

## MOLINEUX IN LUCK.

The Court Orders That He  
Get a New Trial.

### EVIDENCE WRONGLY HEARD.

Three Judges Dissented, but Court  
Holds Barnett's Testimony Should  
Be Excluded—This Will Give  
Molineux a Chance for His Life—  
The Handwriting Question.

Albany, N. Y., Oct. 19.—Roland Molineux, who was convicted of the murder of Catherine J. Adams, in New York City, by sending poison through the mails, and sentenced to be executed, will have a new trial.

The court grants a new trial on a prevailing opinion written by Judge Werner, of Rochester, his principal ground being that the lower court erred in admitting evidence as to another alleged crime, the death of Barnett, and thus merged two issues.

Justices Parker, Haight and Gray did not believe that the Barnett evidence should be kept entirely out of the case.

Judges Werner, Bartlett, Vann & O'Brien concurred in the prevailing opinion and for the expunging of the Barnett testimony.

The court gave out a condensed statement of the reasons for granting the new trial. They say: Every member of the Court of Appeals agrees for the reversal of the judgment of conviction of Molineux on the ground that the trial court erred in receiving in evidence the declarations of Barnett made to Doctors Phillips and Douglass that he had received Kufow powder through the mail.

#### The Handwriting Question.

All agree that since the amendment of Section 2, of the chapter 36 of the laws of 1880, by chapter 55, of the laws of 1888, genuine writings may be received in evidence as standards of comparison with a disputed writing, although such writing may not be the issue on trial, but supply a fact relevant and material to that issue. That the genuineness of such writings must be established to the satisfaction of the court by common law evidence, and when that is done hand writing experts may compare the disputed writings with the genuine writings and give their opinion thereon, but they cannot select and establish the standards of comparison and then compare them with the disputed writings.

#### Important Rulings.

All writings proved to the satisfaction of the court by a preponderance of evidence in civil cases, and beyond a reasonable doubt in criminal cases—1. By witnesses who saw the paper written or to whom it had been acknowledged. 2. By witnesses familiar with the handwriting of the person charged to be the writer, and who are able to testify from their familiarity to a belief respecting its genuineness. 3. Where the writing is shown to have been recognized and acquired in by the person supposed to have written it, or adopted or acted upon by him in his business transactions or other concerns, may under the statute be compared with the disputed writing by witnesses. But the court should refuse to receive in evidence solely for the purpose of comparison any writing otherwise prejudicial to a defendant. Judge Werner writing the principal opinion.

#### Three Judges Differ.

The only subject about which the members of the court differ in their opinions relates to the testimony introduced tending to show that Molineux caused the death of Barnett by the same method as that used in taking the life of Mrs. Adams. Four of the members of the court, O'Brien, Bartlett, Vann and Werner, J. J., agree that evidence should not have been received, and the reason for it is stated by opinions written by O'Brien and Werner, J. J. The other three judges, Parker, C. J., and Gray and Haight, J. J., hold that that evidence is admissible, in that the evidence in the Barnett case pointing toward Molineux tends to identify him as the person who killed Mrs. Adams, while attempting to take the life of Cornish by means of that rare poison known as cyanide of mercury, the chief judge and Judge Gray writing opinions to that effect.

A. A. Ayer & Company's butter and cheese warehouse at Montreal was damaged by fire. The loss is placed at \$10,000.

A story is circulated to the effect that a rich strike of gold has been made on the new Canadian Northern line near Fort Frances.

A lad named George Downey, of Kingston, looked down the barrel of an air gun, the spring was released and the bullet entered his right eye.

## ADA GIFFORD'S "HUBBY."

Indian Claims the Actress as  
His Squaw,

### AND HE IS IN DEAD EARNEST

New York, Oct. 19.—Poor Ada Gifford never has been taught the Indian language, so how could the poor young woman know that she was being made the "good squaw" of a red man when some of his tribe were dancing merrily around them? She says she simply thought it was an imitation war dance given for her benefit.

But Miss Gifford, 'tis said, is certainly the wife of John All Sears, according to Indian law. Whether she will be a "good squaw" or not remains to be seen, for the man who considers himself her liege lord has gone to Philadelphia to claim her and to remind her of the vows she is averred to have taken without knowing it.

The supposed marriage was solemnized on Labor Day at Rye Beach, Miss Gifford and her sister Ella made several excursions there during the summer, and often deigned to notice the Indians who lounge about the beach. Their farewell trip was made on Labor Day, as Ada Gifford was to start on the road early in September with the "Humpty Dumpty" company.

As they were leaving the beach, they noticed three Indians following them. The red men appeared to be excited.

"I believe those Indians are trying to flirt with us," remarked the actress, not unappreciative of the fact that she had attracted an Indian.

"Wouldn't it be funny if they were?" said her sister. Ask them."

"I'll do it," said Miss Gifford. And she approached the one who seemed to be the eldest.

"Are you trying to flirt with us?" she asked, with some show of indignation.

Admitted Charge of Flirtation.

"Not me," answered the Indian. "Him." And he pointed toward one of his companions.

The accused simply bowed his head. Then he pointed to a brooch Miss Gifford was wearing.

"Gimme," he said.

"No, indeed," she replied. "I'll give you this." And she handed him a pin that must have cost as much as a quarter.

He took off his moccasins and gave them to her in return. Then he muttered something which, she says she understood as a question as to whether she would keep them.

"Yes," she said.

The Indians immediately danced around her and she thought it was great fun until her sister reminded her that it was time to go home.

The young buck with the pin followed her to the car, muttering strange things as he went. Before she left him Miss Gifford gave him her name and address.

#### Appears to Claim Bride.

The incident almost was forgotten until Saturday, when John All Sears, for that was the name of the Indian who had given away his moccasins, called at the Gifford home, 226 West Twenty-fifth street.

He saw Ella Gifford and straightway inquired for his squaw.

"She is in Philadelphia, if you mean my sister."

"My wife," asserted John All Sears.

"Your what?" screamed the young woman. But then the imitation war dance came back to her memory and she fell to laughing.

The Indian left her, she says, declaring that he was going to Philadelphia to claim his bride.

### SCHLEY'S OFFICERS TESTIFY

Mr. Raynor Will Contend  
Schley Commanded Fleet.

### QUESTIONS SUBMITTED COURT.

Washington, Oct. 19.—The Schley Court of Inquiry began proceedings today as usual with the correction of testimony given on the previous day, the witnesses summoned for this purpose being Captain Cook and Lt. Commander Sears, who testified yesterday. When they had left the stand Commander Newton E. Mason, who was executive officer on the Brooklyn during the war with Spain, was called to relate his observations of the conduct of the Santiago campaign. It is the purpose of Mr. Raynor to first examine officers of the Brooklyn, and to follow these with a number of those who were on the Oregon during the battle off Santiago. It is understood that his entire list of witnesses is practically confined to persons who were on board these two vessels.

In connection with to-day's proceedings Mr. Raynor presented a number of questions to the court which he said he desired to ask one of Admiral Schley's witnesses concerning certain signals which were sent from Admiral Sampson's flagship, the New York, on the morning of July 3rd, before that vessel left for Siboney for the purpose of allowing the commander in chief of the naval forces to consult with General Shafter. These signals, Mr. Raynor contends, had the effect of placing the entire fleet under the command of Commodore Schley, and on this account he urges their relevancy.

## THE SIGNS OF PALMISTRY.

Many Truths Told by a Study of the  
Lines in the Hands.

(Notes From Chicago.)

Lines should be clear and well

marked, neither broad nor pale in

color, and free from all breaks, is-

lands or irregularities. In reading

the hand, no single evil mark is ac-

cepted as final. If the evil is im-

portant, almost every principal line

will show its effect, and both hands

must be consulted before the decision

is final. It is the custom of palm-

ists of recognized worth to examine

both hands, but they depend more

upon the right than the left, which

proves the truth of the old saying

that the left is the hand we are

born with, but the right is the hand

we make. The line of life rising

under the Mount of Jupiter goes down

the hand and embraces the Mount of

Venus. On it is marked time, also

illness and death, and events fore-

shadowed by other lines are verified.

All lines that rise from the Line of

Life are marks of increased powers,

gains and successes. The student

can predict marriages by considering

the relations which the lines and

cross-lines influencing bear to the

line of life. The line of the head

relates principally to the mentality

of the subject. It is of extreme im-

portance in connection with this

line that the peculiarities of the va-

rious types be borne in mind. For ex-

ample, rising from Jupiter, and yet

touching the line of life, it is, if a

long line of head, the most powerful

of all. Such a subject will have tal-

ent, energy and daring determina-

tion of purpose, with boundless am-

bition, combined with reason. Such a

one will control others, yet not seem

to control them; will have caution

even in the most daring designs,

takes pride in the management of

people and things; is strong in rule

but just in the administration of

power. The science of reading the

character, aptitudes and mental

conditions of men by a glance at the

formation of their hands is an inter-

esting one. It points out for us what

we are best fitted for in life and is

therefore an aid to success. There

are few, if any, of us, who, looking

back upon the past, will not at some

times confess to months, years, and

often the greater part of life's span

having been lost through the fault

of parents or guardians or our own

ignorance combined.

BRIGAND RUN TO EARTH.

His Capture Cost the Italian

Government \$500,000.

HE WAS ARMED TO THE TEETH.

Rome, Oct. 19.—It is stated that

Mussolino, the noted bandit whom the

Government has been hunting for

many months, has been arrested near

Urbino.

The report of the capture of Musso-

lino was at first received with gen-

eral scepticism, but subsequently

news convinced the public of the

accuracy of the report, and his ar-

rest is now a general topic of dis-

cussion. The details of the circum-

stances of his arrest printed here

differ. According to one account he

made a long and desperate resist-

ance. Another report represents him

as running until he was overtaken,

when he quietly submitted to arrest.

Still another version states that he

escaped from Sicily, where he was

hiding, with the intention of going

to France and embarking for the

United States. He travelled on foot

without molestation until he got as

far as Urbino, where, owing to his

strange appearance, a carabinieri

accompanied him and asked him his

business, whereupon Mussolino bolted.

The carabinieri followed him, and others

joined in the chase and captured him.

It is vaguely said that he resisted

fiercely until he was overcome, but

there was no bloodshed, notwith-

standing that it is stated he carried

two revolvers and three daggers. His

captors were not aware of his identity

but merely pursued him because he

ran. He gave his name as Jaccono,

but his Calabrian accent suggested

to the authorities the possibility

that they had bagged big game, and

incidentally earned the Government's

reward of 100,000 lire (\$20,000), for

Mussolino's arrest. They communi-

cated with the Sicilian police, who

sent gendarmes who were acquaint-

ed with Mussolino's appearance, and

when these identified him in prison

the captive admitted his personal-

ity. The arrest was apparently

made a few days ago.

Mussolino was the most notorious

of the many brigands Italy has pro-

duced, and it has cost the Italian

Government upwards of \$500,000 to

capture him. Nearly two years ago

he was convicted of manslaughter,

and sentenced to a term of impris-

onment. He escaped, and swore

vengeance, and he kept his word. He

killed the judge who tried him, most

of the juryman, and nearly all the

witnesses who testified against him.

The scene of his principal exploits

was in Reggio di Calabria. After

the police showed that they were

powerless to either capture him or

check his crimes the Government

sent a strong military force under

command of a general to run him to

earth. They pursued him for

months, but Mussolino was every-

where aided by the peasants, and

managed to retain his freedom un-

til now. At one time it was re-

ported that he was in the United

States.

## MISS STONE'S CONDITION.

A Third Missionary Sent to  
Negotiate.

### WHAT IS BEING DONE

No Word From Messrs. Baird and  
Haskell—Captive Has Only Light  
Summer Clothing—The Ransom  
Hard to Obtain in Turkish Gold—  
Must Secure Ladies' Safety.

Constantinople, Oct. 19.—As no  
news has been received here from  
Messrs. Baird and Haskell, the mis-  
sionaries who have been attempting  
to get into touch with the two  
brigands who abducted Miss Ellen M.  
Stone, a third missionary has been  
despatched in quest of them and  
the brigands.

#### Latest From Samarov.

New York, Oct. 19.—Rev. R. Ward-  
low Thompson, director of the Col-  
legiate and Theological Institute at  
Sofia, cables the following from  
Samarov, Bulgaria, concerning Miss  
Stone, the kidnapped missionary:

"The headquarters of Miss Stone's  
captors is a thickly wooded moun-  
tain top near the boundary line of  
Turkey and Bulgaria. Miss Stone  
has only light summer clothing and  
a cotton dress. The brigands re-  
fused to allow her her baggage, but let  
her have a Bible. The leader of the  
band is the notorious Boucho from  
the Bulgarian town of Dubnitsa. We  
sent word to Constantinople, point-  
ing out that being private individ-  
uals, we can't prevent the Govern-  
ment from pressing the brigands,  
also that the ransom is too princely.  
No such sum was ever before de-  
manded. No rejoinder has yet been  
received. Usually brigands ask  
about a thousand pounds and then  
agree for half. Twenty-five thou-  
sand Turkish pounds means two  
horse loads of gold, and that is more  
gold than there is in Bulgaria. Be-  
sides, the brigands demand payment  
in Turkish gold, for which it would  
be necessary to send to Constanti-

nople. "I should not give the brigands  
the ransom until Miss Stone is safely  
delivered to us, as they might  
murder after that. We have an order  
to seal the lips forever. We have  
three theological institute stu-  
dents who were captured in the  
Stone party. One tells pathetically  
how he was robbed of money intend-  
ed to pay for his tuition.

## CROWNED BY OTHER SONS.

How the Late Ameer Pro-  
vided for Peace.

### SUMMONED A GREAT COUNCIL.

London, Oct. 19.—The Simla corre-  
spondent of the Times says that Ab-  
dur Rahman suffered a paralytic  
seizure in the third week of Sepem-  
ber, and that his illness was kept  
secret. On Sept. 28 he summoned  
his family, the exalted personages  
of the kingdom, and the chief priests.  
All his sons were present with the  
exception of Afzal Khan, a boy 13  
years old. The Ameer spoke to the  
gathering in a feeble voice, as fol-  
lows:

"When a King becomes old and in-  
firm and he hears his end he always  
desires to nominate his successor.  
I wish to have my successor chosen  
now. Consider among yourselves  
whom you believe to be fit to suc-  
ceed me and name him to me."

The listeners, who were so much  
affected that they shed tears, all de-  
clared for Habibulla, who, they said,  
had administered State affairs well  
for eight years. The dying Ameer  
then directed Habibulla to receive  
his (Abdur Rahman's) sword and belt,  
his precious stones, and a volume con-  
taining his will and instructions for  
the management of the State. He  
then ordered his younger sons to  
place the crown on Habibulla's head,  
and they did so.

Ameer Abdur Rahman died on Oct.  
1st. His death was kept secret for  
two days. In order to permit Hab-  
ibulla to arrange for his peaceful suc-  
cession to the throne.

Until the ceremony narrated in the  
foregoing the late Ameer forbore  
making any public declaration as to  
who should succeed him. In his au-  
tobiography, Abdur Rahman stated  
that some people supposed that the  
succession would go to Habibulla,  
while others thought that Moham-  
med Umar Jan, a younger son, but  
whose mother was a Barakzal, would  
be the heir. It is now evident that  
Abdur Rahman waited until he was  
near his end in order that the de-  
cision regarding the succession should  
be made amid the most solemn sur-  
roundings. The late Ameer, however,  
made no secret of his desire that  
Habibulla should rule.

The price of anthracite coal has  
been advanced to \$10.50 per ton by  
Winnipeg dealers.

## THREATENED A BANKER.

Must Aid in Robbery or Wife  
or Child Must Suffer.

### POLICE PROMPTLY NOTIFIED.

Milwaukee, Wis., Oct. 19.—C.R. Car-  
penter, President of the Commercial  
and Savings Bank, of Racine, has re-  
ceived a mysterious letter, in which  
injury was threatened to his son or  
wife in case he refused to participate  
in the robbery of his own institu-  
tion; that if willing to act with the  
robbers he should walk down the  
street of Racine at a specified time  
with a red carnation in his button-  
hole. Failing to appear, the kidnap-  
ing of his son Russell was threat-  
ened, or if failed in this, injury to his  
wife.

The matter was reported to the  
police, who have thus far been un-  
able to find a clue to the miscreants.  
Mr. Carpenter, who is a delegate to  
the American Bankers' Convention  
now in session here, has confirmed  
the story in every detail.

## LOVER IN A SORRY PLIGHT.

Follows Sweetheart to Europe  
Only to Lose Her.

### GIRL NOW ON HER WAY BACK.

Chicago, Oct. 19.—Across the Atlan-  
tic on a big ocean liner Miss Bessie  
Kaywood is being hurried from Ger-  
many to her home in this city.

In a Berlin hotel her 19-year-old  
lover, who has already crossed the  
ocean once to find her, is waiting  
for positive news as to whether she  
has gone, which will be the signal  
for him to start again in pursuit  
of his sweetheart. Back and forth  
across the ocean they bid fair to  
travel until either they stop caring  
for one another or the guardians  
of the young lady relent and give  
their consent to a marriage.

Miss Kaywood is only a girl her-  
self, not even so old as her lover.  
There is a fortune that will be hers  
some day, and that, her relatives  
say, is the attraction which makes  
her lover so persistent.

#### Lover is Persistent.

Walter B. Henry is the boy to  
whom she has given her heart and  
vows he will yet make her his  
wife. His parents live in this city,  
and he himself is a dentist, who in-  
tends to practice his profession  
some day in living Park.

Miss Kaywood has no parents liv-  
ing, and her nearest relatives are  
James A. Peterson, a lawyer, of this  
city, who is her uncle, and Mrs.  
Kate Peterson, her grandmother.  
Former Judge James B. Bradwell is  
her grandmother's brother, and  
takes an almost paternal interest in  
her welfare. She has lived with her  
uncle at 2345 North Forty-first ave-  
nue.

Love between Miss Kaywood and  
Young Henry began a long time ago,  
as times are reckoned