

Every One Who Rides a Wheel...
 Will be delighted with to-morrow's Journal. It will contain much that will interest bicyclists of both sexes. In addition, AN ENTIRE PAGE will be devoted to...
The Bicycle Girl of '96.

"A thing of beauty is a joy forever."
 A box of cigars, like many other enjoyments, will end in smoke, but the pleasure derived from reading the
Peerless Sunday Journal
 increases week after week. Begin to
Read the Journal To-morrow.

MILLIKEN'S FATE IN THE JURY'S HANDS.

A Majority on the First Ballot Said to Have Favored Acquittal.

It is Thought That Their Deliberations Will Result in a Disagreement.

The Whole Question Rests on How Far Defendant Succumbed to His Many Mixed Drinks.

JUDGE CITES A CASE IN POINT.

Miss Gertrude Phillips, the Complaining Witness, Did Not Appear in Court During the Close of This Famous Trial.

Washington, March 20.—This was the third day of the trial of Benjamin H. Milliken, charged with entering the room of Gertrude Phillips late one night. The evidence was all in yesterday afternoon and nothing remained but the closing address of the District-Attorney.

Judge Goode, one of Milliken's lawyers, in discussing the effect of whiskey punches, which have played so important a role in this case, and mint juleps, told the following story, as illustrative of what might have happened had Milliken drunk the favorite beverage of Virginia instead of devoting his entire attention on that memorable Fourth of July to, as Judge Goode put it, "a concoction of whiskey, rum, glucose, etc." A Virginian, said the Judge, was riding over the mountainous district of Tennessee and, as night was close at hand, he began to look for some cabin in which to spend the night. After going on for a few miles he discovered a little house on the side of a mountain peak. He rode up to the fence, halloed, and the head of the house came to the gate. The Virginian told him he wanted to remain over night and that his horse was badly in need of food. The old man, who had never been ten miles away from his mountain peak, readily consented, and the horse was led to the stable.

When the Virginian was returning to the house he found an immense mint bed. He told the old man that he had a bonanza in that bed of green, luscious mint. His host was surprised at the interest manifested in the "grass," as he called it, but after supper was served the Virginian went out and gathered some of the mint, and a jug of whiskey was procured from a corner of the room, and the guest mixed a most excellent julep. The mountaineer was perfectly carried away with it, and the next morning, when the stranger wanted to continue his journey, insisted that he remain at least a week and mix the juleps. He did this and then pushed forward on his journey. When, about a month later, he happened to be in the same section, he thought he would again visit his old friend of the mountain. He rode up to the gate, halloed two or three times, and finally an old negro woman came out.

"Look yar, boss; what for you rals' all dis 'airnence?"
 "Boss, he don been dald fur tree weeks."
 This surprised the stranger. He inquired the cause of his friend's demise and was told: "Hit war dis way; gey'man from ole Virginny cumed down yar'an' show'd him how to put grass in his whiskey, an' he jes' drunk it till he done died."

MIGHT HAVE BEEN THERE YET.
 "This is the way," musingly resumed Judge Goode, "the mint julep affect a man. He never wants to quit drinking them, and if my young client had only stuck to them, this trouble would never have occurred. He would have remained at the bar until it closed."

When court opened the District-Attorney immediately began his address. Judge Phillips and young McKenny were present as the only representatives of the family. Neither of the young women was in court. Judge Phillips paid strict attention to the District-Attorney's speech, but gave no evidence that it was in any way pleasing to him.

"The Government's house in this trial," said Mr. Birney, "is built on solid rock. There is no missing link in the chain of evidence the prosecution has brought forward. The defence has tried to establish its case on theory alone. There are but two theories in this case. One is that of absolute innocence of any wrong whatever; the other is of his absolute guilt, according to the indictment. This case has a parallel," continued Mr. Birney, dramatically, "in the trial in this very Court House a few years ago of a chief of one of the Government bureaus in this city for entering the room of a young lady, and he was convicted. A similar case was that of a young Baltimore society man, who climbed from his own window along a cornice high above the ground, until he entered the room of a young woman through the open window. He was convicted."

"It arouses my indignation to hear it said that this prosecution is impolitic, that it was unfortunately brought about. It is a duty owed the public. The evidences of the use of chloroform on that night are conclusive. The defence has not brought one iota of testimony to disprove the fact. They have even gone so far as to relate to you that Mr. McKenny's following out the clue and proving the presence of chloroform was actuated by a spirit of jealousy."
 "Oh, I said nothing of the kind," interposed Judge Goode.
 "Yes, you did. You inferred it, at least."
 "Well, well, that's preposterous, and I'll leave it to the jury," concluded Judge Goode, as Mr. Birney went on with his argument.

The District-Attorney referred bitterly to the suffering Miss Phillips had undergone by the publication of her life's history and the history of her intended's alleged crime in every newspaper in the land.
 The prosecuting attorney spoke for an



RECORDER McDONOUGH



MISS EMILY E. MARTIN, THE KING'S DAUGHTER.

She is the pretty young woman who was found in the street in Hoboken, helplessly intoxicated, and sentenced to thirty days in jail and subsequently released. She claims to live in Chicago, and says that she had been a travelling saleswoman for a dry goods house. On being discharged, recently, she went on a spree. Documents and a ring in her possession proclaim her to be a member of the religious body whose insignia is "In His Name."

hour and twenty minutes, at the end of which time Judge Cole began his charge to the jury. It was regarded as a fair and impartial deliberation, perhaps giving the defendant a bit the best of it in the matter of intent and the effect which intoxication might have upon a man's ability to form a definite purpose. But they would have to find from the evidence that man's mind was, for the time being, so stupefied or paralyzed by drink as to render him absolutely unable to form an intent. An unlawful intent is none the less unlawful because it is induced or created by the effects of liquor. The reputation, good name and honor of the young lady, Judge Cole said, were not at stake, for no question had been raised against her character in the slightest, and the jury should not consider the claim that a verdict either way would constitute a vindication for the young lady. The principal feature of the Court's instruction to the jury was that which bore upon the part which the defendant's plea of drunkenness might be allowed to play. The third clause of the instructions prayed for by the defence and granted by the Court, was as follows:

"The actual existence of the particular intent alleged in the indictment being a necessary element to constitute the offense charged, the jury, in determining the purpose or intent with which the defendant entered the said dwelling house, may take into consideration the fact of his intoxication at the time, if they shall believe from the testimony that such fact existed."

The jury retired at 11:40 o'clock. Immediately after the jurors left the box Mr. Birney, Judge Goode and Mr. Anthony retired from the room. Mr. Milliken remained. During the noon recess the brothers went out to luncheon, but were accompanied by a deputy marshal. The party was absent but a short time and lounged around the corridors of the building waiting for a verdict. Judge Phillips proceeded over to the Probate Court and assisted Mr. McKenny in the prosecution of a will case.

Tate this evening no agreement had been reached, and Judge Cole is said to have intimated that he would keep them locked for a week unless they reached an agreement soon. Rumor has it that the first ballot resulted in a vote of 9 to 3 in favor of an acquittal.

LEGISLATIVE BILL INCREASED.

Senate Committee on Appropriations Finally Considers the Measure.
 Washington, March 20.—The Senate Committee on Appropriations concluded its consideration of the Legislative bill to-day. The act for 1896 carries \$21,521,715; the estimates for 1897 amounted to \$22,230,051, and the House allowed \$21,550,765. The bill as it will be reported to the Senate will carry \$21,547,074.
 The Senate bill adopts the increase in the salaries of United States District-Attorneys and Marshals recommended by the Committee on the Judiciary, with the exception that the United States District-Attorneys for the Southern District of New York and the District of Columbia are exempted from the provisions substituting salaries for the fee system. The provision of the House bill fixing the term of office of United States Commissioners and regulating the fees such Commissioners may charge are stricken from the bill and a new section substituted, making it the duty of the Attorney-General to report to the Senate the names of United States Circuit and District Court Clerks and United States Commissioners and report a plan at the next session of Congress.

RUNAWAY GIRLS TIRED OF TRUANCY.

All Three of the Erring Harlem School Children Return to Their Homes.

Were Safe With a Brooklyn Friend While the Police of Six Cities Sought Them.

ROSABELLE THE FIRST TO COME.

She Isn't a Bit Penitent, However, and Refused to Tell Her Parents Where Aileen and Agnes Were Hidden.

The three pretty runaway school girls of Harlem remained away from their homes all night Thursday, and at 10:30 a. m. yesterday Rosabelle Burkheart, fifteen years old, the prettiest of the three, returned to her home at No. 550 Mott avenue. She will not, or cannot, tell where she has been, and has not told where she left her two companions, Aileen Wilson, fourteen years old, of No. 475 West One Hundred and Forty-fifth street, and Agnes Maher, fifteen years old, of No. 640 West One Hundred and Thirty-eighth street.

Rosabelle, though she is only fifteen years old, appears to be at least eighteen, and is unusually pretty. She has the dark eyes, shaded by dark drooping lashes, and her figure is perfect. Any one of the trio would attract attention in a crowd on account of her beauty.
 They were regarded as the "prize beauties" of the public school at Edgecombe avenue and One Hundred and Forty-first street, which they attended. Consequently their schoolmates and others gave them more or less flattery, and this was in a measure the cause of their running away. They decided to have their photographs taken.
 Miss McGee, their teacher, of whose severity Mrs. Maher says Agnes frequently complained, was in the habit of keeping her class in until 3 p. m. on Fridays, though others were dismissed at 2 p. m. A week ago Friday the three friends left school for the noon recess and did not return. They went to a photograph gallery and had their photographs taken. Mrs. Maher does not know where.

There was trouble at the school over this breach of discipline and the girls were set back one grade in their studies. The humiliation was too much for the girls, and they expressed to their schoolmates their intention of running away.
 Agnes Maher went home for luncheon Thursday noon, and after taking \$7 from a wooden box in which her brother Frank kept his savings, she kissed her mother and sister Lizzie good-by and rejoined her companions.
 They were seen by the school children hurrying to the One Hundred and Thirty-first street station of the elevated railroad.

G. E. Burkheart, father of Miss Rosabelle, called at Police Headquarters Thurs-

day night and had a general alarm sent out. Miss Meany, an aunt of Aileen Wilson, who is an orphan, and Mrs. Maher also applied to the police.

Rosabelle's home coming was very humiliating to that proud young lady. Her umbrella was broken, her feet were wet and her shoes hurt her. Her father and mother were out and her little sisters were the only ones to receive her.
 She was not a bit penitent, however, and said she thought she had a right to remain out if she felt so disposed. She had crossed a ferry, she said, and had remained over night with friends of the other girls. In the morning they had gone out, and in their absence she had decided to go home. The closest questioning failed to locate the other girls or elicit any further information.

Miss Schoonmaker, principal of the school, said: "The girls have caused us trouble before. They were inattentive to their studies and were often guilty of misconduct."
 Late in the afternoon Miss Meany, aunt of the Wilson girl, received a telegram from a relative in Brooklyn, saying that the two missing girls were safe with her. They had spent the night there and had had a good time, while the police of New York, Brooklyn, Jersey City, Newark, New Brunswick and Paterson were looking for them.
 Miss Meany refused last night to give any information about her Brooklyn relative or the return of her truant niece. Later in the night the girls were returned to their homes. Mrs. Maher will not send her daughter to the Edgecombe avenue school hereafter.

TRYING A WOMAN FOR MURDER.

Great Interest Felt in the Case of Mrs. Clara Valois.

Providence, R. I., March 20.—The trial of Mrs. Clara Valois for the murder of her father, John W. Heeseler, of Colgate, November 7, 1885, was begun in the Eighth District Court this morning. Mrs. Valois was not arraigned for the crime until a few weeks ago, when she voluntarily gave herself up. She was arraigned in court this morning by her aged mother, and was represented by Stephen W. Ashton, of Fall River, Frank P. Owen, Town Solicitor of Scituate, and Assistant Attorney-General Dubois, appeared for the State.

The opinion in the town relative to her guilt is rather in favor of Mrs. Valois. She pleaded not guilty to the indictment and the trial was begun. The town officials and neighbors described the condition and location of the body and the manner of the accused. The medical examiner stated that he at first thought it a case of suicide and had not changed his opinion.

WANTED GUNS FROM GERMANY

Requested of Franco-Prussian Veterans, for Saluting Purposes, Refused.
 St. Paul, Minn., March 20.—The Deutsche Kriegerverein, a society of German veterans most of whom had served in the War of the Rebellion in this country, and afterward rendered their services to the Fatherland during the Franco-Prussian war, made a formal application to the Emperor of Germany for arms six weeks ago, especially desiring to secure some of the same guns they had used in their service as soldiers, for use in firing farewell salutes over the graves of dead comrades.
 An answer has been received in the shape of a letter from the German Minister of War, Baron von Ploetz, explaining that owing to the lack of arms suitable for the purpose stated they could not at this time be sent.

KING'S DAUGHTER GETS THIRTY DAYS.

Helplessly Intoxicated in Hoboken and Carried to the Station House.

Young and Pretty, and Says She Is Emily E. Martin, a Drummer from Chicago.

SENT TO PRISON FOR A LONG TERM.

Released Later on the Application of a Merchant—Documents and a Ring Showing That She Claimed to Work "In His Name."

A handsome young woman, claiming to be an officer of the religious order known as the King's Daughters, was arraigned in the Hoboken Police Court yesterday morning and sentenced to pass thirty days in jail for drunkenness by Recorder McDonough.
 Emily E. Martin is the name she claims, and after much persuasion and many tears, she asserted that she was a member of St. Luke's Protestant Episcopal Church, of Chicago, treasurer of the Central Legion Council of the King's Daughters of Chicago, and the sole support of an aged mother and an insane father. Her home, she said, was at No. 1538 Amber street, Chicago. She also claimed to have left that city five months ago, commissioned by a dry goods house to sell goods in Pennsylvania, but that she lost her position last week.

Miss Martin is a pretty woman, but she did not look especially attractive yesterday, because her hair was dishevelled and the flesh about her right eye was discolored. She is of about the average height, with a good figure, and soft brown hair. Her attire bore traces of her recent debauch, but was fashionable. The gown was tailor-made, of dark blue material, and about her shoulders was thrown a cape of black cloth heavily braided. On a finger of her left hand she wore a silver ring inscribed in blue enamel letters "I. H. N." "Emily Martin, stand up," said the Clerk. The prisoner moved forward, but averaged so unsteadily that she was compelled to grasp the edges of a small table before her. They do things quickly before Recorder McDonough, and before the girl was fairly on her feet Detective Daniel Fenton was telling his story.

"I found her, Your Honor," he said, "at the corner of South and Hudson streets, at 10 o'clock Thursday morning. She was seated on the curb helplessly drunk. I tried to console her, but my efforts were futile, so finally I took her in my arms and carried her to the station house. She remained in a drunken stupor all day."

JAIL FOR THIRTY DAYS.
 "H'm," said the Recorder. "Well, young woman, what have you to say to this charge?"

The young woman opened her lips, but no sound came from them. She was painfully nervous and agitated.
 "You're in bad shape," said the Recorder. "I guess it will be a good thing to send you to jail for thirty days."
 As the prisoner was being led away, he added: "You look to me like a drinking woman, and a good chance to sober up wouldn't hurt you. Still, if you can get any one to vouch for your character and to promise to take care of you, I'll reopen the case and perhaps release you."

When the woman reached her cell she lay down on the little cot and sobbed. Half an hour later she restrained her tears long enough to send for Chief of Police Donovan and ask him for a glass of whiskey.
 The personal effects of Miss Martin consisted of a small black leather reticule, with a sterling silver clasp. Inside was a box of flesh powder and a piece of chinolin skin. There was also a key, to which was attached a star-shaped brass tag, with the figure "6" stamped thereon. Then, wrapped in a piece of newspaper, were three sheets of linen paper, only one of which bore writing. This particular sheet was as follows:

The King's Daughters, Central Legion, Emily Eames Hollenbeck, Pres.



Miss Violet Gratz Brown.

The last thoughts of her dying lover, Frederick M. Somers, were of her. When she died in Southampton, England, he dictated his will, leaving everything he had to Miss Brown. He also had a lock of his hair cut off and sent to her. The mother and sisters of the late Mr. Somers claim the estate and are trying to break the will.

THOUGHT ONLY OF THE WOMAN HE LOVED.

Dying in a Foreign Land, F. M. Somers Left His Property to Miss Gratz Brown.

In His Last Moments He Had a Lock of His Hair Cut Off and Sent to Her.

HIS WILL NOW BEING CONTESTED.

Mother and Sisters Put in a Claim to the Property—Pathetic Love Story Told in the Surrogate's Office.

Love ruled the last moments of Frederick Maxwell Somers, the well-known literary man, for on his deathbed he executed a will in which he ignored his mother and sisters and left everything he had to his sweetheart, Miss Violet Gratz Brown, who was many thousands of miles away. His relatives appeared in the Surrogate's Court late yesterday afternoon to contest the will, and Miss Brown went on the stand to prove her right to her lover's property.

Miss Brown is a daughter of the late B. Gratz Brown, who ran for the Vice-Presidency with Horace Greeley. She is pretty, with wavy, fair hair and big, blue eyes and a soft, childish tinkle. Though scarcely more than five feet in height, she has plenty of dignity. She appeared in the big court room dressed in deep mourning for her lost lover.
 Somers will be remembered in literary circles here as the one-time proprietor and editor of Current Literature. He was a popular member of the Lotus Club, and stood high in the cultured classes of metropolitan society. His nearest relatives now living are Hannah Thirkettle, his mother; two sisters and two half sisters. He did not leave to them so much as a trinket in remembrance.

Somers died February 2, 1894, in Southampton, England, in a hospital. Shortly before he died he made a will leaving all he had to Miss Brown. His estate was worth \$80,000.

W. J. Ritchie was named as executor in the will, but he renounced his right to act in that capacity, and sent his written renunciation to this city. Thereupon Bernard J. Finney, an attorney, was appointed temporary administrator of the estate by the Surrogate, and Miss Brown herself was obliged to come to the metropolis from her Western home and offer the will for probate. As soon as she had filed her petition, Mrs. Thirkettle and her daughters filed objections on the ground of undue influence, and they also contested the probate because of the peculiar circumstances attending the execution of the testament.

It transpired in the Surrogate's Court yesterday that the will had been executed in a private hospital in Southampton, and had been witnessed by Sister Sarah Banks Hamilton and Sister Anna Parker, two members of a charitable order of that city.

LEFT EVERYTHING TO MISS BROWN.
 One of the witnesses swore that Ritchie said Somers told him he wished Miss Brown to get everything he had in the world, because he had a very high admiration and deep affection for her, and because he was engaged to be married to her. Asked if he had no relatives to whom he wished to make bequests, Somers said he did not care to leave anything to his relatives.

Miss Brown took the stand as the proponent, just as if the contestants had required the Surrogate to order her appearance as a witness. Her examination was begun by the contestants' attorney.

Miss Brown said Somers was introduced to her in July or August, 1892, in San Francisco. She became engaged to him in November of that same year. She was in constant correspondence with him whenever he was away from her. He left her in California in November for New York City. He returned to California in February, 1893, and resided here at Los Angeles, where she was also visiting friends. There he remained until May. In January, 1894, he went to England on the voyage that cost him his life.

"Did you receive any letters from him after he sailed for Southampton in January, 1894?" asked the lawyer.
 "Yes," said Miss Brown bravely, though her lip quivered painfully. "I had a letter from him which he wrote on the steamship City of New York and a cablegram from Southampton, purporting to come from him, announcing his arrival."
 "Anything else?"

RECEIVED A LOCK OF HAIR.
 "I received an envelope—I have it now"—and tears filled her blue eyes as she went on with a sob, "on which is written 'A Lock of Hair.' In the envelope there was a lock of hair, which I recognized as that of Mr. Somers. I believe the sentence in the handwriting of Mr. Somers. The envelope was sealed and was inclosed in another which was addressed to me by Mr. Ritchie."

Here Miss Brown was obliged to stop, to regulate her self-control. It was evident to everybody that the circumstances attending the death of her lover were very painful to her, but the contestants' attorney continued remorselessly to question her minutely about the most distressing details. At length his attempts to hurry her into some trivial contradiction became so plain that Surrogate Arnold was obliged to interfere. He said, warningly: "Miss Brown is not accused of undue influence. You may examine her as to her relations with the testator, but you cannot expect to make her account for all his goings and comings. It seems to me that she has given you all the information in her possession."

With these words Surrogate Arnold adjourned Miss Brown's examination to March 27.
 Miss Brown is living at present with friends in this city, but as soon as the contest shall have been concluded she will return to her home at Kiriwood, Me.