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AMERICAN.

WASHINGTON, 9.—Guiteau arrived at the Court House about 9.30 a. m., and was taken to the waiting room. He appeared rather nervous and his countenance indicated anxiety. When he had taken his seat in the dock, he glanced around stealthily over the audience and immediately began a harangue, evidently intended for the jury.

"I have received," he said, "some 800 letters, a great many of them from ladies; when I get time I shall attend to them; I want to send my greetings to the ladies of America and thank them for their sympathy. They don't want me to be hanged. Public opinion is fast changing. I received on Saturday a check for \$1,000 from the stalwarts of Brooklyn and another of \$500 from the stalwarts of New York. I want the jury to understand how public opinion is on the case."

A bailiff here tried to silence him, when he turned upon him in the most vicious manner and shouted out:

"You keep quiet and mind your business. Do not interfere with me when I am talking. If you had any sense you would understand your place."

With this opening breeze, proceedings in due form were begun, and Scoville resumed his argument. Scoville proceeded without interruption for an hour. His remarks were listened to with marked attention. He laid stress upon the propositions that insane men often knew the difference between right and wrong, and for that reason conceal their plans; that the benefit of doubt should attach to a plea of insanity when raised with some force, as when urged in connection with the commission of crime. His allusion to the decision of Judge Davis, who went out of his way, he said, to pass upon something not involved in the case, he was then considering, brought Judge Porter to his feet with an indignant reply that the charge was false. Scoville retorted:

"The opinion of a man who sat on the same bench with a Barnard, and a Cordoza should not be received with much consideration."

Judge Porter, with even more vehemence, reiterated the charge of counsel absolutely false; that Judge Davis never sat on the bench with either of the gentlemen named. If an honorable member of the Federal judiciary is to be put on trial here, I demand, said Judge Porter, that the record be produced here upon which this false charge is made.

Scoville insisted that when a style of proceedings, best suited to a police court, were introduced here by the prosecution, he could comment upon them as he deemed fitting. He should not be frightened by the tragic utterances of Judge Porter. He had heard the same notes years ago from owls at night in the woods of Ohio.

Davidge protested that now forty-five minutes time had been devoted to the proper scope of the argument, and the Court warned counsel they must abstain from personalities.

Scoville concluded his argument at 12 o'clock and in conclusion desired to make a few remarks of a personal character. Alluding to his controversies with Judge Porter, he disclaimed any intention to transgress the bounds of propriety or rules of practice, but he should criticize the conduct of counsel, when it merited criticism, and the threats of prosecution would not intimidate him; citing the custom of counsel upon the other side, sometimes "it is three bows all around, sometimes more, never less than three. It has never been done by counsel on this side, and I do not hesitate to criticize the propriety of it."

Judge Porter—The gentleman is simply instancing his lack of politeness. If he has no apology to offer, I shall certainly not apologize for him. Recess.

After recess, Corkhill said: Relying on the assurances of the defense that the question of jurisdiction would not be raised, he did not expect to speak on the legal points, but as the last two prayers of the defense distinctly made that issue, it was his duty to speak on the question. He then read an exhaustive argument upon jurisdiction, consuming one hour.

Davidge spoke on the general propositions contained in the prayer and discussed "matiel," which legally meant the intentional doing of a wrongful act.

Davidge discussed seriatim the

prayer of the defense and pointed out their sophistries and inconsistencies. The object of the prosecution, he said, is to obtain from your Honor a plain, clear, direct ruling upon four distinct propositions. The apparent object of the defense has been to beg all that may be clear in this case, in the vain hope that they may get to the jury with some uncertainty attached in some way to the case upon which to build up a plea of acquittal. Why, your Honor, in over 30 years' practice I have never heard such a prayer as this one offered by a defense. It has no justification. It has no excuse. We don't want obscurity in this matter; we want light. We don't mean to let this prisoner escape in a cloud, but we want from your honor a clear and perspicuous ruling, so that twelve average men sitting upon the jury cannot possibly go astray. Davidge severely handled the eleventh and twelfth prayers of the defense and characterized them as mean attempts to cast aspersions upon experts who had testified for the prosecution and upon counsel for the prosecution themselves.

The prisoner followed the argument with the closest attention and indulged in frequent and noisy comments.

Davidge concluded his arguments at 2:55 p. m.

The court then adjourned until to-morrow morning.

Judge Porter will make the concluding argument immediately upon the opening of the court, after which, Judge Cox will render his decision.

NEW YORK, 9.—The boiling or pan house of Havemeyer & Elder's Brooklyn sugar works, a building seven stories high, 150 x 200 feet, were completely burned this morning. The crash of the falling copper pans weighing 15 to 20 tons each, was terrific and shook the ground like an earthquake. Hon. Theodore A. Havemeyer, Austrian consul, owned the building, and had just been through it when the fire broke out. Loss on building and machinery, \$1,500,000. Insurance 60 per cent, distributed in small risks all over the United States. The char house opposite was damaged \$25,000. One thousand men are out of employment. The building will be replaced at once.

NEW ORLEANS, 9.—Orders are received here to-day from San Francisco to provide freight room in March and April for 180,000 bushels of wheat to Great Britain. This wheat is to be shipped from California to New Orleans by the Southern Pacific R. R., thence by steamer to its destination.

LITTLE ROCK, 9.—A band of Ku Klux from Little Rock River, invaded the town of Corning, with the avowed intention of murdering Jim and Joe Stevens, Lute Inboden and M. Berger. One of the party, Riley Black, refused to assist, and his associates killed him. This disgusted several of the others, and they gave the clan away. The citizens attempted to arrest the outlaws, and in the melee three of the clan were killed. Intense excitement prevails.

WASHINGTON, 10.—When Guiteau came into court this morning, as he passed his brother, he whispered to him, "Come over to the dock, I want to see you about something of great importance." Taking his seat the prisoner laid down a large bundle of papers, and spreading out manuscript, busied himself in looking it over.

Judge Porter began his argument shortly after ten o'clock, and at once fixed the attention of every one in the room. Guiteau pretended to be engrossed in his manuscript but soon laid it aside and listened with wrapt attention.

Judge Porter began his address in reference to the disorder which has characterized the proceedings of the defense, and then spoke of Reed's argument as lawyerlike and based on the only law points which, with any plausibility, could be adduced by the defense. Of Scoville's argument he said it could only have been delivered by Guiteau, who, as he had himself boasted, had learned his law in a police court and acquired his manners among hooting owls in the woods of Western Ohio.

Porter reviewed the arguments of Davidge, pointing out its strong points. Mr. Davidge has rightly said it was a presumption of the law; a question for the judge, not for the jury. Should the judge decide as the defense desired, that malice was a question for the jury, he would overturn the law; he would create a precedent in this famous case, which would inevitably

be condemned through all time to come. Mr. Scoville had said that in the decision in support of the prosecution the postulates were as antiquated as his (Porter's) style of oratory. He dwelt upon the premeditation of Guiteau, referring to his lying in wait and to his dogging the footsteps of the President. He said: Was the worthless vagabond the man to be selected and inspired by God, a cheat, a swindler, a creature of vilest habit, claiming to be a junior in the firm of Jesus Christ & Co. The murderer tracked his victim at night, at church, at railroad station, everywhere till the deed is done. Porter went on to say that although the President had died, the government still lived and his successor was prosecuting his assassin.

"Yes," said Guiteau, "and Arthur employed you under misapprehensions."

"Yes," said Judge Porter, "under the misapprehension that law was stronger than Guiteau. Guiteau seems to think that he is stronger than law."

"I do not claim to be stronger than law, but God Almighty is stronger than law," said Guiteau, suddenly.

You will come before God Almighty presently," said Porter, solemnly; until then he would do well to refer but little to Him. He will feel soon what he has never felt before—divine pressure in the form of a hangman's noose.

The prisoner had sworn on the stand that the politicians kill a president from pique.

"A politician," continued Porter, "who had such a belief in the gullibility and depravity of mankind that he supposed he was doing men like General Grant, Mr. Conkling, the greatest parliamentarian and one of the foremost statesmen of his time, and even President Arthur a service for which he would receive a reward. Why, had General Grant, Mr. Conkling and President Arthur been standing at the door of the Baltimore & Potomac Railroad on the morning of the shooting; had they seen the assassin creeping upon his victim, revolver in hand, aiming at his back, an iron hand would have descended which would have paralyzed the assassin and saved the President."

The audience thrilled by Porter's eloquence, applauded vigorously, despite the cries of "order" and "silence." Even Guiteau was affected but he managed to say:

The stalwarts are coming to my aid every day. You ought to see some of the letters I get. They are all coming to think with me, and so are all decent people.

Nothing like it has been seen or heard of during the past nine weeks in the Guiteau trial, as Judge Porter reviewed the conduct of the prisoner and the conduct on the part of the counsel of his cause in this court. The crime in all its hideous ugliness was held up to the detestation of his hearers. The silence became oppressive and the presence of avenging justice in the near future was suggested with a force of conviction that swept from the court room every vestige of that levity which has so long danced attendance upon every utterance of the prisoner and like a veil obscured from the consciousness of the spectators, the horrors of the crime, and what should be the solemnity of its judicial atonement. The prisoner winced and nervously twisted in his place, and for several minutes was unable to say anything that in any sense could approach to an interruption. Gradually the prisoner regained his usual assurance, and resumed his daily habit of interrupting with contradictions and denials. For once, however, the insufferable impudence of the prisoner was completely overawed. Neither his noise nor his abuse could interrupt or silence the avalanche of condemnation that swept from the lips of the eloquent counsel—"The prisoner is mistaken, your honor," said Judge Porter, "if he believes by his unseemly brawling he can prevent my voice from being heard by the jury, the puppet cannot be moved to his outbursts in such good time as when he sat with his counsel. Now he is fast tightening the hangman's noose about his neck." With nervous twitching of the mouth, Guiteau muttered: "We'll see about that." The heretofore audacious and wholly unabashed prisoner seemed ill at ease and at a loss to understand why his would be sallies of wit or impudence, wholly failed with the audience, while more severe became the denunciations of the counsel, the more

frequent and marked were the demonstrations of approval. Finally, like a wild beast, brought to bay, Guiteau yelled out:

"I staked my life on the issue, and I am willing to go to the gallows to-morrow if it is the Lord's will. I'm sick of this bosh. Judge Porter, I wish you would get your \$5,000 and go home."

Judge Porter concluded his masterly argument at 11.40 by reading the now famous letter of President Garfield to Judge Payne in which he complimented and thanked him for brushing away the network of sophistries with which it has of late been customary to envelope pleas of insanity when set up in excuse for crimes.

Judge Cox at 11.45 began the reading of his decision, which begins with a lengthy review of the subject of jurisdiction. Judge Cox occupied 55 minutes in reading that portion of his decision touching upon the question of jurisdiction. He reviewed the progress of opinion, and cited all important rulings from the early day of common law in England, and decided against the prayer of the defense. He summed up the question that jurisdiction is complete in the place where the wound is complete; consequently this court has full cognizance of the offense. Judge Cox next took up the question of the legal test of insanity, and decided that knowledge and appreciation of the difference between right and wrong must be taken as the correct test.

Judge Cox concluded his decision at 12 o'clock, having consumed an hour and fifty minutes with rapid speaking. Upon every natural point his rulings were decidedly against the prayers of the defence. The only grain of comfort for the prisoner was offered when Judge Cox reached the point of reasonable doubt. Upon this subject he said: I shall not charge the jury to acquit if they find a reasonable doubt as to any one element, but I shall take into consideration and them relative to the element, and that if, from all the circumstances and the evidence, they have a reasonable doubt of the commission by defendant of the crime as charged, then they shall acquit.

As Judge Cox ceased speaking, Guiteau called out, I am perfectly satisfied with that exposition of the law.

After consultation between counsels, court adjourned until Thursday morning, when Davidge will make the opening argument to the jury for the prosecution.

The strongest lobby on hand so far this winter is that in favor of the Tehantepec hip Railroad scheme. Chief Engineer Captain Eads is here himself, and already many meetings have been held in the interest of the project at Mr. Crapo's rooms. According to report it is believed if any project will pass this Congress under pressure of peculiar methods familiar to experienced legislators, this will be successful. Already the prime movers in the matter have spiked some of the biggest guns of the opposition and a number of congressmen who were active in favor of the Nicaragua Canal last winter are now strong Tehantepec men. The bill has not been introduced yet, and will not be until everything is fixed for prompt action.

ST. LOUIS, 10.—Ground was broken yesterday on the extension of the Atlantic & Pacific Railroad from Vineta, Indian Territory, to Arkansas river. A large force will be put at work, and the whole section of 65 miles, a contract for which was let some days ago, will be ready to roll by May 1st. Several engineering parties are locating the line from the Arkansas River to Albuquerque, N. M. It is expected that the station crossing of Arkansas river will be a large cattle shipping point for Texas cattle drivers during the present year. The railroad company will build a large cattle yard at that place.

SPRINGFIELD, Ill., 10.—The State Board of Health has reports of smallpox at 61 points in the State. Although the disease is under pretty good control at most of these places; it appears to be spreading through counties along the Mississippi River, from Dubuque down; 12 out of the 18 Mississippi River counties having reported cases. Steamboat officers will be at once requested to enforce the vaccination of all their hands; if they fail to comply they will be prevented from landing.

BOSTON, 10.—The demand is steady and market firm. Finer grades of wool are most in request, and sales of Ohio and Pennsylvania

fleeces have been 43½ X, 44 @ 46 for XX, and XX and above of Michigan and Wisconsin fleeces steady and firm, at 42 @ 43 for X, medium and No. 1 fleeces range at 46 @ 48. Michigan and Wisconsin combing and delaine selections are quiet but steady. Sales of fine delaine and fine combing 47 @ 50, coarse combing quiet, prices unchanged. In unwashed fleeces, sales continue to range from 25 @ 35, medium at the latter price for selected lots, 25 @ 32½ for fine, at 18 @ 23 for low and coarse. California wool is in fair demand, at low prices for defective southern. Pulled wools firm; choice supers scarce. We quote choice 52½ eastern and Maine, 30 @ 43 for common and good. In foreign wools very little has been done for some days. Fine foreign continues to be held firm.

DENVER, 10.—A fire this morning destroyed buildings owned by Hall-lock Bros., occupied by Jensen, Bliss & Co's hardware store and Osborn & McCarthy's drug store. Loss on building about \$30,000; Jensen, Bliss & Co's loss on stock is about \$40,000. Osborn & McCarthy's loss on stock is \$30,000. Insurance covers the entire loss. John Townsend was killed by a falling wall. The fire was caused by an explosion in the drug store.

FOREIGN.

LONDON, 9.—Howard Vincent, the director of the criminal investigation department, is trying to make light of the report of the alleged attempt to steal the bodies of Napoleon III and the Prince Imperial from the vault at Chiselhurst, but information from good sources leads to the belief that such an attempt was really made, and only defeated by the great strength of the sarcophagus, the lid of which weighs three tons. The Empress is greatly agitated by the reports of this nefarious industry of stealing the bodies of distinguished or wealthy persons, which appears to grow in favor among the criminal classes. With half the ingenuity and less than half the risk involved in a jewel robbery, the thief might reap a rich harvest of rewards. The matter is creating great excitement everywhere. It would be difficult for the most desperate body-snatchers to rob Westminster Abbey mausoleum. Frogmore, where the Prince Consort's body rests, could hardly be entered if dynamite were used, but in almost every churchyard in England, the Lord of the Manor has his family vault, which could be entered without difficulty, and nothing would be easier than to steal the remains of Lord Beaconsfield and other eminent men whose dust is now in the nation's keeping at Westminster. Nothing has been heard of the body of the Earl of Crawford and Balcarres, although the police profess to be on the track. The Queen was greatly alarmed when she heard of the attempted outrage at Chiselhurst, and at once ordered special precautions to be taken at Frogmore. The bodies of Napoleon III and the Prince Imperial will shortly be removed into Hampshire, where the Empress has built a mortuary chapel. The only way to put a stop to this ghastly business is to build an impenetrable pyramid for one's ancestors or cremate them.

Dispatches from points in Ireland show great development of the latest form of lawlessness, namely, Land League hunts. A number were organized yesterday.

In rare cases, where the authorities had not had time to interfere, quantities of game were destroyed, and the preserves damaged. In another instance hunts were prevented by sending large bodies of troops to places menaced. This was particularly the case in County Cork. The necessity for moving troops and thus weakening the hand of authorities, is considered the most serious consequence of the movement.

PARIS, 9.—La Defense publishes a telegram from Rome, saying Bismarck has sent a courteous but very explicit note to a journal, in which he states that in his opinion the Pope's independence cannot be regarded as a question for Italian politics, but should be held as an international question. The note declares an intention on the part of Bismarck to promote the meeting of a congress of the powers, for the purpose of making the guarantees of the independence of the Holy See stronger and more effectual. The telegram adds: Russia, Austria, England and Spain favor holding a congress as early as possible.

BERLIN, 9.—Since the parliamentary conflict of 20 years ago, so deep