MRS. FLEMING IN TEARS.

SHE WEPT BITTERLY DURING THE SUMMING UP.

The Reading of Her Letters to Wilckes Alone Moved Her—While Mr. McIntyre Made His Terrible Arraignment of Her as the Poisoner of Her Mother She Remained Calm—Was Calm, Too, When Mr. Brooke Made His Dramatic Appeal in Her Behalf—Recorder's Charge To-day.

It was supposed, and for the apparently sufficient reason that the Recorder had so announced, that the Fleming trial would be brought to a conclusion by the Recorder's charge last evening. But Recorder Goff is a merciful man. When he had, with the jury, listened to the impassioned oratory of Counsellor Brooke and Assistant District Attorney McIntyre from the early hour of 10 in the morning to the dreadful hour of a quarter to 7 o'clock in the evening, he announced that he thought it would not be fair, or just, or humane, or kind, or polite, or decent to detain the jury any longer in the box. So he dismissed the jury. He told its members that they were not to form any opinion regarding the case which for seven weeks they had been considering, but to report in the court room at 10 o'clock this morning and listen to the charge of the Court before retiring for deliberation.

As the readers of these reports are aware, there has been no defence entered against the charge that upon Aug. 30, 1895, Mrs. Mary Alice Almont Livingston Fleming conveyed to her mother by medium of a pail of clam chowder toxic doses of arsenic and antimony. During the course of the trial Mr. Brooke, a most ingenious man, has with more or less directness premised that the defence would be death from suicide; death from ptomaine poisoning, superinduced by eating decayed clam chowder; death from heart failure, superinduced by causes not named; death from Bright's disease; death from arsenious poisoning, superinduced by the prescription of bismuth prescribed by Dr. Bullman, and from various other causes. In the course of his argument Mr. McIntyre recalled to the jury no less than fourteen suggestive lines of defence.

SCHEELE THE BACKBONE OF BROOKE'S DEFENCE.

Mr. Brooke depended on no one of these. He made his defence rest entirely upon his attack upon Chemist Scheele. This attack was made in detail, en masse, by direct charge, by flank movement, by positive assertion, and by innuendo, and at a length which accounted for much more than half of the total time occupied by Mr. Brooke in his argument. Mr. Brooke, it seemed, had wholly annihilated the unfortunate and impulsive Mr. Scheele. That was the impression received when you had listened to Mr. Brooke alone.

Mr. McIntyre had to accept the battle as it was given. He succeeded surprisingly in repelling the attack, and visibly converted two and possibly three jurors from a complete distrust of all that Scheele had said into a frame of mind where those upon the jury who were never distrustful of Scheele as a chemist can work upon them with fair promise of success. This was by long odds the best part of Mr. McIntyre's work.

MRS. FLEMING'S VULNERABLE POINT.

The whole day's proceedings, to those who have watched those of all of the days, was most enlightening, inasmuch as they showed that there is one subject the discussion of which is capable of moving the sphinx-like defendant. That subject is her love of Ferdinand Wilckes. She listened to Mr. McIntyre's cold and skilful arrangement of all the facts which have been presented against her, as he pictured to the jury her antecedents, her temperaments, her actions, her motives, and argued with force and convincing manner that these must all go to satisfy the minds of the jury that she, and she alone, had caused the death of her own mother. When she listened to this, she sometimes appeared mildly interested, as if she were saying, "This young advocate is rather clever;" sometimes she turned and talked laughingly with her sister; sometimes she yawned, covered her yawn with a well-manipulated fan, and then, suddenly correcting herself, composed her features as if to say, "No, this will not do." But when Mr. Brooke began reading such portions of her letters to her lover as suited his taste, the defendant lost all her indifference; she flushed, showed intense interest, her eyes moistened, and finally she gave way to emotional floods of weeping, which lasted just so long as her wayward, passionate love of that man was being described and ceased abruptly when that description ended.

WOMEN CROWDED THE COURT ROOM.

The character and number of the attendance in the court yesterday was a triumphant signal of the mastery of the usually called weaker sex over the sterner. Every door leading to the court room was doubly guarded. Every doorkeeper was doubly charged by the stern Captain in command to admit no more than the chairs of the court room would seat. What was the result? A court room packed with standing spectators in every inch of space not occupied by chairs, and an attendance made up of women in a proportion far exceeding that of any other day. They evaded by every device save the ingenuity of the sex could devise. Those who had in reporting the case paid daily attention to the characteristics of the women in attendance, so far as their dress and general appearance guided, have classified them as queers, cranks, and detectives. If they were so before yesterday, they were not all so yesterday. There were a score, two, possibly three score of women in the court room yesterday, who would make an average for that number of women on Fifth avenue during the promenade, when there was no occasion which would draw out to the sidewalk other than those who supplied the characteristic human element of that daily parade. They sat there from 10 o'clock in the morning until 7 o'clock in the evening, entertained by studying the defendant, her sister, her chief counsel, and her chief prosecutor. They were women at a play. They were neither queers, nor cranks, nor decadents.

Mr. Brooke touched in his argument upon a number of the fourteen suggested defences. For instance, as to ptomaines, he called the attention of the jury to the fact that the chowder sent to Mrs. Bliss reposed in the room of the defendant "in a southern exposure" four or five hours before it was taken by the defendant's daughter to the deceased. It will be remembered that he had witnesses on the stand who had suffered from poison presumably engendered in chowder not served with that promptness which probably it is alleged by hereafter will chowder eaters will demand. After he had sufficiently poisoned the chowder with ptomaines, Mr. Brooke proceeded to prove that it was not poisoned at all. He recalled to the jury the evidence of little Florence King that Gracie Gillespie dipped her finger in some of the boiled chowder. The evidence is that Gracie did not taste the chowder, only smelled it. Mr. Brooke, however, pointed out to the jury that, bearing in mind all the instincts of childhood, it was not only probable, but may be considered as a positive fact, that Gracie tasted the chowder. Yet she was not poisoned.

The great strength of Mr. Brooke's argument was, however, that the defence had not proved the existence of poison in any substance which had not been handled and manipulated by the discredited Scheele. Scheele, declared Mr. Brooke, had had the pitcher, the decanter, the bottle, the tray, the vase, the carpet sweepings, the scrapings of the wall, and the sugar. In all of these he had testified that he found arsenic. He was willing in the instance of the substances titled out, to so testify. "Why did they not explume the body of Mrs. Bliss and show arsenic in the liver, the kidneys, the heart, the lungs, the brain, the spinal chord? The special counsel for the prosecution has proved that the existence of arsenic can be determined all the organs of a body fourteen months buried. Why did they not bring those organs here and prove the existence of arsenic in some substance Scheele had not handled? Perhaps they did exhume the body. Perhaps they analyzed the organs of the exhumed body, and perhaps the reason we have not been confronted with them is that, Scheele not having handled them, they were innocent of a trace of arsenic."

MR. BROOKE'S CALCULATIONS.

Mr. Brooke had a nice time with mathematics. He took the statement of Dr. Scheele that twenty-eight and a half grains of arsenic had been isolated from the portion of the stomach of the deceased analyzed by him, and carrying with him figures the relation to the whole weight of that body the weight of that portion of the stomach, he deduced the conclusion that in a pint of chowder sent to Mrs. Bliss the proportion of arsenic in dead weight must have exceeded the proportion of chams. Then he exclaimed: "Why, sir, gentlemen, there is no arsenic in this case, except that imported into it by Bullman and Scheele."

The counsel hastened to explain that the importation of arsenic attributable to Dr. Bullman came entirely through the bismuth administered to the deceased upon prescription by the Doctor. As to Scheele, he had no such saving clause. Dr. Scheele had cut the stomach with a pair of shears smeared over with arsenic as a small boy with free access to a cupboard smears over his afternoon slice of bread with powdered sugar.

Mr. Brooke spared the arsenic not at all. He charged Scheele with importing arsenic into everything he touched; into the stomach and its contents, the vomit on to the tray, into the vase, into the sediment of the pitcher, upon the rim of the tin pail cover, into the sweepings of the carpet, the toilet articles, the dust of the furniture, the scrapings of the wall, "and he would have had it on the very kalsomine of the ceiling if he could have reached it."

THOSE LETTERS TO WILCKES.

In all this Mr. Brooke was very loud and dramatic. His manner changed suddenly and greatly when he took up the letters of the defendant to Wilckes. Then his voice was charged with tears. He leaned on the rail of the jury box, his expressive face showed the effort of a man who was trying his best to stem the flood of emotion which threatened to moisten the very feet of the jurors. In reading those letters he made out that the defendant was a woman who was moved only in one direction in a more violent degree than by her deep love and veneration for her mother; that was by her love for her lover. She was a woman of a wayward heart, an impulsive nature, of passionate emotions when those emotions related to her love for the one man on earth created for her adoration. Wicked if you please, wilful, heart-wronged, but criminal—Mr. Brooke stopped to wipe his eyes. He turned with convulsive heavings of his always freshly laundered bosom; he turned as one who doubts his capacity to speak, to overcome the surging emotions of his manly breast, and then he almost sobbed, pointing as he did to the utterly unconcerned defendant.

"Can you, gentlemen of the jury; can you upon the solemn oaths you have here taken; can you for one moment believe the wicked accusation that this wilful child [born in 1861]; this young lady, whose written words show her to be possessed of a heart that can kindle alone to the touches of love, do you believe, I ask, that such a heart is capable of harboring so much as the thought—the thought, I say—of the atrocious crime she here stands charged with? Poor outcast as she may be from the moral atmosphere which surrounds your own pure homes, yet is she not deserving of the sympathy of all men as she stands here proven guilty of but one offence—the offence which caused Christ himself to hold the hand of him who was about to cast a stone?"

Mr. Brooke did this very well. His voice and manner were excellently calculated to move his hearers, and did move many. The notable exception was the defendant.

MR. M'INTYRE'S TERRIBLE ARRAIGNMENT.

Mr. Brooke talked up to a late lunch hour. After lunch Mr. McIntyre spoke. His matter was much better than that of the counsel for the defence, his manner not so good. Mr. McIntyre spoke for nearly two hours from extensive notes, and these showed that he had worked with infinite patience for the purpose of carrying the chief drift of the testimony away from a dependence upon the evidence given by Scheele. He did this with great art, did it so skilfully that at times Mr. Brooke's manner showed undisguised admiration for the prosecutor's capacity. Yet when he took up the defence of Scheele, as he was bound to do, he displayed even greater skill, and at times some of the audacity of Mr. Brooke himself. He went into the story of the proposed declarations by Scheele to Hepner made in the Harbor Hotel, and before he had finished he had in a large, and perhaps in a complete degree, counteracted the assault on Scheele by Mr. Brooke. He showed that Hepner was a friend of Wilckes. Wilckes is the lover of the defendant to whom had been promised all of her wealth if he would return to her. Scheele was accustomed, as was testified to, to stop at the Harbor Hotel every night on his way to a ferry which he took to his home. Hepner had been accustomed to be in the Harbor Hotel, was not only not on his way from his business to his home, but it was in an exactly opposite direction and at a considerable distance. Hepner went to the Harbor Hotel, asked for and secured an introduction to Scheele, spent $7 in treating his friends in company with two women provided for the scheme, and there induced Scheele to talk about the Fleming case. He went there for that purpose, and the conversation he reported to his friend Wilckes satisfied the purpose.

"Not a witness had been put on the stand," said Mr. McIntyre, "to discredit Dr. Scheele, who was not shown to be trembling for the case of the defence or embittered toward Scheele through business differences." After he had as well as he could reestablished Scheele, Mr. McIntyre made his best point by throwing Scheele overboard, so to say, and quoting from the evidence to prove that two of the exhibits in which arsenic had been found—the tin pail cover and the Japanese vase—had never been in Scheele's possession. Then in the same breath he recalled to the jury the symptoms of arsenical poisoning discovered by Dr. O'Hanlon in the course of the autopsy and asked: "Was Scheele there to discover the stomach in a way which proved the presence of arsenical poison?"

THE PROSECUTION SCORES A HIT.

Mr. McIntyre leaving the poison and Scheele, referred to the testimony of the little King girl, who accompanied the defendant on the errand whose object was the delivery of the pail of chowder. "I could not, and I believe that I will be exempted from the charge of faithlessness to my office because I did not, bring on this stand the daughter of this defendant to corroborate the testimony of little Florence King. I could not take the offspring of this woman's womb and use that offspring as a means for sending this woman to her grave."

There had been nothing leading up to this point, and it made a palable hit in the group of the defendant's counsel, but moved her not at all. Mr. McIntyre emphasized his point: "But why has not the defence brought forward the daughter of this woman to disprove the story of Florence King if it lay in human evidence to disprove that story? If Gracie Fleming did not carry that pail of chowder, as Florence King has testified, why in God's name did the skilful counsel refrain from putting that child on the stand to save its mother?"

Mr. McIntyre dealt with the motive in his conclusion. After considering the chief motive, the desire to obtain possession of the $85,000, he said that a motive dependent upon that was the recovery of her lover. "Her charms were fading. Wilckes had found her sister Florence more prepossessing; she needed to supplement her charms of person with the charms of gold. Her letters show how passionately she prayed for the return of her lover; one thing she needed to bring him again to her side, and away from a sister more charming."

There sat a woman. She could smile and laugh, and make fun for all about her, while her accuser piled up the evidence that she was a murderess; she scowled and bit her lip and turned aside when he said: "Her charms are fading."

Witness Wilckes Gets Into a Row.

The third row over the Fleming trial occurred yesterday in front of the Franklin street entrance to the Criminal Court building. Ferdinand Wilckes, who is known as the father of one of Mrs. Fleming's children, was talking to Tombs Messenger Connors. He spoke disparagingly of Assistant District Attorney McIntyre, declaring that that official had misstated the testimony in his summing up. Connors, who is a relative of Mr. McIntyre, called Wilckes a liar and struck at him, knocking a newspaper out of his hand. Wilckes walked away, saying that he would have Connors arrested.

BRIDEGROOM WANTED A SHAVE.

He Went Out to Get It, Didn't Return, and the Wedding is Off.

PATERSON, June 22.—"Excuse me, Mr. Schaub; I want to go and get shaved." These words were spoken by Joseph Zimmerman to Mr. Schaub of 830 River street on Saturday night. Since that night Zimmerman has not been seen here. Zimmerman was to have been married that night to Schaub's daughter.

Some time ago when Mr. and Mrs. Schaub were in New York they became confused as to their whereabouts, and a young man in a bicycle suit gave them the desired information. Mr. and Mrs. Schaub asked him to call at their home in Paterson. He did so, and soon became a frequent caller. Alice Schaub, 19 years old, an only daughter, soon became engaged to the polite young fellow. He said that he was a draughtsman employed in a Philadelphia locomotive shop and that he had recently fallen heir to considerable money.

The wedding was set for last Saturday night and the prospective bridegroom spent the week previous at Schaub's house. He got $75 from Mrs. Schaub in order to purchase a wedding gown for Alice, which he said would be ready on the wedding day. On Saturday afternoon, Zimmerman, accompanied by his prospective father-in-law started down town to get the dress. When near the Susquehanna depot, Zimmerman asked Schaub to wait while he got shaved. Now the wedding is off, at least until further notice.

To-night it was learned that Zimmerman is the janitor of the Y. M. C. A. building in this city. He had been on a vacation and was to have returned to work to-day.

He Can't Inspect Commodore Vanderbilt's Books.

Justice Pryor, in the Supreme Court, handed down a decision yesterday denying the motion of William H. Brown of 4,306 Oakenwald avenue, Chicago, to be permitted to inspect the books of the late Commodore Vanderbilt. Brown is a member of the Chicago Board of Trade. He desired to see the books preparatory to bringing suit against the Vanderbilt estate for $2,000,000. His suit is based on the transfer by his father of three steamboats to Commodore Vanderbilt in consideration of a loan of $120,000 under conditions that when the vessels had earned that amount of money with interest they should be returned. Mr. Brown claims that after they had repaid the loan they were retained by Commodore Vanderbilt. The suit is for the value of the vessels and accrued interest.

MIMICKED MRS. CARTER.

A SMOOTH PIECE OF TITIAN-HAIRED DUPLICITY, SAYS DEMING.

Fairbank's Lawyer Gives an Imitation of the Actress—Mr. Dittenhoefer Retorts that the Good Old Defendant and His Witnesses Used to Like Titian Hair.

Counsel summed up yesterday in Judge Glegerich's court on the trial of the suit of David Belasco, playwright, against Nathaniel Kellogg Fairbank, millionaire pork packer of Chicago, to recover $65,000 for making a star actress out of Mrs. Leslie Carter.

Horace E. Deming, counsel for Fairbank, read over the testimony, with comments, one of which says "there would never have been a Carter theatrical enterprise had there not been a Carter divorce case."

Mr. Deming then read, with considerable dramatic effect, the testimony of Belasco that at the outset of the enterprise Mr. Fairbank, after being told by Belasco that it would require $20,000, $30,000, perhaps $50,000 or $60,000 to launch Mrs. Carter as a successful star, said: "Go ahead, my boy; I make a million one day and lose it the next, and make it again. I don't care what I lose."

"Is that the talk of a business man?" exclaimed Mr. Deming. "Well, no one can call Mr. Fairbank a fool business man. On the witness stand Mr. Belasco was acting to make a favorable impression; that's his business. His business is to train people so that they can make a favorable impression. That's what Mr. Sargent says his services are worth $20 an hour for. Why, gentlemen, Mr. Belasco can take you, and after a course of his $20-an-hour training you can look as innocent as schoolgirls; you can look as honest as the day is long, and you can make favorable impressions."

This seemed to amuse Belasco greatly, and he smiled a smile almost as sweet as Mr. Deming's.

Resuming, Mr. Deming said: "The first advances Mr. Fairbank made were made without expectation of returns. He did as he has done in scores of other cases, and as he will do as long as he lives, helped people whom he thought deserved help. He did not regard the aid he gave Mrs. Carter as a business transaction. If Mr. Fairbank owed anything to Belasco, he would draw his check for the full amount. His check is as good to-day as it ever has been, and his word has never been questioned except by Belasco.

"It is claimed that there was a triplet combination—Carter, Fairbank, and Belasco. Mrs. Carter was to put up the talent, Fairbank was to put up the money, and Belasco was to furnish the experience. We claim that Belasco and Mrs. Carter were partners in a theatrical venture, and that Belasco's compensation for his services in training her was to come out of the profits of 'The Ugly Duckling,' just as he is making money with the 'Heart of Maryland' with Mrs. Carter in that play."

In reviewing the testimony of R. W. Morrison regarding the stormy interview in the Coates House, Kansas City, when "The Ugly Duckling's" tour was closed, Mr. Deming said that the $5,800 paid on that occasion by Morrison for Fairbank was "hush money."

"It was a nasty business," exclaimed Mr. Deming, "and I don't blame Morrison for getting angry then or while he was on the witness stand. When we paid that money we were in a dilemma, and got out of it in the cheapest way possible. After that settlement it seemed as though the corpse of 'The Ugly Duckling' company was buried; but when Mrs. Morrison was summoned to New York soon after, it was found that about $2,750 was due from the company to certain tradesmen. The corpse was not dead. There was soon a dressmaker's bill; there was a lithographer's bill; there were other rumblings from the grave.

"Several times during his argument Mr. Deming said, "We got our fingers in the crack and they pinched them."

In commenting on Mrs. Carter's appearance on the witness stand he said:

"This woman brought a suit against her husband for a divorce. She testified in her own behalf and lost her suit. She has testified numbers of times in supplementary proceedings in suits for dressmakers' bills, for livery bills. You have seen this woman of forty come on the witness stand and simper with all of the innocence of a girl of sixteen."

Mr. Deming then gave an imitation of Mrs. Carter testifying. He showed the jury how she used her handkerchief, how she used her eyes, how she smiled, and then he said:

"Gentlemen, you have seen this smooth piece of Titian-haired duplicity on the stand. She is a woman that would take in almost any man who wore trousers. She watched her counsel for cues, and sometimes she anticipated him, for she had learned her lines. Yet, what must such a woman be to break Davenal, gentlemen, think of it! Think of this woman giving up her private letters in this case! Think of what had been done for her! Think of the fact that to-day by reason of the things done for her by a good, noble-hearted man who had the courage to help a woman in her reputation and life, she is a great actress—as Mr. Belasco says, the greatest in her time.

"Only once did Mrs. Carter, this actress, forget herself, and that was when she admitted that she was under a ten-year contract with Mr. Belasco, at $500 a week. This is the whole story. Belasco owns this woman for $50 a week. He farms her out, and puts the rest of the money received for her services in his pocket. That's the interest Belasco has in Mrs. Carter. That's what he taught her for."

Mr. Deming referred to Benjamin F. Roeder of the American Academy of Dramatic Arts as "the convenient Roeder" and "Mrs. Carter's errand boy."

"If there was an interview in this city," he said, "Roeder was there. If there was an interview in Chicago Roeder was there. You heard Belasco testify that he had given all the important interviews he had had in the matter and then take the stand and admit that he had kept back one interview to spare Mr. Fairbank. If he would lie to spare Mr. Fairbank would he not lie harder to protect himself? He is a self-confessed perjurer. If the jury takes the word of this perjured dramatist, this simulator of emotion and fabricator of scenes, uncorroborated by a single document, I shall be surprised. This man's lies are multiform, variegated, innumerable, and ingenious, but always dramatic.

"Mr. Fairbank's name has been for the past forty years linked with everything that has made Chicago great. His word is as good as his bond. You, gentlemen of the jury, are to believe him or this woman and Belasco. There is only one motive in the plaintiff's suit and the aid given to it by this woman, and that is money. From beginning to end it has been but one cry—money, money, money! Think of the publicity that has been given to this suit. Think of having your name linked with the name of this woman. Is there a man of you who does not believe that Mr. Fairbank would have compromised this suit if it had not been a demand for hush money and if there was not a principle involved? Is there one of you who does not believe that this case could have been compromised for far less than it has cost to prepare and bring it to trial? We stand ready, should you find that we owe this man and his coadjutor, this woman, one cent, to give our check for all you find we owe on this monstrous strike."

Mr. Dittenhoefer, on behalf of Belasco, began by thanking the jury and vigorously denounced Mr. Deming for the manner in which he had sneered all through the trial of the case. He denounced the sneers and smiles of Mr. Deming as cowardly, and he himself referred to Mr. Fairbank as "this good old man." He said:

"We find this good old man going to see Mrs. Carter while her divorce case was still pending. He either went to see her because he believed she was in the right in that divorce case or he went to see her for a purpose which he knew was criminal. I believe that this good old man went to see Mrs. Carter because he, like three Judges of the supreme Court of Illinois, believed her to be right in that case. The learned and eloquent counsel for this good old man has cowardly ruined down upon the head of this woman, who is trying to earn her own living honestly, all the sly, covert, and mean insinuations that his sneering tongue is capable of."

Then Mr. Dittenhoefer went for Morrison and Allen, witnesses for the defendant.

"Good old men!" he exclaimed. "we find Morrison calling on Mrs. Carter uninvited. He has testified he believed she was a blackmailer. Yet he called on her. He could not have acted from any honorable motive. We find this man Allen calling uninvited at Mrs. Carter's dressing room."

Mr. Dittenhoefer will close his argument to-day.

Dr. Holcombe Must Pay His Wife's Dressmaker.

A jury in the City Court found a verdict for $710.51 yesterday in favor of Susie V. Whelan, a dressmaker, against Dr. William Frederic Holcombe of 54 East Twenty-fifth street. Mrs. Holcombe is now in Europe, and the amount recovered by the dressmaker was for goods supplied to her before she left New York. Dr. Holcombe pleaded that he was not responsible, because he had notified Mrs. Whelan not to trust his wife. The evidence of the plaintiff was that she had delivered the goods before she received the notification. As soon as the verdict was announced Dr. Holcombe said he would pay the amount at once.

HOW INDIANS KILL BIG GAME.

The Slaughter Will Soon Cause It to Disappear From the Northwest.

From the Minneapolis Journal.

Tucked away within the green covers of the first annual report of the chief fire warden of the State, recently issued, is a contribution which has more than passing interest to the sportsmen of the State of Minnesota. The Rev. J. A. Gilfillan, the well-known mission worker among the Chippewa Indians, has furnished for the report an article, or perhaps it would better be called a bird's-eye view, on the game of the forest portions of the State. Mr. Gilfillan has been at work in the forests for nearly a quarter of a century, and, being a man of striking observation powers, has learned much beyond the details of his work in the moral and religious interests of the red men.

He speaks particularly in his communication of the region in which his missions are located, a stretch of country about 300 miles in circuit, beginning at White Earth and running thence by way of Leech Lake, 100 miles, north to Raven's Point, Winnibigoshish, Lake, thirty miles, west to the head of Cass Lake, twenty miles, northwest to Red Lake agency, forty-five miles, and then south 100 miles to White Earth again. He enumerates, among the large game to be found in the region, deer, bear, moose, reindeer or caribou, and says that in this region these animals are slaughtered at all seasons of the year, wherever and whenever found, and not only in the circle drawn, but everywhere north of it to the British line. Mr. Gilfillan's duties take him all over the region at all times of the year, where he has an opportunity of seeing in person about all that transpires. Speaking of the number of moose killed in the region, he says:

"As to the number killed by the Indians in this region annually, it is hard to estimate, but a few years ago there were killed, swimming in the water, pursued by Indians in canoes, in one bay, on the north shore of the south lobe of Red Lake, opposite the Red Lake agency, at a place called by the white people 'The Narrows,' by the Indians the large number of 87 moose. The animals had taken to the water to get away from the flies, and so were at the mercy of the Indians. Moose are also constantly killed around Cass Lake, Lake Itasca, Winnibigoshish and Leech Lakes, and a great many in the Big Fork River country. To give a rough guess at the number of moose annually killed by the Indians in the above region, excluding the Big Fork country, I would say:

By Red Lake Indians	200
By Cass Lake Indians	25
By Leech Lake Indians	20
By Winnibigoshish and Bowstring Indians	70
By White Earth Reservation Indians	20
By Sandy Lake and White Oak Point Indians	20
Total killed annually	355

"Turning now to deer. There were marketed at Duluth and Minneapolis last winter, during the hunting season in November, 600 deer, the greater part of which were killed by the Indians. They kill, of course, at all seasons and at all times. I would say, therefore, that the amount of deer killed by Indians in the above range is at a minimum of 1,000 annually.

Around Leech Lake and wherever Leech Indians hunt	1,200
By Cass Lake Indians wherever they hunt	300
By Winnibigoshish Indians	300
By Red Lake Indians	1,000
By White Earth Indians	1,700
By Sandy Lake and White Oak Point Indians (estimated)	200
Total deer annually killed by Indians	4,700

"Nearly always when I go to Cass Lake—which is usually monthly—I find some of the Indians absent hunting deer, by torchlight in summer. The Indians everywhere do that constantly. They put a lamp in the bow of the canoe—one man to paddle and one to shoot, and so they steal upon them. At Cass Lake they hunt so upon white men's land continuously; going up the Mississippi River from Cass Lake outside of their reservation, hunting with torches nearly every night in the summer and killing large quantities of deer which come down to the water to drink or to get rid of the flies. They do this also on every lake in the region. About eighteen years ago the Red Lake Indians killed very few deer, but the English working up north on the Canadian Pacific Railway seem to have scared them down that way, or else it was by the white settlers in Minnesota to the south. At any rate, the fact is certain that the number has been far more numerous of late.

"As to the number of bears killed, I would be almost afraid to hazard a conjecture, but would put it at 300 annually in the whole Indian country. As to the reindeer or caribou, a few are killed around Cass Lake, I do not know of any other locality in our missions where they are killed. In estimating the number of deer killed by White Earth Indians, we know pretty nearly the number of men hunting—we can estimate the average that each man kills, and so arrive at the result. Many of the White Earth Indians kill thirty deer each in a season. I think there will be neither deer, moose, nor reindeer in all this region in a few years. The Indians go out hunting deer with the first snow, usually early in November, and they stay out until about January, when the severe weather drives them home. They also hunt at all times in summer with lamps and torches. They use metallic cartridges, sometimes hunting alone, sometimes with another. They always make fires to cook, &c., and they understand better than the white man the necessity of care, and are more careful to put out fires, knowing from having been brought up in the woods how fires will run."

A SENTENCE OF DEATH.

The Tragic Ending of a Murder Trial in the West.

From the Washington Evening Star.

"One of the most tragic scenes I ever witnessed," remarked a Western Judge at an uptown hotel to a *Star* reporter, "occurred in a court room in a small town in one of the new Western States. That is to say, it was new then, but that has been forty years ago, and I was out there growing up with the country and showing people how much law a youngster of twenty one or two has at his fingers' ends. The Judge was a man of sixty or more, and in addition to a most venerable and dignified appearance and manner, he was the saddest-faced man I ever saw. He had come to our town ten or a dozen years before from the East, and we knew little of him, except that he was an able lawyer and jurist, and that his wife, who was the only other member of his family, and himself had some great sorrow which they had sought some escape from by coming into a far country.

"Ours was a quiet town, and the Judge and his wife seemed to live serenely enough, but they were evidently growing old and feeble ahead of their time. One night our town was all torn up by a robbery and murder and the capture of the killer and thief almost in the sack. For a wonder he wasn't lynched then and there, but he wasn't, and as soon as daylight came proceedings were instituted against the prisoner, and he was appointed with another youngster to defend him.

"Really there wasn't any defence, and I was frank enough to tell him that he might be thankful if we could save him from a lynching. He was a stranger in the town, evidently led there by some stories he had heard of an old miner we had among us, and was a man of perhaps thirty three or four, with a most unprepossessing appearance, greatly accentuated by a week's growth of rough whiskers, years of dissipation, and hard living. In those days and in such cases the law's delay was not much in force, and by 6 o'clock the second day the prisoner was standing before the Judge to receive sentence. As he stood there that day, a harder-looking customer I think I never saw.

"'Have you anything to say why sentence of death should not be pronounced upon you?' said the Judge, after all the preliminaries were over.

"'I have, your Honor, if you are to pronounce that sentence,' replied the prisoner with an air of almost impertinence. 'At least,' he added, half apologetically, 'possibly under the circumstances you may be interested to hear it.'

"This was entirely out of the ordinary, and I touched my client on the arm and was about to remind him of the customs of the court when the Judge requested me to leave the prisoner to him.

"'Will you be kind enough to explain?' he said in a strangely excited tone.

"'Well, your Honor,' responded the prisoner, without a quaver of voice, 'as I'm your only son—'

"But the Judge heard no more. It was evident that he knew the prisoner was telling the truth, for with a groan he threw up his hands and fell forward across the desk in front of him, dead, and a little stream of blood trickling from his lips. The excitement was terrific, and in the midst of it the prisoner dashed through a window and would have escaped, but a timely shot from a rifle in the hands of a man on the outside settled him forever. And, best of all, his mother never knew. She lingered a few months after her husband's death, and the entire population of the town considered it to be a sacred obligation to lie to her about the whole affair."

His Bicycle Bell.

From the New Orleans Times-Democrat.

Every cycler has his own wheel, which no other equals, quite. Some cost more, perhaps, than others, but they're every one all right. Yester-afternoon, on Camp street, came a rider who aspired to a foremost rank 'mongst cyclists on an old-time solid tire. Now the wheel he rode was rusty, but he rode with such a grace, such a prideful air of triumph, it was strictly in the race. But the strangest part about them, 'bout the wheel or rider, either, was not hat or old-styled gearing, was not coat nor footwear neither, for the rider warned the laggard of his coming with a cowbell, which he rang by a long wire, till it sounded loud as—well, there's no use in saying how loud, but it caused a great sensation, and pedestrians fled before it with great haste and trepidation. It is not our fell intention to however slightly bore any of our many readers by describing any more, but with cyclists all around us, to the front and to the rear, we who heard invoke High Heaven that again we'll never hear such a sound as blithely rolled from that bell.

VEXED BY HONORS TO LEE.

DR. TWITCHELL OF YALE FROWNS ON IVY FROM HIS TOMB.

In His Oration at the Dedication of the Woolsey Statue He Astonishes His Hearers with an Outburst Against the Confederate General and the Graduates.

NEW HAVEN, Conn., June 22.—This has been class day at Yale and the exercises of forenoon, afternoon, and evening were conducted by the graduating class and devoted to them. At 11 o'clock the seniors of the academic department met in Battell Chapel for the presentation exercises. They filed into the chapel, their line reaching the length of the campus, every member clad in mortarboard and robe. President Dwight presided.

The class poem was read by Arthur R. Thompson of Hartford, and the class oration was delivered by George S. Buck of Chicago, and was of the conventional order. At noon the dedication exercises of the statue to the late President Woolsey took place. They consisted of a prayer by President Dwight and an address by the Rev. Dr. Joseph H. Twitchell of Hartford. The statue had been placed in the new site chosen for it just south of the Treasury building, and it was unveiled there informally last week. The senior class and many alumni were present at to-day's dedication.

A few words which the Rev. Dr. Twitchell went out of his way to say at the exercises have evoked a storm of indignation among the many Yale alumni who came here to take part in commencement. Dr. Twitchell is an old soldier. His oration was prepared and copies of it had been given out in advance to the press. Then Dr. Twitchell read in a local newspaper that the graduating class of '96 was to plant a class ivy taken from the tomb of Gen. Robert E. Lee at Lexington, Va.

After being introduced by President Dwight, Dr. Twitchell spoke of his return from the army in 1863, when he stopped here and met President Woolsey. He told of the persuasive with which President Woolsey put questions to him regarding Yale men in the South, and he said, referring to Woolsey:

"He was a Union man, heart and soul, and it would make this bronze statue aver its head were he to know that the graduating class of Yale were to plant on the walls of a building on the campus an ivy from the grave of Gen. Robert E. Lee. Gen. Lee was a good man, but he was loyal to an infamous cause."

The large audience which was listening to the speaker was not expecting such an utterance, and ignoring the prepared words that came next, began an earnest and rather confusing discussion in undertones as to Dr. Twitchell's remarks. A number of professors thought the speech was ill-advised. One of the seniors voiced the sentiments of his class when he said:

"We accepted the ivy with the best of feeling. It was accepted in a spirit of reconciliation. Hundreds of Yale men have come from the South, and the planting of the ivy was prompted by the kindliest spirit. A proposition was made to change the ivy, but this was disapproved by nearly every member of the class."

The utterance of Dr. Twitchell did not interfere with the planting. After the reading of the class histories this afternoon the seniors marched to the new library building, and there, with the customary ceremonies, rooted to earth the plant which had aroused the preacher's opposition. It is feared among Yale men that the speech of Dr. Twitchell will hurt Yale in the South and the mid-west by drawing many undergraduates from that section. The class ivy was not taken from Gen. Lee's grave because there were Southern men on the Ivy Committee. In fact, every member of the committee lives in the North. Each class likes to have an ivy of unique selection, and so the committee welcomed the suggestion to take ivy from Lee's tomb. It has been said that the graduates who are in sympathy with Dr. Twitchell will tear up the ivy, but this is not likely. At the humorous class-day celebration the graduates were Ward Bishop, of Manchester; C. S. Day, New York city; H. J. Fisher, Marion, O.; George N. McJunkin, Washington, and Philip C. Peck, Albany. The exercises ended with the planting of the ivy by T. F. Archibald of Scranton, Chauncey W. Wills of Middletown, and W. S. Woodhull of Orange.

BLUE AND GRAY WILL JOIN.

The Confederate Monument in Mt. Hope Awaits Dedication.

On the top of a little knoll in Mount Hope Cemetery, just outside of the city, half hidden from the New York and Putnam Railroad by the thick leaved trees, stands a stately obelisk of granite, reared in honor of the veterans of the Southern armies who sleep and will sleep about its base. It is simple, but beautiful in its simplicity. A plain shaft of Vermont granite, fifty-one feet high upon a base that is nine feet high. Save for a laurel wreth and a shield of polished granite on either side of the pedestal it is without decoration.

The pedestal is made of three stones, the undermost being a great block of granite, ten feet square and weighing eighteen tons. The shaft is four feet square at the bottom and gradually tapering until the beginning of the apex is reached, where it is two feet six inches square, and then it tapers off quickly to a sharp point. This shaft is a single block and weighs forty-eight tons.

Two inscriptions are on the shields at the base. On the side facing the south are the lines:

Fold up the banners! Smelt the guns!
Loose reins, her gentler purpose runs
A sacrifice her tears to tears
The graves of her battle years,
Lamenting all her fallen sons.

On the opposite shield, facing the north, are the words:

Sacred to the memory of the heroic dead of the Confederate Veteran Camp of New York.

The scaffolding surrounding the monument was removed only last Saturday, and yesterday afternoon R. M. Tayntor of the firm of C. E. Tayntor & Co., who erected the monument, turned it over to Col. Andrew G. Dickinson, Commander of Confederate Veteran Camp of New York. The dedication will probably take place on Sept. 7, Labor Day; if not then, on Thanksgiving Day. It is desired to have the dedication ceremonies on a public holiday, so that they may be as largely attended as possible.

The programme of the ceremonies has not yet been decided upon, but the dedication will undoubtedly be a blue and gray affair. The failure of the plan to have a joint parade of the veterans of both armies in this city on July 4 of this year was caused by the refusal of Commander Walker of the Grand Army to allow G. A. R. men to join in it officially. Several of the local G. A. R. posts have already intimated their desire to take a formal part in the dedication.

The idea of erecting the monument came from Col. Dickinson, and in itself was secondary to another idea. There are a great many Confederate veterans in and about this city, all of whom are growing old and many of whom are very poor. With the idea of giving all a decent burial Col. Dickinson brought up the subject of establishing a mortuary fund to bury the Confederate poor, not only the veterans, but their families if need be. With this idea came that of a monument, and he broached the subject to Charles Broadway Rouss. Mr. Rouss approved of it at once and said he would give $5,000 toward a monument fund. Mr. Frank R. Lawrence, President of the Mount Hope Cemetery Association, gave a lot, 100 feet square, in one of the most beautiful spots in the cemetery. With this to start the project, contract for the monument was let, and C. E. Tayntor & Co., the contractors, added $5,000 to the fund, so that the moument, as it stands to-day, represents in itself an outlay of $10,000.

To start the mortuary fund a benefit was given at the Fifth Avenue Theatre on April 9 last, in which the companies of Joseph Jefferson, May Irwin, and John Drew took part. The sum raised on that occasion has since been increased by numerous contribut