THE DESERET EVENING NEWS.

TRUTH AND LIBERTY.

FORTY-NINTH YEAR. MONDAY, FEBRUARY 27, 1899. SALT LAKE CITY, UTAH. NUMBER 82.

SUSPICIONS OF MR. EVANS.

Senator Whitney Called to Witness Stand in His Own Defense.

CUMMINGS IS ALSO EXAMINED,

And the Names of Chambers and Lloyd Are Suggested for Examination—McCune, Law and Nebeker Appear Again, and Judge Miner Gives a Legal Opinion.

The committee was called to order at 2:40 and Mr. McCune again took the witness stand.

Attorney Evans continued his cross-examination; his first question was: "Mr. McCune did I understand you to say that you had had several conversations with other persons similar to that held with Mr. Law?"

"I did not. I have had conversations of a private nature that I did not think people would like to have heard over the telephone."

"Didn't you say that you had a conversation similar to the one with Mr. Law, with Mr. Nebeker?"

"I did not. I never talked over the 'phone with Mr. Nebeker."

"Did you not meet him and have a conversation with him at Hogle's saloon?"

"I did."

"State what was said in that conversation."

"It had nothing to do with this case; it was of a friendly character. I met him at the Vienna cafe or promised to meet him there and went to Hogle's. He did not care to come to headquarters. It had nothing whatever to do with this case."

"What was the nature of the conversation?"

"He explained to me why he had not voted for me."

"Did he explain to you what Sloan had said to him?"

"He told me in substance."

"He had heard that you were to be elected and wanted to get in the band wagon?"

"I did not know at that time. I went to Moses Thatcher's office that day."

"You wanted his vote then?"

"Yes, I asked him why he could not vote for me; he told me that he had nothing against me."

"You were trying to get the vote of Mr. Law and Mr. Taylor at that time?"

"I did try to get the vote of Taylor."

"You sent your son down to try and get the vote of Taylor?"

"I did not."

"You had no doubt of your election when you shook hands with Mr. Law?"

"No; I had no doubt. Yet I told you there was always a shadow of doubt; there is nothing certain in this life. We have it your way. I want to agree with you."

"Didn't you say you had a doubt?"

"I said I had a shadow of a doubt; I stated before there is nothing certain in this life."

"Now, do you remember what you testified to on Saturday?"

"It is pretty hard to remember it all."

"Were you not trying to get Mr. Law's vote?"

"I told him if he was going to vote for me to change his vote after, and be sure for me on roll call."

"If you were going to be elected were not your ambitions gratified? Was not the need of having more than thirty-two votes?"

"I would rather have sixty-three than thirty-two, there would be more honor in getting all the votes of the Legislature than a part of them. I was not trying to get his vote."

"After he made this proposition to you you were still discussing the matter in which he was to vote for you?"

"He told me that he would probably vote for me and I told him not to vote on roll call, but to change his vote after it he voted at all."

"Are you accustomed to shaking hands with people on parting?"

"Sometimes."

"I say, are you accustomed to it?"

"I said sometimes."

"I mean, in this your custom?"

"In some cases I do."

"Do you don't put your arms around a man?"

McCune—No; I am not that affectionate.

"Why did you say to him if he had anything to say of a private nature to see me at a public telephone?"

"Because he would not come to headquarters and he said that he was being watched."

"Was you not in the business of the Salt Lake street railway?"

"Not very much."

"You are the president?"

"Yes."

"Don't you give it personal attention?"

"Not the details.

"Don't you attend to the business of issuing franchises or giving orders for cars?"

"No, sir."

"Did you have to do what your business was?"

"Yes, sir."

"Did you tell us all the business you performed in 1896?"

"I told you a number of enterprises I was interested in and I thought I told you all."

"Do you ever engage in the business of plug-ugly?"

Judge Dickson—We object. It is not a proper question.

Evans—It is a perfectly proper question.

Judge Dickson—It makes no difference if a man does engage in the business of plug-ugly. Many of the United States senators do engage in that business, and it has no bearing in this case whatever. It is asked for the purpose of delaying matters. We have been trying to find out the real issues made against Mr. McCune and not discuss his private character.

Attorney Evans—Only a few days ago Attorney Dickson asked Mr. Pyper if he had not with O. P. Pratt go to a certain woman's house for immoral purposes; her name was Lil Evans, and the question was ruled by Mr. Pyper. Now, I ask, I ask a question in order to bring before the public the undoubted character of the witness, this honest objects.

Judge Dickson—We withdraw the objection.

Evans—Mr. McCune, are you not in the habit of playing poker for large sums of money?

"I am not."

"For money? Is it not a fact that you have engaged in that line of business? Have you not for many years been engaged in playing poker?

"I have played cards with gentlemen but have not played for large sums of money.

"Have you not lost very heavily in other cities while playing poker?"

"I think I once lost in Montana, but that was the most I ever lost and I never play for large sums.

"Well it is a fact that you play for money?"

"Certainly, there is no pleasure in playing for nothing."

"No pleasure for you, because you are not only in playing for nothing?"

"I occasionally play with gentlemen for money, but never for large amounts."

"Is it not a fact that you go to Mr. Hogle's gambling hall?"

"I think you know Mr. Hogle had a gambling hall."

"Is it not a fact that he had a room upstairs, and that you have been there very often?"

"I have been there up stairs, if that is what you mean, but it is not a gambling hall. I have been there on social visits in after hours to play poker with professional gamblers; I have played a friendly game or so with Alvin. Tom Kearns and Newsom of Park City."

"Well, is it not a place where men play poker, a private room?"

"Well, they generally have the doors wide open to the public to pass him, it is a place where gentlemen can play cards without being interfered."

"Then you were at the Vienna Cafe with Mr. Law, Mr. McCune, before of the silver question; do you remember saying that you had spent too much money during the campaign for you to have been now, and have you not made that remark repeatedly to other people?"

"No, sir; I have not."

"Is it not a fact that you have said to people that you have spent about $15,000 already and expected before you were through that it would cost you $20,000 or $25,000?"

"No, sir."

"Is Mr. Dunbar a very confidential friend of yours? Has he been since this campaign opened?"

"He has been a friend of mine."

"What was the purpose of asking Mr. Law to go into the room with you on Tuesday night?"

"We went in to talk of the letter from Mr. Barbee."

"Do you remember how long you were in the room when you called Mr. Sloan in?"

"I cannot give you the exact time; I did not take a note of it. I don't think you could remember every little thing; you cannot repeat your last question in one word for word."

"Did Mr. Thurman write that statement which you issued?"

"I don't think he did."

"Do supervised it?"

"Certainly, that is an attorney for?"

"Did you not depend in part on him to have it transcribed on the typewriter?"

"I can't say."

"You gave it to them when he wrote it down and he read it to you and you did not change a word?"

"I did not change a word."

"Did you not say, I want in and out several times; I said two many cooks spoil the broth and went out."

"Did you not say when you told him, and write that statement?"

"I told him that in evening."

"Did Mr. Thurman write that statement?"

"Have it your way; if it gives you any satisfaction, to did."

"Was Thurman was the villain."

"Thurman was the author that Evans had written Law's speech that he delivered on Saturday, and Evans strongly recommended it repeatedly."

Then the statement published by you in the papers was for the purpose of creating public sentiment against Law, for the purpose of counteracting the sentiment you had created against me with Law, and was a false statement? That of Law, your client.

Witness thought nothing particularly of Law's speech; it was misleading and could not have thought anything more of it, but for Law's bribery charge.

Who did Thurman give your aid? Give me something easier.

CHAMBERS UNDER SUSPICION.

Have you any arrangement with Mr. H. C. Chambers, which you are to take the Herald off the hands in case of your election? I have not.

Do you have any agreement or understanding that you are to take part of the Herald? I have no idea of your business, but I have not.

Have you ever had any talk with him of that nature? I may have done but I cannot recall it. I have a contract in writing with Mr. Chambers, which I will be happy to show the committee if they desire to see it.

Are you paying the bills of the Herald? Yes, sir, whatever it may be bill.

Are you the only one that is so paying? I think so.

This line of questioning was objected to by Mr. Dickson, and argued at length by counsel.

Mr. Thurman held that the question, in securing, was not a question that Mr. Chambers had been bribed, whereas the case was limited by the specifications to the case of Law.

Mr. Evans stated that the scope of the inquiry should be wide enough to cover other charges, and quit.

If, after Chambers's election, McCune has made any contract with Chambers, for which the former is to pay the bills of that paper, I say it is bribery, rank as bribery can be! Will any one tell me that this is not bribery? It is as much bribery as if money had actually passed from McCune's pocket to Chamber's pocket. If it be the witness states that McCune, a partner in the business, is bearing the loss.

Mr. Thurman—I shall not endeavor to impose upon this committee by some statute of the question, which is conclusive, but, in this inquiry into the honest relations of Chambers (relevant under the pleadings? Why did we go through the form of striking out certain of the specifications, if when we come to the proof we should be asked such a wild and unwarranted insinuation coupled with counsel? If Mr. Chambers is to be charged with entering a bribery why was not that charge put into the specifications? Mr. Chambers has a right to have a charge made against him; it should not be sprung in this way.

Mr. Biscoll: The question now before us is the case of Law and McCune. There is no question but that we can inquire into any alleged relations between Chambers and McCune, but I do not think it proper under this particular case of Law and McCune. I move the objection be sustained. The motion was seconded.

Mr. Howell: I have been a little at variance with the committee. I have thought that the committee was more like a grand jury empanelled an investigating committee. But inasmuch as we have really departed from that purpose I shall vote to sustain the motion.

Mr. Evans—I call attention to the fact that Mr. McCune has already testified that he has not attempted to bribe any member whatsoever of the Legislature. I am simply cross-examining him on that point.

Mr. Van Cott—We withdraw the objection.

Have you that contract? Yes, sir.

Will you furnish it to me? I don't know. I will furnish it to the committee, if they desire it. I will not furnish it to you without first advising with my attorney.

Will it be furnished here? Yes, sir.

Have you ever loaned any money of the Legislature any money? No, sir.

Never in your life? I couldn't say as to that.

EVANS SUSPECTS WHITNEY.

Have you never loaned any money to Senator Whitney? Mr. Mr. Whitney, yes, many years ago. I think I can recall some small sum.

Did you ever lend him any money five years ago? Perhaps I did. I have lent money to a good many people.

Did you ever lend him to any way? Not that I can recall.

Did you ever have any kind of contract with him? Yes, sir; for printing my biography in his book.

Did you pay him any money for that? Yes, sir.

How much? About $250.

Was that since the Legislature met? It was before that time.

Is this history not yet published? Not yet, I think. I have seen proofs of it. I suppose Mr. Whitney is still writing it.

TANNER ALSO SUSPECTED.

Did you ever have business dealings with any other member of the Legislature? No; not that I can recall.

Not with Senator Tanner? No, sir. Did you not agree to purchase his mining property in Stockton? Yes, sir.

Have you not bought it? I have not.

Did you not contract to buy it? I did not. I sent my boy down to investigate the Tennimore property some time ago.

Did you say that? I did not, and have no interest in that property.

Is your boy a mining expert? He is; he has been engaged in mining all his life.

Is Senator Tanner interested in this property? Not that I know of.

Why would you not buy it? The assays were not satisfactory.

Did you provide Mr. Tanner a special train at Stockton when his child was sick? I did not; but the Oregon Short Line did so at my request.

Did you also send a physician? I did.

Did you pay that physician? I did not.

Who did pay him? No one that I know of.

Did you pay Mr. Tanner's back fare? I did not.

Who did pay it? He paid it himself.

Did you at that time have strong expectations of election? Yes; we heard for an election on Monday and we hoped to hear that the child was better on Monday, but word came that the child was now in danger of death.

Did you not send Mr. Tanner down with special accommodations? No, sir; at least to a special train? Yes, sir.

How long is it since you have expected job work from Ogden? After the first two weeks, we have several times so expected.

SUSPECTS LLOYD.

Do you know Representative Lloyd? I have known him for many years.

Did you pay his campaign expenses to the last election? I did not. I paid $125 to the county committee and Lloyd was chairman.

Did you pay anything to Dunbar? I did not.

Was this in addition to what you paid to the state committee? No; the $10,000 or $12,000 was the total paid for all campaign purposes.

Did you have headquarters in the State during the campaign? I did not.

Defense objected to this line of questioning. Mr. Evans said that he was on that line, and that he was nearly through with the witness.

Mr. Van Cott: Does counsel rely on one of what has been insinuated that Senator Whitney be placed on the witness stand.

O. P. Whitney, a member of the Legislature, one of the contributors, was sworn and stated that he was a resident of Salt Lake City, a stockholder and secretary of Lewis Publishing company, having formed the work, which is now in the historical society, he solicited from several persons subscriptions to a series of biographies for the fourth volume of the history of Utah. Among those who he solicited were Senator Whitney, Senator Baskin, Senator Cannon, Mr. McCune, C. E. Allen, Jno. T. Caine, Jno. Q. Cannon, Frank Fox, Mr. King, and others being to make a congressional group. The biographies of Baskin, Whitney and Cannon were written by themselves; the others are, or are to be, furnished by the parties.

Did you then have any talk with Mr. McCune concerning the semantial question? Yes; we had a talk about the biographical contract. Very little. I was then a supporter of Mr. C. C. Richards.

Did Mr. McCune know that at the time? Yes, he knew it.

How did he know it? I told him of it. Richards was a friend of mine, and I told him of it.

Are you the only one that is so paying? I think so.

This line of questioning was objected to by Mr. Dickson, and argued at length by counsel.

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(Continued on page two.)

BUILDING BILL TO BE PASSED.

Appropriation for Salt Lake Public Edifice to Come Up Tomorrow.

AMOUNT IS NOW $300,000.

Upon Its Passing the House, Bartlett Will Immediately Broach the Subject in the Senate.

[SPECIAL TO THE "NEWS."]

Washington, D. C., Feb. 27.—The Salt Lake Public building bill will pass the House tomorrow, the committee on rules has decided to allow three hours to be consumed from now on in the consideration of the bill, and it will do so. There is no doubt of the passage of the Salt Lake appropriation. Senator Bartlett will immediately give to the Senate that the House amendment be accepted, which reduces the amount to three hundred thousand dollars.

Congressman Corey Dead.

New York, Feb. 27.—A dispatch received in Brooklyn today announces the death of Congressman Dean M. Corey at Hot Springs, Va., yesterday afternoon. He was serving his second term as representative from the Second New York district.

Mr. Corey had been in the city of Lowerick, March 14, 1841, and came to Brooklyn in 1876. He was connected with Mr. W. H. Beard (brother of painter of New York, was elected to the Fifty-fourth and nominated to the Fifty-fifth Congresses on a republican ticket. He was a candidate for election to the Fifty-sixth Congress, but was defeated.

Crack Ship of the Mikado's Navy.

San Francisco, Feb. 27.—The Japanese cruiser Chitose will be launched in the dry dock today, so that the final construction of the Japanese navy may be seen by the passengers on the mail line and her peculiarities be fully appreciated by the vessel in her builders.

When the Chitose left the yards she will fly the Japanese flag and will become the crack ship of the Mikado navy.

American Pottery Trust Fails.

New York, Feb. 27.—The Herald says that the American Pottery company with its capital of $10,000,000 capitalization is likely to fail of its purpose of uniting the potteries. Jefferson Robinson, who has been active in promoting the company, is quoted as saying:

"We have subscribed $1,000,000 to the stock of the company. Manufacturers have contributed considerable large amounts, and we have expended $100,000 in trying to make the scheme a success. We had hoped it would be very profitable. But the affairs of the company have not proved satisfactory just now. How they will eventually develop remains to be seen, but I regret that it has not made satisfactory as we had hoped."

J. & W. Bellamy & Co. were credited with being the promoters of the American Pottery company, which was incorporated in Trenton, N. J., on December 6th of last year. It was to be for 10,000 shares of the par value of $100. One hundred and thirty-five thousand of the shares were issued, upon which the interest was to be seven per cent. The incorporators were Charles N. King, Frank C. Bellamy and Frank Farrell. Ninety per cent of the territory in the country was asserted would join the combine and the men were to leave the market cent of Pittsburg, Trenton, Chicago, Wheeling, Pittsburg, while East Liverpool and Ohio would supply the West.

CZAR IS NOW PROSTRATED.

Health of Emperor Nicholas Far from Good and Excites the Gravest Solicitude.

Malady with Which He is Stricken of such a Character as to Forbid Intellectual Exertion.

London, Feb. 27.—The Copenhagen correspondent of the Daily Mail says:

"Well-informed persons here assure us that the health of Emperor Nicholas is far from good and that his condition excites the greatest solicitude. A long-threatened ailment assumed a critical form soon after the issuance of the manifesto in behalf of the limitation of armaments, and the czar is now prostrated.

"The malady is of such a character as to forbid all intellectual exertion. His participation in the government is merely formal, consisting in signing documents of the contents of which he is ignorant. The Grand Duke Michael assumes the supreme power and all government decisions are arrived at without the czar's co-operation or knowledge.

Fell Bloodied Victim Indian, who Has Received National Notoriety.

Sioux City, Iowa, Feb. 27.—Wahs Tonaka, the Cheyenne Indian who achieved national notoriety by leading the Indians in the Custer massacre, died in this city last night. He was under sentence of death, is in peril for the third time.

Two United States deputy sheriff who started from here to serve a writ of habeas corpus granted Saturday afternoon by Judge Thacher of the Indian Territory Federal court, reached the scene of execution in time to prevent it while Tonaka sits in the chair in room 10 in Allison, Wolf county, in the heart of the Cheyenne Nation.

Tonaka's life was saved by a telegram from Washington, Feb. 27.—Edward Hamilton, company B, Second Oregon regiment, who was killed near Manila on Feb. 23rd, is thought to be the son of F. Hamilton, of this city. Young Hamilton left home for the Klondike about two years ago and the first he heard news of his enlistment was when he read the account of his death.

Manila, Feb. 27.—4:10 p.m.—Two commissioners who returned from Malolos after a day of trains today report that rebel rebels are anxious to surrender. They also express the belief that Aguinaldo is inclined to accept pacific overtures. Maj. Gen. Otis did not receive the commissioners.

PEACEFUL IN MANILA.

Manila, Feb. 27, 11:55 a. m.—Except for an occasional volley and some individual firing by the rebels from the jungle near Caloocan, along the river in the vicinity of San Pedro Macati, all was quiet along the entire line last night. The insurgent snipers at Caloocan continue to annoy the soldiers in the day time, but the Americans no longer pay much attention to them, reserving their fire until the rebels appear in the open in sufficient force to justify a volley or an occasional shell.

During the night time the men are accustomed to the enemy's cabins, and a majority of them remain unmolested except by the outposts and sentries.

In Manila absolute quiet prevails, the streets are deserted, and the only sounds to be heard after 9 o'clock in the evening are the tramp of the patrols and sentries and the occasional cheer of the heads of the various houses.

The insurgent emissaries after a conference, have decided to accept war risks at an additional premium of two per cent per month.

CISE HOUSES WERE DESTROYED.

New York, Feb. 27.—A dispatch to the Herald from Manila says:

The battalion of the Twenty-third infantry that has sailed on the transport Pennsylvania for the island of Cebu is commanded by Major Goodall, with Lieut. Gordon adjutant and Lieut. Mc-Nair as quartermaster.

The battalion includes company A, commanded by Captain Cochran, company K commanded by Lieut. Stone, company J commanded by Lieut. Schirp and company M commanded by Lieut. Strotzenier.

As two of the effect of the loss by fire in the suburbs of Manila since Wednesday may be obtained from the Tagiuo telegrams given.

Some millions of stone and one hundred and fifty substantial wooden structures with iron roofs were destroyed. In addition to the 1,500 houses of the natives were burned.

DEATHS IN MANILA.

Washington, Feb. 27.—The following was received from Gen. Otis:

Manila, Feb. 26.—Adjutant General, Washington—Following deaths since last weekly report:

February 9, Private James S. Morris, M, First Tennessee, variola; 10th, Chaplain John H. Thompson, First Washington, acute intestinal; 11th, Private Wm. F. Stanley, F, First Montana, malarial fever; 20th, Arthur Ramsey, F, First Colorado, dysentery; 21st, Sergeant L. Vanscoy, I, Thirteenth Minn., variola; Henry K. Sanders, F, Fourteenth Infantry, dysentery; 23rd, Corporal Harry H. Stroud, I, First Washington, dysentery; Private John Gaeng, D, First Idaho, variola; 24th, Jacob Horn, K, Fourteenth infantry, dysentery; Andrew Ayers, D, Fourteenth infantry, variola; Adolph Aeckes, F, First Idaho, dysentery; 26th, Albert Haviland, F, First Colorado, variola.

Died of wounds received in action—26th, First Sergeant W. H. Cooke, F, First Nebraska; 19th, Private Eli Campbell, G, Third artillery; 20th, John Sorenson, M, Minnesota; 21st, Edward Day, A, First Nebraska; 26th, John Alley, A, First Nebraska.

OTIS.

REBELS WILLING TO SURRENDER

Two Commissioners Report That 8,000 Filipinos Are Eager to Quit.

AGUINALDO LIKEWISE ANXIOUS.

Insurgent Leader is Inclined to Accept Pacific Overtures—Enemy's Sharpshooters at Caloocan Continue to Annoy the Troops—Absolute Quiet Prevails in Manila—Extent of the Fire.

MAJORITY RULES IN SAMOA

Chief Justice Chambers' Recall is Due to the Letter He Wrote His Brother.

King of the Islands Will be Installed After Due Diplomatic Negotiations by the Powers.

New York, Feb. 27.—A dispatch to the Herald from Washington says:

As indicating the friendly purpose of the German government to bring the Samoan controversy to a settlement satisfactory to the United States, Herr Holl, the special representative of the municipal council of Apia will come to the United States before proceeding to his post, to confer with secretary Hay and other officials of this government.

Herr Holl will succeed Herr Rudolf, who left Apia on February 22 for Berlin. It was stated today that the Samoan question has never been at a temperate point, as has been reported, but it has been treated by both the rulers and Germany and the United States propose to take action to remove every thing that might tend to be perceived and Chief Justice Chambers is expected to be recalled.

Chief Justice Chambers' recall will not be due to his decision or to his course, but to the letter he wrote to his brother and which was made public and contained expressions of a character objectionable to the German government which have been communicated to the United States. It is generally say that his decisions has gone, to some extent, as the result of his letter, and it is stated that it is probable that he would be pleased if some other person was appointed as his successor.

Within a few days it is said that reports will be received from the three Samoan rulers explaining their acts and that when these have been placed before us it will be taken by the two governments.

There is one other point—speaking of Samoa—which remains to be settled by diplomatic negotiations. Germany claims that Mataafa by reason of the overwhelming majority he received at the election, should be made king. But the decision of the chief justice and the protest of the Berlin treaty exclude the former from consideration in connection with the throne.

The administration proposes to explore Tonga, Germany, Great Britain and, as a majority rules, he will probably be established on the throne.

WANTS TO BE A MARTYR.

Defendant Anxious for a Halo, Gets but Little Notice in Paris.

New York, Feb. 27.—A dispatch to the Herald from Paris says:

There is only one man in France who is anxious to be a martyr, Jean Paul Dupuydaly, and that is De Rodays himself.

He is anxious for a sensational trial with a heavy sentence that will crown him with the martyr's halo for his fellow-conspirators. He has tried hard for him to exaggerate his offenses, by declaring orally to the officials he dupes to overthrow the Republic, and writing letters to the same effect.

Nobody else, however, looks upon him as anything but a fool, and the public will have said, the worst punishment that could be given to Dupuydaly is to treat him as one common sneak, and one to contempt. Dupuydaly, however, will be robbed of the punishment if the crime.

It is evident that the effort now on foot to have the trial of Quesnay de Beaurepaire, the president, postponed, to enable him to escape the attempt made to bring the case to a speedy conclusion. Gen. Roget's own states that he intends to bring the case to a speedy conclusion. Gen. Roget's own statements are to the effect that the probable have been rolling into the general service of France, but he says he will not allow the trial to be postponed. The Petit Bleu this evening says no one made with a single infantry regiment, and that the trial will be the acting there was not anything in danger.

Smoke House Goes Up in Smoke.

Wichita, Kan., Feb. 27.—The smoke house of Dillon & Co., located in the city center, together with its contents of some pounds of meat, was destroyed by fire last night. The building belonged to Mrs. Dillon, who was in Chicago at the time, which is heavy.

Identity of Manila Hero.

Pittsfield, Mass., Feb. 27.—Edward Hamilton, company B, Second Oregon regiment, who was killed near Manila on Feb. 23rd, is thought to be the son of F. Hamilton, of this city. Young Hamilton left home for the Klondike about two years ago and the first he heard news of his enlistment was when he read the account of his death.

QUAY'S TRIAL NOW POSTPONED.

Conspiracy Case Goes Over Until April 10th Next.

PROSECUTION IS NOT READY

Defense is Indignant, as They Claim that There Could be But One Result.

Philadelphia, Feb. 27.—On motion of District Attorney Rotherstel the Quay conspiracy trial has been postponed until April 10th. The district attorney did not state his reason for the motion for the postponement. Though interest in the trial was intense throughout the city, there was no crowding in the courtroom when the case was called by the court that only the lawyers directly interested in the case, the panel of witnesses and a limited number of newspaper men should be admitted. Ex-Senator Quay with his son entered the court room accompanied by his counsel, Hilton Shaper, A. O. L. Shelton and David T. Watson, of Pittsburg. The presence of the latter was a surprise to those in attendance as it was generally understood that Mr. Watson had been dismissed from the case. District Attorney Rotherstel and his associate had a brief conversation in the courtroom, at which the district attorney, after such conversation, the court, said that he was ready to try the case, but that he was willing to agree to and not cute to state as counsel to the court that the trial of Mr. Quay be postponed. Mr. Shaper said: "We are ready to try the case." He stated that as the Prince of the court would be engaged for the greater part of the present month in hearing the Sugar Trust application, he would ask that the case be set for the second Monday in April 10th. Mr. Shaper, counsel for the defense, opposed the motion. He said that witnesses had been subpoenaed and every preparation made to bring the trial to a speedy termination, and the postponement at this time, he said, would cause great inconvenience and would be unfair to his clients.

Judge Butler, however, announced that he would grant the motion, and that as the district attorney was not prepared to proceed and counsel April 10th as the date for the trial.

Senator Quay, on leaving the court room, expressed his disappointment at the unexpected deferring of the trial. He declined to discuss the matter further, simply adding that he was satisfied that he would be fully exonerated of all the charges preferred against him by the grand jury, and would have been taken up today, and would succeed in a conclusive. District Attorney Rotherstel, when seen after the trial refused to state the reason for his request for postponement. Mr. Shaper was considerably perturbed over the postponement. He said after leaving the court room that his clients and himself and associate counsel were fully prepared for the immediate trial of the case and confident of their ability to disprove any evidence which might be presented by the prosecution. There could be but one result, and that would have been acquittal. Touching on the evidence adduced at the preliminary hearing Mr. Shaper said: Based much importance on the entries on the memorandum book of Cashier Hopkins, which showed a number of credits to the account of Senator Quay and indicated many transactions between Hopkins and the senator. Information had recently come into the possession of Mr. Shaper which the defense claimed proved conclusively that these entries were wholly false. They would never be admitted as evidence in the court, and their falsity could be clearly proven. Investigation, he continued, had shown that Hopkins had been in the habit of defrauding Senator Quay and many others in the methodical book found in his office. He had been in the habit of inserting on the memorandum book for the purpose of deceiving not only Senator Quay, but all the officers of the bank. Mr. Shaper said he understood there is doubt of the proper acquittal of his clients when the case shall come to trial.

Mr. Shaper further stated that the few books of the People's Bank, to which we are in such a condition that it is impossible for any living person to make any thing about the Quay's accounts or of the accounts of any other person. Some pages of the books in evidence, he said, were torn and the remaining pages have been deliberately falsified and forged to such an extent that it would be held inadmissible by the court.

FAIT FOR GERMANY.

Government will Admit American Oranges Lemons and Raisins without Examination.

Berlin, Feb. 27.—The officials of the German foreign office have notified the American ambassador that the government will immediately admit American raisins, lemons and raisins without examination, and that the fruit will be allowed to pass in bond through Germany without examination, provided the fruit is accompanied by certificates issued by the consular reports of the German consuls sent to America. The German consuls will be instructed to report to the consular reports of the German consuls sent to America. The German consuls will be instructed to report to the consular reports of the German consuls sent to America. The German consuls will be instructed to report to