

THE DOG MUST DIE.

Verdict of the Jury in the Guiteau Case.

It Took Them but Six Minutes to Arrive at the Above Conclusion.

Conclusion of Porter's Arraignment of the Cowardly Assassin.

The Text of the Charge to the Jury by Judge Cox.

But Little Emotion Manifested by the Prisoner.

National Associated Press.

WASHINGTON, January 25.—Although there was a snow storm the court room was crowded to-day.

Judge Porter began by apologizing to the jury for having spent so much time in his argument, but said he deemed it necessary to carefully review the evidence.

Porter continued that Guiteau did not pay debts because he said Paul did not, and he chose to be a vagabond because the Son of Man had no where to lay his head.

This made Guiteau furious, and he stated that Porter was a liar, and was working for blood money, etc.

Porter said Guiteau blasphemed Him who prayed for men at Gethsemane and died for them on Calvary, but Christ never cheated a Jew and never tried to trade a spurious watch.

Porter worked the prisoner to a white heat of rage by his ridicule of the aim to a partnership with Jesus Christ & Co., and his alleged junior partnership.

Guiteau next turned on his brother, John W., as the lawyer sarcastically reviewed his testimony.

One of the most exciting episodes of the past few days occurred when Porter referred to the criticism of English papers on the apparent slackness of American justice.

Reed objected and Corkhill arose to respond to Reed, but Judge Porter, who was in the middle of a fine sentence, would not be interrupted, and continued to speak.

During the delivery of the above Guiteau kept very still, but watched Porter closely all the while. As the counsel concluded Guiteau said: "That's all very fine. Porter, put me in as a patriot and you are correct. Lead out that book."

Scoville arose and said he didn't know that the court had intended to charge. He had sent to the bench an incomplete memorandum of points he would have charged upon, but he hoped to have a chance for further consultation before the jury should be charged.

Corkhill said the points of law had been argued and the case now should be with the court and jury.

Judge Cox said he would consult the convenience of the jury in the matter.

Foreman Hamlin turned to his fellow jurors and presently said they would listen to it. At once the window shades were raised. At 3:15 p. m., Judge Cox began.

The court began by pointing out the provisions of the constitution in such cases, and expressed the belief that not one of those sacred guarantees had been violated. If the accused was guilty of the crime charged no one deserved the benefits of these provisions less. If innocent, no one had more need of them. He referred to the repeated declarations of the prisoner as to the weight of public opinion being in his favor and he told the jury that he would not insult them by warning them not to be influenced by the lawless gabble of the prisoner in regard to the opinions of the public or press.

To do this it was not necessary to prove ill will. It was hardly necessary to say that there was nothing in the case to make it manslaughter. The prisoner was either guilty of murder or innocent. The question was narrowed down to one of insanity or as to whether the accused knew his deed to be a wrong one. A man was supposed to be innocent until proven guilty, but with regard to insanity it was different. The government was not compelled to show that the defendant was sane. It rested with the defense to show that their client was insane. The crime had three elements—the killing, the malice aforethought, and the responsibility of the mind. The prisoner was entitled to the benefit of any reasonable doubt, should grounds be found for the same on any point. There was little need of comment on the evidence in the case, except on one point. That the prisoner did the

shooting, that the shot produced death and that there was malice aforethought if the prisoner was responsible, it could scarcely be gainsaid. That the testimony filled all requirements to prove murder, except for the plea of insanity. (Is the accused of sound memory and discretion?) is technically expressed. The defense of insanity has been abandoned. It was necessarily regarded with suspicion.

The court proceeded to define the different forms of insanity. In this case there was no question of total insanity in which all exercise of reason was wanting. A man did not always become irresponsible by being insane. He might be insane on the subject of crime and insane in some other respect. The outgoing of judicial minds on the subject of the character of insanity has not always been satisfactory, nor in accordance with the knowledge of medical people. The greatest possible view of a person's life was relevant in its containing his sanity. Letters written spontaneously were good indications of the mental condition and the insanity of ancestors was to a certain extent the reliance of the defense. It was as to the condition of the prisoner for a number of years before the act was thought of, as to whether his ordinary state was such that he could not distinguish between right and wrong. If so, he was a lunatic. They should satisfy themselves as to whether, if another man had committed the crime, the accused would have appreciated its enormity. The jury were to satisfy themselves as to the insanity of the prisoner for a number of years before the act was thought of, as to whether his ordinary state was such that he could not distinguish between right and wrong. If so, he was a lunatic. They should satisfy themselves as to whether, if another man had committed the crime, the accused would have appreciated its enormity.

The jury were to satisfy themselves as to the insanity of the prisoner for a number of years before the act was thought of, as to whether his ordinary state was such that he could not distinguish between right and wrong. If so, he was a lunatic. They should satisfy themselves as to whether, if another man had committed the crime, the accused would have appreciated its enormity.

The court cited eminent British opinion that one of the commonest instances of insanity was that the accused had been acting under direct command of God. It was not always insane people who had delusions. Some people had them. All absurdities had their supporters, but became either through mental disease or perverted moral sentiment. It must be known in this case what was the condition of the prisoner's mind at the time of the act. It makes no difference what was his condition before or after the act. They had heard a great deal of evidence respecting the peculiarities of the prisoner during his life. The only value of such evidence was that it might tend to prove a liability to delusion. He referred to the prisoner's own utterances at the time of the shooting, showing he had made up his mind that the president had conspired with Secretary Blaine to run the party and must be removed. The testimony of Gen. Reynolds showed the prisoner had made similar utterances at the time of Gen. Reynolds' visit to him. The prisoner had read in the papers that a man must be removed which he reiterated the same utterances. On the following day he wrote another similar address. They were to consider if these utterances correctly represented the prisoner's feeling at the time of the shooting. If it was so, it did not answer any judicial decision of insane delusion he had read. His conclusion was that President Garfield had betrayed his party was the result of reasoning. A man might believe an act to be right and yet know of it would be contrary to law. A man might reason to himself the expediency of the patriotic character of assassination, but to endeavor to shield himself behind that belief as a defense would be simply monstrous.

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for them to decide. Indifference to what was right was not ignorance, and depravity was not insanity. They must be careful not to mistake moral perversion for mental disease. It was important to view the moral as well as the intellectual side of the same, in order to determine his insanity. Two parties had been drawn by the counsel, one representing a youth of more than average intelligence, surrounded by adverse circumstances, selfish, depraved; the other representing a youth born under malignant influences, with his mind filled with fanatical beliefs, impelled on the world, subject to his own impulses and the victim of surrounding influences. It was for them to decide which was correct. No juror should yield his honest conviction for the sake of unanimity nor for the sake of saving a mistrial. Jurors had nothing to do with the consequences of their verdict. The fact of the sanity or insanity of the prisoner before or after the 23d of July was not an issue except as it bore upon the question collateral. If they found the prisoner was under an insane delusion and that in consequence he was incapable of seeing his act was the wrong thing to do, then he was an object of compassion and not justice, and ought to be acquitted. On the other hand, if he was not under such delusion, whatever the motive, he was guilty of murder.

While the judge was delivering his charge to the jury it began to grow dark. There being no gas in the room lamps were brought in for the stenographers and for the judge to read by. While Judge Cox was speaking, Guiteau, as did everyone else in the room, listened most intently. Three times he interrupted, but the court paid no attention. He said, "I claimed inspiration only." Again, "That's the case, your honor," and thus when the court cited a supposition.

When the judge had finished all eyes turned to the jury. The court told them they could retire. They arose to go. Mr. Scoville asked that they be instructed as to the form of their verdict. Judge Cox said that if they found the accused not guilty by reason of insanity they could say so in their verdict.

The jury at 4:30 p. m. retired for a few moments. There was considerable talk for the prisoner's face to be scrutinized, but it appeared to be very uneasy. He was conscious that all eyes were on him and had evidently made up his mind not to seem worried, and he succeeded very well. Very few of the spectators retired, it being the general impression the jury would not be long out or that the court would not adjourn until morning. At a quarter to 5 the prisoner, sitting on the dock, said: "If the court please, is there any objection to my going to the marshal's office?" Judge Cox said he thought not and the prisoner was taken to his room upstairs. Although court was in session order was not strictly enforced while the jury was out, there was a buzz of voices as the attorneys discussed the probabilities of the case. "Oh," said a clock as he was taken for half an hour. Judge Cox and the counsel retired for luncheon.

The prisoner sat up stairs and betrayed more nervousness than ever before. Addressing the officers of his guard, he said: "Well, boys, what do you think of it? Don't you think they'll acquit me?" One of the officers replied that he thought that it was an even chance and asked in return what the prisoner thought of the charge. "Oh," said the prisoner, "they can't help but acquit after that charge." Guiteau refused to eat a lunch, and seemed heartily glad when the time of recess had expired. Mean time the few lights in the court room had been augmented by a couple of dozen sperm candles in old-fashioned sticks. Half a dozen of them were arranged along the judge's bench, others stood on the tables of the reporters and counsel, or shined a poor light in the prisoner's dock.

Promptly at half-past 5 the prisoner was returned back to his seat. The candle flame showed his face to be no paler than all day. His eye was more fixed than it had sometimes been, and his whole manner carried out his determination not to break down. Promptly the judge returned to the bench. Mr. Scoville took his old seat by the table, and was counsel for the government were also in their places. When the jury entered the twelve stolid faces that had defied interpretation still betrayed no sign, although their early return was taken as evidence of their decision. Foreman Hamlin and the clerk of the court arose as soon as the panel had answered to their names.

It was just 5:30 p. m. when the clerk asked the usual question: "Gentlemen of the jury, have you agreed on a verdict?" "Oh," said "We have," said Foreman Hamlin. "Guilty as indicted?" asked the clerk.

"Guilty as indicted."

Some one in the audience started applause and a cheer was heard in a corner, but it was quickly suppressed. "If the court please," said Scoville, but he was interrupted by the clerk, who proceeded:

"Gentlemen of the jury: Hear the verdict as rendered by the foreman, who says that you find the defendant, Charles J. Guiteau, guilty as indicted. So say you all!"

"So say we all," replied the jury in chorus. Guiteau sat immovable and uttered not a word.

Mr. Scoville desired to have the jury polled.

"John Hamlin," called the clerk. "Guilty," came the response, and on down through the panel, each answering without hesitation the fatal word that made many a shudder among those who did not shudder was the prisoner. He kept his position intact, and as the twelfth juror answered he called out in his ordinary voice: "God's blood will be on the head of that jury. That's my answer to that." He evidently intended to say "my blood," but the mistake was unheeded by him.

Mr. Scoville said he desired to file a motion for a new trial. The court said he could have four days in which to do so. Mr. Scoville then said he hoped that if there was any privilege he was entitled to in that time he should not be deprived of it. He did not know the customs of the court, Judge Cox told him a motion for arrest of judgment could also be filed within four days. The court then turned to thank the jury but Guiteau's voice was again heard: "God will avenge this outrage," he said, and that was all. There was no further scene. The prisoner prepared to go out. The court thanked the jury for their patience and attention and assured them they would take home with them the endorsement of their own consciences and of the public and discharged them. They received the congratulations of friends. The prisoner was conducted up stairs again and the court room was soon cleared. A little later the prisoner was led to the van amid the jeers and yells of a larger crowd than usual and he jumped within the door as if he was glad to get out of the way. The van was driven off at a rapid rate. Mounted police guarded it on all sides. The burly form of Deputy Carson guarded the door. Quite a crowd followed down the street anxious to catch a glance at the prisoner, who remained in a crouching position in the extreme end of the van. He kept his position until he reached the jail, where he was hurried into the outer prison. He seemed slightly agitated as Crocker handed him a chair and told him to warm himself. He sat with his head cast down and seemed to be deeply absorbed in thought. It was some time before he spoke and when he did it was in subdued tones. He thanked the police who had been detailed to guard in his daily journey, saying in the future he would not trouble them. Speaking of Cox's charge, he said he regarded it as able and with one exception just as he expected.

Chicago, January 25.—"I would be glad to see Mr. Scoville for a moment," suggested a reporter at the barricaded front door of 532 West Monroe, the residence of Geo. Scoville, this evening.

"Are you a reporter?" queried Miss Scoville, in a tone of nervous anger, while her spectacles bobbed up and down a motion as she spoke. "I am a reporter," he said, "that is, if you are, that's enough. I know you are a reporter and you can't get in this house. I hate reporters. I know 'em as far as I can see 'em."

"So Mrs. Scoville has given up all hopes, and understands that her brother must hang?"

"No, sir, she hasn't done any such thing. She said a supper the verdict would not amount to anything, and there would be a new trial."

"On what ground did she imagine a new trial will be granted?"

"Oh, there are plenty of grounds, and my father will find some way to get a new trial."

"And what will be the result of a new trial? Does your mother think Charles Guiteau will go free?"

"I don't know, but she says he was insane at the time of the murder, then?"

"Certainly. Everybody does."

"Just let me in for a moment to sympathize with her, for I am——"

"You clear out."

Special Dispatch to The Bee. LINCOLN, January 25.—The news of Guiteau's sentence were received by the Grand Army encampment with cheers.

COLUMBUS, O., January 25.—The announcement of the conviction of Guiteau was made before the immense audience at the Constock opera tonight and elicited prolonged applause.

Regents in Secret Session. Special Dispatch to The Bee. LINCOLN, January 25.—The board of Regents of the university have been in secret session all the afternoon and evening. There is a change looked for in the faculty.

Star Route Trial. National Associated Press. WASHINGTON, January 25.—The star route case opened this morning by Mr. Wilson insisting upon proving the 3,200 bids up by the prosecution. He was proceeding, when Col. Bliss charged that he was making a schedule under the pretext of examining the witness before whom they were proved. An hour was wasted in counsel on both sides debating the subject. They continued to wrangle until the last hour, which was consumed in the judge examining the bids. At the conclusion, the defense said they would insist the judge examine each of the 3,200 bids. He said he would then hold court from 12 tomorrow, and defendants' counsel must be present. "I will put my power of endurance against yours," said Judge Snell addressing Totten. Adjourned at 2:45 p. m.

Suit for Heavy Damages. National Associated Press. DETROIT, January 25.—Mrs. Sarah Rodgers, of Grand Rapids, brings suit against the Michigan Central railroad company for \$20,000 for injuries received by being dropped from a train eighty rods from the depot in the night, and who, in trying to get to the depot, fell into a culvert, seriously injuring her.

Judge Drummond to Retire. National Associated Press. CHICAGO, January 25.—It is reported that the venerable Thomas Drummond, United States judge for the district of Illinois, Indiana and Wisconsin, is about to retire from the bench, and that Hon. Milton Hay, of Springfield, one of the ablest lawyers in the state, will succeed him.

Indications. National Associated Press. WASHINGTON, January 26.—For the lower Missouri valley: Clearing and fair weather, northwest to southwest winds, rising barometer, with stationary or lower temperature.

THE STATE ALLIANCE.

Opening Proceedings of the Meeting at Hastings.

The Secretary's Report Shows the Remarkable Growth of the Order.

There Being a Membership in the State of Nearly Twelve Thousand.

The Popular Sentiment in Favor of Placing Full Political Tickets in the Field.

How Senator Booth Fell—Anti-Monopoly Documents, Etc.

Special Dispatch to The Bee.

HASTINGS, Neb., January 25.—The first day of the meeting of the State Farmers' Alliance was marked by great earnestness, zeal and intelligence. There was an attendance of nearly four hundred, but few being outsiders. President Ingersoll presided.

Secretary Burrows presented a report showing that during the year which has passed since the movement was first started in Nebraska there has been charters issued to 322 subordinate alliances, and that the total membership was nearly 12,000, there being alliance organizations in forty-one out of the sixty-four counties in the state. He made several suggestions as to future work, one being the drafting of bills for the use of the legislature next winter.

Addresses were made by Allen Root, E. S. Gilbert, Wm. Starling, H. C. Osterhaut, Edward Rosewater, of THE OMAHA BEE, and H. Vance.

L. C. Floyd being called upon to sing from the stage a song of his own composition descriptive of the imposition of railroad and other monopolies, it was received with great applause, being a most creditable composition.

The speakers who favored independent political action at the fall elections when we have an entire state ticket with supreme judge and congressmen and a senatorial election by the legislature were enthusiastically applauded, and it is evident the alliance directly favoring a political party at once and making their own nominations hereafter. They claim that in the few counties where this was done last fall their success was beyond all anticipations and that success can be made general all over the state this fall.

Mr. Rosewater opposed political efforts at present but urged thorough organization, as he believed there would be a general reformatory movement within a short time, when the alliance could count more on success than at present. He referred to an interview he had at Washington with Senator Booth, of California, who had been elected as an anti-monopoly candidate, in which interview he urged him to support the effort being made to reduce bridge tolls at Omaha and mileage rates, but Booth said it was a bad thing to fight corporations. Mr. Rosewater reported that he had been fighting them for ten years, and as for Booth he would never have been senator but for the war he had made on them in his own state. He noticed, however, that when Booth's term was out he was not returned by the people he had deserted.

A large package of anti-monopoly documents were received from New York for free distribution, including a large engraving representing the free press of America as a light house, various leading journals of the country composing the stones of which the column was constructed. At the base of the column Jay Gould and Cyrus W. Field were represented as removing the stones, thus undermining it, and Sage, Vanderbilt and Huntington were represented as wreckers on the seashore. The convention is made of men of more than ordinary ability, and their speeches would do credit to any organization. One speaker said Nebraska has more soldiers in it than any other state in the union, and that they proposed to fight the railroads' impositions to the death.

A night session was held, and the convention will probably not adjourn until to-morrow night.

Possible Inauguration of a Monster Strike. National Associated Press. PITTSBURG, January 25.—While the dissatisfied and grumbling colliery operatives in the anthracite coal mining regions appear to have accepted the proposition as presented by the mine owners, and in some instances returning to work, the discontented miners employed in the bituminous coal works still present an aggressive and determined front. Several thousand men are now striking, and as the labor agitators are zealously at work sowing the seeds of disunion and dis-

content among the dissatisfied colliers in nearly every part of the bituminous field, it is not at all improbable that the culmination of the trouble may be a general strike. The Knights of Labor, the Miners' Union and other powerful labor organizations are the chief instruments in the promotion of what threatens to be one of the greatest labor uprisings that Pennsylvania has yet witnessed. It is estimated that between 25,000 and 35,000 colliery laborers will take part in the struggle when once fairly organized and inaugurated.

Died of a Broken Heart. National Associated Press. NEW YORK, January 25.—In Mount Pleasant cemetery, Newark, will be buried to-day Miss Mary E. Conley, 7 No. 23 Fulton street, Newark, a sister of ex-Governor Conley, of Georgia, who died, so her relatives say, of a broken heart, caused by the cruel absorption of her fortune by the Mechanics' bank, under Oscar L. Baldwin's shameless mismanagement. All her funds were invested in the stocks of the bank. She, seeing that, and being peremptorily ordered by the government to pay as much more as she lost, was more than the poor creature was able to bear. Unable to sleep from brooding over her loss, her health gradually gave away with the result stated. Ex-Governor Conley will be in attendance at the funeral.

Marine Intelligence. National Associated Press. NEW YORK, January 25.—Sailed, the Parthia for Liverpool, the St. Germaine for Havre, the Greece for London, the Wasland for Antwerp.

PHILADELPHIA, January 25.—Sailed, the Illinois for Liverpool.

LONDON, January 25.—Sailed, on the 24th, the Egyptian Monarch for New York. Arrived, the Bolivia from New York.

SOUTHAMPTON, January 25.—Arrived, the Rhein from New York for Bremen. Sailed, the General Werder from Bremen for New York.

Extensive Embezzlement. National Associated Press. SAN FRANCISCO, January 25.—Further investigation of the embezzlement of John T. Best, clerk of the light-house inspector, reveals an unexpected amount of fraud. Instead of \$14,000 as originally reported, the funds already discovered aggregate nearly \$40,000. The investigation is not yet completed. Failing to procure the \$20,000 bail, Best is still in jail. Additional charges will be filed against him to increase the bail.

Large Amount of Property Involved. National Associated Press. CHICAGO, January 25.—It has been determined that real and personal property to the value of \$32,000,000 is involved by the recent decisions of the supreme court annulling the Cook county probate court; 2,525 estates have been administered upon, 484 guardianship cases decided, and 31 letters of conservatorship granted.

Cracked a Safe. National Associated Press. DAVENPORT, Iowa, January 25.—The safe in the general store of McLaughlin & Lewis, at Reynolds, Ill., was blown open last night and \$2,000 in money and \$150 in postage stamps stolen. The door of the safe was blown eight feet away and every glass in the building shattered. The burglars also stole a horse and buggy by which they effected their escape.

Verdict of the Spuyten Duyvil Jury. National Associated Press. NEW YORK, January 25.—The coroner's jury this afternoon in the Spuyten Duyvil disaster brought in a verdict of guilty of criminal neglect against Melius, Conductor Hantford and the engineers of both trains; also that John M. Taucy, superintendent, and others, were guilty of culpable neglect.

Jail Delivery in Texas. National Associated Press. DALLAS, Texas, January 25.—Five prisoners escaped from jail last night by digging a hole in the wall with Bowie knives, supposed to have been passed into the cell while the guards were asleep. The