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QUAY USED STATE MONEY

He Speculated With It, District Attorney Graham Says in His Answer.

WHAT THE BANK'S BOOKS SHOW.

Large Sums of Money Were Set Aside For Quay, and When It Was Not All Used by Him the Interest Was Computed and Paid Over to the State Treasurer—One of the Most Remarkable Legal Papers Ever Written. The House Is to Be Organized Against the Quay Ring.

(From Our Own Correspondent.)

Harrisburg, Dec. 27.—The troubles of Senator Quay continue to accumulate. Not the least of them is the answer of District Attorney George S. Graham, of Philadelphia, to the application of Quay's attorneys to have his case taken to the supreme court. The answer is one of the most startling revelations in this now famous case. The district attorney declares emphatically that the books of the bank show that Senator Quay was not only a stock speculator with the cashier of the People's bank, who subsequently shot himself, but that he speculated with the funds of the state, the monies of the people.

DISTRICT ATTORNEY GRAHAM'S ANSWER.

The answer is contained in a book of 16 pages. In the matter of the appeal of the Quays, father and son, and ex-State Treasurer Ben J. Haywood, to the supreme court to pass upon the demurrers made to the indictments, Mr. Graham says:

"For this court to review and pass upon the questions raised by the demurrers in this extraordinary and unprecedented manner would be irregular and greatly prejudicial to the safe and proper administration of justice. Such a course is utterly unknown to the law of Pennsylvania."

AN INSULT TO THE COURT.

The district attorney speaks of the petitioner's allegation that a fair trial would be impossible in the court of quarter sessions, as "a scandalous and untruthful statement, improvidently made and without a single fact to support it," and as "a gross imputation against the 12 judges of the courts of Philadelphia."

Denial is made of the charges that the prosecution was inspired by ex-Judge Gordon, and the district attorney declares that it was undertaken solely upon his official responsibility in connection with what was shown by the books of the bank, and this showing is set forth as follows:

"The books of the bank show that hundreds of thousands of dollars' worth of stocks were bought for the said M. S. Quay with this money. That whenever he failed to use his full allowance of public money thus set apart for him, interest was carefully calculated upon the balance not used by him in the purchase of stocks, and paid to the state treasurer."

"The prosecution," says the answer, "does not depend upon verbal testimony, but upon the written evidence created by the conspirators themselves in the pursuit of the object of their conspiracy. This evidence shows that the public funds of the commonwealth of Pennsylvania for years have been used by the conspirators for their private and unlawful gain. Interest has been allowed by the People's bank on the deposits of public money and paid to the accused, in some cases placed to the individual deposit of the accused in their bank account and checked out by them along with their own moneys in the same account."

"In other instances cashiers' stocks and drafts have been made payable to the accused for certain sums of interest on the public money, and these documents, bearing the indorsement of the accused, showing the receipt by them of the interest money paid, are in existence and in the possession of the commonwealth."

AS TO JUDGE GORDON.

Declaration is also made that it was at Judge Gordon's own request that the district attorney asked for another judge to sit in the case; that there has been no undue haste in pressing the matter for trial, and that there is no truth whatever in the allegation that political enemies of Senator Quay were in conspiracy to defeat his re-election by means of this case.

The district attorney avers that there is no defense in the plea that no money was lost by the state or by the People's bank through the defendants. Says the answer:

RESTITUTION NO DEFENSE.

"A thief cannot set up restitution of stolen goods as a defense to a charge of larceny. Neither can those who have trafficked for their own advantage in the moneys of the commonwealth raised by taxation from the people say in defense of their illegal acts that because they were able to return the moneys so used that therefore they are not liable for their violation of the law in impeding these funds in their own transactions and making large profits, gains and interests by the use of them."

The answer of the commonwealth concludes with the averment that:

"Appeals of this extraordinary nature are calculated to do irreparable injury and to make it impossible to successfully prosecute persons of wealth and power who are able to command all that ingenuity, skill and finesse can bring to their aid in escaping the legal consequences of their acts."

THE NEXT HOUSE.

By the time my next letter reaches its thousands of readers the house of representatives will have been organized for the session of 1899. It will be organized against Mr. Quay and his ring. Hon. John R. Parr, of Lackawanna, or George W. H. Koons, of Somerset, will be the next speaker. There is no doubt now but that the organization of the house has gotten beyond Mr. Quay's control. Hon. Ward R. Bliss, of Delaware county, was

stated by Quay for the speakership, but Quay will throw him down for Farr, because Senator-elect David Martin is for Farr. This has embittered Bliss and all his friends, and new complications are arising to face Quay. Mr. Bliss says he will be against Mr. Quay if he violates his word to him.

Hon. Frank McClain, of Lancaster, who was a prominent candidate for Quay speakership, in a recent interview said: "The man who votes for Quay for United States senator while these charges hang over him and his trial is held up must crucify himself. And men are not crucifying themselves for nothing." The cry "no trial, no caucus," is still ringing through the state. And it means disaster and defeat to the Quay machine.

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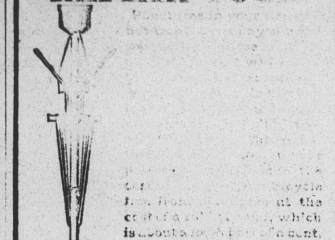
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I have used Ripans Tablets with so much satisfaction that I can cheerfully recommend them. I have been troubled for about three years with what I called bilious attacks coming on regularly once a week. Was told by different physicians that it was caused by bad teeth, of which I had several. I had the teeth extracted, but the attacks continued. I had seen advertisements of Ripans Tablets in all the papers but had no faith in them, but about six weeks since a friend induced me to try them. Have taken but two of the small 5-cent boxes of the Tablets and have had no recurrence of the attacks. Have never given a testimonial for anything before, but the great amount of good which I believe has been done me by Ripans Tablets induces me to add mine to the many testimonials you doubtless have in your possession now.

A. T. DEWITT.

I have been suffering from headaches ever since I was a little girl. I could never ride a car or go into a crowded place without getting a headache and sick at my stomach. I heard about Ripans Tablets from an aunt of mine who was taking them for catarrh of the stomach. She had found such relief from their use she advised me to take them too, and I have been doing so since last October, and will say they have completely cured my headaches. I am twenty-nine years old. You are welcome to use this testimonial.

Mrs. J. BROOKHUIS.

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