

CLOONAN MUST HANG.

The Supreme Court Refuses a New Trial to the Wife Murderer.

A PLEA OF DRUNKENNESS FAILS. COSTS ON THE DETECTIVE.

THE NEWS OF THE COUNTY COURTS

In the Supreme Court yesterday an opinion was handed down refusing a new trial for Dennis Cloonan, who was convicted some time ago of the murder of his wife. The decision is a per curiam decision, and the Court says: "The appellant was convicted of murder in the first degree. He now complains that the court below rejected certain testimony offered for the purpose of showing he was intoxicated at the time he committed the crime. The evidence rejected did not measure up to this standpoint. At most it would have shown that he had liquor in his house and might have drunk it. This was not specific enough, and the court below was right in rejecting it."

There was also an offer to prove that the prisoner was drunk at some other time and the effect on him. This was properly rejected. The fourth specification was not assigned and will not be considered. The judgment is affirmed and it is ordered that the record be remitted to the court below for the purpose of execution.

In the case of Walker vs Tupper and others Justice Mitchell handed down an opinion in which he says: "The question is whether the agreement between the four defendants made them partners."

No Definition of Partnership. "No general definition of partnership has yet been given, which applies without qualification to all the infinite variety of business arrangements in this great commercial age, but the essential element universally conceded is participation in profits. But even this does not universally create partnerships. The modern English law states that direct participation in profits as such is not conclusive evidence of partnership. This is generally the most accepted, though it is conceded that its presence is not conclusive in favor, its absence may be regarded as conclusive against partnerships."

This suit grew out of an oil well transaction and the Court says that there was no distinct understanding of a division of profits and no responsibility on the part of each of the joint lessees and no joint ownership. The decision of the lower court is reversed.

In the appeal of Thomas Clulow and others from the Common Pleas of Venango county, Chief Justice Paxson handed down the opinion. The suit was for damages by the breaking down of a bridge. Chief Justice Paxson, in his opinion, says: "The plaintiffs contend that the township was negligent in not knowing the unsound condition of the bridge. There was no evidence that the township knew the bridge was unsafe or the timber rotten. If the plaintiffs examined it before crossing, as the say they did, and did not find the defect, it comes with bad grace to charge the township with negligence in not discovering it. The decision of the lower court is affirmed."

WAR IN MISSISSIPPI.

A Bloody Feud Raging Over a Clansman Who Is Resisting Arrest.

MENDHAM, Miss., Nov. 7.—Kemper county is in the throes of a bloody feud. Several years ago Tom Tolbert, a white man, not possessing extra good sense, assaulted a young girl. Public sentiment was aroused, and fear of the Tolbert clan, which was large and fearless, prevented more violence. Tom Tolbert was arrested and sentenced to the penitentiary for life. In a short time he escaped, but was recaptured and sent back. Again he escaped, and has since been at large in his native hamlet in Kemper. He has become bolder and has often been seen at night places.

The Sheriff took steps to arrest Tolbert. He deputized Will Spinks and Tom Donald to accompany him. Tolbert, Spinks and Donald were at an Indian blacksmith shop, when Tom Tolbert and his brother, John, were present. Knowing they were deputies, the Tolberts at once opened fire. Spinks and Donald returned the fire, killing Tolbert. Tolbert's brother took refuge behind the shop and fired upon the deputies until his ammunition was exhausted, when he fled. Tolbert's posse was organized, and with hounds Tom Tolbert was chased all last night. The posse of the Tolberts' father was surrounded by a posse, and just after daylight Tom Tolbert and a crowd of his friends, armed with Winchester, opened fire on the posse, killing Thomas Cole. The posse, being only with bloodhounds, could do no execution and retreated. All the country is aroused and more bloody work is expected. A party accompanied by bloodhounds left this city last night for the scene of battle.

The dispatch will contain the most complete reports of the Election To-morrow morning. Order in advance.

A HUNGARIAN CRISIS IMPENDING.

The Ministry Will Probably Go to Pieces on the Civil Marriage Issue.

VIENNA, Nov. 7.—Count Szapary, President of the Hungarian Council of Ministers, arrived here to-day and had a long audience with the Emperor, submitting to him the compulsory civil marriage bill which the Hungarian Cabinet has determined to force to an issue. The Hungarian Premier is said to have the resignations of the Hungarian Ministry ready in case the Emperor Francis Joseph refuses his consent.

That cabinet, however, his willingness to decline should be introduced to establish a precedent, to recognize the Hebrew faith and mixed marriages. Count Szapary urged his inability to carry on the civil marriage bill. It is reported that the Emperor has refused to sign the bill. The Emperor will summon Tisza and other party leaders to hear their views. Count Szapary will remain here a few days.

FRANCE AND MOROCCO WARRED.

An Old Demand Pressed Upon the Sultan Suddenly Stops Negotiations.

PARIS, Nov. 7.—Dispatches from Fez dated the 1st inst. announced that the negotiations being conducted between Count d'Aubigny, French Minister to Morocco, and the Sultan had come to a sudden halt. The Sultan had refused to sign the concession for the Morocco-Algerian frontier railway. Count d'Aubigny thereupon pressed the old standing claims for damages for the plunder committed by the Algerian marauding Moors.

That angered the Sultan, and he canceled the concession until such time as the French Minister could withdraw the old claims. That Count d'Aubigny refuses to do, hence the deadlock.

Had Ruptures.

Trusses made to order for cases of large hernia and satisfaction guaranteed. The only factory west of Philadelphia. J. W. Thompson, of 25 years' experience, has charge of the fitting department. ARTIFICIAL LIMB MFG. CO., 909 Penn avenue, near Ninth street, Pittsburg.

Protection and Reciprocity are both contained in a tentative policy of the Equitable Life Assurance Society. Protection for your family if you die, or for yourself if you live 20 years. Reciprocity, because you share in the profits. To see how much your share would be at the end of 20 years, send your age for sample result policy to Edward A. Woods, Manager, 516 Market street, Pittsburg.

ATTEND OUR GREAT HANKERCHIEF SALE TODAY. Jos. Horne & Co., Penn ave.

Executions Issued Yesterday. Four executions were issued yesterday against Thomas Tregowan, as follows: By Tillie Chapman, \$100; William Tregowan, \$50; Rroude Manufacturing Company, \$1,036 81; Godfrey & Clark Paper Company, \$77 83.

John M. Ewing yesterday entered suit against the Pennsylvania Company for \$10,000 damages. The plaintiff alleges that

A MISGUIDED CHILD.

Hattie Baldwin, a Pretty Girl, Arrested for Shoplifting.

ACTED ON HER MOTHER'S ADVICE. Says She Was Told to Pick Up Anything 't the Cold Flind.

MRS. MARTIN DENIES THE GIRL'S STORY

Hattie Baldwin, a rather pretty and intelligent 14-year-old girl was arrested in Doggs & Bull's store, in Allegheny, yesterday, for shop-lifting. When searched at the station, a number of articles, such as ribbons and handkerchiefs were found on her person.

When questioned by the police the girl told a strange story which criminales her mother in her misdoings. She said her father died when she was a child, and she was sent to an uncle in Iowa, who raised and educated her. About a year ago her mother married a second time and brought her to their home at 430 Rebecca street, Allegheny. The stepfather, according to the girl, proved to be a good and kind man who treated her as his own child, but her mother was given to intoxication and, while in this condition, beat and abused her. Yesterday morning, the girl alleges, her mother gave her 20 cents and told her to go to Doggs & Bull's store and buy a yard and a half of Canton flannel and at the same time keep a sharp lookout and pick up anything she might be able to find in the store. The girl further alleges that she was going to her mother gave her a drink of whiskey and warned her to be careful. Acting on the advice of her mother the girl went to the store, and was helping herself, when she was placed under arrest by Detectives Zimmerman and Aiken.

Last night Mrs. Martin, the girl's mother, called at the lock-up to see her daughter. Superintendent Muth, on the strength of the girl's story, caused the mother to await the result of the hearing this morning. Mrs. Martin denies the statements made by her daughter and claims that the girl acted without her advice. The girl's story, however, seems to be straightforward. She told it to Superintendent Muth at different times.

The case will be turned over to Secretary Foregate, of the Anti-Cruelty Society, for investigation.

HUNG IN THE BELTRY.

The Deed of a Sacerdotal Stops the Services of a Milwaukee Church.

MILWAUKEE, Nov. 7.—For the first time in the history of Trinity Catholic Church, there was no second service yesterday. The break was caused by the discovery of the body of George Janke, the sacristan, hanging high up in the church spire after the congregation had filled the church and the greatest excitement prevailed for a time after Father Conrad dismissed the congregation with the explanation that something terrible had happened.

Janke had been sacristan of the church for five years. He rang the bell for service Saturday night at 7:30 o'clock and was the last seen of him. When Father Conrad found that his robes had not been laid out for service as usual this morning, he inquired for Janke and not finding him, a search was immediately instituted. The searchers finally climbed to the belfry where they found Janke's body hanging on the highest beam. Father Conrad was notified and he immediately dismissed the congregation.

LOOKING FOR SITES.

Local Camping Clubs Making Arrangements to See the Fair.

City Passenger Agent E. C. Dunnivant, of the Lake Erie road, says the competition between the local hunting and fishing clubs for camp sites near Chicago next summer is very sharp. Many of the clubs have already made their arrangements. Some intend to remain for three months. Fortunately the vicinity of the World's Fair is full of desirable places, but the best of them are in great demand for the summer.

There are 284 chartered clubs in this neighborhood, and they are all going to Chicago. Mr. Dunnivant says as many more smaller parties are being formed and he estimates that fully 8,000 Pittsburgers will spend their vacations in camp and see the World's Fair at the same time. He figures that the cost for three weeks, including car fare, will not be more than \$25 per head. A number of small clubs have been organized and the members are contributing 50 cents per week toward the expense.

BUGLARS AT WORK.

They Continue Their Nightly Depredations in the East End.

On Friday night three East End houses were broken into and robbed. The residences were those of Mrs. Joseph Hass, on Lincoln avenue, and Thomas Hartman and David Thomas in the same neighborhood.

At the first place the thieves carried off all the canned fruit that Mrs. Hass had prepared for the winter. At the house of Mr. Thomas a similar haul was made. At Mr. Hartman's dwelling the marauders took all the finest articles they could find in the parlor, sitting and dining rooms. On Saturday night the same gang tried to effect an entrance into the residence of Alderman A. J. E. Means and John Williams, but in both instances they were frightened away before they secured any booty.

Dinner to a Missionary.

Miss S. Bunn, a Baptist missionary from Burma, was given a dinner at the Duquesne last evening by some of her church friends. Rev. Dr. B. F. Woodburn, of Allegheny, was master of ceremonies, and 19 guests sat at the table. It was an informal affair and the time was spent in pleasant conversation.

James Doran Jailed a Second Time.

James Doran, the first prisoner to escape from the Allegheny county jail, has been locked up again charged with being connected with the East End gang of house breakers. To guard against escape he was locked in the murderers' quarters. The evidence against him is considered as very strong.

Trains Running Very Light.

Yesterday was the dullest Monday at the hotels for many weeks. The registers were very light, but there will be a rush of commercial men to-morrow. The limited rolled into the depot last evening with only 15 passengers for the West. A number of sleepers looked deserted, and for once everybody had a locked berth.

Highest of all in Leavening Power.—Latest U. S. Gov't Report.

ATTEND OUR GREAT HANKERCHIEF SALE TODAY. Jos. Horne & Co., Penn ave.

Trusoids silver teapots at \$5 per set are the finest offered anywhere. Get sets at Steinhilber's, 105 Federal street, for the best.

SMALL IN SIZE, GREAT IN RESULTS: De Witt's Little Early Risers. Best pill for constipation, best for sick headache and sour stomach.

ATTEND OUR GREAT HANKERCHIEF SALE TODAY. Jos. Horne & Co., Penn ave.

Beautiful solid gold ladies' Elgin watches at Steinhilber's, 105 Federal street.

OVERWORKED CLERK.

This Will Greatly Interest You.

A young, hard-working clerk broke down in health and strength from overwork and overstrain to the nerves. Through nervous weakness he fell into discouragement, because wife, mother and sister were dependent upon him.

The same applies to thousands of overworked clerks, mechanics and others who see themselves growing thin in flesh, pale and sallow, and find themselves losing their physical strength and strong nerve. They grow weak, nervous, tire easily, have dull-feeling head, backache, kidney and liver complaints, wake tired mornings, lose their appetite, become constipated, feel miserable, old. They are rapidly breaking down, and should use immediately the great nerve strengthener and blood invigorator, Dr. Greene's Nervura blood and nerve remedy. It will give a clear head, strong and steady nerves, vigorous strength of body, perfect action of kidneys, liver and bowels, and thus they will be able to keep up to their work.

It is purely vegetable and harmless. Druggists, \$1.00.

"I feel it my duty to write what wonderful benefit I have received from Dr. Greene's Nervura blood and nerve remedy. I had Nervous prostration and Dyspepsia terribly. I took Dr. Greene's Nervura blood and nerve remedy, and before I had taken two bottles I could sleep and eat and felt like a new man. I took three bottles in all and call myself a well man. Should I again get that nervous state, I shall know what to take to make me well again. I would recommend all who suffer from nervous prostration to take this wonderful remedy, for it is a sure cure. Barney Wilson, Champlain, Clinton Co., N. Y."

Dr. Greene, the discoverer of this wonderful benefit, is the successful specialist in curing all forms of nervous and chronic diseases, 35 W. 14th street, New York, and can be consulted free, personally or by letter. Call or write him about your case, or send for symptom blank to be filled out, and a letter fully explaining your disease, giving advice, etc., will be returned free.

—The Eskimo baby born the other day at the World's Fair grounds died yesterday from the effects of a sore throat.

—The returns of yesterday's elections for members of the Chamber of Deputies at Rome show that 1st Government supporters and 71 members of the Opposition were elected.

—It has been decided that in the future neither the Attorney General nor the Solicitor General of England will accept of any honor or title from the British Privy Council or to the House of Commons.

A German agent at Wiyah, Dahomey, has written a letter to the United States, declaring that the Portuguese and English, not the Germans, supplied the Dahomeans with arms for use in their warfare against the French.

—Mr. Herbert Aquith, the Home Secretary of England, has ordered that, in the future, disabled paupers, or paupers engaged in obnoxious work shall have the privilege of smoking and snuffing. Smoking rooms will be provided in the poor houses.

—Stanley M. Austin, of Cleveland, was sentenced to seven and three years respectively in the penitentiary on the counts for embezzlement to which he pleaded guilty. He falsified the payroll of the Union Nat. Company and embezzled upward of \$50,000.

—It is understood that the British Government has decided to ask the British Parliament to send out experts to investigate the condition of Canadian cattle and quarantine and report to the Dominion Government in the hope of awakening the British authorities to the danger of the embargo recently imposed on cattle from Canada arriving in England.

—Our own special votes and special news-service will render The Dispatch election returns invaluable To-morrow morning. Order in advance to avoid disappointment.

A Big Affair.

The centennial celebration to be held at Monongahela City on November 15 promises to be a big affair. There will be three public meetings, at which papers will be read on local history, and a street parade, showing the industrial progress of the century by a comparison of primitive and present methods. An elaborate programme has been prepared and many prominent citizens will read papers on the industrial and general history of the place. A. R. Pearson, a descendant of Joseph Pearson, who first laid out the city, is Chairman of the centennial management.

Once More on Their Feet.

The Moorhead-McCleane Company made the last payment to its creditors Saturday. The amount was \$100,000, and the company is once more on a firm financial basis.

A WRITER'S EXPERIENCE.

[Extract from a New York Correspondent's Letter.] "During my visit to this city I have been entertained by kind friends at the best clubs and about a city generally. This certainly is a city where one can spend a few weeks at this time of the year very pleasantly. I have been impressed by many things, but what has struck me especially is the uniformity with which the brand of O. F. C. Whisky is used by club men and gentlemen generally. I inquired of my friends the reason for this and was informed that, from the multitude of whiskies upon the market, they had found more healthful effects and a finer taste in the O. F. C. than in any other whisky used by the better classes. I found it very palatable, and will also add that while its effects were exceedingly pleasing, in no case did I observe the slightest injurious effects either upon myself or any of my friends."

The above named superior whisky is made by the George T. Stagg Co., of Frankfort, Ky., and is sold in Pittsburg by JAMES GETTY & CO., 180 First avenue, Pittsburg, Pa.

NEW ADVERTISEMENTS.



ANY SHAPE OR FIGURE

Of body or pocketbook, no matter whether you are as lean as a rail or as round as a ball, can be fitted perfectly at Jackson's. We make our own clothing, and you don't get fire clothing, bankrupt or job lots bought at 50c on the dollar or any other undesirable stuff. Every suit or overcoat bought of us is far from shoddy as the Equator from Greenland. Talking about Greenland, some of the Clothiers seem to take the people of Pittsburg for Greenlanders, judging from the amount of fake sales advertised just now. We have confidence that people are able to discern the chaff from the wheat. Our people are not green enough to be caught by big, catchy ads. All we can say for our make of clothing is that we will stand by it as no other merchant can or will. Our suits from \$10 and up or our overcoats \$10 and up we guarantee to keep in repair free of charge for one year.

IT IS A DUTY you owe yourself and family to get the best value for your money. Economize in your footwear by purchasing W. L. Douglas shoes, which represent the best value for prices asked, as thousands of testimonials will prove.

IF TAKE NO SUBSTITUTE. \$5.00 for GENTLEMEN, \$4.00 for LADIES, \$3.50 for BOYS, \$2.50 for MISSES.

W. L. DOUGLAS, Brockton, Mass. Sold by D. Carter, 71 Fifth avenue, N. Y., Frothing, 30 Fifth avenue, N. Y., & G. M. Lang, 801 Butler street, Pittsburg; Henry Hoeser, 105 Federal street; E. G. Hollins, No. 71 Rebecca street, Allegheny; Hutchison Bros., No. 20 Beaver avenue, Allegheny; James Shindley, No. 116 Fifth avenue, N. Y.; Henry J. Jones, No. 259 Carson street, Pittsburg.

CAUTION.—Beware of dealers substituting shoes without W. L. Douglas name and the price stamped on bottom. Such substitutions are fraudulent and subject to prosecution by law for obtaining money under false pretenses.

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NEW ADVERTISEMENTS.

THE PURCHASING POWER OF MONEY. * AT * LAIRD'S * IS * REMARKABLE & EXTRAORDINARY. SEE WHAT 99 CENTS BUYS.

890 Pairs Ladies' Fine Dongola Button Boots, plain toes and patent leather tips, common sense or opera lasts, kid tops or cloth tops, all worked button holes, flexible soles, sewed, same style and patterns as shown in many stores at \$2, \$2.50 and \$3. You will find all sizes and several widths this week only at..... 99c

1,100 Pairs Ladies' Fine Vici Kid Dongola Oxfords, flexible, sewed, opera or common sense lasts, patent leather tips or plain; also with cloth tops, Goodyear sewed and hand turned. These are a special lot, bought from a large New York house last week at half price, and are same quality, style and patterns that you have had lately at \$2 a pair; this week they go lively 99c at.....

780 Pairs Men's Fine Sewed B Calf and Veal, lace or Congress, tipped or plain, seamless, all sizes and widths. They look like \$3 shoes and will wear as well as most \$2 and \$3 shoes sold in other stores. They are good clear leather and we warrant them (must come this week) at..... 99c

350 Pairs Ladies' Slippers, Common sense or opera, all sizes, at 99c

600 Pairs Gents' Fancy Slippers, 50 new patterns, all sizes, at 99c

900 Pairs Boys' and Girls' Shoes, Light, medium or heavy, large sizes, at 99c

250