THE RICHMOND DISPATCH.

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TO HAVE NEW TRIALS

Supreme Court So Decides in Cases of Lunenburg Murderers.

BUT ONE POINT SUSTAINED.

Defect in Not Showing That Jury Were in Sheriff's Care.

TOO LATE TO AMEND RECORD.

This Should Have Been Done Before the Term Ended—Question of Change of Venue with Lower Court. Judge Riely's Dissenting Views.

William Henry alias "Solomon" Marable, Mary Abernathy, and Pokey Barnes—the negroes convicted of the murder of Mrs. Lucy Jane Pollard at her home, in the county of Lunenburg—are to have new trials.

So decided the Supreme Court of Appeals of Virginia at 11:27 o'clock yesterday morning in an able and exhaustive opinion prepared and read by Judge Buchanan. While the result of the hearing of the writs of error by that tribunal was not exactly a surprise, but few of the many members of the bar present when the opinion was read had expected that it would go so far into the technicalities involved. None of the counsel for the prisoners were on hand. Captain George D. Wise and Judge Flournoy were engaged in another matter at the time, and Captain Guigon was out of the city.

While the convicted murderers received with much gladness the news that they were to be given another trial, they also reflected sadly when informed that the effect of the action of the Supreme Court was that they would have to be taken back to Lunenburg county.

The Court of Appeals determined this question very nicely. In its decision it says absolutely nothing about a change of venue at this time; and now, if an application for a change in the place of trial is to be made at all, it must be made before the Judge of the County Court of Lunenburg, and according to the opinion of yesterday the prisoners must be there.

EFFORTS TO KEEP THEM HERE.

There has been a long and determined fight on the part of the counsel, the Governor, and the courts, in the matter of keeping the negroes here; but it now appears that the question is at an end.

The Court of Appeals in its opinion went elaborately into the subject of the orders nunc pro tunc. It held that inasmuch as the record was not amended during the term of the court, it cannot now be amended, and that it is essential that the record should show that the juries were placed in the custody of the proper officer upon adjournment of the court each day, and so kept by such officer until the reconvening of the court on the following day, etc.

Judge John W. Relly dissented in this respect, taking the ground that this was not a necessary part of the record.

Clerk Taylor will prepare the record for the lower court, and certify it in a few days. As yet none of the counsel in the cases know when they will be heard or when the prisoners will be taken back to Lunenburg.

Opinion of the Court.

The opinion read by Judge Buchanan was in the case of Pokey Barnes, but applied also to the cases of Solomon Marable and Mary Abernathy. Here is the decision in full:

The first question to be disposed of is the motion of the Attorney-General and his associates in behalf of the Commonwealth to have the decision of this case upon the merits postponed until the County Court shall have amended the record of this case in that court so as to make it show:

1. That sixteen jurors, free from exception, were selected for the trial of the accused.

2. That at every adjournment of the court the jury trying the case at the bar were put in the custody of the Sheriff, who was duly sworn, as required by law; and that they were each morning returned into court in the custody of the Sheriff, according to the order of adjournment.

3. That whenever the jurors went to their room to consider their verdict they were put in the custody of the Sheriff, who carried them to their room, and returned them in his custody into court.

4. That before delivering their verdict the jurors were polled, as required by law.

The amendments which the Attorney-General desires to have made in the record, it is claimed, are based on the personal knowledge of the Judge, and the records of the court as they now stand, and that all the orders which it sought to have entered to amend the record in the particulars named were made during the trial of the case, and that the Clerk was then directed to enter them on the order-books of the court, but by mistake failed to do so.

TOO LATE TO AMEND.

The rule at common law is that during the term wherein any judicial act is done the record remains in the breast of the judges of the court and in their remembrance; and therefore the roll is alterable during the term as the judges shall direct; but when the term is past then the record is in the roll, and admits of no alteration, averment, or proof to the contrary. 3 Thos. Coke Lit., 323, as quoted in 1 Rob. Pr. (Old Ed.), 638; Bunting vs. Willis, 27 Gratt., at page 158-159; Winston vs. Giles, Id. at page 534; Cawood's case, 2 Va. Cases 527-545.

It has been correctly observed that the judge, during the term, is a living record, and therefore that during that period of time he may alter and supply from his own memory any order, judgment, or decree, which has been pronounced, and this because having made them himself he is presumed to retain them in his recollection. But at common law, after the term has elapsed, the judge has no such power, because it is supposed there will be a period at which a judge will cease to retain in his memory the things which have been ordered and adjudged, and that period, it is well-conceived, may be the end of the term, as he will then be apt to dismiss from his thoughts the things which have been previously passing in them. It is indeed a very delicate power, and might be subject to much abuse, especially in criminal cases, if the extent to which it might be carried was not well defined and properly checked by law. Note to 1 Arch. Cr. Pl. and Pr.; p. 592 (Pomeroy's 8th Ed.).

At an early day in this State statutes were enacted for the purpose of compelling the courts to keep their records accurately, and to provide how records in certain cases might be amended. The statute now in force upon the subject of keeping such records, provides that:

"The proceedings of every court shall be entered in a book and read in open court by the Clerk thereof. The proceedings of each day shall be drawn up at large, and read during that term, except those of the last day of the term, which shall be drawn up and read the same day. After being corrected where it is necessary the records shall be signed by the presiding judge." Section 3114, Code of 1887.

FOR KEEPING CORRECT RECORDS.

This statute and those which preceded it upon the same subject were intended to provide for keeping the records of the proceedings of every court correctly, by making it the duty of the clerk to enter them in a book, and to read them in open court to the Judge in the presence of the bar, so that any errors in or omissions from them might be corrected.

Recognizing the fact, however, that, notwithstanding these wise and salutary provisions, errors and omissions might still occur, other statutes were enacted, which authorized the courts, after the end of the term, to make amendments and corrections in certain cases. Section 3451 of the present Code, among other things, provides that "the court in which is rendered a judgment or decree in a cause wherein there is in a declaration or pleading, or in the record of the judgment or decree, any mistake, miscalculation, or misrecital of any name, sum, quantity, or time, when the same is right in any part of the record or proceedings, or where there is any verdict, report of a commissioner, bond, or other writing whereby such judgment or decree may be safely amended. * * * May amend such judgment or decree according to the truth and justice of the case."

These are the regulations established by the Legislature for keeping and amending judicial records, and the few cases which we have in our reports upon the subject show how effective they have been in preventing litigation, and the slight changes that have been made in them during the long period they have been in force show how successfully they have accomplished the purposes for which they were enacted.

In Cawood's case, reported in Second Virginia, cases 527, decided by the General Court in 1826, six questions were adjourned by the Superior Court of Wythe county to the General Court on account of their novelty and difficulty for its opinion. Among them were the following:

THE QUESTION OF OMISSIONS.

"1. What is the legal effect of an omission on the part of the Clerk of the Circuit Court of Washington county to enter on the order-book that the grand jury at the last April term of that court had found an indictment against Benjamin Cawood and others, 'a true bill'?

"2. Can such an omission be supplied by resorting to the paper purporting to be an indictment, copied into the record by the Clerk, and the endorsement thereon purporting to have been made by the grand jury finding it to be a true bill?"

The case was very fully and ably argued. In answer to the first question the court held that it was necessary to record the finding of the grand jury in order to perfect the indictment.

In answer to the second question and the one which is important in considering the case at bar, the General Court said at page 545: "The next question is, whether the omission of the grand jury can now be supplied, and whether the record can be amended in this particular. A view of the decisions of this country and in England, and referred to by the counsel, leads us to the conclusion that during the term the records are in the breast of the court, and that amendments may be made in the proceedings of the court; but that after the term has passed no amendment can be made, except mere clerical misprisions; that this is not a misprision of that kind; that the term having passed, there is nothing to amend by, except the memory of the Judge, of the Clerk, of the grand jurors, and others; and that it cannot be amended."

NUNC PRO TUNC ORDERS.

In the case of Burch vs. White, 3 Rand, 104, at the next term after the judgment was entered, an order was made stating that at the previous term of the court an appeal had been allowed from the judgment, but that the Clerk had omitted to enter it, and therefore the appeal was allowed nunc pro tunc. This court said whether an appeal would lie from a judgment was a question of law to be decided by the court; and the only evidence of what the court had done was the record. It was not a case in which there was anything in the record to amend by. For though an appeal bond had been filed in the office, that furnished no proof that the bond had been received by the court, or that an appeal had been allowed.

In Powell's case, 11 Gratt., 822, the accused was indicted for forgery, tried, and convicted. After the expiration of the term at which he was convicted he applied to the Judge of the Circuit Court in vacation to amend the record; and the Judge made an order directing that the record should be amended so as to show that upon the arraignment of the prisoner for the offence of which he was convicted he moved the court, through his counsel, to quash the indictment and each count thereof, that this motion was overruled, but was omitted to be entered upon the record.

OPINION IN POWELL'S CASE.

Judge Lee, in delivering the unanimous opinion of the court, said:

"Waiving the question whether the provision in the Code, chapter 181, section 5, page 681, authorizing amendments in judgments or decrees of a court in certain cases by the judge in vacation, after the adjournment of the term, can apply to a case of felony, in which all the proceedings should regularly be had in presence of the accused, or to any criminal case, I am yet of opinion that no such amendment of the record as that attempted to be made in this case by the action of the judge in vacation on the 11th of May, 1854, is within the scope of that provision. It was intended to authorize amendments in support of a judgment in cases in which there was something in the record by which they could safely be made. It could not have been intended to authorize an amendment to be made upon the individual recollection of the judge, or upon proofs aliunde. Nor was the application in this case to amend the judgment, nor was it designed to aid the judgment when made. It was an application to introduce something into the record as part thereof not before found therein, depending on the recollection of the judge, or upon proofs to be submitted to him; and its object was to provide a means of reversing the judgment, not of sustaining it.

"The construction given by the English recourts to the statutes of amendment required that there should be something to amend by. Tidd's Prac., 246-247; Commonwealth vs. Winstons, 5 Rand., 546, opinion of Judge Green. And such is, I think, the plain meaning of the provision in question in our statute. And if no amendment can be made in the record of a judgment after the term, except under the statute, or in the few cases allowed by the common law, of which this is not one, the amendment attempted to be made in this case must be disregarded."

GUIDED BY THE RECORD.

Whether the authority of the courts in this State to amend their records after the term at which a final judgment has been entered be derived solely from our statutes, or from both the common law and the statute, it is clear that under our statutes, decisions, and practices, whatever may be the rule in other jurisdictions, they can only make amendments in cases in which there is something in the record by which they can be safely made, and that amendments cannot be made upon the individual recollection of the judge or upon proofs aliunde.

There is nothing in the record in this case, as certified by the Clerk of the County Court, by which the court of that county could amend it in any of the particulars in which it is sought to have it amended, and if the court attempted to amend it, it would be upon the judge's own personal recollection, or upon proofs aliunde. This, we have seen, cannot be done.

The motion of the Attorney-General to postpone the case until such amendments can be made must therefore be overruled, and the case disposed of on the record as it is.

SELECTION OF THE JURY.

It is assigned as error that the jury which tried the accused was not selected in the manner provided by law, in this, that section 4023 of the Code requires that a panel of sixteen persons, free from exception, shall be selected, from which the accused may strike four, and the

(CONCLUDED ON SECOND PAGE.)

THURMAN NO MORE.

The "Noblest Roman of Them All" Passes Away in Peace.

HIS DEATH ENTIRELY PAINLESS.

It Is Due to the General Debility of Old Age—Sketch of the Career of the Famous Democrat.

COLUMBUS, O., December 12.—Ex-Senator Thurman died at his residence here at 10:30 this morning of the general debility of old age, ending in collapse. He had been dangerously ill only since yesterday morning. Since his fall, about a month ago, he had been apparently in his usual health, but to the experienced eye of his physician it was plain that his powers were rapidly failing.

Until yesterday he was able to sit up the greater part of the time, and at times showed keen interest in public affairs. On his 82d birthday, November 30th, he was able to dictate a letter to the Thurman Club, of this city, in reply to resolutions of sympathy with him in his sufferings, resulting from the fall. Yesterday morning he was sitting up in his library reading, when he began to complain of feeling ill, and shortly grew so much worse that Dr. Whittaker, his physician, was called. He saw that it was the beginning of the end, and so informed the family.

ALLEN GRANBERRY THURMAN

In the afternoon Judge Thurman lost consciousness, and never fully recovered it again. When Dr. Whittaker called in the afternoon he found the patient apparently sinking, and gave it as his opinion that he could not survive more than a few hours. Last night, however, he was better, but with the morning hours he began to sink, and when Dr. Whittaker called at 10 this morning he stated to Mr. Allen W. Thurman that death was a question of but a few hours. It came peacefully and painlessly. It seemed that the Judge passed from sleep to death.

At the bedside were Mrs. Governor McCormick, of New York; Allen W. Thurman, and other members of his family. His other child, Mary Thurman, is in California.

Outside of the immediate family it was not known that Judge Thurman was dangerously ill until the announcement of his death came like a shock. There was universal expression of sorrow, for Judge Thurman had been looked upon for years as the foremost citizen of Columbus; and soon the flags were at half-mast upon all the city and State buildings.

MR. THURMAN'S CAREER.

Allen Granberry Thurman was born in Lynchburg, Va., November 13, 1813. His father was the Rev. Pleasant Thurman, a minister of the Methodist Church, and his mother the only daughter of Colonel Nathaniel Allen, nephew and adopted son of Joseph Hewes, one of the North Carolina signers of the Declaration of Independence. His parents removed to Chillicothe, O., in 1819, and he made that place his home until he settled in Columbus, in 1853, where he has since resided. His education was acquired in the Chillicothe Academy, and at the hands of his mother.

At the age of 18 he assisted in land-surveying, and at 21 he was private secretary to Governor Lucas; studied law with his uncle, Governor William Allen; afterward was admitted to the bar, in 1835, and in a few years was employed in almost every litigated case in Ross county.

In 1844 he was elected by the Democrats to Congress, and he entered that body December 1, 1845, as its youngest member. Preferring the practice of the law, however, he declined a renomination to Congress, and remained at the bar until 1851, when he was elected to the Supreme Bench in Ohio. From December, 1854, till February, 1856, he served as Chief Justice, and on the expiration of his term he refused a renomination. His opinions, contained in the first five volumes of the State reports, are remarkable for the clear and forcible expression of his views and the accuracy of his statements of the law.

In 1867 he was the choice of his party for Governor of Ohio. Rutherford B. Hayes, his opponent, was elected by a majority of fewer than 3,000 votes, though the Republican majority in 1866 was more than 43,000. Mr. Thurman was then elected to the Federal Senate to succeed Benjamin F. Wade.

IN THE SENATE.

He took his seat March 4, 1869, and from the first was recognized as the leader of the Democratic minority. He was a member of the Committee on the Judiciary, and on the accession of his party to power, in the Forty-sixth Congress, he was made its chairman, and also chosen President pro tem. of the Senate.

In 1874 he was elected to the Senate for a second term, and in his twelve years of service, ending March 4, 1881, he won a reputation for judicial fairness, and readiness, dignity, and power in debate, especially upon questions of constitutional law. Besides his labor in the Judiciary Committee he rendered valuable service in the Committee on Private Land Claims. He was the author of the act to compel the Pacific railroad corporations to fulfil their obligations to the government, since known as the "Thurman act," the passage of which he forced in spite of the combined influence of those companies.

His arguments against the constitutionality of the civil rights bills were afterwards sustained by the United States Supreme Court in language that is almost identical with that of his speeches.

ANTI-FORCE-BILL EFFORTS.

Efforts to secure for the Southern States the most favorable reconstruction legislation, in which he vigorously persisted while in the Senate, led to a charge that he had disapproved the war for the maintenance of the Union. His true position he thus defined in a letter to a friend: "I did all I could to help to preserve the Union without a war, but after it began I thought there was but one thing to do, and that was to fight it out. I therefore sustained all constitutional measures that tended, in my judgment, to put down the rebellion. I never believed in the doctrine of secession."

Mr. Thurman retired from the Senate not alone with the high respect of his partisan associates, but also with that of senators of opposite political views, one of whom—James G. Blaine—with whom he often contended in debate, says, in his "Twenty Years in Congress": "Mr. Thurman's rank in the Senate was established from the day he took his seat, and was never lowered during the period of his service. He was an admirably disciplined debater, was fair in his method of statement, logical in his argument, honest in his conclusions. He had no tricks in discussion, no catch-phrases to secure attention, but was always direct and manly. * * * His retirement from the Senate was a serious loss to his party—a loss, indeed, to the body."

General Garfield, before his election to the presidency, had been chosen to succeed Mr. Thurman in the Senate; but the contest had not interrupted friendly relations during many years' standing, and, as a mark of his regard, the new President, soon after his inauguration, associated Mr. Thurman with William M. Evarts, of New York, and Timothy O. Howe, of Wisconsin, on the commission to the international monetary conference to be held in Paris.

PRESIDENTIAL CANDIDATE.

In the Democratic National Convention of 1876, Mr. Thurman received some votes as a presidential candidate. In 1880 the first ballot gave him the entire vote of the Ohio delegation, with considerable support from other States. In 1884 he was a delegate-at-large to the national convention, was again put in nomination for the presidency, and stood next to Cleveland and Bayard upon the first ballot. In the convention of 1888 he was nominated for Vice-President on the ticket with Cleveland. That ticket was defeated, and Mr. Thurman has since lived in practical retirement at his home in Columbus, O.

In 1844 Judge Thurman married Mary Dunn, of Kentucky, by whom he had three children. Mrs. Thurman died in 1891.

TRIBUTE FROM M'KINLEY.

The following proclamation, on the death of Allen G. Thurman, was made to-night by Governor McKinley:

"Ohio has lost one of its noblest citizens. Allen G. Thurman died at 1 o'clock to-day, at his home, in the city of Columbus, at the ripe age of 82. He was a statesman, whose sturdy integrity and exalted abilities were recognized, not only in his own State, but in every part of the United States. As a Judge of of the Supreme Court of the State he was a learned and incorruptible interpreter of the law. As United States senator he faithfully and with exceptional honor represented the State in the United States Senate. He was a distinguished party leader, and stood in the front ranks with the great men who were his contemporaries.

"After being the recipient of many honors at the hands of his party and his countrymen he retired to private life with the universal respect and esteem of the citizens of the republic, and the love of all who had the honor of knowing him. His illustrious career is a conspicuous example of the possibilities of American citizenship, and is worthy of the study of the youth of our State. The people of Ohio, regardless of party, will be mourners at his bier.

"Out of respect to his memory, it is hereby ordered that the flag be displayed at half-mast over the State Capitol until after the obsequies."

SORROW IN WASHINGTON.

WASHINGTON, D. C., December 12.—The death of ex-Senator Thurman, of Ohio, caused profound sorrow at the Capitol, where a bulletin was circulated this afternoon announcing the demise of the celebrated Democratic leader. His former political associates and opponents alike spoke in terms of high respect and admiration for the "Old Roman."

Secretary Herbert said: "Judge Thurman was the nucleus around whom Democracy rallied at the close of the war, when the condition of the party seemed to be hopeless. Amid all the horrors of Reconstruction, the people of the South looked to him more than any other man as the great leader who was directing the minds and hearts of the people of the United States to constitutional methods, and the Democracy of the whole country, and especially of the South, owe to him a debt of gratitude it will never forget. The news of his death will be received with unfeigned sorrow throughout the entire country."

VIRGINIA ASSOCIATIONS.

The House in Which the Statesman Was Born.

LYNCHBURG, VA., December 12.—(Special.)—Allen G. Thurman, the "Old Roman," whose death at his home, in Columbus, O., was announced by wire to-day, was born in this city eighty-two years ago in a four-room stuccoed house, located on Harrison street, and now occupied by a family named Whitehead. The father of Allen G. Thurman was Pleasant Thurman, whose Bible, with his name inscribed upon the fly-leaf, with the date of June 10, 1819, is now in possession of Mr. R. W. Thurman, of this city. The Dispatch correspondent has been permitted to see two letters from Pleasant Thurman to his first cousin, John Thurman, grandfather of R. W. Thurman. In one of these letters, bearing date, Chillicothe, O., July 8, 1854, Pleasant Thurman makes the following reference to his distinguished son, Allen: "My son is one of the Supreme Court judges of this State. He lives in Columbus. He is doing well for this world, but I fear that he does not think much of the next." The father of Allen G. Thurman and the immediate family removed from Lynchburg to Ohio when the son destined to future distinction was 6 years of age. The "Old Roman" was wont now and then to visit his relatives here, and always retained a feeling of strong attachment to Virginia and to Lynchburg.

THE BATTLESHIP TEXAS.

As Steady as a House—Her Engines Work Well.

NEW YORK, December 12.—The new second-class battleship Texas, which went to sea again early this morning, returned to her anchorage, off Tompkinsville, Staten Island, to-night. A strong norther was blowing, and as the tide was setting out strong no boatman could be found who would risk going to her. A junior officer who came ashore in a launch for the ship's mail said that the run to sea had been only a second "shaking-down" preliminary to the official trial of her engines at sea.

Later in the evening, Engineers Coleman and Wilson, and Draughtsman Beller, of the Richmond Locomotive-Works, where the engines of the Texas were built, also came ashore. The engineers refused to talk.

It had mean while been learned in a vague way that the Texas had been speeded fifty miles off-shore to the southeast. There was a strong wind, but the sea was not very high. The Texas rode as steady as a house. Her engines worked well, and it was said that 133 revolutions were obtained, giving a maximum speed of 18.6. The estimates under the required horse-power are 17 knots.

Mr. Coleman admitted that the figures 18.6 knots were correct, but the time for which this had been maintained he would not say. From another source it was said that 17.4 knots were the average attained.

The revolutions, according to the same authority, were less than 123, but the horse-power had not yet been figured out. It was believed, however, that the requirements of a four-hour run had been exceeded.

It is believed that the Texas will go to sea again on Tuesday next, but whether this will be the official trial or not could not be ascertained.

FEDERATION OF LABOR.

Chicagoans Protest Against Legal Influence—Typesetting Engineers.

NEW YORK, December 12.—At this morning's session of the American Federation of Labor in Madison-Square Garden a communication was read from the Trade and Labor Assembly of Chicago, to the effect that the lack of harmony among the trades unions of Chicago was due to the interference of lawyers and others, who sought to make capital and fat fees out of the labor movement, and requesting that the incoming Executive Council of the Federation appoint a committee to establish the labor movement in Chicago upon a sound basis. This was referred to a special committee.

At the afternoon session the above committee recommended that a committee, consisting of two members of the Executive Council of the federation go to Chicago to investigate and settle the difficulties. The report was adopted.

A number of resolutions were referred to appropriate committees, among others one providing for a petition to Congress in favor of the recognition of the belligerent rights of Cuba, and another protesting against any legislation that will open the way to Sunday labor.

A request from the care-takers of type-setting-machines, calling themselves typesetting engineers, that they be given a separate charter, gave rise to a lengthy discussion. The request was referred back to the Committee on Organization.

The day was principally devoted to speaking.

Adjourned.

STILL GREAT EXCITEMENT.

Finding of Body of a Lady in Dissecting-Room.

TOPEKA, KAN., December 12.—There is still great excitement over the finding of the body of Mrs. Lillas at the Kansas Medical College, but there is no further danger of a riotous attack on the college. Ex-Chief-Justice Horton, one of the trustees of the college, this morning served notice on the faculty that if they do not clear up the entire affair he will summarily withdraw from the board and institute a prosecution against the entire body.

At noon to-day it was announced that the mystery as to how the body of Mrs. Lillas was obtained will be ventilated, and that steps will be taken to send the guilty parties to jail within twenty-four hours. This assurance has had a quieting effect.

Nothing since the legislative war of three years ago has so excited the people of Topeka. Battery B was on the ground with its guns until daylight this morning, and a strong police force is still watching the college property. The militia from Lawrence did not come. Their orders were countermanded just as they were about to take a special train for Topeka.

There is considerable feeling against Governor Morrill for calling out the militia. The members of the Ancient Order United Workmen went promptly to their homes at the adjournment of their lodges, and it is claimed that the police would have been able to cope with the crowd about the building. Governor Morrill claims he was justified in his action.

FUNERAL OF ALEXANDER COLLIE.

Two Men the Only Mourners—Romance of His Life.

NEW YORK, December 12.—The Herald says this morning: Two men were the only mourners at Woodlawn Cemetery yesterday at the funeral services over the body of Alexander Collie, a man who a few years ago was known in every European capital. In the civil war he was a noted blockade-runner, and established quarters at Wilmington, N. C. Under the guns of Fort Fisher this "blockade king" carried on a thriving trade in the contraband articles of war and exported the cotton of the South.

The house which he established at Wilmington was an abode of luxury and lavish hospitality. There the leaders of the Southern Confederacy met to take counsel together.

Collie, who at one time could have drawn his check for millions of dollars, died, on November 15th, almost destitute, and his funeral expenses were paid by the son of an old friend.

There is no name on the coffin-plate, for he died under the assumed name of George McNeill.

BARBARA AUB CASE.

The Young Woman Now Recants Her Recantation.

NEW YORK, December 12.—Lawyer House, who was assigned to defend Barbara Aub, who was indicted for perjury in the trial of Walter Langerman for criminal assault, had an interview with Miss Aub to-day. When Mr. House was seen after leaving Miss Aub he said she made the following statement: "I have absolutely no recollection of having made any confession. The story I told on the stand at the trial was the absolute truth. I did not state that as between Langerman and myself no force was used. If I did so state it is untrue. I have no reason for making such a statement, for Mr. Langerman did use force."

The Princess Viroqua, who, with Miss Smedley, left Miss Aub when Mr. House did, said that Barbara Aub told her that she had no recollection of ever having been to Recorder Goff's house or of having made a confession to him.

AHLWARDT SPEAKS.

He Makes His First Appearance Before an American Audience.

HE IS GREETED WITH EGGS.

This Gives Him a Text, on Which He Enlarges—His Hearers Hardly More Numerous Than the Policemen Present.

NEW YORK, December 12.—Rector Ahlwardt, the anti-Semite, spoke at Cooper Union this evening on "The Essence of Modern Judaism." Only a handful of people gathered to hear the famous "Jewbaiter." There were just about as many policemen in uniform in the hall as there were spectators. There were a few Hebrews present.

Ahlwardt began by saying that the inquiry to be made was into the question why the poor were becoming poorer and the rich richer. There was an interruption at this point, and Ahlwardt asked that he be not interrupted. Continuing, he said that he would draw the difference between the Aryan and Semitic races.

"There is," he said, "in every one of the Aryan race the love of labor. The Aryan race stand on the ground of labor, and while from this they are not free from evil, yet at least the foundation is good."

At this point there was an unexpected interruption. A young man directly in front of Ahlwardt rose in his seat and threw two missiles at him. They both missed, but as they struck the stage it was evident that they were eggs. In a minute the place was in an uproar, a dozen policemen swooped down on the offender, and he was hustled out.

This gave Ahlwardt a text. He said this exhibition was probably as good as a lecture. It showed a characteristic of the Jew.

"Had this been an Aryan," he said, "at least, he would not have missed."

He said that the Semite did not stand on the foundation of labor. With the Aryan, labor was a demand of nature. The Jews, however, looked upon labor as a curse, and always sought to throw the labor on the shoulders of the Aryan.

ANOTHER TACK.

Taking another tack, Ahlwardt said he did not want to attack the religion of the Jews.

"The Jew can build all the synagogues he desires. If he does not eat pork, it is none of our business; in fact, it is a matter of congratulation that he leaves us at least something that he does not grasp for."

Ahlwardt spoke of the Old Testament, Moses, and the passage of the Jews out of Egypt. He was frequently interrupted.

In conclusion, he stated the blood of the Aryan race was running through a great wound. The money was going into the coffers of the capitalists, and while these were not all Jews, it was Jewish influence that was over all.

In answer to the invitation that he would hear any one who wanted to debate with him, two men in the audience made short speeches, to which Ahlwardt replied, and the meeting came to an end.

The policemen ranged themselves around the hall, and order was preserved. Ahlwardt was taken out the back way and quietly spirited away.

COTTON BELT RAILROAD.

It Renews Its Withdrawal from Southwestern Association.

CHICAGO, ILL., December 12.—The Cotton Belt railroad recently withdrew from the Southwestern Passenger Association, but agreed to suspend its notice of withdrawal for a time, pending a settlement of the differences which led it to step out. This time being up and the differences being still unsettled, the road has renewed its withdrawal, and this probably means the dissolution of the association.

The Cotton Belt road wanted to pay $1 commission in excess of the other lines, and also asked the right to sell tickets $1 cheaper.

There was no change in the eastern freight situation to-day. Several secret cuts were made as heretofore, but no announcement of open cut was made, nor is any now expected, for several days at least.

EXPOSITION FLYER

To Atlanta Exposition Via Southern Railway.

The Southern railway runs through sleepers to Atlanta every Tuesday and Thursday, leaving Richmond 7:25 P. M. on the "Exposition Flyer," arriving in Atlanta the following morning 10:25. Ten-day-limit tickets sold at $12.40, good on this train. Returning this train leaves Atlanta every Wednesday and Saturday afternoon at 5 o'clock, arriving in Richmond the following morning 8:55. This train affords the Richmond public elegant service and quickest time to Atlanta. For all information as to rates, time-tables, etc., call at City Passenger-Office, 920 east Main street.

C. W. CECIL,
Travelling Passenger Agent.

Christmas Holiday Tickets Via Chesapeake and Ohio Railway.

Round-trip tickets at one and one-third fare will be sold between all stations of the Chesapeake and Ohio railway on December 22d, 23d, 24th, 25th, 29th, 30th, 31st, and January 1st; good for return until January 3, 1896. Special rates between Richmond and Norfolk, $3.50; Richmond and Old Point, $3; Richmond and Lynchburg, $5; Richmond and Washington, $4.85.

For students of colleges holding certificate of the principal the sale of holiday tickets will commence December 16th, and be limited for return passage till January 6, 1896.

A Busy Wave.

Why are you so busy?

Oh, said Sydnor & Hundley, we have such an excellent assortment of Furniture suitable for Christmas-gifts.

Special Sleeper to Atlanta Via Seaboard Air-Line.

Commencing October 1st the Seaboard Air-Line will put on a through sleeper from Richmond to Atlanta, via the famous "Atlanta Special." This sleeper will be opened at the Union Depot at 9 o'clock at night (train leaving at 12:33), thus enabling parties going to the exposition to get a good night's rest, and arrive in Atlanta at 4:00 P. M. the following day.

By this arrangement passengers to the exposition can leave Richmond via the Seaboard Air-Line and go through to Atlanta without change of cars, and is the only line offering such exceptional advantages.

For further information apply to H. M. Boykin, passenger agent, No. 836 east Main street.

Christmas Holiday Excursion Rates.

The Southern Railway will sell tickets within a radius of 300 miles at 4 cents per mile, one way, for the round-trip; tickets on sale December 22d to 25th, inclusive, and December 29th to January 1st, inclusive; final limit, January 3d.

Will also sell tickets on same basis on December 16th to December 21st, inclusive, to students upon presentation of certificate, signed by superintendents, principals, or presidents of schools or colleges. Final limit January 6th.

C. W. CECIL,
Travelling Passenger Agent,
920 east Main street.

LOWEST RATES OFFERED.

To the Cotton States Exposition Via Atlantic Coast Line.

From December 19th to 25th, inclusive, the Atlantic-Coast Line has decided to sell round-trip tickets to Atlanta for the very low rate of $7.75, good for five days from date of sale. Will also sell in addition to Tuesdays, Thursdays, and Saturdays, daily, from December 19th to 25th, inclusive, round-trip tickets at $12.40, good for ten days from date of sale.

For further information apply to

C. S. CAMPBELL,
Room No. 6, Union Depot.

Newspaper readers are very often amply repaid for the trouble of reading advertisements, especially those who have read of the particularly large lots of Ladies', Misses', and Children's Coats that the Southern Express Company have delivered in the last few days. To read of $15 Coats selling for $8; and $5 ones for $2 and odd cents is probably a common occurrence; but to actually see them selling that way one must pay a visit to the Cloak-Rooms of Meyer's store, corner Sixth and Broad streets. At various times this week the following large lots have been placed on sale, and while Mr. Meyer says the sales so far have been remarkably large, the inclemency of the weather has kept many away, and the assortments are far from being broken: 521 Ladies' Jackets, $2.99 to $11.89; 483 Misses' Reefers, $2.89 to $7.48; 300 Children's Reefers, $1.49 to $4.98; 50 Ladies' Fur Capes, $5.48 to $19.89; Infants' Eiderdown Cloaks, 49c. to $1.47.

This firm is also selling off a large consignment of Big Wooden Toys, Chairs, Wagons, Carriages, Carts, etc.

The Seaboard Air-Line.

Reduced rates to the Cotton States and International Exposition, Atlanta, Ga. The only line with daily trains through without change. From December 19th to 25th, inclusive, the Seaboard Air-Line will sell round-trip tickets to Atlanta for $7.75, good for five days from date of sale. Between the same dates the rates of $12.40, good for ten days from date of sale, which heretofore has been on sale only on Tuesdays and Thursdays, will be on sale daily. For Pullman reservation, etc., apply to H. M. BOYKIN,

City Passenger Agent
836 east Main street.

Afternoon Tea-Tables.

Christmas Presents, Birthday Presents, Bridal Presents.

SYDNOR & HUNDLEY.

Holiday Excursion Rates R., F. & P. Railroad.

From December 22d to 25th, inclusive, and December 29th to January 1st, inclusive, the Richmond, Fredericksburg and Potomac railroad will sell round-trip tickets between points on its line and to Alexandria and Washington, at reduced rates, final limit January 3, 1896. Richmond to Alexandria and return, $4.60; Richmond to Washington and return, $4.85. The sale of tickets for students of schools and colleges will commence December 16th, final limit January 6, 1896, upon presentation of certificates from president, superintendent, or principal.

C. A. TAYLOR, Traffic Manager.

Special Sale Atlanta Exposition Tickets.

Commencing December 19th, the Southern railway will sell round-trip tickets to the Atlanta exposition daily until December 26th, inclusive; also, on December 28th, good for ten days, for $12.40. Until the 19th these tickets will be on sale Saturday, December 14th, and Tuesday, December 17th.

C. W. CECIL,
Travelling Passenger Agent.

Holiday Excursion Rates to Washington, D. C.

via Richmond, Fredericksburg, and Potomac railroad. Only $4.85 for round trip from Richmond. Tickets on sale December 22d to 25th, and December 29th to January 1st, inclusive, final limit January 3, 1896. C. A. TAYLOR, Traffic Manager.

COTTON-STATES EXPOSITION.

"Special Rates"—"Atlanta Special"—Via the Seaboard Air-Line.

Only line running solid trains between Richmond and Atlanta. Pullman buffet sleepers and vestibuled day coaches. No extra fare on vestibule trains. On Tuesdays and Thursdays of each week fare from Richmond to Atlanta and return, only $12.40; good for ten days from date of sale.

DOUBLE DAILY SERVICE:

Leave Richmond 9:05 A. M. and 12:33 A. M.; arriving Atlanta next day at 5:20 A. M. and 4:00 P. M.

Remember, commencing October 1st, the Atlanta sleeper will be open at Union Depot at 9 P. M. This sleeper is placed in service especially for the benefit of the Richmond travelling public.

For other rates and information apply to

H. M. BOYKIN,
Passenger Agent,
836 east Main street.

Foolishness with a Big F.

It is sheer foolishness not to encourage local dealers when you can get such a stock of Furniture as Sydnor & Hundley keep to select from.

THE SOUTHERN RAILWAY

For the Cotton-States and International Exposition, Atlanta, Ga.—The Only Line Entering the Exposition-Grounds.

Round-trip tickets will be sold from Richmond as follows:

Daily until December 15, 1895, inclusive, with final limit January 7, 1896 ..... $23 20

Daily until December 15, 1895, inclusive, with final limit twenty (20) days from date of sale.. 17 60

On Tuesdays and Thursdays of each week, until December 24, 1895, inclusive, with final limit ten (10) days from date of sale. 12 40

Correspondingly low rates from all other stations. For additional information, and for sleeping-car reservations, apply to ticket-agents, or at passenger-office, 920 east Main street.

C. W. CECIL,
Travelling Passenger Agent.

A Beautiful Set of Pearls

is found in the mouth of her who uses Phenol Mouth Wash and Kalodint Tooth Powder. A gold fish and globe given away free. CITY DRUG STORE,
Eighth and Main streets.

Special Rates Via Seaboard Air-Line.

In addition to the regular Tuesdays' and Thursdays' $12.40 round-trip rate, the Seaboard Air-Line will sell round-trip tickets to Atlanta on December 7th, 14th, 21st, and 28th, good for ten days, at $12.40. For further information apply to

H. M. BOYKIN,
Passenger Agent.
836 east Main street.

Patti in All Her Glory

had no clearer voice than her, who takes Dr. David's Cough Syrup. The best on earth.

Stop Thief! Stop Thief!

If you do not stop that cough, with a bottle of Dr. David's Cough Syrup, it will steal away your life.

If the Baby Is Cutting Teeth

be sure and use that old and well-tried remedy, Mrs. Winslow's Soothing-Syrup, for children teething. It soothes the child, softens the gums, allays all pain, cures wind-colic, and is the best remedy for diarrhœa. Twenty-five cents a bottle.

Mothers see that you get Dr. David's Cough Syrup. The best on earth. Sold everywhere.

No Christmas and New Year's table should be without a bottle of DR. SIGERT'S AMOSTURA BITTERS, the world-renowned appetiser of exquisite flavor. Beware of counterfeits.