



## HE HAD HIS WAY

And Is Now Wrapped in His Own Self Satisfaction.

## SPEAKER EDWARDS IS HUMORED

In His Personal Request for a Vote of Confidence.

## EDITOR OF THE INTELLIGENCER

And a Dispatch He Sent to His Paper Are the Subjects

## OF A VERY CHILDISH RESOLUTION

Which Nobody Thought Worth While Opposing--The Intelligencer Man Requested His Friends Not to Antagonize It--The Remarkable Performance of a Speaker of the House Leaving His Chair to Introduce a Motion Expressing Confidence in Himself and Denouncing a Newspaper Article About Him--A Fact that Bears Out the Article that Offended the Speaker--Work of the Legislature Yesterday--Important Measures Passed--The Debt Resolution Disposed of by the Senate.

Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Feb. 7.--To-day, at the request of Speaker Edwards, the house of delegates expressed "its fullest confidence in the integrity of the speaker and its committee," meaning its committee on education. It is doubtful whether such a request was ever before made in such a "please-help-the-blind" way.

The speaker had worked for a day and a night on members to induce them to agree to a resolution censuring the editor of the INTELLIGENCER, forbidding him the floor of the house and putting an O. K. stamp on the presiding officer. By this morning it was made plain to him that he could not by any means have it his own way and the resolution was accordingly toned down to meet the exigencies of the situation. Even then it would have been knocked higher than Gileroy's kite if the person against whom the pop-gun was directed, had not requested his friends not to antagonize it.

### WASN'T WORTH AMMUNITION.

It was not worth wasting time over, and there was no disposition on the part of the party of the other part to deprive the speaker of any satisfaction he might be able to find. The speaker saw no indecency in stepping down from the chair to seek a "vindication," but the house and the visitors took in the situation to the full. Mr. Clark, of Upshur, a man of great dignity of bearing, was in the chair. The speaker arose to a question of privilege. Everybody knew what was coming and nobody cared anything about it. The speaker offered a resolution reciting part of the INTELLIGENCER'S publication of Tuesday last as follows:

"The speaker had packed the committee in this interest, had got the report he wanted, and now resorted to these bold tactics to put the Hyde book through after the house had turned it down. This action is being denounced tonight by every fair-minded man. Some delegates who voted for Hyde's book have declared that they will to-morrow change their votes and go the other way, as a protest against the indecent action of the chair."

### THE RESOLUTION.

Then came the milk in the cocoanut, flowing as follows. Mr. Clark in chair: "WHEREAS, the Wheeling INTELLIGENCER, in its issue of February 5, 1895, makes deliberate charges, imputing to this house, its committee on education and its speaker, and, whereas, said article in said INTELLIGENCER is signed 'C. B. H.', who is known to be C. Burdett Hart, one of the editors and proprietors of said newspaper. Now, therefore, be it

"Resolved, by the house of delegates of West Virginia, that said charges, so made, are false and an insult to this house, its committee on education and its speaker, and an outrage that it regrets.

"Resolved, further, That this house hereby censures the said C. B. Hart for the writing and publishing of said false statement, and expresses its fullest confidence in the integrity of the speaker and its committee."

### HOW THE COMMITTEE WAS MADE.

Very few voted. Some voted aye, some no. The ayes had it, and the speaker went back to his chair, much soothed by the favor the house had granted, and realizing that his resolution would have gone by the board if it had been thought worth while to call the roll on it.

Delegate Jones, of Kanawha, a member of the committee on education, says that before the committee was announced the speaker showed it to him, saying that if there were a man on it friendly to the American company he would strike him off, if he were pointed out. This revealed his conception of the book question; that it was a fight between publishers, not particularly a question of books and the public interest.

On this line he took a hand in the fight. It has not been charged in these dispatches that the speaker had a corrupt interest in the matter. He has been pictured as he chose to place himself in full view. He proceeded on the theory that the committee on education was his committee, and he must sustain it. Another view is that it is the committee of the house and that the house has a right to do as it pleases with the report of any committee.

The speaker has sought to defend his action of Monday in summarily adjourning the house, professing to have abundant authority for that action. The rules of the house and Jefferson's manual, specifically incorporated in the house rules, are against him. Above all is the fact that a majority voted against adjournment, and yet he declared the house adjourned. He has not been able to quote any rule to sustain this absolute dominion of the speaker over the house.

### FURTHER EFFORTS.

The book bill, set for this afternoon, was further postponed until next Satur-

day. Meantime the speaker and his friends will try to draw Republicans into a caucus or conference on the subject in the hope of making a party question. While this effort is being made, Heath & Company will be continuing theirs, to get a reconsideration of the vote by which they were defeated. Tomorrow the senate committee on education will report the book bill. In that the schools are given the choice between Harvey's Grammar and Hyde's Language Lessons, a compromise which the Hyde people would be glad to get in the house. In the senate Montgomery's History will be recommended, as in the house. There is understood to be no other considerable change in the books now in use.

### THE PENITENTIARY.

The report of committee to visit the penitentiary is favorable to the present conduct of that institution. It says supplies and food are good and quantities ample, but judging from complaints of convicts the cooking is not properly done. The buildings are exceptionally clean and sanitary conditions good. From statements of convicts the superintendent is efficient and humane, but one or two of the guards were accused of resorting to petty devices to annoy the prisoners, of which the superintendent was informed. The committee recommends appropriation asked for by the directors, except that the appropriation for a cell building should not exceed \$20,000. An appropriation of not exceeding \$300 is recommended for a "night soil pump." The committee recommends the pardon for Lee E. Wiman, of Jefferson county, on account of youth and ill health. Wiman was sentenced to ten years' imprisonment for horse stealing about five years ago, being at that time about 12 years of age.

### A CLOSE FIGHT.

One of the closest fights of the session was over the bill providing that witnesses before grand juries be paid for their services. It came up on second reading, and Mr. Harmer moved an amendment that would strike out the chief feature of the bill, and an animated discussion followed. Messrs. Morris, Corder, and Stapleton favored the amendment and Messrs. Brady, Reynolds, Toler, Fleming and Martin opposed it. Judge Fleming said we should turn our backs on the idea that a man could be compelled to render his services for nothing. The vote on the amendment was a close one, resulting in its defeat and the bill was ordered to its second reading. Mr. Harmer made an earnest speech in support of his position, but the majority was against him.

### NO BLOOD SHED.

The bill to establish a home for incurables was laid on the table on motion of Mr. Brady to be taken up in connection with the bill to establish an industrial home for girls. His motion met with spirited opposition, and prevailed by a close vote.

There was a brief but spirited tilt between Delegates Martin and Morris in connection with the discussion of this bill. The ayes said noes were demanded on Mr. Brady's motion, and in sustaining the demand several Democratic members stood up, together with Mr. Martin and one or two others. Mr. Morris remarked: "A solid Democratic vote." Mr. Martin retorted this, saying he allowed no one to impugn his Republicanism. He was as good a Republican as the gentleman from Ritchie or any one on the floor.

"I was talking about the Democrats. I can't see anything as small as you," replied Mr. Morris.

"Nothing except yourself," said Mr. Martin. "I don't know of anything else in the house as small as you are."

It was evident that somebody was getting mad. Fortunately the matter went no further and the two gentlemen, after a private exchange of notes, agreed that nothing serious was meant and that the best of feeling existed between them.

### THE DEBT RESOLUTION PASSES.

The Virginia debt resolution adopted by the house some time ago went through the senate to-day by a unanimous vote. Strange to say while all agreed to what they agreed fully half an hour was spent in explaining to each other that they did agree. There seemed to be a disposition on the Democratic side to get a little buncombe out of it if possible, but they hardly knew were to begin.

Mr. Finley proposed to postpone action until to-morrow in order to give him time to prepare an amendment which would explain definitely West Virginia's attitude in the matter for the benefit of the world at large. He argued that this was due as a matter of courtesy to Virginia. His view did not meet with general approval, even on his own side. Senators Whitaker, Patton and Scott all opposed his motion.

Senator Whitaker took the ground that he had no knowledge of the existence of any such indebtedness on our part. We do not propose to repudiate anything we rightfully owe, but the amount of our debt, if we owe any, is unknown, and the Virginia commissioners have no authority to confer with us upon any other than the one-third basis. As to the question of courtesy involved, it should be remembered that our own commissioners on the same subject had been ignored by Virginia, and at the worst our action would only make things even on this score. There were several expressions of opinion on the matter, but all were in the same strain. If any Democratic capital was made out of it it is not visible to the naked eye.

### THE MINE INSPECTION BILL.

Much time was spent in both afternoon and evening sessions in discussing the bill concerning mine ventilation and mine inspection, of which Mr. Toler is patron. It provided for the appointment of five mine inspectors by the governor, president of the senate and speaker of the house. Mr. Evans moved that the bill be amended so that the appointive power be left entirely with the governor, on the ground that it would be a dangerous precedent to invest the legislature with both legislative and executive powers. The presiding officers of both houses, have a vote there as other members and now it was proposed to make them executive power also. These two powers should not be given to any man or any two. Mr. Toler opposed this proposition and it was defeated at that. Mr. Brady took the same position as Mr. Evans, and at the night session the united efforts of these gentlemen resulted in gaining the point contended for.

The feeling is that Governor MacCorkle has shown himself to be in every way worthy of the confidence of the peo-

ple, and to take from him or attempt to divide with him the powers vested in him by the constitution would have the appearance of offering him a snub, besides being inconsistent with the position occupied by the Republican party in the past. C. B. H.

### NIGHT SESSION

Of the West Virginia House of Delegates Last Evening. Special Dispatch to the Intelligencer.

CHARLESTON, W. Va., Feb. 7.--The night session advanced to third, house bills 159, concerning mine ventilating and inspection; 86, changing the time for holding the Kanawha circuit court; 87, concerning lodge charters; 130, providing for execution of death sentences at penitentiary; 98, repealing act of 1877 establishing a fish commission; 128, providing for reduction of value on real estate for purposes of taxation in certain cases; 109, relating to pay of assessors; 112, for prevention of cruelty to animals; 116, to reform county court of Barbour county; 155, authorizing laborers' lien on forest products for labor thereon; 174, relating to civil suits; 23, to prevent spread of contagious disease among domestic animals; 62, relating to incorporated cities, towns and villages.

House bill 104, regulating the amount and collection of fees of expert witnesses, was laid on the table owing to the absence of Judge Fleming, its patron, to be taken up on his motion; 140, placing general state levy at 20 cents and school levy at 15 cents on the \$100 valuation, made special order for 2:30 Monday.

### COOK GANG WIPED OUT.

The Last Two Members Meet Their Fate in an Attempted Robbery.

CLAREMONT, I. T., Feb. 7.--Jim French has met his fate. Last night Jim French and Slaughter Kid undertook to rob the general merchandise store of W. B. Patton at Catoosa, about twelve miles south of here. The bandits were recognized as they rode into town. They dismounted before the store of W. B. Patton, when a Texas cowboy opened fire on them, instantly killing "Slaughter Kid" with his second shot. He fired a third shot at Jim French, but missed. Having no more cartridges he secreted his revolver. French entered the store and accused the cowboy of killing his partner in crime, but the cowboy protested that he had no gun, hence he was not the one, whereupon French turned and shot Manager Irvin, chief clerk of the store, through the body. Irvin drew a revolver and returned the fire, shooting French through the body and the right eye. French managed to reach his horse and mounting, ride to a house a short distance away.

The men at once informed the town officers of his whereabouts, and a crowd assembled to capture the dying bandit, who, hearing them approach, raised up and looked out of the window, and at that instant received a load of buckshot in the face, almost tearing his head off. Mr. Irvin's death is expected hourly, as the Winchester ball ploughed through his body from side to side, just below the waist. He exhibited great courage in returning the fire after receiving his own death wound.

The death of these two outlaws entirely wipes out the Cook gang with the exception of Bill Doolin.

### A CHINESE ENVOY

Has Arrived in France to Ask European Intervention in the Oriental War.

MARSEILLES, Feb. 7.--Oung Tech Thang, the Chinese envoy extraordinary, has arrived here. He is entrusted with a mission by his government to ask France, Germany, Austria and Russia to mediate for peace between China and Japan.

### No Information at Washington.

WASHINGTON, D. C., Feb. 7.--The Chinese legation here has no information in regard to the mission of Oung Tech Thang, the Chinese envoy extraordinary, who is reported as just having arrived in Marseilles. The official know nothing of any such envoy, and think that some mistake has been made. A special envoy left Peking for Russia some time ago to convey to the czar the regrets of the Chinese emperor for the recent death of his father, the czar, and it is thought here that Oung Tech Thang must be his envoy.

### Fire at Parkersburg.

PARKERSBURG, W. Va., Feb. 7.--At 3 o'clock to-night a very threatening fire broke out in Logan's carriage factory, on Fourth street. The wind was blowing furiously and the cold was terrible. The factory burned with all of its contents and two dwelling houses across the street belonging to the Mayberry estate. For some time it looked as if many buildings would be destroyed. The firemen did noble work, but were nearly frozen.

### Norfolk and Western Receivers.

CINCINNATI, O., Feb. 7.--In a proceeding before Judge Iait, of the United States court to-day, auxiliary to that in the court at Richmond, Va., yesterday, wherein President Kimball, of the Norfolk & Western road, and Major Henry Fink were appointed receivers of the Norfolk & Western, it was sought to have the same parties appointed for the property within this jurisdiction. Judge Taft, however, refused to appoint President Kimball. He appointed Major Fink, who gave bond for \$50,000.

### BRIEFS FROM THE WIRES.

The cold wave of yesterday was general throughout the United States and on the English coast. The heavy wind and cold has done much damage to shipping.

Yesterday while Rev. G. S. Gresham and family were attempting to cross Broad river at Fish Ferry, S. C., the trolley broke, sinking the ferryboat. Mrs. Gresham and her thirteen-year-old son were drowned.

A cable dispatch from Wai-Hai-Wei, dated February 5, says that the Chinese fleet has practically ceased to exist. The ironclad Chen Yuan and her sister ship, the Tang Yuan, have been sunk, and the other vessels of the Chinese fleet are within the grasp of the Japs.

Henry Smallman, of near Brownsville, Pa., on last Sunday night was horribly treated by burglars. Thinking he had money hid in the hearthstone, he stuck his bare feet into the hot coals of the fire place to make him reveal where the money was hid. Not finding any money they left him, and he was not released until the next day.

## WITHOUT HOPE.

The Administration's Financial Bill Killed in the House.

## REPUBLICANS TRY TO HELP OUT.

But Democrats Vote to Defeat the Measure for Relief.

## MR. REED'S SUBSTITUTE DEFEATED

By a Strict Party Vote--The Majority of the Democrats Voted to Table the Bill, which was Its Practical End. Mr. Reed's Position--A Bond Issue is Now Assured by the President Who has Only Been Awaiting the House's Action on the Bill.

WASHINGTON, D. C., Feb. 7.--The last hope of financial legislation for the relief of the treasury at the present session of Congress went by the boards when the house this afternoon by a vote of 134 to 161 rejected the administration bill to authorize an issue of \$500,000,000 gold bonds. The bill was beaten before it reached its last parliamentary stage.

This result was reached after three days of spirited and at times heated debate and at the end of a seven-hour session.

From 11 until 3:30 o'clock to-day when the bill with the pending substitutes was reported to the house, amendments were offered in rapid succession, most of which were voted down as fast as they were offered. Many of them were designed to load down the bill, and the votes thereon were in no sense test votes. The bill amendment, for instance, to make the bonds payable in gold and silver, was defeated by the decisive vote of 76-108, while the bill was defeated by 134-161. Both the Reed and Cox substitutes with the amendments thereto were rejected after the bill was reported to the house.

The Reed substitute authorizing the issue of coin bonds for the replenishment of the gold reserve and certificates of indebtedness to defray and deficiencies in the revenue, was lost, 109 to 187. It was party vote, save for the fact that seven Democrats and Cannon, of California, voted for it.

When the question came up on the third reading, and engrossment of the bill, the whole opposition concentrated. While the vote was being taken, which resulted in the refusal of the house to order the third reading, the interest centered in the vote of Mr. Reed. He sat quietly in his seat during the first call; he voted for the bill. As soon as the result was announced, Mr. Reed attempted to make an explanation of the attitude of himself and those of his colleagues who had voted for the bill, but objection was made. He afterwards explained, however, that he had submitted a proposition, (his own substitute), which he considered would meet the situation. The Democrats had rejected this and then he, and many of his colleagues, although opposed to features of the original bill, had voted for it in the hope that it would pass and be amended in the senate. Mr. Springer then moved to reconsider the vote by which the third reading was refused, but this motion was laid on the table, 135-123. The detailed vote was as follows:

### HOW IT WAS DONE.

The Proceedings of the House that Preceded the Bill's Defeat.

WASHINGTON, D. C., Feb. 7.--The house met at 11 o'clock to-day. Some routine business was transacted before the debate on the bond bill was resumed. The house then went into committee of the whole and resumed the consideration of the administration bill to authorize the issue of \$500,000,000 of gold bonds.

Mr. Brosius (Rep., Pa.) offered an amendment providing that such bonds of the denominations of \$20, \$50 and \$100 as could be disposed of should be deposited for sale with national banks selected by the secretary of the treasury. Mr. Brosius' amendment was agreed to.

### TO REPEAL THE STATE BANK TAX.

An amendment offered by Mr. Wheeler (Dem., Ala.) to repeal the state bank tax was lost without division.

Mr. Livingston (Dem., Ga.) reoffered the Wheeler amendment with the provision that the repeal should go into effect July 1, 1896. He stated that the President favored the repeal of the state bank tax, and on behalf of 110 southern Democrats he appealed to the supporters of this bill to give them this crumb. The amendment was lost.

Mr. Daniels (Rep., N. Y.) presented the resolutions adopted by the board of trade, bankers' association and other commercial bodies of Buffalo in favor of the pending bill.

Mr. Grosvenor (Rep., O.) asserted that the administration's only hope of relief for the treasury lay in getting Republican votes, and he appealed to the other side to withhold political schemes and try the experiment of patriotism.

Mr. Haugen (Rep., Wis.) offered an amendment to strike out the provision excluding from the operation of section 3, (authorizing national banks to take out circulation up to the par value of their bonds) outstanding bonds bearing 2 per cent interest. Haugen's amendment was agreed to without division.

Mr. Bell (Pop., Colo.) offered an amendment authorizing the bonds issued by this bill to be sold for gold or silver without discrimination, and to be payable in gold or silver, 75 to 100. Mr. Hutensson, (Dem., Tex.), offered an amendment similar to that of Mr. Bell, making the bonds payable in gold and silver coin for which Mr. Bland offered a substitute for the coinage of the silver bullion in the treasury and the redemption of the treasury note of 1890 in coin as provided by section 3 of that act. Both amendments were lost, Mr. Bland's by a vote of 109 to 114.

Mr. Walker, (Rep., Mass.), offered an amendment to confer upon the secretary of the treasury discretion as to the interest to be paid on the bonds and the time they should run. Lost, 67 to 31.

Mr. Bryan offered an amendment to

the Reed substitute offered yesterday to provide that nothing in the act shall be construed to vitiate the policy of the government to pay all coin bonds in gold or silver at the option of the government as expressed in a resolution passed by Congress in 1873.

### COMMITTEE AMENDMENTS ADOPTED.

The amendments adopted in the committee were agreed to in the house without division except that to reduce the annual tax on national bank circulation from one to one-fourth of one per cent per annum. This was also agreed to, 200 to 41.

Mr. Reed then attempted to enforce an agreement which he claimed had been entered into by the committee by which his substitute should be voted on after the Cox substitute.

The chair held that the vote should first be taken on the Reed substitute, to which there was pending the Bryan amendment. The Bryan amendment was lost on a rising vote, 119 to 132, but the yeas and nays were demanded and the roll was called. The amendment was lost, 127 to 163, and the vote was then taken on the Reed substitute.

Mr. Reed's substitute was lost, 109 to 137. The vote was practically a party one, save that Messrs. Cannon (Pop., Cal.), Crain (Dem., Texas), Davey (Dem., La.), Gentry (Dem., Cal.), Griffin (Dem., Mich.), Lawson (Dem., Ga.), Pendleton (Dem., Texas), Shell (Dem., S. C.), voted with the Republicans in favor of it.

### CARLISLE'S BILL RESUBMITTED.

The vote then recurred on Mr. Cobb's amendment to the Cox substitute. The substitute was practically the Carlisle currency bill including a provision for the repeal of the state bank tax.

Mr. Cobb's amendment amending existing laws so as to make all bonds issued under authority of existing law bear 3 per cent interest and provided that nothing in the substitute should be construed as an authorization for a bond issue.

The Cobb amendment was beaten without a division and the Cox substitute on a rising vote, 55 to 134.

This disposed of the substitutes, and amendments and the vote was then taken on the third reading and engrossment of the bill itself, which was defeated on a rising vote of 97 to 159.

Mr. Springer demanded the yeas and nays and the roll was called.

The third reading of the bill was refused on a rising vote--97 to 159. This was equivalent to the defeat of the bill. The roll call confirmed the rejection of the measure, the vote standing 134 to 161.

### THE DEATH BLOW.

Mr. Springer then entered a motion to reconsider the vote by which the third reading of the bill was refused, and Mr. Hatch (Dem., Mo.) promptly moved to lay that motion on the table. The latter motion was carried--135 to 123. The detailed vote was as follows:

YEAS--Adams (Pa.), Aldrich, Babcock, Baldwin, Barnes, Barlow, Barwick, Beckner, Beltzhoover, Berry, Bingham, Boutelle, Brinkner, Brosius, Brown, Calmes, Cannetti, Campbell, Carey, Cansey, Chickering, Cincy, Clark (Ala.), Cobb (Mo.), Coffeen, Coombs, Cooper (Fla.), Cooper (Ind.), Cornish, Corvett, Grain, Dalzell, Daniels, Davy, DeForest, Dingley, Draper, Dunbar, Durbin, English (Cal.), Erwin, Everett, Fielder, Fletcher, Forman, Gardner, Geary, Geisenhainner, Gillett (Mass.), Goldzier, Gorman, Gresham, Griffin (Mich.), Griffin (Wis.), Groat, Haines, Hall (Minn.), Hammond, Harmer, Harrison, Haugen, Hayes, Hendrix, Henry, Hicks, Hines, Hooker (N. Y.), Kiefer, Kribbs, Lanham, LeFevre, Lockwood, Lynch, Mahon, Marvin (N. Y.), McAlister, McDannold, McDaniel, McKay, Meyer, Montgomery, Mottier, O'Neill (Mass.), O'Neill (Mo.), Onthwaite, Page, Paschal, Patterson, Payne, Pearson, Pendleton (W. Va.), Piggott, Powers, Quigg, Randall, Ray, Reed, Reilly, Royburn, Richards (Ohio), Ritchie, Russell (Conn.), Ryan, Scheemrhorst, Scranton, Sikes, Sipe, Smith, Somers, Sorg, Sperry, Stevens, Stone, Charles W. Stone, William A. Stone (Ky.), Storor, Straus, Talbot (Md.), Tarney, Turner (Ga.), Turner (Va.), Turpin, Undergraft, Van Voorhis (N. Y.), Wadsworth, Wagner, Warner, Washington, Wells, Wilson (W. Va.), Wise, Wolverson, Wooster, Wright--total 134.

NAYS--Adams (Ky.), Attkin, Alderson, Alexander, Arnold, Avery, Baker (Kan.), Baker (N. H.), Bankhead, Ball (Colo.), Black (Ga.), Blair, Bland, Boatner, Bonn, Bower (N. C.), Bowers (Cal.), Branch, Breckinridge, Bretz, Broderick, Bromwell, Brookshire, Brown, Bryan, Bundy, Cahanes, Cannon (Cal.), Cannon (Ill.), Childs, Clark (Mo.), Cobb (Ala.), Cockrell, Coffeen, (Conn.), Cooper (Wis.), Cousins, Cox, Crawford, Curtis (Ky.), Davis, DeArmond, Denison, Dinsmore, Dockery, Dooliver, Donovan, Doolittle, Ellis (Ky.), Ellis (Ore.), Enloe, Epps, Fittman, Fyan, Goodnight, Grady, Grosvenor, Grow, Hager, Hainer, Hall (Mo.), Harris, Hartman, Hatch, Heard, Henderson (Ill.), Henderson (Iowa), Henderson (N. C.), Heppner, Herinman, Hitt, Holman, Hooker (Miss.), Hopkins (Ill.), Hopkins (Pa.), Hudson, Hulick, Hull, Hunter, Hutchison, Ikarr, Blair, Johnson (N. D.), Kern, Kyle, Lester, Lane, Latimer, Lawson, Lyon, Lacey, Little, Livingston, Lond, Longenslager, Lucas, Maddox, Maguire, Saffery, Marsh, Marshall, McCleary (Minn.), McCrory (Ky.), McCulloch, McDowell, McKelighan, McKaurin, McMillin, McNagoy, McRae, Meikoljohn, Mercer, Moradith, Money, Moore, Morgan, Moses, Neill, Newlands, Northway, Ozden, Pendleton (Texas), Perkins, Peckler, Richardson (Mich.), Richardson (Tenn.), Robins, Robertson, (La.), Russell, (Ga.), Sayers, Settle, Scheil, Sibley, Simpson, Snodgrass, Spinger, Stallings, Stevenson, Stockdale, Strait, Strong, Swansen, Talbot, (S. C.), Tate, Tawney, Taylor, (Ala.), Taylor, (Tenn.), Terry, Thomas, Tyler, Van Voorhis (Ohio), Walker, Waugh, Wheeler, (Ala.), Wheeler, (Ill.), White, Whitin, Williams, (Ill.), Wilson, (Ohio), Woodard--Total, 161.

Present and not voting: Bailey (Dem.), of Texas; Edmunds (Dem.), of Virginia; Jones (Dem.), of Virginia, and Kilgore (Dem.), of Texas.

The following pairs were announced: Kainer and Edmunds, the former would, if present, vote aye and the latter no; McCall and Jones; Calhoun and Curtis, of New York, and Wagner and Haimor of Pennsylvania.

This ended the fight. The victors made the hall of representatives ring with their shouts. The house then at 6:25 adjourned.

The French line steamship La Gasconne had not been heard from up to an early hour this morning.

## THE HAYWARD TRIAL.

The Defense Endeavor to Spring a New Theory for the Murder.

## BLIXT'S TESTIMONY CORROBORATED

By the Witnesses Yesterday--Blixt Again on the Stand--The Attorneys Have a Little Sensation on Their Own Account--A New Line of Questioning Indulged in by the Defense.

MINNEAPOLIS, Feb. 7.--The first witness in the Hayward murder trial to-day was Hans Barlow. Hans was present in the basement of the Ozark flats when Blixt cut the "T" rail in two for Harry Hayward. He was put on by the state to corroborate Blixt's story of that transaction and did so without contradicting Blixt in any important detail.

Clause Blixt was again put on the stand and Mr. Erwin, after long questioning as to details of his story, sprung a sensation. He asked him if he had not on the night of November 2 gone to the Arnold hotel on Central avenue with two other men and rented some rooms.

"That's the biggest lie I ever heard," exclaimed Blixt.

Mr. Erwin questioned him closely, but Blixt professed entire ignorance about the alleged occurrence.

The sensation of the day came after court adjourned this morning. County Attorney Nye approached Attorney Smith, of the defense, and made a sensational declaration. He asserted point blank that the entire green goods story was a fabrication, and that he knew all about how it had been put up.

"Do you know anything about it, Nye?" asked Smith. "I deny I have had anything to do with it."

"Now, mark you, John Day Smith," and the counsel for the state shook his finger threateningly in the face of the attorney, "I know you and I believe you to be a man of honest intent, but just as sure as you live this thing is going to be exposed. I will drive every pin in this thing right straight to the bottom to show just how this thing was done, and you can depend upon it."

Hayward was jubilant over the turn of affairs. "I am glad to see," said he, "that the truth is being brought out. What the defense has made out of Blixt so far will not help Hayward's case very much, except in the fact that Blixt is unable to be specific in the matter of dates, but it has been found impossible to confuse him. There was an episode in the court room this afternoon when Harry Hayward, for the first time since his arrest, saw his brother Adry, who has confessed. It was a strange sight. Harry looked full in Adry's face with a smile, and as if in obedience to the summons Adry rose half reluctantly, and the hands of the two brothers pitted against each other in the struggle for life met in a clasp. That was all. Harry took his seat, apparently unmoved. Adry sat down again and spoke to the deputy. A moment later the trial commenced again.

Mr. Erwin concluded his cross-examination this afternoon. He outlined the defense in the following questions:

"Wasn't it arranged by you and others to kill and murder Miss Ging on the other side of Lake Calhoun, and didn't you have a gang with you who plotted to murder her?"

"I had none but Harry. I had no confederates," said Blixt stolidly.

"Did you or some of you strike her with a piece of T rail and then drag her back to the place where the body was found?"

"No, sir."

"And did not you then or some of you find her lying there still breathing and then shoot her?"

"No, sir."

"Am you not afraid of a gang?"

"I am, indeed. It's Harry's gang. I would not dare to go out if I ever got out of this."