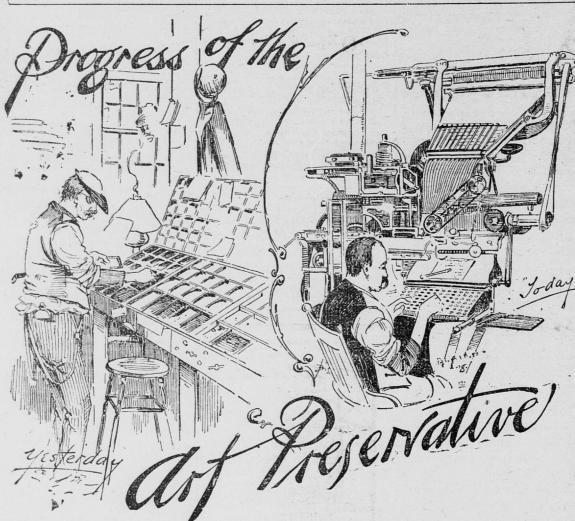
VOL. XV1II.---PRICE FIVE CENTS.

Maggie Wachter Not Allowed to

Important Pine Land Bill.

ST. PAUL, MINN., SUNDAY MORNING, FEBRUARY 17, 1895 .-- SIXTEEN PAGES.

PRICE FIVE CENTS .-- NO. 48.



put on the streets of St. Paul the cians are unsatisfied. The seemingly through as often as possible, for perfect Mergenthaler machine is bespeed in operation means coin in four-page paper, and the type from which it was printed directly was directly was becomes set up by a dozen compositors, out batch of machines put into a newsof wooden "cases," resting on old- paper office in St. Paul and the sec- to its full capacity, 10,000 or more fashioned "frames.

enteen years afterward, is printed line letters he formerly picked up skill on which the type was set for letter, or matrice, as it falls from the Gone for machinery is delicate and complicated, the operation itself is simple. When a line has been filled the

operator is warned by a bell. The each line, and there is no "stick" to down to his machine with an illimiam Davies, of the steamer Waiman-itable supply of sorts ready to the late. The manner in which the sworn late. line has been set it may be duplicated as often as needed without resetting. The ten Mergenthaler Linotype machines today in operation in the GLOBE composing room will easily set each night in eight hours an amount of matter equally to the work of forty men for the same time under the old method of hand composition. The machine will give absolutely correct returns, too, if the operator manipulates the keys without blunder. To misspell, it is necessary to press the wrong key. A "C" will never come by pressing the key marked "E," for instance; and the arrangement for bringing the matrices into proper place in line is such that, no matter how rapid the operator may be, it is impossible for letters to become transposed in descent. There is no possibility of false distribution, hence no mixture

of letters. These machines will set ordinary heads as easily as straight reading matter. Tabular work, half or full measure, is also produced with surprising handiness. Markets, too full of figures and fractions and odd 'sorts," are set on a machine with a specially arranged keyboard. The GLOBE can be produced with a nonpareil or a minion dress, solid or eaded, as may be desired. Change of dress is accomplished simply by a change of channel board. The solidity or openness of the matter set is regulated almost in a moment by the expert who cares for the machines In fact, while these machines look and are to a certain extent, complicated, it is really wonderful how easily they are manipulated to produce results that were regarded as impossible but yesterday, as it seems.

While the GLOBE, always abreast of the march of progress, has added these machines to its already extensive and complete equipment, it must not be supprosed that there is no hand-composition done in the ofpercentage of that. While most of the frames and cases are to be dispensed with, the department for nandling the "ads" will be enlarged and improved. To properly set up and display the lines of advertising for in itself a very extensive equipment of type, cuts, border, ornaments and "furniture." All advertise ments, with the possible exception of legals and similar solid matter. are set by hand, and this work requires the services of several mer every day in the year.

### DREAMS COME TRUE.

### Development of the Perfect Type

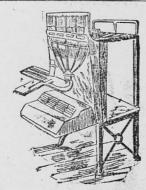
Setting Machine. It is many years since the first attempts were made to construct a machine that should set type. From the very inception of the idea ambitious inventors who attempted the feat were laughed at as dreamers. Even so late as 1890 it was held to be open to grave doubt "whether the nimble fingers of a good compositor, aided by the brains which no machinery can supply, do not favorably compare, on the ground of economy, with any possible mechanical arrangement.

realizes that the doubt is dispelled, of the handsome and scholarly gen-The so-called wild dreams of other days have been more than realized. Slug 'Steen. He, of course, is anx- present year.

The first issue of the GLOBE was And still the inventors and mechanilious to have every matrice go ond. Surprisingly improved are the ems an hour. Today's issue of the GLOBE, sev- GLOBE machines over all the others -so much so, in fact, that a photofrom plates cast from matter set graph of the earlier product of the entirely by machines. The deft factory could not be used to give hand of the skillful operator now an adequate idea of the triumphs touches the key-board to bring into of inventive genius and mechanical

Gone forever is the time when a "channel board," or receptacle that typesetter had to put in the aftercontains the matrices, takes its place | noon distributing type, in order that by the law of gravity, without touch he might set it up again at night. Unof finger. To explain the descent of der the old system there were the matrices from the channel board | weary hours of preparation for the | To Compel Them to Confes after the keys have been pressed call of "time," when work began on would involve too much technical de-, the putting together of the news for tail. Suffices to say that, while the tomorrow's issue. There were emer gencies, in the development of the day's telegraphic reports, that no day's telegraphic reports, that no editor or foreman could foresee; and Honolulu: The success of the govconsequently a rush of matter to be ernment of Hawaii in conducting its operator is warned by a ben. The machine itself practically "justifies" set that often delayed the issue of treason cases was due to the incriminant of the paper. Today the operator sits inating evidence given by Capt. Willtouch of his finger-the night editor and the foreman rest easy in the

confidence that they are masters of the situation. of the patentees and manufacturers paper is now set up. They represent not only a vast expenditure of time, contain within themselves possibilities in the matter of type-setting that were undreamed of even by enthusiastic inventors a few years ago. inquisitor of the government The Fraser composing machine, one of the first, if not the first ever successfully operated, in the hands of a skillful operator would do rapid by the thumbs. Davies did not fit work, and was considered a wonderful piece of mechanism in its day. But it was lacking in many of the essential points that distinguish the



their simplicity and perfection of operation. A cut of the Fraser com oosing machine appears in ths article, from which it will be seen that there is little or no similarity between the two, either in arrange ment of keys, channel board or dis tributor. Great as is the difference between this old-time English machine and the Linotypes in the GLOBE office, it is hardly more pronounced than the difference be

tween the earlier and the later Mergenthalers. One of the most human-like move ments ever seen on a piece of mechanism is the distributor on the GLOBE machines. The operator touches the keys necessary to form any given line of matter; then he pulls a little lever that sends the line he was placed in a tank of ice-cold out of his way and begins on a new one. At the proper moment, when the finished line has been moulded and trimmed, an iron arm, with sure but delicate fingers, reaches down and clasps the group of matrices. But it doesn't take the Hitchcock, had the young Kanaka 'spaces;" it has no use for them. They are hypnotized, dropped out and sent to a neat little receptacle just above and in front of the operator's eyes. The educated iron arm withdraws with the precious little matrices in its fingers, and then deftly sends them into the midst of a combination of wheels, springs and openings. They are separated quickly by an arrangement that never makes a mistake. Each mat-

rice must of necessity take its posi-

tion, like a well-drilled soldier of the

press that it is; and it will only

ome forth again at the command

tleman who used to be known as

speedy enough to work the machine

## HAWAIIAN OUTRACES.

FIENDISH METHODS USED ON THE SUSPECTS.

STRUNG UP BY THE THUMBS

Whatever Their Torturers Demanded.

SAN FRANCISCO, Cal., Feb. 16.-

interesting as showing the peculiar process at present existing in the Ha vaiian Islands. Davies and his mate Knudson, were arrested on the morn Highest and latest developments ing of Jan. 6. Knudson made a confession telling what little he knew. are the ten machines by which this Davies, who is an American citizen, refused any information, and while protesting his innocence, demanded an energy and money, but they also interview with the United States min ister. This was refused. Davies was then taken into the prison yard, where he was shown two ring-bolts in the wall above his head. The uniformed gave the captain to understand that if a complete confession was not forthcoming he would be strung up but determined that if the American minister should not come the consulreneral should be informed that he was an American citizen and wished to see him. His protest was in vain. Mergenthaler machine, because of His legs were bound below the knees and his thumbs were lashed with whip-cord to the bolts. A cord was placed below him so that the unfortunate man's toes just touched it. Da-vies was stripped to the waist, while Marshal Hitchcock, Attorney General Smith and Surgeon Cooper with a stenographer, awaited the statement which they believed would be forth-coming. They were mistaken. Davies would not weaken. Sweat oozed from every pore. The strong man in his agony begged a drop of water to cool the thirst that consumed him. The endons of the victim's limbs stood out like strands of rope; blood vessels knotted on his arms and legs, swellblood, restrained in its course by his abnormal position. His tormentors urged him to implicate all known to be politically opposed to their meth-ods, but without avail. Davies reised to surrender the secret he had At last, when it was apparent by his

espiration that it would be impossible hold out longer, nature succumbed and Davies, cursing the fiends who were torturing him, fainted. Dr. Coopused salts of ammonia to revive the aptain, who had passed into the painss realms of unconsciousness soon as he revived two negro convicts suspended him again by the thumbs. This inhuman operation was begun at noon, and it was 6 o'clock in the evenalive, made the statement that respited him from the inhuman barbarity of his persecutors. Another case of torture was brought to light in military in-A young native, who quiry. known to be intimate with Carl Widenann, was handcuffed at the wrists Then with a refinement of cruelty which would shock the Persian satrap

water. He was kept there until circulation of the blood in his extremities had almost ceased, and Dr. Cooper, who appears in the unenviable light of an arch inquisitor, declared that ac tion of the heart was almost suspend-The chief of police, Marshal taken from the tank, and after being restored from his condition of semi onsciousness the torture was admin istered again. Flesh and blood could

Will Satolli Go to Lisbon. WASHINGTON, Feb. 16.-Mgr. Safolli was surprised at the report from Rome that he would become nuncio at Lisbon prior to his elevation the cardinalate. There is no evilence at the delegate's residence con erning the reported move, and it is egarded as general speculation. It is said that there is no vacancy in the place of nuncio at Lisbon and no possibility of a change there within the

stand such inhumanity no longer and

the much-needed confession was given.

# STORM IN SENATE.

Hill's Financial Resolution Stirs Up the Free Silver Animals.

WOLCOTT WAS BRISTLING

With Sensationalism in Denunciation of the President.

HILL DEFENDS GROVER.

Teller Characterizes the Bond Issue as a Monstrous Fraud.

WASHINGTON, Feb. 16 .- A storm of financial debate swept over the senate today, exceeding in intensity any discussion the upper branch of And yet this arministration gave the congress has had in many days. It banking syndicate a bonus of one per was brought on by Mr. Hill's advocacy of his resolution defining the policy of the government for bimetallism and for paying its obligations in the best money in use. The New York senator spoke with his usual vigor, and was closely followed in his plan for sustaining the national credit by a declaration of policy to the world.

But Mr. Hill's speech was merely ne warning note of the storm. He was followed by Mr. Wolcott, of Colorado; Mr. Lodge, of Massachusetts, and later by Mr. Teller, of Colorado, in the most scathing denunciation and arraignment of the administration for its recent bond contract with the Rothschilds and other foreign bankers. Mr. Wolcott made a direct and personal CRITICISM OF THE PRESIDENT.

Mr. Lodge was more temperate, Special to the Globe. but quite as severe in his personal arraignment of the president, declaring that the recent bond conthe recent acts of the administra-

Mr. Hill replied briefly and with a spirit. He declared that a futile effort was being made to arraign the peal to the Rothschilds, while, as a matter of fact, former Republican administrations had sold bonds to these same foreign bankers. Mr. Germany to convene another international monetary conference. No action was taken on the Hill resolution, and a renewal of the financial discussion is expected on Monday, Mr. Vilas having already given notice of a speech. The rest of the day was given to the agricultural appropriation bill.

MR. HILL'S SPEECH. When Mr. Hill took the floor to discuss the resolution, he was accorded close attention as he proceeded with declaration of the policy of the government should receive the support of every senator," said Mr. Hill, in the senate. "unless there sits about this circle a gold mono-metallist or silver mono metallist. I have few words for them. But assuming that a senator is for bimetallism, then this declaration of policy embodies his views. It is a safe, wise and appropriate resolution for the present emergency." Mr. Hill said that the declaration first announced as the true policy of the government that our efforts should be turned toward the

accomplishment of bimetallism, "I need not remind both political parties that this is what they pro- 1891 and \$710,345,950 4 per cent consols of fess," he said. "It is of supreme moment that we should declare to the country and to the world that it is not our policy to maintain the single gold standard or the single standard

Mr. Hill said that on general financial questions, congress was further ago. The proposition for gold bonds on one hand was met by the proposition for unlimited silver coinage on the other hand. What had become of the proposition to redeem the greenbacks and the financial plans?

"But in this condition of inaction," proceeded Mr. Hill, "congress can at least take this one step that will assure the world that, although various measures, our bonds may be taken with the full assurance that they would be paid by the best money in use." Mr. Hill said there was prospect of

FURTHER ISSUE OF BONDS. Let us then keep down the interest. What could either party gain by inaction on this subject, by bringing on a panic the coming summer and bringing congress back to Washington again for further legislation.

Mr. Hill closed with an eloquent pero ration for maintaining the national honor. "At least we can say," said he, "that this congress is not committed to gold; that we will proceed steadily toward the realization of bimetallism; that we will maintain our national honor and credit by paying our obligations in the best money in use."

WOLCOTT ARRAIGNS. After Mr. Hill concluded his remark rose to reply. In a speech bristlin with sensationalism and denunciation of the president for the recent bond declared that he was inwas a great demand for them.". The president, he said, had already at-

rency when he had already negotiated entracts which discredited silver.
Mr. Hill replied to Wolcott in another plea for his resolution. In closing he declared himself an earnest bimetallist and hoped to see the restoration of silver succeed. He was requested to read an Associated Press item just received from Berlin announcing that action had been taken looking towards the rehabilitation of silver.

TELLER'S ROAST. Mr. Teller (Col). arraigned the president in severe terms. He characterized the recent bond transaction as a most monstrous fraud. During the long years he had been a student of the affairs of this country there had never been a time when opportunity was offered for the public to charge dishonesty in a financial transaction by the government. It was idle for senators to say that this was the best the president could do. With bonds ess desirable selling on the market at 110, it was futile to say that a better price than 104½ could not be obtained. It was impossible to characterize too strongly a transaction which placed the credit of the best government of the world 4 per cent below that of

Egypt.

Mr. Teller bitterly arraigned the administration in its dealing with for-eign bankers. The price paid for these bonds showed that the bankers had a pledge that they would be paid in gold.

cent to take the bonds.
"There will be a breaking down and a breaking up in this condition of things," declared Mr.Teller, impressively, "and when that comes silver will have its inning."

Mr. Vilas gave notice that on Monday he would address the senate on the financial situation. The consideration of the agricultural bill was then

The committee amendment for an inspection of live cattle, the meat of which fresh, salted, canned, packed, etc., is to be exported, was agreed to The agricultural bill was laid aside without final action and the senate at 5:30 went into executive session, after which it adjourned.

#### ALL HOMEWARD BOUND. Victor and Vanquished Start for Minnesota.

WASHINGTON, Feb. 16.-The visiting Minnesota statesmen of the Demo-eratic persuasion are tonight on their way back to Minnesota. Marshal tract was the blackest act in the his- Campbell, after fixing up his accounts tory of American finance. Mr. Teller to his satisfaction, finally got away added to the flood of criticism on last evening, and at 3 this afternoon the recent acts of the administra-Messrs. O'Connor and Lawler shook the dust of the capitol from their feet. Senators Davis and Washburn promised that the new marshal will be confirmed on Tuesday, and, in that event, present administration for its ap- he will take possession of the office as soon as he can file his bond. Congressman Hall, in discussing the matter,

"Of course, I had nothing to do with these same foreign bankers. Mr. the appointment of Mr. O'Connor and Hill declared that the president and I am willing to leave it to the people the secretary of the treasury had secured the best terms possible. The judging of it. I have only to say that senator closed his speech by reading it was made over my protest."

Congressman-elect Towne made his the Associated Press cable from Berlin, announcing the purpose of and lunched with Stephenson and a

number of other Michigan members

Mr Stephenson presented him to Czar Reed, who gave him a cordial reception. He will remain until the end of Maj. Baldwin today secured th of the committee on rules that the Altamonte proposition shall be brought up under suspension of the rules on Monday. This will require a two-thirds vote to pass the bill, but it is the best that can be done, and to ght the Altamonte people are more

the opposition lobby under the direction of ex-Congressman Dunnell. If the bill can be passed in the house, Senator Washburn will take care of it

### BONDS BROUGHT GOLD.

No Other Metal Has Been Paid Into the Treasury. WASHINGTON, Feb. 16 .- Replying to resolution of the senate of the 6th

inst., as to the kind of moneys received in exchange for the United States bends issued under the refunding act of 1870, the secretary of the treasury today sent a statement to the vice president showing that there were sold \$500,000,000 worth of 5 per cent bonds of 1881, \$185,000,000 41/2 per cent bonds of 1907; total, \$1,395,349,950. The proceeds of these bonds were paid into the treasury in United States gold coin certificates, called bonds, past due coin couons, and in some instances uncalled 5.20 bonds subject to call. He says that the amounts, respectively, of bonds, coupons, certificates and coin received ot be stated from the records of apart now than it was six months | the department, but that the entire proceeds were equivalent to United States

### NO COLORED GIRLS WANTED.

Discrimination Charged in the Bureau of Engraving.

WASHINGTON, Feb. 16.-The civil service commission has just made public correspondence with the secretary we have our hands tied on these of the treasury respecting alleged discrimination on the ground of color in the removal of women as plate printers' assistants in the bureau of engraving and printing. The following is the statement concerning the matter made by the committee:

"These women were appointed through competitive examination under the civil service rules. Since Mr. Johnson became chief of the bureau on July 1, 1893, there have been eightypointed through examination, and of these eighteen were white and seventy colored, leaving only ten colored women remaining in the service. This was out of a total force of 367 printers' assistants."

### RANSOM WANTS IT.

North Carolina Senator After the Mexican Ministry.

WASHINGTON, Feb. 16. - Senator Gray is engaged in circulating in the senate a recommendation to the presdent that Senator Ransom, of North Carolina, be appointed minister Mexico to succeed Hon. I. P. Gray. He has so far presented it only to formed by a "resolution of a New York bank, that the bond syndicate would never be compelled to pay more than 10 Senator Hill, and he has asked to be per cent of its investments; that the excused not on the ground of opposibonds it had bought at 104.50 were af-ready being sold for 112 and that there says he is not making any recommendations to the president. Many of the Republicans have expressed a detacked the government's credit. He sire to sign the document, and it will said that his message to congress con- be presented to them when the Demotained a lying statement that he de- | crats shall have been canvassed comsired to maintain the parity of our cur- | pletely.

They Cannot Be Told in Court by Lady Stenograph-

NEW SURPRISE FOR ERWIN.

Miss Wachter Not Permitted to Tell About Blixt's Statements

MADE TO HIS ATTORNEY.

However, Judge Smith Will Hear Arguments on Monday Morning.

The defense in the Hayward trial at Minneapolis buckled down to its work yesterday morning as if nothing had happened. In fact, there is a very general impression that nothing did happen except what Lawyer Erwin was well aware of all the time. He was as smiling as the conventional basket of chips when he came into court and presented an unruffled front to the enemy. Mr. Erwin affects to believe that Wilson's story has not weakened his case in the least. On the contrary, he seems jubilant over it. His client, too, shares in the general good feeling, but just how they manage to extract joy from the liveryman's moonlight observations is not ap-

Wilson was put on the stand by Erwin. He had to be sent for. He did not want to testify. That is what he said on the stand. Almost the first question put to the witness by Mr. Erwin was, "Do you know Mr. Sweetzer here?" Witness said he did not, and added a moment later that Sweetzer had called at his house last Sunday and asked him about the case, and he refused to tell him anything about it. A moment later he used the word "they" in speaking of the rig, and Mr. Erwin, who, at that time, was supposed to know nothing about the occupants of the buggy, asked this question: "Where did 'they' come from?" a question which would indicate some knowledge of what Mr. Wilson had in mind-that there were two people in the buggy. It is clear that the defense will try to make capital out statement that neither one of the of Wilson's story, but just how can only be conjectured. Wilson says he did not see Blixt as he drove along the boulevard. It was a moon-light night, and he saw Hayward's time by saying, "You are getting too face with the moonlight shining on it. The man he saw seated at Miss Ging's side had a light mustache At the conclusion of the testimony Mr and wore a brown hat. The defense will doubtless claim that Mr. Wilson is mistaken. That he could not distinguish the color of a hat at that time of night by a cursory glance at both occupants of the buggy. Then the recognition of the rig itself will doubtless be questioned. Liverymen say that at 7:20 o'clock that night it would not have been possible to recognize the horse and buggy. It will be remembered that Mr. Wilson was not urged to be sure about his impression that the man he saw was Harry Hayward. On minor points in the course of the trial

### WITNESS WAS EXCUSED

tant point the

hours have been wasted in trivial

questioning, but on this all-impor-

without being pressed for a clearer recollection of his impressions. Mr. Erwin, it is true, asked him a good many questions, but he kept away from the main point. He did not say. nor did Mr. Nye: "This is a serious thing. Are you absolutely certain the man you saw in that buggy was this defendant?" Both sides left the testimony of Mr. Wilson open to all sorts of speculation.

A strong alibi may be established for Hayward to prove that he could not have been seen by Wilson. If this is done, then Adry, or the mysterious "third party" with the pointed shoes may furnish the defense with a plank to stand on, and pave the way for a "reasonable doubt."

So far as Hayward's movements are known on that fatal night he could have been with Miss Ging, and, despite the sharp figuring on time which some people are indulging in, he could easily have covered all of the ground and had a little time to spare.

The proceedings yesterday were dull and uninteresting, and were taken up with the examination of a number of physicians and surgeons, the defense trying to prove by them that Miss could not have fractured her skull and sustained the other injuries to her head and face by being pushed

out of the buggy. Maggie Wachter, the stenographer employed by Blixt's attorney, was called to the stand. Miss Wachter is the young lady mentioned by Mr. Erwin when cross-examining Blixt. According to the insinuations in that examination, Blixt told Miss Wachter while she was taking down his state ment for his attorney's use that he and Adry put up the job, and had agreed to lay the crime at Harry's door in case they were caught.

was the first witness of the day. Sh had a sore throat, but tried to heed Judge Smith's admonition to talk loud. She stated she had lived in Minneapolis for five years, and was employed by Blixt's attorney as a stenographer. "Were you called on to take a state-Erwin.

"Yes, sir; it was a day before a holiday. I went there with my employer. There was no one there except an at tendant, and he went out." Erwin asked the court for the rule

of the court as to how his question should be asked. The court ordered words of the statement read and the witness to answer "yes" or "no." Erwin read the statement imputed o Blixt, saying that he and Adry had planned the murder and had gone out to Lake Calhoun to arrange the de-

tails. Before Miss Wachter could an-

ealling for a confidential communicaon made by a client to his attorney. To settle the point as to whether her employer was Blixt's attorney, Miss Wachter was asked if that was the . think he was; yes, sir."

"Were these communications confidential?" "I suppose they were."

"I want to ask a question," said the court. "How was this statement given? Did the attorney ask for it?" "Yes, sir," he first had me write down 'Statement of Clause A. Blixt,' then he asked questions, and if he didn't want me to write it down, he waved his hand until he heard it all."
Mr. Nye. He was examining him as his attorney, was he? A. Yes, sir. The court. The only question is what was the intent of the legislature in making that statute. The intention was that the communication between the client and his attorney should not be disclosed unless he consented to it. No question about the intent of the legislature. So far as the stenographer is concerned connected with the attorney, she is the agent of the attorney, and it is the same as though it was communicated to the attorney, in

should apply. Mr. Erwin. I would like to produce the authorities. The court. If you have any authorities to change my views I would like to see them. I think in the absence of any authority I shall give that construction, that is, provided Mr. Blixt objects to the testimony being given. Mr. Erwin. We will bring in ample

my judgment, and the same rule

authority Monday morning. The court. Very well, you can suspend this testimony until Monday

Mr. Erwin. We will bring them in on Monday morning, Miss Wachter will be excused now. DR. CHARLES H. NORRED,

onsulting surgeon of the soldiers' home, was called: Mr. Erwin-I suppose it will be necessary to read to this witness the tes

timony of the matter of the fall, and the testimony as to the fractures generally. Mr. Nye-I don't see that that is

Mr. Erwin-I will state it then, in the form of a hypothetical question Mr. Smith-I will ask you if you have ever seen or examined the carriage belonging to Mr. Goosman, of the Palace livery stable, in which it is alleged Miss Ging was murdered? A. I examined the carriage that I was informed was the carriage, in the Dimemuseum (Mr. Erwin here asked a hypothetical question covering a description of Miss Ging, the position of herself and Blixt in the buggy at the time of the shoot ing, a description of her clothing, a de-scription of the bullet wound and the lacerations and fractures other than that of the bullet wound, a description of the skull of the dead woman, and the throwing of her out of the buggy, the finding of the body, the condition of the clothing when found, and a fractures connected with the perforation of the wound at the base of the brain, but were entirely distinct from that wound). During the asking of the

Erwin asked:
"Now, under these circumstances. this state of facts as contained in this

question, in your opinion was it possible that the fractures-The court interrupted Mr. Erwin to tell him that he had omitted to state that the evidence did not show any other external bruises. Mr. Erwin supplied the omission and then asked for an answer to his long question. Before witness could answer Mr. Nye inter posed an objection on the ground that the whole thing was largely a question of mechanics. The court thought so. too, and added that the question was somewhat leading. Mr. Nye's object tion was sustained and Mr. Erwin

tried another tack. Under the same state of facts stated in the last hypothetical question will ask you whether, in your opinion, the fractures and the lacerations described in the last question could have been made by the fall out of the buggy Mr. Nye-It seems to me that is very much the same as the other.

The Court-Let him answer it, if he A. It occurs to me that it is exceedingly improbable that all of those wounds could have been made by a single fall.

Q. Give your reasons for that opin ion. A. Well, there are a great many different points of attack; the head would certainly have to be revolving very rapidly to make so many wounds in one fall, that was the first impres sion that occurred to me; that was the first impression that was made upon

Q. You have the fall described in the hypothetical question, you have seen the buggy and have heard described the fractures upon each side of the head you can therefore plainly understand how much the body revolved or was possible for it to revolve in that fall and taking the hypothetical case stated by the hypothetical question, in your opinion could these fractures and lacerations other than the bullet wound in the hypothetical question, from that ouggy, as seen by yourself? A. I say I think it rather improbable, so nany different wounds. I don't know that I have any other reason in believing they were not all made at the

same time. Do you believe that a fracture upon the right and upon the left side of the skull, as described in the hypothetical question, could be made by a single blow or by a falling upon a single

Mr. Nye-That is objected to as in competent; irrelevant, immaterial and calling for a belief. Mr. Erwin-I mean his professional

belief or opinion The Court-The objection is over-

single blow. Well, if the cranium had received a blow, for instance, on the other side, the side of fracture here, you may possibly, probably, if the individual is alive, have a contra-coupe, or a coun er-stroke in the way of a fracture here

opposite; very frequently the fracture

you receive the blow. I don't know but

the same thing may occur with dead persons, for that matter. Under the hypothetical question is it your opinion that the woman did or did not receive the lacerations and fractures described, other than the bullet wound, by the fall described in the

manner described? Mr. Nye-That is a repetition-he has already stated it might be probable. Mr. Erwin-Well, it is entirely differ swer, Nye objected on the ground that | ent from the other question, on a dif it was not a proper question, and was ferent matter. It is connected with the

same subject matter, but it is not a question of possibility; it is a question of direct opinion. The Court-Well, it seems to me all of

these questions are improper, but I have admitted them. The question is what, in his opinion, after hearing all of the testimony connected with this matter, produced the fractures of the skull as described. I will allow him to answer the question-be as liberal as

Q. (Last question read to the witness.) A. I am under the impression

she did not. tion described by the hypothetical question, and the shot was delivered as described by the hypothetical question from a revolver of 38-caliber with extra long cartridges, as described in the hypothetical question, and she thereby received the wound described by the hypothetical question, what in your opinion, would have been the effect upon her as to jerking herself back in the buggy, or what would be the natural and probable effect of such a wound under such circumstances?

MR. NYE OBJECTED to the question and the court observed that the witness had not shown himself competent to testify in that par-ticular. Mr. Erwin then went into the doctor's experience with persons who had been killed by gunshot wounds, after which he renewed his hypothetical question. Mr. Nye was ready with his objection, which Judge Smith susthink it was a matter of expert testi-

"Doctor," asked Mr. Erwin, "was this wound necessarily a fatal wound, this wound of the pistol ball?" A. I think so, if I perceive a correct description of it.

Q. Was it a wound which ordinarily would produce death immediately? A. have an opinion on the subject, but I don't know whether I am competent to state it or not.

Q. Well, unless they object to it, I think you are. A. I think it is not a wound that would necessarily kill immediately, not instantly. Q. What effect would it have upon the nervous and muscular systems, so far as producing powerlessness or par-tial paralysis? A. I don't think I have an opinion to express upon that

subject. Cross-examination by Mr. Nye. Q. Doctor, is it a fact that the skulls of women are more brittle than those of men? A. I am rather of the opinion that they are. The plates are

Q. Do you think that the entrance of the bullet into this portion of the rear of the skull by expansion or compression of any kind, 'might have caused those fractures, which you say are almost in a line with the bullet? A. That was the first theory which presented itself to me, but I have since had some skepticism on the sub-

Q. Well, you are not entirely settled in your opinion on that, are you? A. I don't know what caused the

Q. Well, in your opinion, might not that be possible? A. Barely possible barely possible—not at all probable. Q. Well, now, as to the question of the body, where it might strike and what the effect might be, you give an onal on that question, do you not? A. No, sir, I think not. If the exact condition in which the body fell was given, I could then tell the effect of it. Q. But you were not there to see the exact position? A. No, sir.
Q. If I hold an apple in my hand ten feet from the floor and let it fall, you cannot tell me, before I let it fall, just the effects of the fall, or the way it will fall, or the extent of the bruises

that will be on it? A. No, sir. DR. HANCE, another army surgeon, was next examined by Mr. Smith. Before the doctor was permitted to testify, Mr. Hall tested his fitness as an expert witness. Q. Doctor, have you ever been present and seen a person shot in exactly the same place as this woman was. with the bullet traversing the same portions of the head and fracturing the same bones, and with the person sit-ting in the same position as this body

was? A. No. sir. Q. Have you ever seen any head shot through and witnessed the action of the person shot after the shot in such a character as this? A. A similar nilar character as that, I have. Q. Traversing the same portion of the brain? A. Passing directly through the cranium and the brain.

Q. Well, the motor nerves are dif-ferently situated in the brain; they are not all in the same place, are they? A. Q. Well, would not the track of the bullet through the brain determine almost entirely the effect upon the erves? A. Very much, sir.

Q. Then, if you had not seen a bullet raversing the brain through the same track as this, are you able to tell the same effect upon the body? A. Only with my individual opinion, sir. Q. Then, that is an opinion not based upon any observations, but a theory? A. Partly upon both.

Mr. Hall-I submit it The Court-The objection is sus-Mr. Smith-An exception, please. Mr. Erwin-What is the objection?

Mr. Hall-Not competent and no propr foundation laid. (Examination by Mr. Smith.) Q. I will ask you further, doctor, whether you have seen the effect—never mind about the ball going anywhere except through the base of the brainbut whether you have noticed the effect of a ball passing substantially through the same point as it passed through the

brain of Miss Ging? A. Yes, sir.

Q. We don't care where the ball was, but only the effect of it passing through the brain at the same point it went through Miss Ging's brain? A. Yes, sir Q. Can you testify from observation as a physician and surgeon as to the result upon the muscular and nervous systems of the human body? A. That is the same question -

Mr. Nye-The same objection. The Court - The objection is over-A. Instantaneous relaxation of the entire muscular system.
Q. Answer yes or no whether you

answer it?

have from your observation? A. said I had. Q. Now, I will ask you the further question, what the effect is? The Court-How extensive has been

The Witness-I recall one case in par-The Court-Is that all? The witness. That is the only one that occurs to me now as being-

The court. The objection is sus-Mr. Erwin. Exception.
Mr. Smith. I would like to have the ounsel state in addition to that hypothetical question, as to

evidence shows as to the height of the

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