

ST. PAUL NEWS.

LOOKING FOR AN ALIBI.

WHAT THE DEFENSE IN THE THOMAS HIGHWAY ROBBERY CASE ARE DOING.

The Accused Fully Identified as the Robbers by Rev. Dr. Thomas—His Narrative of How He Was Attacked—A Cloud of Witnesses Who Testify that the Accused Were Drunk in a Saloon When the Assault Occurred.

The district court room was crowded all day yesterday with a motley assemblage of citizenship and for some portions of the session there was not even standing room left for the accommodation of a single individual more.

The occasion drawing so much interest was the trial of Peter Brown and John Horan for the assault and robbery of Rev. E. S. Thomas on the street one evening last July, and more than usual feeling is centered in the case as it is believed on the future safety of peaceable citizens against thugs, after the shades of night fall upon this metropolis.

County Attorney Egan appeared for the state, and Messrs. John D. and Thomas O'Brien for the defense. After numerous challenges and rejections, the following jury was impaneled:

Thomas H. Dixon, Henry Gudmund, John W. Burdick, Wm. Gross, L. F. Foster, J. A. Greig, C. A. Fuller, J. B. Allen, Samuel Cummings, W. B. Allen.

Mr. Egan addressed the jury, stating the particulars of the assault upon Rev. Elisha S. Thomas on the evening of July 27 last, while on his way home from a parish call on Dayton's bluff, within a square of his own residence, he being a gospel minister and a respectable citizen of integrity and honesty.

He described how he was thrown down, choked and robbed of a watch, pocket book and purse, his perfect spotting of his assailants at the time, and his ready recognition of both of them in a room full of persons at the City hall the next day, the outrageous circumstances of the case having indelibly photographed by aid of starlight and street lamps their faces and forms upon his brain. This was the case of the state, while that of the defense would be an attempt to prove an alibi, and that these persons were in another place when the crime was committed. He then called to the witness stand

REV. ELSHAS THOMAS, who testified that he came to Minnesota from the East, eight years ago and was a minister of the gospel. That on the evening of July 27 he made a parish call at the residence of Samuel Mayall, on Dayton's bluff, left there at about 9:30 for home, and on approaching an alley near his house about 10 had his attention attracted to two men, one of whom was crouched up against Webster Smith's iron fence, and the other stood erect by a tree on the outside of the walk.

He thought nothing wrong at first, but as he approached them the man by the fence fixed a villainous stare upon him, which made him catch his eye and notice that he had a slouch hat, dark hair, eye brows and mustache, and had a peculiar shaped nose. At this time the man by the tree was looking down the street but the shorter man said "keep still!" The next thing he knew he was hit back with his face turned towards Eighth street, and the scimitar sky and gas light with his back to Ninth street. The larger man then grasped his throat with both hands while the shorter one fell upon his body and rifled his pockets, the manner in which the feat was done being accurately described, and though the thug "beards were cool" he could not see that he was anxious with his head which he kept turning in all directions as if scared. After a while the latter one loosened his grip on his throat when witness said "don't hurt me," and that he was able to distinctly take the lineaments of the latter's profile. He was about thirty-five years old, with not a villainous nose, very peculiarly shaped at the point.

He then described minutely how his short man took his \$300 watch, given him by St. Mark's parish at Minneapolis, breaking the chain and losing a college society pin in the operation. The tall man after letting go of his throat crossed the street on a run, while the short one stood over him a minute and gave him a slight kick at parting. He then described going to Dr. Flag's house and giving the alarm and the aid rendered by the immediate telephoning to the city hall. He pointed out the prisoners in the court room as the men who robbed him, and described how he recognized them without any difficulty in a crowd of persons at the city hall the next day after the occurrence.

Cross-examined. Left Mayall's at about 9:30 and the attack was in about half an hour afterward. There was no moon but had dark clothes, dark hair, mustache and whiskers. Could not say whether Horan had mustache. Could tell whether eye brows were brown, black or light if attention was called to it by such light as he had on this occasion. Had no remembrance of color of Horan's clothes. Saw Horan and recognized him the first thing on entering the city hall, and to-day picked out Brown from a dozen men, of whom he remembers seeing Chief Clark as being there. Didn't remember Capt. Bresset, but thought he had seen him. Had talked the matter over a good deal with interested friends. When he saw Horan at city hall and recognized him Horan said "What hour?" Brown said, "I never saw him," and afterwards in a hurried and dogged way that "I was mistaken about him."

Captain Bresset testified that Mr. Thomas gave the same description he had in court to him on the night in question, and on which he acted in finding the prisoners next morning. He reached the latter's house at 10:35, and the gas lamps were then lighted in the streets.

Cross-examined—Saw that Mr. Thomas' description now was the same as given that night to him, and was sure of his same description of Brown's peculiar nose.

Here the state rested its testimony, and the defense placed Brown upon the stand.

Peter Brown.

His name was Peter Brown, was thirty-one years of age, had a wife, lived on

Jackson street, was a machinist, working in the Manitoba shops at the time, and never saw Mr. Thomas until he met him at the city hall, where he went July 28, at the request left at the shop by the chief of police for his appearance there. On the 27th he went home at 6 o'clock, did his chores, ate supper, and went down to Munson's saloon, where he played one Olson five games of casino for the beer and drank often, and met a long string of acquaintances which he called by name. It took him ten minutes to 10 o'clock he started from there to go home, met a policeman as he went out and immediately dropped into DeBow's saloon where there was a lot of acquaintances which he named, and where John Horan came in and drank himself drunk and went out with a man named Wright at 10:30 o'clock, a policeman in that section having been to see him the whole time. From there he went to Cornick's saloon, where he again met Horan, and where at the latter's solicitation Cornick set up the drinks for them on Brown's promising to settle next day, and from which place he went home, leaving there in ten minutes before 11.

Recess until 2 o'clock.

Afternoon Session.

The court assembled at two p. m. sharp, when the case for the defense was proceeded with. Although the prisoner, Peter Brown, had not concluded his evidence,

Attorney Walsh was sworn. I live on the corner of Ninth and Olive streets; remember the night of the robbery, and heard the out cry. I was about going to bed, and on opening my window and blinds saw a couple of men running across the street from the walk towards the residence of an Egan. From that leads to the lumber yards. From the appearance of the two men, I would conclude that neither of them was Horan, as they appeared taller and larger. Could not state their faces sufficiently to recognize them.

Peter Brown was then called to finish his evidence. I had nothing to do with the robbery of Dr. Thomas, and knew nothing about it. Was at work all that day, and went to work at the usual time next morning.

Cross-examined. Although I am a machinist my work does not leave me dark; I had not shaved since Sunday. I wear a collar and tie when at work unless it is very warm. On the night of the robbery I left home about twenty minutes after eight to go to the Manitoba house to see a party about work. On the way there I went into Munson's saloon, where I met one Olson, with whom I played cards until twenty minutes after ten. I am sure of the time. I drank two glasses of whiskey and one of beer there. I then went to DeBow's saloon. I met Horan at the saloon; he was on the inside, and he asked me to come and have a drink.

The witnesses for the defense in the room were, at the request of the county attorney, excluded.

There was a number in the saloon, and there was a good deal of drinking going on, and I had my share. I stopped there till five minutes to eleven. Horan stopped there until half past ten, and did not leave the saloon during that time. I talked but very little with Horan. After leaving DeBow's I started for the Manitoba hotel but after going a little way I concluded it was too late and started for home. On passing Cornick's saloon Cornick spoke to me, and I stopped, when Horan, who was inside, called to me to come in, when I went in and had a glass of beer. I then went home, going very rapidly, as it was late.

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THE NEW EDUCATION.

Lecture by Rev. Dr. S. G. Smith at the First Baptist Church Last Evening—An Excellent Review of the Advancement of the Past and a Forecast of the Future.

The Rev. S. G. Smith, D. D., lectured before a large audience at the First Baptist church last night, for the benefit of the Woman's Christian Home, his subject being, "The New Education." The theme was treated in an able and interesting manner, and in commencing, the speaker said that as a solitary being man was a savage; he became strong and useful in society only as he studied and adapted himself to the multifarious duties and conditions of life; only when he learned that nothing was exclusively for himself did he become anything. To become great he must study the wants of men and women around him. The product of the complex multifarious workings of life was called civilization. Man had control over the cells of life, and even in the twilight of civilization he had traveled a long distance from the ooze and shells of the ocean which had rolled over him.

Man, though he has come a long way, has yet a long way to travel to reach the outskirts of the ideal which existed in the bosom of the rudest son of earth. It has been found that one idea could strike down the world; the progress of humanity could be learned by the length of one day's work; only a few years ago and man toiled sixteen hours a day; now we were on the popular idea of eight hours for a day's work. It was the dominance of the head over the hand; the mind over the brute; there would come a time when his hours would be well spent for his attainment of the highest good. The machinery of our days did the work of forty and 100 men of a half century ago. In the time to come art, music would have free scope and life would become more cheerful and elevating.

The domination of ideas over physical force was characterized by the speaker as the criterion of any measure of civilization. The progress of an idea was then traced from its nascent conception to perfect strength and beauty. The world