

ation by denying having taken his clothes to a mending bureau Sunday. He could not swear whether any of his clothes had been taken to the bureau or not. His clothes were usually called for Monday. He could not say that the usual call had not been made. A pair of trousers with a bloody handkerchief might have gone to be pressed. He was positive that none of his trousers were bloody or had been cut.

Evans wore the same suit he had on the night of the homicide.

No "Bloody Mutilated Clothes."

This was the defense's way of introducing evidence as to the bloody clothes, an attempt to offer similar evidence along a

ing the knife between the bones he showed how the bone of the first rib was chipped off. The skeleton was offered in evidence by the state.

Dr. Erdmann's defense

After a brief session the defense recalled Dr. Erdmann to show to the jury the location of the subclavian artery and vein with reference to the rib.

The grinning skeleton with a big brass ring screwed into the top of his head was again brought before the jury box. Dr. Erdmann said: "I'm going to give you anatomical facts now, facts on which I have based my deductions." He then proceeded to show the location of the various veins and arteries and to explain how they were interfered with by the cut which caused Leonard Day's death.

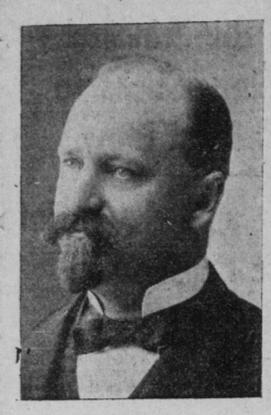
The jury exhibited the greatest interest in Dr. Erdmann's statements which, despite their technical language, appeared to be convincing. They were clearly stated at any rate. The attorneys crowded about the skeleton and hundreds of necks throughout the courtroom were craned to catch a glimpse of the wacany proceeded five minutes.

At the conclusion of the doctor's exposition, an amusing colloquy took place between the attorneys as to the disposition of the skeleton. It was finally removed at the request of the doctor.

Dr. Ricker on Hamilton's Injury.

Dr. George E. Ricker was the next witness. He said he had lived in Minneapolis for sixteen years.

On the Sunday of the tragedy he called



DR. STONE, HAMILTON'S PHYSICIAN.

different line having been ruled out.

Former Senator W. D. Washburn was an interested onlooker this morning. He remarked that it was the first time he had ever been in the main room of the courthouse. He was equally surprised at the magnificence of the apartment and its miserable acoustics.

No Morning Session To-morrow.

It was announced this morning that the case would be adjourned over to-morrow forenoon on account of Judge Russell's funeral.

Ryan Not Called.

T. M. Ryan, the Des Moines plumber, referred to in The Journal yesterday, was not called by the defense, as had been expected.

DR. ERDMANN'S EXHIBITION

Gives the Hamilton Jury Lessons in Anatomy.

Dr. Erdmann resumed his testimony in the Hamilton case this morning. He continued his technical description of the wounds on Day's body, and under cross-examination went more into detail.

"Are you now prepared to say that in your opinion the wound on the head, the fatal wound and the one opposite the arm pit could not have been made by the big knife blade?"

"No," said Dr. Erdmann, "not if you include the mortal injury."

Mr. Smith had a suspicious-looking package on the table before him, which



DR. ERDMANN GOING TO THE STAND.

on Mr. Hamilton. He found a lump on his forehead near the edge of the hair.

"There were other contusions over his face. All of the marks might have been made by one instrument."

"What was his mental condition?"

The state immediately interposed an objection before the court could rule upon it. Mr. Nye withdrew the question and the doctor left the stand. There was no cross-examination.

Reporters Give Evidence.

Arthur J. Pegler was next called. He testified that he knew Hamilton well, and called upon him at the city hall the next morning.

"Did you notice his face?"

"Yes, sir; his face appeared swollen. His forehead was swollen on the right side, his eye was discolored and the side of his nose was swollen. He couldn't wear his hat straight."

Mr. Pegler was excused without cross-examination.

Paul Gyllstrom, a reporter on the Times, was the next witness. He was at the West hotel on the morning of the tragedy, and arrived there about 3 o'clock.

In all the time he was there he did not hear Hamilton say anything whatever regarding the affair.

"You were not beside Hamilton and the office at the time you were there, were you?"

"No, sir."

"That's all," said the county attorney.

Hamilton's Physician Testifies.

Dr. J. L. Stone, Hamilton's physician, visited the prisoner at the lockup the Sunday evening of the tragedy. He saw bruises on Hamilton's head. There was a pronounced one on the forehead near the hair line. There was another just above the eyebrow and still another on the side of the nose. The face was swollen.

Dr. Stone was not permitted to testify as to Hamilton's mental condition "eighteen hours after the tragedy."

"The marks on Hamilton could have been made and probably were made," said the witness, "by one instrument, a cane or stick or something of the sort."

Mr. Nye then asked as to the defendant's mental condition resulting from the blows you have described?"

"Objected to," said Mr. Boardman.

The objection was sustained, the court confining the witness' answers to Hamilton's physical condition.

The Trainers of Evans.

Ray L. Evans was recalled by the defense. After a wrangle he was permitted to testify.

Mr. Nye asked the witness if he sent a pair of pants to be cleaned, containing a bloody handkerchief.

"I don't know whether I sent any pants there or not. If so, they were not the ones I had on at the West hotel."

"You sent a pair?"

"Yes, sir; I sent a pair of pants there with a cut in one of the legs?"

"No, sir, not the one's I had on that night. I had a bloody handkerchief after that evening. It might have been taken to the establishment, yes, sir. But I don't think any of my clothes went that Monday."

On cross-examination witness said he was not on the same suit of clothes he wore at West hotel. There had never been a cut in them. The blood on the handkerchief came from the abrasion on his head when Fred Jones pushed him down hard in the chair that night.

On redirect examination witness said he would swear that he did not have a pair of pants sent out with blood or cuts on them.

At 11:35 Mr. Nye announced that the defense had little more testimony to offer and probably would not detain the court to exceed an hour. An adjournment was then taken until 2 o'clock.

Afternoon Session.

Upon the convening of court for the afternoon session, H. G. Robinson, receiving and shipping clerk for the Pantorium, swore that on Nov. 26, Monday, he received a box of clothing marked "Ray L. Evans." Witness identified an entry in his day book of one coat, one vest and two pair of trousers.

"Did you notice anything peculiar about the trousers?"

"I noticed a clot of blood on the leg and something like a cut on the left leg. I called the attention of the press man to the fact."

On cross-examination witness said he could identify the pants that were cut.

The cut was below the knee. It was about one inch in length.

"Where was the blood mark?"

"Just above, might have been an inch or two."

Mr. Boardman showed the witness a pair of pants. "Those are not the ones," said the witness.

Ray L. Evans stepped forward and witness was asked to examine Evans' pants to see if they were the ones. After examination witness said: "Those are the pants." But a moment later he could not find the cut after inspecting Evans' legs before the jury. The witness looked like them, but he couldn't see the cut.

The Pants Mender's Story.

A. G. Gilbert, also an employe at the Pantorium, testified that on Nov. 26 he found a pair of pants received from Ray L. Evans. He identified the pants by a note in his pockets. His attention was called to the fact that their owner had been in the West hotel trouble the night before.

"Were there marks upon them?"

"Yes, sir; blood stains on the front and down the front, about the knee, and others below the knee. I also observed a cut in a very bungling manner. The cut was a three-cornered affair. The cut that was sewed up had not been pressed. I think these marks were on the right leg of the pants."

Mr. Penney showed the witness a blood-stained handkerchief. "I identify that as a handkerchief I found in Mr. Evans' pocket. It has been in my possession ever since. The blood on it was not dry. They were still moist, not dry and hard."

Evans was again requested to come forward to have his pants inspected. Witness looked him over very carefully and then said:

"No, sir, they are not the same pants."

Continuing his cross-examination, witness said he brushed the blood from the trousers he received that day from Evans. He used a hard brush. His long experience, he said, enabled him to tell that the stains on Evans' pants were blood stains. He said blood would dry on clothing and not saturate the goods entirely. Witness found a piece of paper in Evans' pocket with his name on it. It was thus identified the pants.

Barber Heard No Confession.

Will A. Chandler, the West hotel bartender, on watch the morning of the tragedy, was the next witness. He testified that he was around the hotel that night until 7:30 p. m.

"Did you see this defendant in the custody of Rooney?"

"Yes, sir, I asked Hamilton if he wanted a drink. The offer was made 'no.' We later gave him some bromo."

"Did you hear any conversation between him and Rooney?"

"No, sir."

"Did you hear Hamilton make any statement of any kind?"

"No, sir."

Cross examined witness said he was not in the billiard room and did not know what went on between them.

"I stood close to them two or three minutes. Was in and out all night."

"You don't pretend to have been near Rooney and Hamilton all the time?"

"No, sir; although they were not often out of my sight."

Robert Hastings, a son of ex-County Treasurer Hastings, one of Leonard Day's supper party at Barge's was called.

He went to the theater with Day and later accompanied him to Barge's. At the theater Day had one drink—a glass of Scotch high ball.

Hastings was at Barge's fifteen minutes. When the second drink was ordered, he said, by Carl De Le with him.

"Day wasn't at all under the influence of liquor," he said.

The Defense Rests.

At 3 o'clock the defense rested and court adjourned until 2 p. m. to-morrow.

A. M. BARBE EXPLAINS

Witness Tells Why He Didn't Come Before.

On cross-examination yesterday A. M. Barbe, the long-lost witness in the Hamilton case, explained with regard to his flat statement, "The state wired me not to come," that after he had been subpoenaed for Dec. 17, former County Attorney Reed had sent a telegram saying "Will wire you when to come; keep us advised as to your whereabouts."

Mr. Barbe proposed to explain in evidence, at Mr. Boardman's request, and incidentally remarked that he had also been in correspondence since the receipt of the telegram with the present prosecuting attorney, but had not been told when to come.

In addition to that part of his testimony which appeared in The Journal a year and a half ago, Mr. Barbe said that in the general scuffle, from which Day staggered, he (Barbe) had got hold of W. G. Bennett's leg and attempted to pull him out of the crush. As Hamilton then walked away from the first scuffle with Canfield, started back from the corridor, there was a second mix-up. Hamilton had no part in it.

"The next thing I noticed," said Barbe, "was Day reeling out of the crowd and coming toward me in a very weak walk. I took hold of his arms and laid him down on the floor and discovered blood on his shirt. I tried to assist Day toward the bar to get a drink, but as he started to fall I eased him to the floor. I called for Bennett, the only man in the crowd I knew."

Positive on Cross-Examination.

On cross-examination Barbe was positive that Day had fallen into his arms. He first seen the knife and had directed O'Malley's attention to the weapon as it lay on the floor near Day's side. He saw no one strike Day. As far as he could judge no one of them were fighting directly with Day.

May McIntosh testified to having seen a knife in Day's possession in September, which closely resembled the "exhibit." She could not positively identify the weapon.

Rev. William Wilkinson testified that when he saw Hamilton in the county jail he didn't know who he was.

Hamilton's Roommate.

Guy S. Canfield, Hamilton's roommate, a reporter for the Tribune, was a good witness for the defense. He testified to Hamilton: "I heard you said I was a cad."

"I did, and now that I see you I am sure of it," Hamilton had replied.

When the two men went down in a clinch, "six or seven" of the crowd had clustered around the combatants and pulled them apart.

Hamilton and Canfield, without any suggestion on the part of the latter, then walked toward the corridor. "You had better stay out here, Ham," Canfield had advised.

Canfield frankly admitted that no one in the crowd, including himself, was what he would call sober. He swore positively that he did not say to O'Malley: "Arrest that man; don't let him go." Canfield admitted having sent two telegrams after Day's death, the first at Hamilton's request, to a western friend. The first copies of both being produced in evidence.

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GROUT BILL FIRST

Farmers Demand That It Be Placed Ahead of Ship Subsidy.

SECRETARY KNIGHT'S STATEMENT

He Says Its Defeat Will Give the Dairy Interest a Black Eye.

Special to The Journal.

Washington, Feb. 15.—Interest in the fate of the Grount oleomargarine bill is growing more intense as the end of the session draws nigh.

Members from the Mississippi valley states are free in their opinions that unless something is done in the senate within the next few days looking to the passage of the measure there will be an explosion of wrath such as has not been witnessed for many days in that deliberative body. The farmers are agitating with anxiety upon the part of those senators whose constituents have been clamoring for the measure day and night for a year, and at present see no indication that anything is being done to pass it.

The farmers cannot understand why it is that certain senators are supporting and giving the right of way to measures like the ship subsidy, that nobody appears anxious to have pass at this session, unless it is the steamship companies interested in the subsidies who are pushing it, while the Grount bill, with its hundreds of thousands of farmers back of it, demanding its passage, and taking the form of a petition, is apparently slumbering without attracting any great amount of attention. But the farmers and others interested are mistaken when they take this view of the present because there is a growing disposition upon the part of certain senators to take the bill by the horns and give the senate its choice between the ship subsidy and the oleomargarine bill—let it choose between the two, because it is now a foregone conclusion that there is not time for the passage of both, and it is a question as to whether the Grount bill, with its endorsement by more than a two-thirds vote in the house will become a law, or whether the ship subsidy bill, which has not yet passed the house, will be passed to block all other legislation as unfinished business in the senate, until adjournment kills the Grount bill.

It is believed that the dairy industry, while apparently supporting the right of the bill at a point where it is liable to get the blackest eye that it has ever had, or go forward with unprecedented developments in the billiard room of the market, Charles E. Knight, secretary of the National Dairy Union, who is probably in closer touch with the situation in this particular respect than anybody else in the country, said to The Journal a correspondent:

There are few who really understand the first importance of the Grount bill to the dairy and butter interests of the United States.

In the first place, or the past three years oleomargarine has gradually been increasing its hold upon the trade in this country through the system of frauds practiced by the manufacturers and caught the retailers, and the production has doubled during the past thirty months. This increased production was aided through the fact that the low price of butter, about 13c-14c, had discouraged dairymen to such an extent that thousands of farmers sold their cows for beef, and so cut down production of butter that prices went up to 18c-19c, and gave oleomargarine a chance through making a larger incentive to fraud, which the retailers were not slow to take advantage of, and also brought into life other oleomargarine factories day by day we were twice as many as we had a year ago in this country.

But the greatest danger lies in this fact: The wholesale butter dealers of the cities are the most active and the most organized of the producer of butter and milk, and are selling pure butter against oleomargarine. He has done this because he could not sell oleomargarine without encouraging fraud and violating the laws of the land, the same as the oleomargarine dealer does.

During the past few years, however, the business of this butter man has been fearfully cut through the sale of oleomargarine as butter. In Chicago, for instance, there are a few houses which have any butter trade any more from the city dairymen. Their business is almost entirely gone. They could not compete with the very same dealers they formerly sold butter. Now the question is, will they take up oleomargarine, and turn their influence to the support and defense of a hand? The producer of the butter, or will they continue to lose their business through the lack of enforcement of laws, which makes it a crime to adulterate food, and to punish, and therefore give the business to the dealer, willing to become criminals under the law, but escape punishment?

I know this: I am as well acquainted among the wholesale butter dealers of the United States as any other man in the United States. I know that some of the largest butter dealers are watching the Grount bill with a view to continuing it through to the end of the session, according to whether congress concludes to stand by butter or the fraudulent substitute. I know that one of the largest concerns, and the strongest financially, contemplates going to the legislature and asking for the Grount bill. They say the oleomargarine makers are growing rich, the laws are not interfering with them, and why, therefore, should any other man have a hand? The proposition is reasonable, it must be conceded.

On the other hand, if the Grount bill passes this congress, it contemplates an elaborate system of creation in one of the northern states. And in this connection it is said that there are many new dairy enterprises simply awaiting the outcome of the present contest in congress. All the supply houses in the United States are ready to push the sale of their hand separators more vigorously than ever, and wherever a hand separator is introduced, it is a source of contention. When I was in Chicago last week I was approached by at least a dozen men prominent in dairymen matters, who inquired about the bill, and the possibilities of it. The Grount bill has passed, everyone of whom had plans for the launching of new dairy enterprises on a modern scale—and they were not contemplating trusts, either—a thing just as impossible in butter as it would be in any other industry.

Mr. Knight expresses the belief that nothing in the world can stop the final passage of the Grount bill. He believes that the senate, when the facts and conditions are stated, and they have not been heretofore, there will be no disposition to filibuster, and he feels certain that it is only the matter of obtaining a vote on the proposition, and that necessary to its final passage. And this opinion is shared by practically every dairyman who has given the matter any considerable attention, including the representatives of the oleomargarine-makers themselves.

—W. W. Jermans.

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Vinol Makes it.

POOR BLOOD CAUSES ERUPTIONS AND WEAKNESS.

Vinol Makes Pure, Rich, Red Blood.

BECAUSE WE KNOW THIS WE GUARANTEE ITS ACTION.

Impoverished blood is a sure sign of internal disorders. We see every day too many people whose faces plainly show that there is something radically wrong.

We want all of our fellow-citizens to know of our splendid blood purifier and blood maker.

We refer to Vinol.

Vinol, as we have before stated, is a purely scientific preparation.