

DEFENSE IS HEARD.

NEWTON HUNTER AND HIS WITNESSES ON THE STAND. Questions Related as to His Identity With Little Katie Simey's Assault—The Weather and the Tracks—Boots and Shoes—The Man Nixus One Thumb—The Accused Man's Own Story of His Doings on the Day of the Crime—Evening Session of the Court—The Case Argued—It Goes to the Jury Today—Other Court News.

Judge Ayer will charge the jury in the Hunter case this morning. The state called its testimony at an early hour yesterday morning, and by 5:30 o'clock yesterday afternoon the evidence for the defense had been given. The state introduced but a single witness, a judge. Having other matters set for today, Judge Ayer rather insisted on an evening session, and finally adjourned the court until the night of the 22nd. The hour was given up to the argument of the attorneys. Messrs. Wright, Dore and Cross representing the defense, and prosecuting attorneys Hurler and Depue. The defense made out a much stronger case yesterday than even their friends hoped for. There was no attempt to impeach or pollard the testimony of the state. It was a very strong fight as to the question of Hunter's identity with the perpetrator of the crime. G. N. Nixus, weather observer for this city, testified that since the date of the crime more than four inches of rain had fallen, and there had been violent winds; weather which would be calculated to obliterate all such traces from the ground as those claimed to have been found by Deputy Sheriff Lane. Nixus testified that he had seen a man closely corresponding to the description given by Katie Simey of the assailant, near the scene of the crime about noon of that day, and that he was positive the man was not Hunter. His testimony was corroborated by that of E. N. Butler, who had also seen a man such as Katie described, at Keith, between 12:30 and 1 o'clock p. m. of that day.

Of course the witness around whom most interest centered was the accused himself, Newton Hunter. He bore his story fairly well on the stand, and while his story could not completely establish an alibi, it was straight and to the point. His chief business had been getting and delivering to various persons and establishments in and about the city. He testified that on the morning in question he had gone to the Seattle branch on East Second street, to get an order for wood. Having secured this he went back along the railroad track, reaching home about 3 o'clock p. m. His route did not lead back by the canal house. Of course the weak point of his story is that it does not otherwise account for his whereabouts precisely at the time the crime is alleged to have been committed. All the material parts of his story, however, were corroborated by evidence of Louis Kysner, an employe of the laundry, and Sarah Humers, Hunter's mother, who testified as to his leaving and returning home, and also to the very important point that on the day in question he wore a pair of boots into his house. The importance of the latter point in its bearing on the case is hard to overstate, since one of the very strongest points in Hunter's testimony is that the criminal had been the pair of shoes which he had on when taken, and which corresponded remarkably with the tracks about the ground where the assault took place. The boots, which were taken from the accused, and testified to by the witness, were of the same make as those which Katie Simey had described as worn by her assailant, did not, after all, belong to Hunter at all, but to Robert Donaldson. Hunter had three men with him, and Mr. Dolan and William Sharp. Donaldson testified that the shirt was his, and had been his for months that it was hanging up in the hall. He testified that he took it away as belonging to Hunter. Joseph Lyons testified that the boy, Eugene Reese, had told him that if the man they captured for the crime did not have one thumb gone, then he was not the right man. As Hunter has no deformity of this kind, the force of the evidence is thereby nullified.

J. J. Challer, one of the deputies in Sheriff Meyer's office, testified that within two days after the crime occurred Katie Simey had stated in the superior's office that her assailant had a red mustache and dark brown hair, neither of which can be traced to Hunter.

All the evidence is now before the jury. After the court gives its instructions this afternoon the jurors will have to wrestle, not with the horrible nature of the crime committed, which is not denied by anybody connected with the suit, but with the question as to whether Newton Hunter is the criminal.

SCHOOLS OF THE COUNTY.

Terms Being Extended and Many Applications for Graduation. County Superintendent of Schools Meredith was back from Isaquah yesterday, where he had been visiting the schools. His reports that under the leadership of Principal O. R. Wetherby Isaquah educational interests are in excellent condition. Mr. Meredith rode back to the city as a freight train in order to make connection for a South park examination for many graduations, which he had promised to hold.

Mr. Meredith thinks the school term at Isaquah will be extended one month, the directors having expressed themselves to be favorably on that point.

The county superintendent is a great advocate of the personal visit such as under the law he has recently been making among the various schools of the county. The remoter districts are especially stirred by such personal contact and he invited by it to better work. Mr. Meredith makes his visits as informally as possible, mingling freely with the pupils, directors, patrons and teachers. He usually makes a short address to the school explaining the object of his visit, and offering such practical advice and suggestions as he thinks will be of value. He then frequently takes charge of some games and conducts it as part of the regular school exercises, giving the teachers a practical illustration of approved methods of instruction, and to the pupils the stimulus of work under the eye of the superintendent.

In these remarks Mr. Meredith comes almost daily into touch with a set of students to whom he never fails to give special sympathy and attention—the poor.

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but deserving boys and girls from whose ranks some of the ripest scholars, greatest men and finest characters in America's history have come. He urges them to follow up their advantages, and points out to them the means by which they may do so. He speaks highly of the good results of the present system of county graduation, and thinks there will be an increased number of applicants for examination under it during the coming year. "One great need in our public education," said he, "is a closer correlation of the district schools, the high schools and the university. The second need is a great portion of the good work done by each is to some extent wasted. I am especially glad that the high school here in Everett closed its doors last night, and that the country school upon county graduation, affording them an opportunity of preparing for the university. I am doing all I can to encourage such work." Mr. Meredith has now visited nearly half the schools in the county, spending half a day with each. He has reached fifty-five or fifty-six separate districts out of the 124 in this county, and hopes to complete the entire round within the next six or eight weeks.

HOME TIES BROKEN.

Charles D. Chambers Asks Divorce Because of Desertion. Charles D. Chambers is suing his wife, Dollie M. Chambers, for divorce. According to his complaint, filed yesterday in the superior court, she deserted him in Portland, Or., July 24, 1896. A little less than five years later his wife deserted him, and he has never since that time been able to persuade her to return to make her home with him.

Mr. Chambers charges that his wife has in numerous instances conducted herself in an unbecomingly manner. He says that while he was with her in San Francisco in June, 1896, he tried to get her to come with him to Seattle, but she obstinately refused to do so. In the fall of that year, he took a business trip to Salt Lake City. He had made all arrangements for his wife to accompany him, but at the last moment she refused to go. By that time it appears that she had joined him in Seattle. At any rate, he states that she left this city on the steamer Walla Walla, leaving with all the household furniture and apparel, and proceeded to her own use. On reaching San Francisco she pretended to go on to Berkeley, Cal., and defied him into the belief that she was in Berkeley, when in fact she was all the while in San Francisco, where she remained a long time, without her husband's knowledge or consent.

On the 12th of last month, in the summer of last year she took up her abode at the Hotel Stevens. Once more she fooled her husband as to her whereabouts. He was in the city, and she reported to him that she was living at 307 Columbia street, and had him send her letters to that address. Last fall he wrote her that he was coming home, and asked her to meet him in Portland. As soon as she learned that he was coming she skipped out for Butte, where she had accepted invitations to dine under date of last month, telling him that she was able to look out for herself and that henceforth she would go her own way. Mr. Chambers names no co-respondents in his complaint, but he charges that his wife at various times, both in Seattle and elsewhere, had accepted invitations to dinner parties at places of questionable resort with men of shady reputation.

THE LAND CONTROVERSY.

Another tide land contest was settled yesterday, so far at least as it can be settled by the superior court. In the case of the Northern Pacific & Puget Sound Shore Railroad Company, Stephen Guisberg and the Washington Dredging and Improvement Company vs. the Columbia & Puget Sound Railroad Company, Judge Moore decided that the Columbia & Puget Sound railroad Company has the prior right to purchase lots 1 and 6, block 225, as being owner of the abutting uplands, and as having occupied the lots in question with valuable improvements. The portion of lot 6 assigned by the Columbia & Puget Sound Railroad Company to the Northern Pacific & Puget Sound Shore Railroad Company was completely overthrown.

NEW SEATTLE ENTERPRISE.

A new company yesterday filed articles of incorporation in the county auditor's office, for the purpose of conducting in this city an establishment for preparing and distributing condensed milk, evaporated cream, milk and milk products. Its corporate name is to be the Washington Condensed Milk Company. The capital stock is fixed at \$15,000, in shares of \$100 each, and the trustees are George E. Sackett, Charles E. Crane, C. E. Bogardus, Samuel Sutton and Robert Ward.

THE CITY FORECLOSES.

Two degrees of foreclosure in favor of the city were signed yesterday by Judge Moore on liens growing out of street grade improvements. One of these was in the case of the city vs. J. M. Fry et al. for \$118.82, amount of street grade taxes on lot 2, block 12, North Seattle addition. The other was in the case of the city vs. Mary A. Huggins et al. for \$27.25, for taxes on lots 4 and 6, block 6, Dean's addition. In both cases interest has accrued since January 25, 1897.

THE GARNISHMENT WILL HOLD.

The garnishment issued by Justice Schuchman against Schwabacher Bros. in the Klott-Wittman case will hold. So the jury in the civil department, superior court, decided yesterday. The case is originally against Klott and Wittman, who were one in which Louis Klott sued P. J. Wittman, an employe of Schwabacher Bros., for \$150 balance alleged to be due on an umbrella. His judgment was then garnished the firm. The costs in the case now amount to more than six times the sum sued for.

THE HOSKOR-KANTS CASE.

The case of Hoskor vs. Kants, on trial yesterday in the civil department, superior court, came to a rather unexpected termination. Judge Benson, on motion of the plaintiff, took the case from the jury and giving judgment in Hoskor's favor for \$40. The court held that the answer in the case does not contain facts sufficient to constitute a defense.

A HEAVY JUDGMENT.

The German Savings and Loan Society obtained judgment in the superior court yesterday against Frederick S. DeWolfe and wife for \$27,628.75 and \$28 attorney's fee. Decree of foreclosure followed. The suit was based on a promissory note of January 25, 1891, for \$25,000.

INTO TWO DISTRICTS. SUNDAY SCHOOL WORK ORGANIZED IN DIVISIONS.

The State Association Continues. With Subordinate Branches in Western and Eastern Washington—State and District Officers Elected—Prof. Hamill on Greece and Turkey—Convention Finally Adjourns.

A great deal of business was accomplished in the closing day's session of the Western Sunday School Association convention, in addition to the acquiring of additional information on educational methods from Prof. H. M. Hamill and general discussions of important questions. The chief thing was the division of the state association into two district organizations, and by-laws and executive committee of the Washington Association were adopted and officers elected for the state association were also elected, two new officers being created to carry out Prof. Hamill's suggestions on the training of teachers in normal classes.

IN TWO DIVISIONS.

The committee on reorganization reported as to the division of the state association into two districts. "The physical obstacles to united work between Eastern and Western Washington are so great that some change in the method of the past seems necessary. The biennial state association convention for either district, which has been characterized by the insufficient number of delegates for that continuity of effort that is essential to the success of such a project on the other hand, the force of the principles governing the international education of the state, therefore we recommend: That the Washington Sunday School Association be divided into two districts, Eastern and Western Washington alternately, as is hereinafter provided.

The case of Samuel Frank vs. A. Harker & Co. was argued yesterday in the superior court. Florence Goodfellow yesterday filed intervening complaint for claim of \$2,500. The case of J. H. Whittlesey vs. Charles P. Whittlesey, as county treasurer, set for hearing in the equity department, superior court, yesterday. The case of W. C. Schwaabacher Bros. & Co. (Inc.) filed a petition yesterday for \$150, costs in the case of Winsor, Bush & Morris vs. the Abrahams Grocery Company.

CHEASTY'S AGAIN.

Robbers and Safe Crackers Seem to Think He is a Good "Do not know," said E. C. Cheasty yesterday afternoon, "whether they think I am a good thing, or am getting rich. Anyway, they are coming right along." Mr. Cheasty, who is a well known little burglar that took place at his store, corner of James street and Second avenue, early yesterday morning—little, because of his small size, and because he is a little under date of last month, telling him that she was able to look out for herself and that henceforth she would go her own way.

BY-LAWS.

This report was unanimously adopted and, after adjournment, the afternoon session, those present were reconvened as a Western Washington District Sunday School Association, adopting the following by-laws: "This territory shall comprise that part of the state lying between the Cascade mountains and the Pacific coast.

DISTRICT OFFICERS ELECTED.

The following officers were elected for the district association: President, E. L. Blaine, of Seattle; vice president, Rev. W. W. Miller, of Puyallup; secretary, George S. Tacoma; treasurer, Leslie Packard, of Snohomish. Executive committee—The president and secretary, officers, and Prof. J. C. Brown, of Olympia; Frank Quinby, of Mount Vernon; Rev. A. F. Kirkpatrick, of Tacoma; Rev. J. N. Smith, of Seattle; Hon. A. B. Burt, of Everett.

A NORMAL SCHOOL.

Prof. Hamill's afternoon address was devoted to detailed information of the plan for organizing and operating a normal school for the normal classes of the Illinois Sunday School Association, and he asserted with pardonable pride that the state of Illinois was the best organized for Sunday school work of any in the Union. Each denomination there was itself organized into a separate body, but instead of operating against general harmony, they were united in the same work. There were between 100 and 125 normal classes in Illinois in 1896, and it had now spread over thirty states of the Union, had obtained a footing in British Columbia and had even crossed the seas to India. To induce young men to become teachers in these normal classes, he repeated a recommendation he had once heard, that an appeal be made to the heroism of young men; that they be not asked to join the church because they needed it, but because the church needed them. He went into the most minute details concerning the management of these schools.

An interesting hour during the afternoon was occupied by an open discussion on the primary department. Miss C. S. Hyatt led in this, and was supported by Mrs. E. A. Spokane, Mrs. M. G. H. Lee and Mrs. Charles Black. Miss Hyatt advanced a theory which found general favor. She firmly believed, she said, that absence from Sunday school was more often caused by the dislike of pupils to go over their regular meal time than from any other cause. The idea of having school in session during a time

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when on six other days of the week children were accustomed to eating, caused a distaste in the child's mind for an attendance accompanied by so much privation. It was generally felt that to hold church and Sunday school at an earlier hour would have an influence in increasing attendance.

The convention elected the following officers for the ensuing year: President—W. C. Merritt, of Snohomish; Secretary—G. A. Virtue, of Seattle; Treasurer—Prof. O. C. Whitney, of Tacoma. Vice Presidents—W. O. Hardin, of Seattle; George H. Whittle, of Spokane; C. E. Bailey, of North Yakima; D. W. Freeman, of New Whatcom.

THE DOWNFALL OF TURKEY.

Attendance in the evening was larger than at any session during the convention. Chancellor C. R. Thoburn, of the Puget Sound university, Tacoma, took up the early part of the evening with a characteristically intense address on "The Word of God—the Immutability of the Foundation of Every True Life." Prof. Hamill expressed some regret when he called upon that the earnest character's address could not be allowed to continue longer.

Prof. Hamill was led to speak of the present war between Greece and Turkey. He did not assume to present, he said, but he could see in the present trouble the hand of Providence, which would blot from the list of nations and from the map of the geographer the power that had so long been dominant, Turkey. He believed the shedding of national blood was necessary to purge the national heart of its sins. He thought he could see in this a step toward the restoration of the Jew to his original position, and when the Jew was parcelled out and sold the Jew would be the chief bidder and England the autocratic authority as to the partition. When England wished to place a watch over the Suez canal she would select the Jew as the watchman.

Coming to his subject, the book of Acts, the speaker started by showing the lands covered in the travels of Christianity, as shown in the book. Starting in Judea it ran to Samaria, Syria, Asia Minor, Europe and Africa. Its track in Europe passed over what is now the seat of war. The scattering of the tribes had given rise to the theory that the Saxons were the ten lost tribes. He dismissed that subject with little discussion, and turned to every county in our state, which is the immediate essential to be arrived at.

RESOLUTIONS OF RESPECT.

Offered by the Seattle Cereal Co. to the Memory of David H. Vail. At special meeting of the board of trustees of the Seattle Cereal Company, held at the office of the company in this city on April 17, the following resolutions were passed and adopted by President Deming, and on motion of J. M. Hubbell, duly seconded by Charles A. Thorndike, they were adopted and ordered spread upon the minutes of the meeting, and a copy thereof sent to the father and the widow of deceased: "Whereas, David H. Vail, late vice president of the Seattle Cereal Company, departed this life on the 26th day of December, 1897; and

Resolved, That in the inception of the company until seized with his mortal illness, he was an untiring, zealous worker in the interests of the company, bringing into the conduct and management of its affairs his high character and standing with integrity and his eminent abilities as an active, shrewd business man, which, coupled with his long experience in the management of business of the company, made his connection therewith of double value; and

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