DESERET EVENING NEWS SATURDAY MARCH 9 1907

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Jerome Wants Her to Produce Any Letters Written by Stanford White She May Have.

MAY MACKENZIE TO TESTIFY.

Howard Neshit May be Called, and Abe Hummel Summoned Again-Delmas Will Fight Every Move.

New York, March 9 .- Another week end gap in the Thaw trial, brought on by sudden determination of the defense to end its case with the grief stricken mother on the stand in the minds of the jurors, was a welcome relief to jurors, lawyers and others who have had to wrestle with expert testimony for many days and Harry K. Thaw, the defendant, growled a bit over the decision to adjourn, as he is well pleased with the manner in which his case has heen presented and thinks all delay is robbing him of so many days of freedom which he feels sure will come as a result of the jur-ors' verdict. stricken mother on the stand in the

sure will come as a very spending the Dist. Atty. Jerome is spending the recess time in preparing his plan of rebuttal. It seems almost certain that he will recall Mrs. Evelyn Nesbit Thaw to the stand and thus make her a wil-ness for the prosecution too. He to the stand and thus make her a wit-ness for the prosecution too. He raused her to be served with a sub-poena yesterday. Mr. Jerome wishes to bring into court certain letters which Stanford White wrote to her and which he believes are still in her possession. When she was on the stand she was very doubtful about whether the letters were still in exis-tence. Mr. Jerome max confront her with the testimony of her brother, Howard Nesbit, and may ask fler to explain how she forgot to mention posing for certain photographs and a statue which are said to be not so con-ventional as those she spoke of in

Howard Nesoli, and may ask ner to explain how she forgot to mention posing for certain photographs and a statue which are said to be not so con-ventional as those she spoke of in her previous testimony. In just what order the witnesses for the prosecution will be called in rebut-tal has not been fully decided upon. The probable witnesses besides Evelyn Nesoli Thaw are Dr. Francis A. Mc-Guire, the Tombs physician, who has maintained an almost constant surveil-lance over the prisoner during his con-finement in the Tombs; Drs. Filut, MacDonald and Mabon, the allenists; F. W. Longfellow, who was Thaw's confidential counsel: May MacKénzie, and Mrs. C. J. Caine, a friend of Mrs. Thaw, and probably Lawyer Abe Hum-mel, Howard Nesbit and Charles Hart-nuit. The latter was for years con-fidential secretary to Stanford White's acquaintance with Evelyn Nesbit and other young ladies. Mr. Hartnuit can tell about the trust funds Mr. White established for the benefit of Mrs. Harry Thaw and her mother. Mr. Delmas went to New Jersey last night and will be the guest of Dr. Fritton D. Evans, one of the alienists, over Sunday. He is particularly fond of sleighing and will devote most of his time to that sport. The other counsel for the defense will also go to the country. Dist, Atty, Jerome will not leave the city, but it vas announced that neither Mr. Je-rome nor his assistant, Mr. Garvan, will have anything to say about the case during the adjournment. When the trial is resumed on Monday morn-ing it will be five weeks since the ac-tual taking of testimony began, and seven weeks since the case was first called in court. The expense both to the state and the defense has been very heavy, particularly to the def-fense. As an instance it may be men-tioned that Dr. Britton D. Evans, the principal alienist is reported as receiv-in \$200 a day. Dr. Charles G. War-ner \$150 a day and Drs. Graeme M. Hummond and Densmith Ely Jeiliffe M. 9 a day each. The defense in the Thaw case rested yesterday liminediately after the convening



Relieved by Pe-ru-na After Three Years Suffering With Chronic Catarrh.

Rev. P. E. Swanstrom, Swedish Baptist Pastor, box 228, Grantsburg, Wis., writes:

"I feel that it is my duty as well as pleasure to let you know that I am perfectly well, entirely cured of chronic diarrhoen and catarrh. I thank you for your directions how to use Peruna, and for your kindness

"I have used Peruna according to your personal directions and I am very glad that I found a medicine which would cure me after three years suffering."

**************** Jacob D. Ramsey, P. D., Bishop Union A. M. E. Connec-tion, writes from 1934 Annin St., Philadelphia, Pa., as follows:--"Having heard much of the great curative power of your Peruna, we concluded to try it. For colds and dyspepsia, we have found it to be an excellent remedy."

THE vocation of preaching is a very In reality, this affection is catarrha trying one, especially to the throat pharyngitis. Hoarseness is generally

and lungs. The preacher must stand due to catarrhal laryngitis. Chronic before large audiences, frequently in cough is generally due to catarrhal bronilly ventilated rooms, sometimes over chitis. All these conditions beset the heated, and other times filled with dan- preacher, and are his constant liability gerous drafts. The preacher is fre- the whole year round.

quently called upon to stand in such Notwithstanding the diffidence of the places and preside at a service an hour clergy to give public testimony to any or more in length. remedy, yet a large number of them,

This is the most trying test that can impelled by gratitude, have expressed possibly be put to the vocal organs. The their high appreciation of Peruna as a liability to catarrh is very great. This remedy for this class of ailments. is so universally true that the majority Cold Settled on Lungs.

of preachers have catarrh, in more or less pronounced form. St., Atlanta, Ga., writes: Many preachers have found Peruna of

use to them, to prevent as well as to re-lieve the catarrha ailments to which remedies recommended by the doctors, the preacher is constantly subjected but my condition grew worse until I Follicular pharyngitis has come to was alarmed. be a very common expression. It is "I finally resorted to Peruna. and

somotimes called preacher's sore throat. I find myself well again."

alone. I did not want any of the law-yers present while I talked to her, be-cause I knew they would probably down it. deny it. 'I am sure if my sister knew of the

"I am sure if my sister knew of the plans against her she would assert herself at once and not remain pas-sive, as she has been so far." It has also been a matter of com-ment that as two experts have declar-ed Thaw insane at the time of his marriage the ceremony might be de-clared void and annulled. Under this rule the will and codicil, in which Mrs. Thaw is left the main portion of her husband's estate, are also void.

him Thaw had treated her cruelly while abroad in 1993 because she "would not tell lies about Stanford White." Mr. Jerome hopes by the brother to corroborate the testimony he expects to elicit from Abraham Hummel. The latter is under indictment for alleged subornation of perjury in the Dodge Morse divorce tangle. With these witnesses and many oth-ers under subpona Mr. Jerome ad-herred to his prediction of last night that the case might be given to the jury by Friday. When asked today how many witnesses he would calt, Mr. Jerome replied smillingly: "The minimum is zero and the max-imum 25; it may be either." "The minimum is zero and the max-imum 25; it may be either." He would not modify what he said

JAPANESE LOAN.

yesterday that in the present state of evidence he would assuredly let the case go to the jury and not ask for a commission. The datamination on the London, March 8 - The prospectus of the London, March 8.— The prospectus of the Japanese 4 per cent conversion loan of \$115,600,000, the issue price being 59½ was issued this afternoon. There was a big demand for it. The loan is repayable at par in 1947 with the right to redeem it at any time after 1922. Holders of the 6 per cent bonds of the \$110,000,000 loan of 1964, will in exchange for the latter re-ceive 100 pounds, 20 shillings for each hond in fully protected scrip of the new loan and \$7.50 cash. The determination on the district attorney's part pleases Thaw's hawyers and the defendant hinself, who all along has feared the asylum for the criminal insane far more than a ver-dict as to his guilt or innocence under the statutes the statutes. Despite Mr. Jerome's hope for a ter-Despite Mr. Jerome's hope for a ter-mination of the long drawn out case within the next week, few of those who have kept track of the trial are willing to hazard a prediction that the end is less than two weeks away. Before leaving for his home in Pittsburg today, Dr. C. C. Wiley, the first allenist out on the stand by the defense, gave cut a letter from D. M. Delmas, Thaw's chief counsel. The letter after stating that the expert tes-timony given by Dr. Wiley had 'been rully confirmed by that of the alien-ists subsequently examined,' contain-ed the following somewhat significant sentence: MANAGER C. H. CLARK DEAD.

THE CLERGY SPEAK OUT CONCERNING PE-KU-NA. Ministers of Many Denominations Join in Recommending Pe-ru-na to the People.

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BLSHOP REV. DR .H. HOLSE JOSIAH GETZ

Bishop Holsey's Strong Tribute to Convinced of the Merits of Pe-ru-na Rev. Dr. Josiah Getz, 47 Park Ave., Albany, N. Y., for years a Rabbi of the Hebrew Synagogue, but now

"I have found Peruna to be a great retired, writes: "I am fully convinced of the merits remedy for catarrh. I have suffered of Peruna in cases of colds and cawith this terrible disease for more tarrh, and as a general tonic. than twenty years, until since I have

"I have taken it off and on now for several years and always find that it is very effective in restoring lost strength and appetite, and very effective in ridding the system of cold. I gladly endorse it."

cold. I gladly endorse it." Rev. J. G. Dukes, pastor of the Unita-me occasionally in the pulpit. "I had heard so much about Peruna rian Church, of Pinetown, N.C., writes: "I had heard so much about Peruna "My wife has been in a very bad state as a catarrh remedy that I determined of health for several years, and nothing seemed to do her any good until she began to use Peruna one month ago. Since then the color has returned to her Tor catarth of the respiration do her any good until she began to use Peruna one month ago.

face, and she is gaining in flesh every day, and I believe she is a well woman to day."



Many Would Be Saved From Death if Pe-ru-na Were Kept in the House.

Rev. H. Stabenvoll, of Elkhorn, Wis., is pastor of the St. John's Evangelical Lutheran Church of that place. Rev. Stubenvoll is the possessor of two Bibles presented to him by Emperor William of Germany. Upon the fly leaf of one of the Bibles the Emperor has written in his own handwriting a text.

This honored pastor, in a recent letter to The Peruna ; Drug M'f'g Co., of Columbus, Ohio, says:

"I had hemorrhages of the lungs for a long time, and all despaired of me. I took Peruna and was cured. It gave me strength and coursge, and made healthy, pure blood. It increased my weight, gave me a healthy color, and I feel well. It is the best-medicine in the world. If everyone kept Peruna in the heave if would save ment for the theory were to the house it would save many from death every year.' ----

Pe-ru-na for Coughs and Colds.

Rev. H. W. Tate, 920 Lincoln Ave. E. Cottrell, D. D., Presiding Bishop Walnut Hills, Cincinnati, Ohio, writes: "For several years I have been of Fifth Episcopal District, C. M. E. Church in America, writes from Holly troubled with a peculiar spasmodic Springs, Miss., as follows: affection of the throat. It would seize

"I have used Peruna in severe cases me suddenly, and for a few minutes I of neuralgia, colds and coughs, and find would be unable to speak audibly, and it to be one of the most valuable rememy breath would be greatly interfored dies on the market.

"I unhesitatingly recommend it to all sufferers from the above troubles."

Pe-ru-na Gontains No Narcotics, One reason why Peruna has found permanent use in so many homes is that it contains no narcotics of any kind. Peruna is perfectly harmless. It can be used any length of time without acmere palliative, but if used according to directions its beneficial effect is fre-quently of a permanent character. The principal ingredients of Peruna are well-known and highly praised by medical writers of all schools.

RETURNED MISSIONARIES.

RETURNED MISSIONARIES. Have you a friend or acquaintance in your former field of labor, to whom you would like to send a copy of the Semi-Weekly News? If so, take ad-vantage of our special offer, made to ald the great missionary work. We send the paper one year to any point in the United States. Canad or Mex-ico at half price, \$1.00. This does not apply to points where there are regu-lar wards or Stakes. Foreign postage extra.



VRIC THEATRE TONICHT! **A TRUE BORN** AMERICAN

Throat Affected by Gatarrh,

with, I would be obliged to gasp for

"I finally concluded that it was some

catarrhal affection which probably excited the spasm. It interfered with

breath.

Matinees Wednesday and Saturday. Night Prices-10, 20, 30 cents, Maticfinery close

Pure Fresh Drugs

"I have tried many remedies and spent a great deal of hard earned money for them, but I found nothing so effectual in the cure of catarrh as the great medicine, Peruna. H. M. Turner, D. D., L. L. D., 30 Young "I feel sure that Peruna is not only "I contracted a dreadful cold which a triumph of medical science, but it is a blessing to suffering humanity.

"Every individual who suffers with respiratory diseases will find Peruna to be a magnificent and sovereign remedy."

Pe-ru-na.

L. H. Helsey, Bishop, C. M. E.

been using Peruna, which has re-

Church, Atlanta, Ga., writes:

lieved me of the trouble.

that while he had been informally notf-filed Friday of the changed plans of the defense he had come to court expecting to be confronted by additional expert testimony. His witnesses were not ready, he added. It was upon this representation and with the con-sent of the defense that the adjournment was taken.

ment was taken. The court proceedings occupied less than five minutes, and Mr. Jerome re-turned at once to his office to prepare his rebuttal testimony. Almost his first move was to subpoena Mrs. Evelyn Nesbit Thaw to produce in court any letters she may have, written by Stan-card White ford White.

The district attorney also had May MacKenzie notified to be in court Mon-day, prepared to go upon the witness stand, Miss MacKenzie had been under subpoena by the state ever since the trial began. She is the intimate friend of Thaw's wife, and during the first stages of the trial the two were insep-arable. Lately, however, Miss Mac-Kenzie has been seen but seldom about the court. There is no intimation that the young women have quarreled. Miss MacKenzie probably found her position rather trying, sitting day after day in the winess room with the Thaw fam-ily. It is also said that Mr. Jerome has summoned Mrs. J. J. Caine of Boston, who already has testified for the de-fense. district attorney also had May fense

fense. Among the other known witnesses for the state are Dr. Bingaman of Pitts-burg and Dr. Deemer of Kittanning, Pa., the Thaw and Copely family physi-cians. The defense originally sum-moned these physicians, but Mr. Jerome has stated that the doctors can give important testimony which the defense has folded to doctors.

important testimony which the defense has failed to develop. The prosecutor has stated that he will call Dr. Allen McLane Hamilton, who at first was in the employ of Thaw's attorneys, but left the case when Thaw dismissed Black, Olcott, Gruber & Bo-nynge, who were retained in his behalf by his mother's legal advisers. Drs. Flint, Carlos MacDonald and William Mahon have been in the employ of the state ever since the Thaw trial began and have attended every session. They and have attended every session. They prepared to testify at a moment's

Just what Dist. Atty. Jerome in-

"They have but reiterated your opinion that, upon the facts of the case, the defendant at the time of the case, the defendant at the time of the homicide was of unsound mind." From this expression by Mr. Del-mas it would appear that he does not expect to use the plea of "justification" in his appeal to the jury, but rather hopes to convince them that Mrs. Evelyn Thaw's stories about White temporarily unbalanced the defend-ant's mind. There were many rumors today of a serious estrangement between the

sentence

HENRY HARRISON INDICTED.

Salt Lake Sport Charged With Sending

There were many rumors today of a serious estrangement between the defendant's family and his wife and of the reported desire of the former to bring about a separation of the young couple in the event of a verdict acquiting Thaw of murder. Young' Howard Nesbit, brother of Mrs. Harry Thaw, is quoted as saying: "The Countess of Yarmouth has said that she will not return to England until her brother and my sister have been separated. Lottery Matter by Express. New Orleans, March &.-The United States grand jury today returned a num-ber of indictments against citizens of Louisiana and other states on a charge of sending lottery matter by express. The New Orleans men indicted are Harry Da-ponte, J. A. Pierce, Albert Fourcade and Abe Frielander. Others included in the true bill are W. F. Thomyson of Mar-shall, Texas: Henry C. Harrison. Salt Lake City, and Charles Jacobs, Palestine, Texas. 'I did not know of this until my re-"I did not know of this until my re-turn from Pitisburg Sunday. As soon as I arrived here I went to the Hotel Lorraine to warn my sister, but Mr. Delmas would not let 'me see her

Texas. The above named persons are accused of using factitious names in the transmission and receipt of lottery matter issued by the Loteria de Bluefielda y San Juan del Norte and the Lottery Diligencia Publica of Pueblo, Mexico.



Says His Mission is to Cement New Ties of Friendship.

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FOURTH FOR ACTUAL DAMAGES

Complaint Alleges Conspired, in Violation of Anti-Trust Act, to Injure The Plaintiff, and Did.

ing for \$10,000,000 actual and \$30,-

000,000 punitive damages was com-

nenced today in the United States cir-

cuit court by the Pennsylvania Sugar

Refining company against the Ameri-

New York, March 8 .- A suit ask-

Butte, Mont., March &--Charles H. Clark, manager of the Butte Miner, died suddenly this morning. Mr. Clark was found dead in hed this morning, presumably of heart failure. He was 28 years of age and unmarried. Not-withstanding similarity of names, he was not a relative of Senator W. A. Clark, the owner of the Miner.

PENROSE COURT-MARTIAL.

PERROSE COURT-MARTIAL. San Antonio, Tex., March S.-The de-fense in the Penrose court-martial today put four witnesses upon the stand. Capts. Preston and Dichman of the Twenty-sixth infantry testified to experiments made recently by them in firing and cleaning new Springfield rifles. A Mexican boy, who had picked up cartridges, told Private Otis C. West, Company B. Twen-ty-sixth infantry: "I am going to sell these to kill niggers with." Quartermaster's clerk. O. J. Mattlick, testified to having heard shooting. He said some of the shots were sharp and some dull, the former sounding like Springfield rifle reports.

Philadelphia, whose bankrupter, in-volving millions, was one of the finan, cial sensations of last year, coupled as it was with the death of Bank President Frank R. Hipple of Philadelphia, The complaint, filed late tonight, alleges that the defendants, in viola-tion of the Sherman anti-trust act, conspired to prevent the plaintiff cor-

conspired to prevent the plaintiff cor-poration from engaging in the refining of sugar, and actually did succeed in preventing it from operating its plant. Because of this, it is claimed, the plaintiff suffered an actual monetary loss of \$10,000,000. The federal stat-utes permit the plaintiff to sue for treble damages. The complaint states that the plain-tiff was enpiralized at \$5,000,000 and had in December of 1902 erected in Philadelphia a sugar refinery, and was ready to begin operations. Dec. 20, Philadelphia a sugar rennery, and was ready to begin operations. Dec. 20, 1993, the complaint alleges, a meet-ing of the refinery's board of directors was held, at which the defendants, Kissel, Robinson, Trigg and Werner, who comprised a majority of the board, were present. A resolution was adopted, it is claimed, that no proceed.

ings looking toward the commence-ment of operations should be taken without further orders from the board of directors. Through the complete and absolute control of the board,

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A Positive CATARRH

CURE

Ely's Cream Balm

is quickly absorbed.

heals and protec the diseased mem It cures Ca

tarrh and drives away a Cold in the Head quickly. Re-

stores the Senses

Taste and Smell,

brane.

gists

Gives Relief at Once. It cleanses, soothe

DOWNY

HOCOLATES

CREAM BALLAN BALTAN BALLAN BALTAN BALLAN BALTAN BALLAN BALTAN

Full size 20 ets., at Drug-

FEVER

refinery closed. When Segal finally awakened to the irue condition of affairs, it is asserted, he went to Kissel with the amount of the loan and offered him a bonus of \$100,000 besides, but Kissel would not receive it. Consequently the new re-finery in Philadelphia, which was ca-pable of putting out 4,000 barrels of refined sugar a day, has never turned a wheel, it is declared. George H. Earle, receiver of the Philadelphia company, it is said, is the moving force behind the action.

JUDGE HEBBARD'S CASE.

San Francisco Bar Association Holds Meeting to Consider It.

an Sugar Refining company; H. O. San Francisco, March S .- An exciting Havemeyer, its president; John C. Parsons, the corporation's general session of the San Francisco Bar associa Parsons, the corporation's general counsel, and Gustav E. Kissell, Walter D. Robinson, George L. Trigg and Morris J. Werner. The action grows out of the failure of Adolph Segal in tion was held tonight. About 100 promition was held tonight. About 109 promi-nent attorneys gathered to consider the action of Superior Judge Heibbard in granting a writ of error to Abraham Ruer while the latter's trial was pend-ing in a court of co-ordinate jurksliction. Asst. Dist.-Aity. Heney made a sensa-tional speech, declaring that Judge Heb-bard was under the influence of liquor when he granted the writ, and had been constantly affected by intoxicants for the past three years. Heney webemently de clared that the actions of the attorneys for Ruef had been more reprehensible than the conduct of Judge Hebbard Heney said that Ruef's attorneys had deliberately taken advantage of Judge Hebbard Heney said that Ruef's attorneys had deliberately taken advantage of Judge Hebbard Heney said that Ruef's attorneys had deliberately taken advantage of Judge Hebbard Heney said that Ruef's attorneys had deliberately taken advantage of Judge Hebbard Heney said the conduct of Judge Hebbard Heney said that the progress of Budge Hebbard Heney as there speech along a similar He. Atty. Henry Ach, one of Ruef's stor-neys denied that Judge Hebbard was in-toxicated when he made the order for the issumnce of the writ. Ach then made a motto uhat the grievance committee of of Judge Dunne in insisting upon proceed-ing with the trial after a writ of error had been issued by another court. This motion, by vote, was laid on the table. The meeting decided that in view of the mearnees of the adjournment of the legi-harare impeachment proceedings against Judge Hebbard would be fuilte. It was voted to have the grievance committee theory is processing the adjournment of the legi-harare impeachment proceedings against Judge Hebbard would be fuilte. It was voted to have the grievance committee theory is processing the adjournment of the legi-harare impeachment proceedings against Judge Hebbard would be fuilte. It was voted to have the grievance committee theory is processing the adjournment of the legi-harare impeachment proceedings against Judge Hebbard would be fuilte nent attorneys gathered to consider the

OKLAHOMA CONVENTION.

Guthrie, Okla., March 8.—The feature of oday's session of the constitutional con-ention was the report of the committee in insurance, which refused to observe he instructions of the committee of the

the instructions of the committee of the whole. The program was for the committee to provide for the election of a state insur-ance commissioner. According to the re-port submitted today the office is made appointive. The report provides, all addi-tion, that insurance commanies shall pay a commission of 2 per sent on premious into the state treasury. A session was held tonight, when the report of the committee on liquor traffic was considered. The delegates are work-ing hard to resure an adjournment by Wednesday next.

PROF. H. D. TODD, U. S. N., DEAD,

Annapolis, Md., March S .- Prof. Hen-ry Davis Todd, Heutenant commander U. S. N., retired, the last member of the naval academy class of 1857, died today

Phone girls have many ills, for which they take some nasty pills; If a healthy aid happy girl you'd be, Eing up for Rocky Mountain Tea. Z. C. M. I. Drug Dept., 112-114 So. Main St.

Every groceryman who has the in-terests of his customers at heart has a full supply of MOUNT pickle pro-, ducts on hand. rists or by mail ; Trial Size 10 cis. by mail. Ely Brothers, 56 Warren Street, New York,

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