

the Morgan lines, independent of the Gould system to reach Chicago, St. Louis and the East.

WASHINGTON, 12.—Upon opening the court, Guiteau said:

"In justice to myself and Davidge, I desire to say that I received a letter yesterday, severely denouncing Davidge, and my remarks against him were based upon that. I have found out, however, that I was mistaken, and that Davidge is a high-toned Christian gentleman and sound lawyer. I desire, therefore, to withdraw anything I said against him. I will entertain the same opinion of Corkhill, however. I'm satisfied I was wrong about Davidge, but right on Corkhill."

Davidge resumed his argument and reviewed the evidence. He showed by the evidence of J. W. Guiteau and other witnesses for the defense, the fallacy of Scoville's pet theory, that the prisoner was an imbecile.

Soon after the opening of the court, Speaker Keifer and Ex-Attorney-General Taft entered and took seats upon the bench. After his opening speech, Guiteau remained a quiet listener for an hour. Davidge having used some pretty strong language in alluding to Guiteau, such as "This unspeakable liar."

The prisoner retorted: "Oh you are making all that fine talk for money," following it up with frequent comments, such as, "That happens to be false," "that is not true," etc.

Davidge passed upon the examination of the prisoner himself. His appearance upon the stand, what he had said, and what capacity of intellect he had shown, proving he said conclusively that what had gone before, had all been a show of hollow fraud. Scoville had dilated upon his morality and had asserted that lack of intellect was his failing, on the contrary, he had shown upon the stand, wonderful mimicry, logic, reason and intellectual ability. Likewise, as the defense had claimed for him, virtue and morality, the prosecution had availed themselves of their right to show the contrary, and what had been the result? He had been shown to be such a monster of corruption, depravity and wickedness, that the country looked on with a shudder.

That might have been the case, he flouted Guiteau, in July, but that isn't the case now. If you could see some of the letters I have been receiving you would see that a great many people think that I am one of the best and greatest men that ever lived.

Continuing, Davidge skillfully and with wonderful effect reviewed that portion of the testimony bearing upon the prisoner's moral character as evidenced in his past life. All this time, said counsel, no one accused him of insanity. In the estimation of his friends and his family he was sane enough for all the transactions of life, but when his hand is red with blood and outraged law, he claims that his is a sacrifice on the altar of justice, and then we first hear of his insanity. Alluding to Guiteau's schemes in regard to the *Inter-Ocean*, Davidge said: We have to deal here simply with the plans of an audacious mind, but there is nothing in such a scheme to indicate insanity. It is a fact, I understand, that the stock of that paper, once worth \$75,000, is now worth one million dollars, and it was by putting in successful operation plans similar to those suggested by the prisoner. Summing up this incident, Davidge said: It was no indication of insanity. It was simply in keeping with his idea that the one great moving brain and one central figure of the day was that of Charles J. Guiteau."

"Thank you, Davidge," sarcastically called out the prisoner; "I'm glad you are beginning to think so. A great many other people think I'm the greatest man of the day, but don't care a snap what the think. I haven't got a bit of egotism."

Davidge alluded briefly to the testimony of Mrs. Dunmeyer, the divorced wife of the prisoner. The prosecution was debarred from entering upon these confidences which exist between husband and wife. The defense could have done so but did not. Mrs. Dunmeyer did not hesitate, said Davidge, to testify emphatically that he was a sane man.

"She don't know anything about me," called out Guiteau, "I haven't seen her for eight years."

Mrs. Scoville, who had been busily writing all morning, shook her head angrily and ejaculated, "She's a liar, anyhow." Her brother whispered

a warning, she repeated her comment still more emphatically.

Commenting upon the money of Dr. Spitka, Davidge said: Many withstanding some of his remarkable statements, Spitka never denied the prisoner's legal responsibility. Accepting all his evidence, even Spitka brought the prisoner within the reach of the law and punishment."

WASHINGTON, 18.—Continuing, Davidge skillfully and with wonderful effect reviewed that portion of the testimony bearing upon the moral character as evinced in his past life. All this time, said counsel, no one accused him of insanity. In the estimation of his friends and family he was sane enough for all the transactions of life, but when his hand is red with blood, and outraged law claims him as a sacrifice on the altar of justice, we first hear of insanity.

Davidge reviewed the expert testimony. Defense had summoned over 20 experts many of them famous. What was the result of their observations of the prisoner? With two exceptions, not one could swear this man was legally insane. They could only testify to his sanity. Two testified to moral insanity; but neither of them would admit they believed in a God. This alleged fool has proven during the trial to be a man of more than ordinary intelligence; in religion a hypocrite; at law a pettifogger; in all things a depraved and wicked wretch. He read the first chapter of James, 13th to 15th verses: Let no man say when he is tempted, I am tempted of God; for God cannot be tempted of evil, neither tempteth He any man; but every man is tempted when he is drawn away of his lust and enticed. Then when lust hath conceived it bringeth forth sin; and sin, when it is finished, bringeth forth death."

The air became oppressive, and some one fainted, causing a ripple of excitement.

Guiteau made the suggestion, I think the most sensible thing to do, your honor, would be to let in a little fresh air, which was immediately done.

Davidge resumed, and Guiteau sneered: You are putting it all wrong, Davidge. You are talking for money now. Davidge said: Let him go on; I will hang him on his own testimony.

Allusion being made to his defeatism, Guiteau shouted, "I'm a better man than Corkhill in that particular. I pay when I have money, he doesn't."

Davidge read from Guiteau's testimony with frequent interruptions of a sacrilegious kind, comparing himself to Paul, and saying that Davidge knew nothing of the Deity, and that the Deity would get him below. Davidge said this daring, audacious boy who gave way to vice became later, as a man, a theocrat who would overturn law and churches and later boasted himself to be of the firm of Jesus Christ & Co. It was a logical outcome of his wicked egotism and of his crime.

Guiteau became ugly as this scoring proceeded.

Davidge trusted that the jury would not draw any inference from his failing to respond to Guiteau's falsehoods. I promised you I would not make a set speech. I shall indulge in no peroration, save to say that your countrymen and all Christendom are waiting for your verdict. I thank you, gentlemen, for your attention.

Guiteau—And I thank you, Davidge, for your speech; it's a very light one. Porter had better make as light a one. I wrote the President about this matter a day or two ago. Reed thought he could finish by 1 o'clock to-morrow. Adjourned.

NEW YORK, 13.—The Chicago express train, leaving Albany at 2.40 this afternoon, with many members of the Legislature on board, was run into by the Tarrytown special train, about one quarter of a mile east of Spuyten Duyvil Junction, with the Harlem main line. Two rear cars of Wagner's drawing-room cars on the Chicago express were telescoped and set on fire. It is reported seven bodies were taken from the wreck. Senator Wagner, it is feared, is burned, as he was last seen entering the drawing-room car Idlewild, a few minutes before the collision.

At 12.25 p.m., Captain Yate telegraphs the following particulars to police headquarters: About 7.12 p.m., the special New York Central express on the Hudson River Railroad, bound south, became disabled at Spuyten Duyvil, and the Tarrytown special, which followed close behind, ran into and telescoped with the drawing room cars Idlewild

and Empire, setting fire to and destroying both cars and burning several people. Park Valentine, 21 years old, and his wife, 19 years, of Remington, Vermont, and a lady supposed to be from Philadelphia were killed. Their bodies are at Killbuck's Hotel. Four bodies were burned to a crisp and are at the station, Oliver B. Kelley, 36 years old of Spring Valley, Pennsylvania, is fatally injured. Mary Donnelly, residence Sherwood House, Fifth Avenue and Forty-fourth Streets, is seriously injured but will recover. Warden O'Rourke was ordered at 12.30 to send two ambulances with surgeons to the Grand Central depot in this city, where a train with the wounded on board was expected to arrive soon. It is reported that George F. Spinney, Albany correspondent of the New York Times, was killed. At 11.45 to-night Sergeant Doyle, of the 34th Precinct, sent a telegram to headquarters to the effect that nine dead bodies had been recovered. Twelve persons are supposed killed.

In addition to the killed, said to number eight, forty or more persons were injured. There were at least 500 passengers on the train. The horrors of the collision were increased by the two rear cars taking fire. Some of the occupants were roasted to death in sight of hundreds of people, who were unable to rescue the helpless passengers. Two women were seen clasped in each other's arms and jammed between the framework of one of the cars and the colliding engine. The flames quickly lapped them in their fiery embrace.

The facts of the accident are these: The express from Chicago to New York reached Albany 23 minutes late. Owing to the great crowd of legislatures and others who desired to leave the capital, 15 additional cars were put on, eight of them being palace coaches. Two engines were also attached and the train got under way. It was filled with all men of note and prominence of both parties. Spuyten Duyvil was reached at 7 o'clock when a heated axle made it necessary for stoppage to give time to cool. Conductor Branford ordered Brakeman Mobis to signal the Tarrytown which left Tarrytown at 8.55 p.m. and Spuyten Duyvil station at 7.07.

The latter train was in charge of Conductor Evans. Mobis, apparently, did not signal properly, and the Tarrytown special, which ran at the rate of 26 miles an hour, came around a curve out of Collin's Cut and struck the rear palace car Idlewild in which were 12 passengers. The engine ran under the platform into the car and drove the Idlewild into the Empire with such terrific force as to render it necessary to cut it off from the train. The stove and lamps in the parlor cars upset and ignited the woodwork and upholstery. The passengers were jammed between the seats and sides of the car and held while the flames rose around and enveloped them. Nine are dead. One has been taken in an ambulance to the Ninety-ninth Street Hospital, probably fatally injured.

Special attorney Gibson assisted Col. Bliss to-day in the prosecution in the Star route cases. Mrs. Cabell, wife of the principal defendant, was in court because, as Col. Bliss explained, she was one of the subscribing witnesses to some of the worthless bonds. In answer to Col. Bliss, Judge Snell said Jackson, one of the defendants, had not yet been arrested.

Wilson opened the day's proceedings with a protest against the reception of evidence presented so far by the Government. He was followed by Col. Patten, who elaborated a point made yesterday by Wilson that no large contractor could find separate sureties on each and every bond required of him and that such is not the meaning of the law. He argued the government had so far failed entirely to establish the existence of a conspiracy, and therefore the evidence was not pertinent and should be thrown out. He quoted Act 74 which authorizes Postmaster Generals to call for new sureties or bonds if he believed those given to be insufficient and asked why this course had not been pursued by the government. Williams made the point that endorsement by postmasters was final.

A republican senator who visited the President to-day, says he is satisfied there is no truth whatever in the rumor of a change in the Executive's mind with regard to the appointment of Sargent as Secretary of the Interior. This senator has no doubt whatever of the appointment

of Sargent within a short time—by Feb. 1st at the latest.

Representative McCook introduced a bill providing for a court of review in each United States judicial district. Appeals to the Supreme Court of the United States will be allowed for decrees in equity and civil cases, admiralty and maritime jurisdiction of the courts, review in causes where the matter in controversy exceeds in sum or value \$10,000. The bill also provides for a review by the courts of review of judgments rendered in criminal cases, and for the determination of exceptions taken to any part of the charge of the circuit or district court to the jury.

Senators Kellogg, Conger, Vest, Miller, of New York, and Farley, are a sub-committee to consider the various pending bills that provide for aiding the establishment of steamship lines to South America and for promoting shipbuilding.

The Territorial committee has decided to report back to the Senate Vest's bill to provide for recording marriages in the Territories, requesting it to be referred to the judiciary committee.

DETROIT, 13.—A libel suit, which created deep interest, terminated to-day. Three years ago a girl, Martha Whitla, disappeared. Three months after her body was found in the river, sewed up in a sack, with her hands and feet tied, having evidently been thrown into the river alive. The girl was a domestic, and had been intimate with a young man named Hugh Peebles, who subsequently married another girl. Martha had lived at Peebles' house as a domestic, and Peebles gave her a note for \$400 as an appreciative gift. On the day of her disappearance, the girl said she was going to collect the note. The body when found disclosed the fact that the girl had been a mother. Two newspapers of this city afterwards published these facts and the details gathered from the police, throwing suspicion on Peebles but not making any direct charge. Peebles sued the papers for \$50,000 each. The evidence only sustained the papers, and a verdict was returned of "no cause for action." This evening Peebles was arrested on complaint of the prosecuting attorney for the murder of the girl Martha.

WILD HORSE STATION, Texas, 13.—Dissatisfaction among the workmen on the Texas Pacific Railroad at a recent order from Manager Hoxie, reducing their wages to \$1.15 a day, has culminated in this place, 500 miles west of Dallas. The pay car being mistaken for Hoxie's private car, was side-tracked by a large force of desperate men determined to lynch Hoxie. They piled wood around the car for the purpose of roasting him, and it was with the greatest difficulty that Major Kretz, the paymaster, convinced the mob that he was not Hoxie. The paymaster, after being detained 48 hours, has been allowed to leave town.

WASHINGTON, 14.—Guiteau opened the day's proceedings with the following: "I received 30 checks yesterday representing about \$15,000. Some of them are worthless and some of them are no doubt good. I don't want any one to send me worthless checks. I do my own banking business and my checks should be made out to my order. Any one who desires to send me money can do so, but I don't want any worthless checks."

Scoville addressed the court stating that he desired to know whether the prisoner would be allowed to speak in his own defense. If the court proposed to accord him that privilege, both he (Scoville) and Reed should prefer that he should speak first.

Guiteau—I want to be heard on that question, your honor, I want to close the arguments for the defense. I wouldn't trust my case in the hands of the best lawyer in America.

Judge Cox—I should be loath in a capital case to deny any man a proper opportunity to be heard, even if he is represented by counsel, but in this case it is safe to assume that the prisoner will abuse the privilege as he has done all through the trial, and that what he would say would be highly improper to go before the jury. I shall, therefore, deny him the privilege; as I said yesterday, however, if his counsel desire to read from his manuscript anything which they deem proper to be laid before the jury they can do so.

Guiteau protested, that he appeared as his own counsel and claimed the right as an American citizen to be heard in his own case. Finding

Judge Cox could no be moved, he shouted, "Let the record show that I appear here as my own counsel, that I take exception to your ruling, Judge Cox. I shall appeal to the American people and they will overrule you, and you will go down to future ages with a black stain upon your name."

Cox made no reply to this tirade, but simply nodded to Reed to begin his argument.

Reed commenced by paying a compliment to the jury for the seriousness, solemnity and care which had characterized it during this long trial, a trial unparalleled in the history of criminal jurisprudence. He should not endeavor to make any such statement of the evidence or to draw a gilded picture of any scene, but he would simply talk with them as between neighbors. Davidge, counsel for the prosecution, had occupied two days in addressing the jury, and that effort and consumption of time on his part showed that grave apprehension was felt by the prosecution lest something might have appeared in the case which would make the jury say this poor man was a lunatic and irresponsible.

Before Reed had been speaking half an hour, Guiteau's interruptions became frequent. He contradicted, commented, and made wicked comparisons. When Reed alluded to the evidence of J. W. Guiteau, the prisoner said, despairingly, "Well, he ain't my reference, I've got better men than he is for my reference. The prisoner denied the evidence alluded to by Reed, that he struck his father at the table, he said he was a peaceable man, and did not fight, if he didn't like any one he told them to get out and that settled it."

Reed said probably the prisoner forgot that act.

Guiteau—That's owing to my poor weak mind and disordered intellect.

NEW YORK, 14.—The body of Senator Wagner was recovered and brought here. He suffered a horrible death by burning. Henry S. Rokenbaugh, a passenger, describes the horror of the collision as something indescribably dreadful. The train stopped for some minutes, and he waited back to look out of the rear window in the last car in which he was. He saw the engine of the approaching train thundering around the curve and turned to run back to the forward end of the car, shouting as he ran, toward his fellow-passengers their danger. All started up from their seats, but before he had reached half way through the car the shock came and he felt himself lifted up in the air and pitch darkness followed. On all sides, cries of horror, anguish and despair went up, then a lurid glow was cast through the car from the fire breaking out and he saw men and women struggling to get free from the wreck. He heard a lady wedged in under a seat calling piteously for help. He tried to aid her but she was held fast and the fire compelled him to leave her to her terrible fate. He recollected seeing a stout lady who was identified as Miss or Mrs. Brown who got on the cars at Greenbush. Senator Wagner's remains were sent down to the city first, in one of the dead senator's own palace cars. Two hours later the remaining seven bodies were brought down in the ordinary baggage car, accompanied by Captain Yule and Coroner Knox. Six of the bodies were packed in ice boxes and the charred remains of the seventh was borne on a stretcher covered by the fur-lined cloak of Mrs. Valentine, the young bride whose wedding tour ended in such a horrible death. The car was switched off upon a side track when it arrived and was run east of the depot to the old freight station at 23d street. [Here the coffins were ranged on the floor, and with the single exception of that of Mrs. or Miss Brown, was burned so as to be unrecognizable. As the identity was established, a sheet of paper was marked with the name and a number was tacked to the coffin lid and the name checked off on the list with as business like air as if the matter concerned the ordinary bills of freight handled daily.]

CHICAGO, 14.—The Evening Journal's Elkhart Ind., special says: Last night, at Mill's station there was a terrible wreck caused by the collision of the Baltimore & Ohio train being run into by the Lake Shore train. The cars, engines, telegraph office and track were nearly demolished. Trains are all delayed up to this hour, one p. m. No lives reported lost.