

THE SUGAR KING FREE

The Case Against Havemeyer Dismissed by the Court.

THE DECISION A SURPRISE.

Effect on Other Defendants—Argument of District Attorney Davis Against the Contentions of the Counsel For the Defense.

Washington, May 28.—Interest in the trial of Henry O. Havemeyer, president of the Sugar trust, for refusing to answer questions put to him by a special committee of the senate, was greatly intensified today by the pending motion of the defense to instruct the jury to bring in a verdict of not guilty. As soon as the court convened today, District Attorney Davis began his reply to the motion of the defense to order an acquittal, which Mr. Havemeyer's counsel argued yesterday. Mr. Davis took up the six propositions upon which the defense based the motion.

With regard to the proposition that it was not Mr. Havemeyer's duty to consult books and records in order to give testimony which was beyond his recollection, Mr. Davis pointed out that when the question was first propounded Mr. Havemeyer expressed his willingness to procure the data demanded. Mr. Havemeyer had admitted that he had access to the records. The only thing he had asked was opportunity to consult counsel.

Whether the question was a committee or an individual question was one of fact for the jury to decide. In this view the court apparently coincided.

The contention that the question was too broad fell to the ground through Mr. Havemeyer's own instrumentality. Mr. Davis said, because Mr. Havemeyer himself had disintegrated the question, and had then made himself recusant.

As to the pertinency of the questions relating to local and state political contributions, Mr. Davis pointed out how a United States senator, hard pressed in his local elections, might have appealed to the American Sugar Refining company for funds, with the understanding that if he triumphed his vote and influence would be at the disposal of the Sugar trust. "That may be brutally blunt," said the district attorney, "but it is a possibility."

The Failure to Warn.

As to the contention of the defense that Mr. Havemeyer should have been warned that the question he declined to answer was a committee question, Mr. Davis pointed out that Mr. Havemeyer was duly warned that he was making himself recusant. After he had refused, the chairman of the committee had said to him very plainly, "Is that the answer you desire to make to this question?" Mr. Havemeyer had replied, "That is the answer."

The question put to Mr. Havemeyer, Mr. Davis insisted, was pertinent to the inquiry. It had been alleged by the newspaper articles, the truth of which the committee was investigating, that a director of the Sugar trust has stated that the trust cared nothing for the senate. He was quoted as having said, "We own the United States senate, body, boots and breeches, brain, morals and all." In the face of such allegations, was it not the duty of the committee, he asked, to find out whether the trust had contributed to local elections upon the result of which hung the fate of the United States senators? The decision of the court in the Kilbourn case, Mr. Davis argued, did not apply here, as that was palpably an attempt of the house of representatives to pry into the private affairs of a citizen under official guise.

The honor, dignity and integrity of the senate were at stake in the inquiry. Its purpose was to vindicate the purity of the senate if the charges were proved to be false and to adopt means of purging itself of corruption if such corruption were found to exist. It was the power of self preservation, the power to separate itself from contamination, which the senate exercised when the committee was appointed. He cited the decisions of the court of appeals and the supreme court of the United States in the Chapman case to prove the pertinency of the question asked Mr. Havemeyer.

"A Conscientious Octopus."

Mr. Davis described the trust as a conscientious "octopus," reaching from coast to coast, using the leverage of its power in politics, by the admission of its president, as a Republican in Republican states and as a Democrat in Democratic states. By innuendo it had been charged that the authors of the sugar schedule in 1884 had framed it for "hard cash," but, Mr. Davis said, no one supposed that a senator of the United States would accept a vulgar bribe. Still it was within the realm of possibility that indirectly senators were enabled to receive vast sums.

Mr. Davis having concluded his argument, a recess was taken until 1 p. m. to give the court opportunity to take the motion of defendant's counsel under advisement.

Havemeyer Gets Off.

After the recess the jury, in accordance with instructions of the court, returned a verdict of not guilty, and Havemeyer was discharged. Everybody in the courtroom was intensely surprised.

Mr. Davis said that the verdict in this case would not affect the case of John E. Searles, secretary of the Sugar Refining company, whose trial will be proceeded with tomorrow. Mr. Davis said that Mr. Searles had directly refused to answer questions and that his case was in no way parallel with that of Mr. Havemeyer.

When asked by a reporter after the trial whether the verdict was satisfactory to him, Mr. Havemeyer said, "Certainly it is satisfactory to me, and to every decent man in the community."

Big Blaze in Ashland, Wis.

Ashland, Wis., May 28.—A destructive fire visited this city early today. It is estimated that the loss will be \$150,000. The Northern Grain Mercantile company's flour mill is in ruins as a result; also residences and boathouses adjoining.

One Day's Government Receipts.

Washington, May 28.—National bank notes received for redemption, \$626,631; government receipts from internal revenue, \$448,899; customs, \$423,913; miscellaneous, \$127,943.

THEY SAY,

And Thousands Echo Their Sentiment.

Who?
The people.
What the people say is true.
You can bet your life on that.
Who are the people?
We are the people.
But we are not all of them.
O, no!
Not by any means.
There are others.
There are thousands of them.
There are millions!
Lots of them are in Norwalk.
And they say—
What?

That California Catarrh Cure cures catarrh; that it stops hawking and spitting and the dropping into the throat; that it cures the stuffed up feeling and all the other irritating symptoms.

Here's what one of them says, only one, but remember, there are others: Mrs. A. M. Bedford, 27 Stuart avenue, Norwalk, says: "Several members of my family have used the California Catarrh Cure, which was obtained at Plaisted's drug store, and we think that it is a fine medicine. I find it good to clear the head, and my daughter Grace, has found it is invaluable in curing headaches, from which she has suffered for a long time, never having found anything that benefitted her as this has done. My husband has also used it for catarrh in the head and throat, and we are all willing to speak a good word for C. C. C., for we know it is good."

In cases of hay fever, C. C. C. gives instant relief, and used in season will entirely prevent the malady. Sold by all dealers, 50c.; three times as much for \$1.

LEEDY'S RAILROAD SCHEME.

Western States and a Company to Build From Nebraska to the Gulf.

Manatee, Kan., May 28.—Two thousand people held an indignation meeting here to discuss railroad freight rates, and the meeting afforded Governor Leedy an opportunity to propose a unique plan. After referring to the recent supreme court decision further curtailing the authority of the interstate commerce commission, he declared that the time had come for the people of the west to act, and he stated that they must themselves furnish the needed relief from exorbitant freight rates. Thereupon he proceeded to outline a plan, which he said had been maturing for four months. He announced that he appeared before the meeting as the representative of a company of railroad men who desired to go into partnership with the public in the building of a railway from some point in central Nebraska through Kansas, Oklahoma, Indian Territory and Texas to the gulf. He said the company he spoke of was able and ready to complete the road, provided the public would take the majority interest in it and that the public need not put up one cent until the railroad should be completed.

The proposition was that the states and municipalities should hold the majority of stock. The men associated with him did not propose to take in any outside capital save that of the states and municipalities, which would be in the majority, and they proposed to run the road themselves, or to allow the majority interest to run it. The stocks and bonds of the company it was proposed to issue through the Texas railroad commissioner or commissioners of the other state owning it, as might be agreed.

Prominent Texans, the governor said, had expressed a willingness to take hold of the scheme, and he believes that Texas is willing to invest some of the \$22,000,000 of her surplus school funds in securing more equitable freight rates. It is claimed, too, that the 4,500 convicts in Texas could be put to work on the road beds, the state receiving pay for their labor in first mortgage bonds.

The governor's plan was enthusiastically received.

Telephone Union suggested.

Boston, May 28.—A circular has been sent out from Boston to all the independent telephone exchanges in the east and south of the United States asking managers to help to decide what means can be taken for mutual protection against the Bell Telephone company in case of suit, and also to suggest some means of consolidation whereby all the exchanges in the east may stand together.

The K. of P. Supreme Lodge.

Indianapolis, May 28.—The arrangements for taking care of the Knights of Pythias supreme lodge and the encampment of the Uniform Rank, which are to be held in this city in 1898, are progressing. Fifty thousand dollars will cover the necessary expenses, and an effort will be made to raise that amount. The prize drills will require \$10,000.

Military Order of Foreign Wars.

New York, May 28.—Among those upon whom companionship has lately been conferred by the New York commandery, Military Order of Foreign Wars of the United States, are ex-President Cleveland, Rear Admiral Henry Erben, U. S. N.; Major General C. Whitney Thlinghast and Dr. William Seward Webb.

The Dishonest Bank Messenger.

Boston, May 28.—Albert M. King, who fled from Boston last week with \$30,000 of the funds of the Boylston National bank in his possession, was arraigned before United States Commissioner Flske on a charge of embezzling \$30,940. He pleaded not guilty, and was held in \$2,500 bonds for the grand jury, which meets June 4.

The Coal Trust Hearing.

Albany, May 28.—The hearing in the application of the railroad presidents for a vacation of the order issued by the attorney general in the antitrust matter has been postponed until 10 a. m., Tuesday, June 8. An order was made adjourning the hearing until after the determination of the appeal.

Bishop Newman Not to Speak.

Saratoga, May 28.—Bishop John P. Newman has been compelled to decline the invitation of McKean Post, G. A. R., to deliver the Memorial day address at General Grant's cottage in Mount McGregg. The address will be delivered by State Senator Edgar T. Brackett.

THE EVENING GAZETTE

CHECKER-BOARD BUSINESS DIRECTORY.

<p>NORWALK Fire Insurance Co. In Successful Operation Since 1860. No Outstanding Claims.</p>	<p>GAZETTE ADS. BRING GOOD RESULTS</p>	<p>Safes For Rent— VALUABLES STORED IN Safe Deposit Vault OF THE NATIONAL BANK OF NORWALK.</p>	<p>Geo. W. Raymond, DEALER IN Staple and Fancy Groceries AND Provisions No. 9 Main St.</p>	<p>PIEL BROS'. Real German Lager, On draught and in Bottles. — AT — RATCHFORD'S, 44 Main Street.</p>	<p>Chas. T. Leonard Wholesale and Retail Dealer in COAL, WOOD, BLUE STONE AND MASON'S BUILD- ING MATERIALS MANUFACTURER OF CEMENT — PIPE. Office and Yard, 33 to 4 Water Street.</p>	<p>FRED A. WALTER MAKER OF AND DEALER IN HARNESS AND HORSE GOODS. Repairing of all kinds done at short notice Harness made to or der a specialty 31 MAIN ST. NORWALK, - - CONN.</p>	<p>W. H. BYINGTON INSURANCE. Room 3, Gazette Building.</p>
<p>G. Ward Selleck, BEST GOODS. TEAS and COFFEES 18 WALL ST.</p>			<p>Edgar Buttery, Nurseryman, NORWALK, CONN. Trees, Shrubs and Plants. Strawberry Plants a Specialty. Brandy Wine, Rio and Marshall, 30 other Varieties. Office, 6 Water St Nurs'ys, Broad River.</p>	<p>STORAGE! Furniture or other articles taken in storage by the week, month or year at low rates. For terms ap- ply to— S. B. WILSON Builder, 92 Wall St. Norwalk, Conn.</p>	<p>A. R. MALKIN Carpenter and Builder, SAWING AND PLANING 76 Franklin Ave., NORWALK, CONN.</p>	<p>Painting, Paper Hanging, Kalsom- ining and Hardwood Finishing. G. L. PLATT, 52 Wilton Avenue, Norwalk, Conn. Send for book con- taining samples.</p>	
<p>Frank T. Hyatt DENTIST, 8 West Avenue.</p>			<p>HUNT & ZELUFF, Fish, Clams, Oysters, Fruits and Vegetables. 69 Washington St. SOUTH NORWALK. LOBSTERS CAUGHT OFF NORWALK ISLANDS. Leave your orders and have them delivered every Saturday, a. m.</p>		<p>TRY WEED'S SODA WATER 38 Wall St.</p>	<p>PARLOR BARBER-I-SHOP, E. S. LEBOOLD. 47 Main Street.</p>	
<p>NASH & VANSOY —Dealers in— CROCKERY, CHINA AND GLASS WARE. PLUMBING, STEAM AND GAS FITTING. Cor. Main & West Sts NO. NORWALK, CT.</p>		<p>ENTERPRISE Bottling Works, 7 Wall Street. FINE ALES AND LAGER EXPRESSLY FOR FAM- ILY USE. Mail orders receive prompt attention.</p>		<p>EMBOSSING DONE AT THIS OFFICE.</p>			<p>Job Printing OF EVERY DESCRIPTION EXECUTED AT THE GAZETTE OFFICE</p>

Advertising that Pays

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