

### SHERIFF DUDLEY HAS HEARING

Sullivan County calls the Governor He Cannot Prevent the Lynching.

### ASKS FOR REINSTATEMENT

Witnesses Support Dudley's Story in an Attempt to Help Him Regain His Office.

John S. Dudley, sheriff of Sullivan county, today related to Governor Durbine the story of the arrest of James Dillard in Illinois, on the charge of criminal assault, his return to Indiana, and the work of the mob that took Dillard from Dudley and lynched him.

He and the other witnesses were sworn, and testimony was offered to support Dudley's petition for reinstatement. It was the first hearing by the Governor under the law of 1901, which vacates the office of sheriff when the sheriff permits a mob to lynch a prisoner, and provides that the Governor may reinstate if he sees fit.

Dudley began testifying at 10:30 o'clock, and was still on the stand when adjournment was taken at noon. In the cross-examination Attorney-General Taylor frequently asked Dudley the names of persons in the mob, and Dudley gave a few names.

### Why He Used a Carriage.

Dudley said that the prisoner was brought back to Indiana in a carriage, instead of by railroad, because he had heard that mobs were stopping trains at Vincennes and Oakton, to see if the negro was inside. When the Attorney-General's turn came he made the point that Dudley knew of the danger of a mob at Sullivan from his information that mobs were searching trains even in Knox county.

### Detectives at Work.

It developed to-day that the State has had detectives at work in Sullivan county. This appeared from the questions asked by the Attorney-General and Assistant Attorney-General. Information was also gathered in Illinois about the taking of Dillard without a requisition. Dudley testified that Dillard changed his mind two or three times, but finally came to Indiana willingly without a requisition. Dudley's attorneys offered depositions of citizens of the Illinois-Indiana border who were called to witness the fact that Dillard came to Indiana willingly.

### Sheriff Could Not Answer.

"When these two or three hundred men were there at the jail how many of them were interested in trying to get the prisoner away from you?" asked the Attorney-General.

"I couldn't give a good answer to that," answered Dudley.

"Isn't it a fact that there was not over ten men trying to get this man away from you?"

"There were five times ten."

"You couldn't see them all coming up to the jail?"

"No, sir, excepting this crowd that I saw standing by McCammon's Hotel."

"Did you know any of them?"

"No, sir; I don't believe they were citizens of Sullivan county."

"I understood that you know who were there and could call them by name?"

"No, sir, that is newspaper talk."

"There were two or three hundred men there trying to get the prisoner away from you and yet you can not tell the name of a single one."

"I have told you the name of the two who first appeared in the crowd, and I understand the other is a brother of Mrs. Lemon. I don't remember her name before marriage."

### His Failure to Give Names.

"Do you know the names of any of the men who participated in the hanging of this man?"

"I have heard several names mentioned of people being there when the hanging took place."

"Do you know who they were?"

"I have heard the names."

"Hear the names in a way that would lead you to be certain they were parties to the lynching?"

"I have heard different stories—conflicting rumors."

"Who have you heard were there?"

"A gentleman by the name of Mr. Frank Phillips; Mr. Lemon, I have heard, was there; also a Mr. Charney and a gentleman named E. S. Sparrow, who is a tailor at Sullivan."

"Who else?"

"There was quite a number went down from Sullivan, Mr. Richard Bailey, I understand, was there. I can't recall the names of all."

"These were the men who simply drove down to look at it?"

"Yes."

### They Were Not Lynchers.

"Did they have anything to do with the lynching?"

"Not to my knowledge."

"You stated a while ago that there were 200 or 300 people standing around the jail when the prisoner was being taken from you, and now you can't tell the name of a single one?"

"It didn't last very long. I saw some I know."

"Give the names of some that you saw."

"Eli Alembaugh, John Banks and Zimri Gray. In fact I saw quite a number that I can't call to mind at present."

"You were with this prisoner and he was handcuffed. You say you could not rush that man in the jail and protect him?"

"I don't think I could."

"Who were some of the men there who were trying to take him out of the carriage, besides the two men you have previously mentioned?"

"I don't think they were citizens of Sullivan county."

"What right had you to permit them to take him?"

"Right of might, I suppose it might be called."

"You say they were not citizens of the county of which you were sheriff, and yet

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### FIGHT ON BELL COMPANY; INDEPENDENT MEN ACT.

Proposition to Punish All Who Grant or Accept Favors Met with Wild Applause.

CHICAGO, December 10.—War to the death was declared against the Bell Telephone Company by the Interstate Independent Telephone Association, within an hour after its convention was called to order at the Auditorium Hotel. The resolution was not a new one, but it took a new form. It was proposed on the floor of the convention that any independent telephone company that granted concessions to or accepted favors from the Bell Telephone Company should be debarred from membership in the association. The proposition was greeted by the wildest applause.

But that the spirit of approval was not unanimous was shown by the attitude of several of the members. The discussion that resulted was bitter in the extreme, and for some time it looked as if serious dissension might grow out of the trouble. The matter was brought to a head by a motion made by C. W. Weber of Ashland, Ky., that he be allowed to grant the Bell company certain connections it wanted in his town, where his own company practically owns a monopoly of the telephone business. After a warm debate, C. E. Rex, of Manchester, Ind., moved that any independent telephone company that granted favors in the future with the Bell company should be debarred or expelled from membership in the association. The motion was cheered wildly, but the convention adjourned before a vote was taken. It was announced that the matter would be taken up to-day.

### TWO PAOLI BOYS WHO STICK CLOSE TOGETHER

ONE WOULD NOT JOIN NAVY BECAUSE HIS CHUM COULD NOT.

### THEY WALKED TO LOUISVILLE

Where Ray H. McCarthy Passed Examination and Roscoe Lindley Failed—Walked Back Home.

[Special to The Indianapolis News.]

PAOLI, Ind., December 10.—Roscoe Lindley and Roy H. McCarthy, two Paoli boys, who walked to Louisville to enlist in the navy, have returned home. McCarthy passed an examination that entitled him to enter the Newport training ship. Lindley failed in the examination and McCarthy decided to return home with him.

McCarthy is fifteen years old, and Lieutenant Ryan, who examined the two boys, said: "You are foolish not to go to sea."

"Maybe I am," McCarthy answered. "I like the sea, but it has no attractions for me without Roscoe. You see, Roscoe and I are chums. We have never been separated for a longer time than we could help. One day Roscoe picked up a book which told of Paul Jones and the ships he sank and the fights he had."

"Let's join the navy, Frank," he said. "When he read in a Louisville newspaper that we could join the navy here, we left home to enlist. I thought all we would have to do would be to sign some papers. When we heard that Roscoe had not passed it stumped us. I will not go if he cannot go."

Dr. J. B. Duncan, of Bedford, was in the room, heard the story and said that he would see that they reached home.

### HUNTING MISHAPS 36-37.

Bloomington Man Had Collar Bone Broken by Kick of a Gun.

[Special to The Indianapolis News.]

BLOOMINGTON, Ind., December 10.—While John R. Boone, seventy-five years old, was shooting at a squirrel, which was near the top of a high sugar tree, the gun "kicked" so hard that it broke the hunter's collar bone.

Elton Van Hook was driving to town in a cart, when he was struck in the eye by a shot from the gun of a hunter, who was 100 rods away. While the eye was badly injured, Van Hook's physician thinks the sight will be saved.

### BUILDING IS IN DANGER.

It Fills with Gas and Cigars Can Not be Lighted.

[Special to The Indianapolis News.]

MUNCIE, Ind., December 10.—The building of the Delaware and Madison County Telephone Company is in danger of blowing up by natural gas. The building is filled with gas day and night. The gas enters through the cracks and enters through the cracks and enters through the cracks.

### INDEX OF TO-DAY'S ISSUE.

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### JENNINGS WANTED ANOTHER JUDGE

His Attorney Filed a Protest Against Judge Baker Completing the Hearing.

### PROTEST WAS OVERRULED

Judge Baker Decides that He is Still Entitled to Sit on the Federal Bench.

W. V. Rooker, attorney for the complainant in the case of David A. Jennings against thirty prominent residents of Beslem, Ind., for \$200,000 damages, at the resumption of the trial to-day, protested in writing against Judge John H. Baker continuing on the bench.

He set out that the "Honorable John H. Baker, hereby appearing as judge of the trial of this case, is and since the 8th day of December, A. D. 1902, has been without judicial power."

He continued that Judge Baker had signed his resignation in writing to the President, to take effect at such time after May 20, 1902, as the President should designate his successor.

That the President had accepted the resignation, and that on December 5 Albert B. Arnold, Anderson, had been designated as judge of the district, and that his nomination had been transmitted to the Senate December 8 and confirmed.

Mr. Rooker then declared that the fact of the confirmation was communicated to the President, December 8, and that the President then appointed Anderson and signed the commission. His deduction from this is that Anderson "now is and since December 8, has been judge of the court of the district of Indiana and is fully qualified to perform the duties of judge at the trial of the Jennings case, and that Judge Baker has been wholly without judicial power since the 8th."

In conclusion, Mr. Rooker asked that further hearing be postponed until Mr. Anderson becomes judge.

### Petition Overruled.

The petition was promptly overruled by Judge Baker. C. C. Hadley, attorney for the defendants, received a telegram last night from Senator Fairbanks, saying the commission of Anderson would not be signed until after the trial.

Judge Baker's position has been that he has authority to continue on the bench until Anderson's commission had been signed.

Mr. Rooker said he had information from some of his friends in Washington, last night, that the commission had been signed by the President and sent to the Attorney-General, but that it was returned after the controversy came up here as to the authority of Judge Baker to continue as trial judge.

### Wanted a New Judge.

It is believed that Mr. Rooker and his client would have welcomed a new judge, as the rulings of Judge Baker throughout the trial have been unfavorable to them. A new judge would have meant a new trial.

The defendants were anxious to have Judge Baker continue.

Before the introduction of testimony was resumed, Judge Baker, at the request of Mr. Rooker, dismissed all the paragraphs of the complaint except the one asking damages for injuries sustained the night Jennings was waylaid.

A dispatch to The News this afternoon from Washington said that Senator Fairbanks called on the President to-day and laid before him communications from the attorneys in the Jennings case. The Department of Justice still maintains that Judge Baker is judge until Anderson takes oath, but in order that there may be no question of the commission has been held up pending the termination of the trial. In the regular routine the commission will not reach the President for a day or so.

Jennings took the witness stand Saturday morning and until noon.

A rigid cross-examination did not cause him to change the story he had given of the happenings of the night he was waylaid.

### Tried to Impach His Character.

The attorneys for the defendants tried to impeach his character and to show that he was not entitled to damages on the ground of having been arrested and waylaid. He was asked if he had not been expelled from the Masons because of his conduct, but the objection of his attorney to this was sustained.

"Is it true that you were so drunk when your first wife died that you had to be taken from the house and walked about?" he was asked.

His attorney objected to the question, but Jennings was too quick for him. He replied that the charge was an infamous one.

Mr. Hadley read the copy of the Searchlight for which Jennings was waylaid. Mr. Rooker objected, but Jennings said defiantly: "Let him read it. Jennings is evidently a man of a free mind."

The case will probably go to the jury to-morrow night.

On motion of counsel for the defendants Judge Baker this afternoon dismissed the complaint against eighteen of the thirty defendants, leaving the charges against only those defendants who were present at the time the pamphlets were taken away from Jennings, or were connected in some way with the taking of them.

### HE WAS TIED TO A COW.

Judge Leathers Dismissed a Suit for Damages Against the Big Four.

### FREEZING TO DEATH IN A GREAT CITY

Poor People of New York Suffer as Never Before as Result of Cold Wave.

### THE RICH ARE CHILLY, TOO

Coal Famine Partly Relieved by Salvation Army—Aldermen Ask for One Hundred Thousand for Fuel.

NEW YORK, December 10.—Commander Booth Tucker, of the Salvation Army, has issued this statement: "The situation of the poor people of this city as regards the fuel famine is a real calamity, the full import of which I believe is not appreciated."

"The Salvation Army has nearly 5,000 persons in line appealing to it for coal. These people are actually suffering. Up to the present cold snap we were able to supply about twenty-five tons of coal in peck and bushel lots to the suffering. Now we are not able to buy a ton, and the coal companies say they are giving us precedence."

"We are thinking of distributing oil-saturated bricks to the poor. I understand that these can be used in ordinary stoves. If substantial relief does not come soon I dread to think of the suffering that will follow."

The Board of Aldermen has voted unanimously to forward a resolution to the board of estimate and apportionment requesting that the controller be empowered to spend \$100,000 for coal for distribution among the poor.

### Little Children Suffer.

Winter's grip on the city is so strong that people are actually freezing. There are more desolate homes in New York to-day than ever before. The coal famine, about which there was so much talk when the days were wet and muggy, is now a grim reality.

Children of the tenements are crying to their parents for warmth that the parents can not buy. Coal has soared beyond the reach of many who in ordinary times never knew what it was to be without a fire.

### Hand of the Speculator.

Even the well-to-do and rich are suffering. Coal is so scarce that it is difficult to get. Speculators are practically controlling the situation. The smaller retailers are buying of them at \$3 a ton, because they can not buy of the operators at any price.

All over town the retail price by the ton is \$12, and one is likely to find it at that price. The poor who have 15 or 20 cents to spare are spending it for bags and pails of fuel and dragging it on their backs to their homes.

At every coal yard on the East Side and in the upper city, where coal is sold by the bag or pail, there are groups of poor people with pinched faces buying what they may. Many of the burden-bearers are little, poorly clad, shivering children, whose little bodies can not be warmed by the exertion of dragging a fifty-pound bag of coal through the streets.

Retail coal dealers admit the situation is serious. They say they can not fill orders because they can not get the coal.

### Five Cents a Bucket.

Five hundred tons of small pea coal were placed on the market by the American Ice Company at its Harlem branch. One hundred-and-thirty-sixth street and the Harlem river, at 5 cents a bucket. President John D. Schoonmaker, of the American Ice Company, decided on this action when his attention was called to the great suffering of the Harlem poor.

As soon as the news was circulated through the Harlem district that coal was to be had for the sum of 5 cents a pail, the yards were quickly filled with a large crowd of prospective purchasers, who stood shivering in line waiting their turn to get a portion of the precious fuel.

### Janitor Hanged Himself.

Distraught by demands of shivering tenants for coal Henry Bolivar, janitor of the building, hanged himself in a room directly over a coal office. The body, suspended by a clothes line fastened to a screw in the wall, was discovered by the wif.

### Some of the Victims.

One man was frozen to death on Staten Island. A woman and her two-year-old son died of exposure and starvation in their bed in Williamsburg. The dead are: JOHN STELLENWERF, blacksmith, thirty-two years old, died of exposure.

JOHN OWENS, two years old, son of Mrs. Owens. Mrs. Owens and her boy were found dead in a tenement house. They were in bed with all the clothes they could find wrapped around them. They had apparently died, the doctors said, while trying to keep warm. There was no fire in the apartment, little furniture and no food.

Stellenwerf was on his way home at sunset on Wednesday when he was taken ill near Fairview cemetery. He fell to the ground, and when found was frozen to death.

Many others were overcome by cold and exposure, but were saved by medical attention.

Charles Matthews, seventy-five years old, and once an actor, who is known as "King Lear" because of his venerable appearance, was found freezing on the steps of St. Christy's church, at Seventh and Third streets, yesterday. Policeman Brady took him to the tenderloin district, where he received medical attention.

An unidentified man, about thirty years old, was overcome by the cold in front of No. 26 East Eighth street and was removed to the Presbyterian Hospital.

### SLEEP GERM THE LATEST.

A British Commission Finds It in Uganda.

LONDON, December 10.—A commission sent out by the British Foreign Office and the London School of Tropical Medicine to investigate the disease "sleeping sickness" in Uganda, has already discovered the germ and cause of the disease.

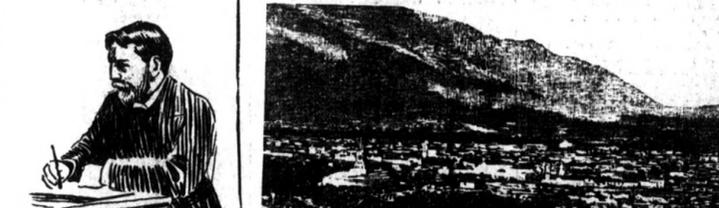
### MEN AND PLACES AT THE WORLD'S NEW SEAT OF INTERNATIONAL CONFLICT.



LA GUAYRA FROM THE CENTURY



PRESIDENT CASTRO



MINISTER HAGGARD OF ENGLAND



ADMIRAL DEWEY'S GREAT FLEET IS BUT A SHORT DISTANCE FROM LA GUAYRA.

### DIED OF SMALLPOX.

Cora Wood Mysteriously Contracted Disease in the City Hospital.

Cora Wood, nineteen years old, died to-day of smallpox in the pesthouse. The girl had been a patient in the City Hospital since October 3. About two weeks ago she developed symptoms of smallpox, and it was determined that she had contracted the disease in the hospital.

### SHREDDER MISHAPS 29-30.

John Lacy Had Right Hand Mangled by a Machine Near Spiceland.

[Special to The Indianapolis News.]

SPICELAND, Ind., December 10.—John Lacy, while operating a corn shredder northeast of here, had his right hand badly mangled by the machine.

### CHILD BURNED TO DEATH.

The Little Girl of William Hardie Caught Fire from a Grate.

While the family of William Hardie, rental manager of Spann & Co., 1530 East Washington street, were at breakfast to-day, they were alarmed by screams from an upper room, where a four-year-old daughter had been left in bed asleep. Mr. Hardie rushed to the room and found the child in flames.

She had risen from bed and her night dress had caught fire from a grate. The flames were extinguished and the child was found to be severely burned. It was thought her eyesight was destroyed, but Dr. J. O. Stillson, who was called, said his right sight might be preserved. The child's condition grew worse, however, and later in the day she died. Dr. J. E. Hoover was the attending physician. Mr. Hardie was severely burned about his hands and arms.

### SMALLPOX INCREASING.

Marine Hospital Bulletin Gives the Figures.

[Special to The Indianapolis News.]

WASHINGTON, December 10.—According to a bulletin of the marine hospital service issued to-day there were 529 cases of smallpox in Indiana between June 28 and December 5. Thirty-six deaths are reported for that period. During the same period last year there were 227 cases in the State and six deaths. Ninety-four cases are reported from Marion county.

### FROM HERE AND THERE.

FINDLAY, O.—Mrs. J. C. Neely, has two daughters. Age eleven and nine, and a son, age seven, were run down and killed by an east-bound Baltimore & Ohio passenger train one mile west of North Baltimore, O., yesterday.

HONOLULU.—At a mass meeting of Porto Ricans, held in Honolulu, Hawaii, a resolution was adopted providing for a committee to ask Congress to send the Porto Ricans who are in Hawaii back to their own country. Congress will be memorialized in their behalf. They are destitute.

ROME.—Signor Potasso, Italian Minister at Berlin, commuted at Milan yesterday. He threw himself out of a window of a hotel. The minister had been suffering from nervous prostration.



LA GUAYRA FROM THE CENTURY



PRESIDENT CASTRO



MINISTER HAGGARD OF ENGLAND



ADMIRAL DEWEY'S GREAT FLEET IS BUT A SHORT DISTANCE FROM LA GUAYRA.

### STORY OF BRIBERY TOLD AT SCRANTON

Large Sums of Money Offered Two Miners' Officials if They Would Break the Strike.

### GIST OF THE PROPOSITION

The Two Officials Were to Have Ten Men Pass Resolutions Sending the Erie Co. Strikers Back to Work.

SCRANTON, Pa., December 10.—An attempt to break the anthracite miners' strike by bribery was told of on the witness stand to-day by John Early, a check weighman employed at the Gypsy Grove colliery of the Erie company, who was the president of the Gypsy Grove local union.

He said he was introduced to a former mine foreman named Michael Grimes, in the Lackawanna Valley Hotel at Scranton. Early and another miner named O'Hara, also the president of a local union, each received an offer of \$2,500 to get ten men to pass a resolution sending the men from the two locals back to work.

### WEATHER INDICATIONS.

United States Weather Bureau.

Indianapolis, December 10, 1902.

December 10, 1901. December 10, 1902.

7 a. m. 12 m. 2 p. m. 7 a. m. 12 m. 2 p. m.

Barometer. —

Relative Humidity. —

Local forecast for Indianapolis and vicinity for the twenty-four hours ending to 2 p. m. December 11: Light rain or snow to-night and Thursday; colder Thursday.

Weather in Other Cities. —

The following table shows the state of the weather in other cities at 8 a. m.:

Station. Bar. Tem. Wind. Weath.

Bism