

The senate contingent fund investigating committee reassembled to-day. W. P. Brown, foreman of the treasury department cabinet workshop, presented a memorandum in which it is said he gave dates of the time occupied and the character of the work done by him upon Secretary Sherman's new house and stable, and also showing that this work, or some of it, had been charged to different bureaus of the department.

Exports and Imports. Excess of departments of merchandise for the twelve months ended November 30, 1881, \$195,123,212; for the twelve months ended November 30, 1880, \$162,638,759. Excess of imports of gold and silver, corn and bullion for the twelve months ended November 30, 1881, \$2,903,036; for the twelve months ended November 30, 1880, \$59,342,990.

ARMY SICK LEAVES. The following order has been issued by General Sherman. The abuse of sick leaves on surgeon's certificates has grown to be so great that it becomes necessary to invite the special attention of officers granting certificates and authorities granting or recommending leaves, to the absolute requirements of the regulations on this subject. Officers whose ailments could quite as well be treated at their proper stations as elsewhere, are permitted to leave their commands; others, whose disorders are caused by some local influence, are permitted to leave the military departments in which they are serving, when a temporary removal to some other station within the department would alleviate their sufferings; still others are granted sick leave, who, while possibly incapable of discharging the severer duties pertaining to their positions, could perform many duties of a lighter nature at the post which they are stationed, or whose services might be usefully employed at other posts in the department. It is believed there are instances where medical officers have given certificates of disability on representations of the applicants alone, without making the searching inquiry into the supposed disorders, or what possibly caused them, what is expected of them in the examination which it is their duty to make. No inconsiderable number of officers are now absent from their proper commands in consequence of this abuse, who, it is believed should be rendering some service to the government. To prevent this in the future it is made the duty of the department commanders to examine with greater scrutiny every certificate of disability sent to them. If satisfied disorder does not arise from vicious habits, of the applicant their first inquiry should be whether the temporary relief from more arduous duties and rest from the cares incident to their positions would not accomplish the desired end, if not, whether a temporary change to some other post in the department would secure relief. Authority to go beyond the limit of the department on sick leave is contemplated by regulations only in two cases: First, where it is necessary to save life, and second where it is necessary to prevent permanent disability. Leaves granted sick officers to go beyond the department limits when certificates don't place the cases beyond question within the extent of this regulation must be ordinary and sick leaves.

AGRICULTURAL CONVENTION. A convention of delegates from the agricultural colleges and societies throughout the country will assemble next week for consideration of agricultural questions. The first of a series of meetings will be held on January 10, and will be devoted to cottons and agricultural principles of farming, and those of a permanent national organization, the delegates to be chosen by congressional districts.

Quarrelling Over a Murderer. JERSEY CITY, N. J., Jan. 3.—Rev. Dr. Seton and a priest from the French Catholic church, New York, visited Martin Karkowsky this afternoon. Rev. Mr. Mass was in the cell praying with the condemned, when a war of words ensued, ending in Karkowsky making choice of Mass for spiritual adviser and requesting the other to leave.

Lamar Will Win. JACKSON, Miss., Jan. 3.—The Democratic caucus will be held to-morrow night on the senatorial question. Lamar is in the city and will remain till after the caucus, when he will return to Washington. He will have no opposition for re-election.

Mississippi Legislature. JACKSON, Miss., Jan. 3.—The legislature assembled to-day. R. O. Reynolds was elected president pro tem of the senate, and D. P. Power speaker of the house. The inauguration of Gen. E. Lowry, governor-elect, will take place early next week.

Lately advertised by the Indianapolis, Ind., News, is the fact that Mr. Frank Patten, one of the editors of the Indiana Farmer, of Indianapolis, strongly indorses St. Jacobs Oil. It cured his wife of a very severe attack of rheumatism, and so quickly.

DISTRIBUTING THE BONDS. A Crowd at the Capitol Yesterday—Claims to be Paid To-day—List of the Bondholders.

Table with 2 columns: Name, No. of Bonds. Includes E. H. Bailey, Mrs. Von Glahn, H. Greve, Ansel Oppenheim, etc.

COINAGE. The coinage of the United States mints during December, 1881, were: Gold, 1,260,476 pieces, value \$10,220,530; silver, 2,455,100 pieces, value \$2,418,908; minor, 5,542,925 pieces, value \$58,263.

MURDER WILL OUT.

The Fiends Who Murdered the Gibbons Family at Ashland, Ky., Captured—Full Confession of One of the Murderers—The Terrible Story of the Crime—The Murderers at the Funeral, One on Full Bearings and Another Driving the Hearse.

CINCINNATI, Jan. 3.—Advices from Ashland, Kentucky, state that arrests have been made of persons believed to be the murderers of the Gibbons' children. The arrests were brought about by the confession of one of the number. All live in Ashland, and two are married men. They were taken to the Cattlesburg jail. Lynching is expected to-night.

ASHLAND, Ky., Jan. 3.—The men arrested for the Gibbons murder are Wm. Neal, Ellis Craft and George Ellis all white, all were arrested last night and kept quietly in the hotel in custody by Constable Cram, George Cram, constable to the constable. He says Craft and Neal awakened him on the night of the murder and urged him to go with them to Gibbons house, he went reluctantly, entered by a window, and Neal and Croft outraged the two girls. Emma Thomas recognized Neal and said she would tell her mother. Robert, the boy, was about to give the alarm, when Croft struck him on the head, killing him instantly. Croft then told Anna her time to die had come and amid the piteous cries of the child for mercy he struck her on the head and killed her instantly. Neal then killed Emma Thomas in the same way. Croft and Neal at first denied Ellis' story, but Neal confessed this afternoon, and both Ellis and Neal waived examination. Croft will have a hearing Thursday. Ellis and Neal are married. Croft is single. They all were present at the fire, and one drove the hearse at the funeral, and another was a pall-bearer. Great crowds have been gathering all day.

Ellis' strange conduct excited the suspicion of a citizen, who told Detective Hiffen. Hiffen sent for Ellis and locked him in his room, where he, Ellis, first said that last summer he had heard Craft and Neal boast, and that before Christmas