

the statement is false. The records

some of his objections would turn to him and insist "Tha's what you told him, Mr. Jerome Jerome." "Justice Dowling ruled that Mrs. Thaw first must tell all she remember-ed of the conversation without any questioning from counsel unless it ap-peared the witness had forgotten any details, when her attention might be called to them. The witness said her experience in the Twenty-fourth street house oe-curred after her mother had been sent by Stanford White to visit friends in Pittsburg. Mrs. Thaw said it was the day after she had gone with Stanford White to a studio in East Twenty-second strest to have some photographs taken in cos-tume that she received a note from him asking him to lunch with a party at the Twenty-fourth street house aft at the theater. She was playing at the Casino at the time. "When we got to the house there was no one there except Mr. White and herself," continued that witness, "and he said, "They have all turned me down; but never mind, we'll have our supper and then I'll show you all over the house. You have never seen it.""

block lock out of repair. (3) July 12 "B" end of car from Thistie Junction inoperative, casting keeper broken. (4) Same date, "B" end of car out of Thistle Junction out of repair, uncoupling pin missing. (5) Same date, "A" end of car out of of Thistle Junction out of repair, chain missing. (6) Same date "A" end of car from Thistle Junction out of repair, lever missing. (7) Same date, grab-iron on "B" end of car out of Thistle Junction missing. It will be noticed the government in-spectors were busy at Thistle Junc-tion on and around July 12, 1907. "HOW FAR?" IS ASKED. These actions lend local interest to a step being taken by the Wabash to see how far the government can really go in prescribing what safety appli-ances can be used, etc. An appeal for a ruling has been made to a supreme court. The point at issue is supreme court. The point at issue is whether Congress has a right to say what appliances shall be used on switch engines, etc., used entirely within the confines of one state. It is just this point which makes the suit of the Wa-bash interesting locally. The question has been raised in Sait Lake, "Has Congress a right to dictate to railroads Congress a right to dictate to railroads operating wholly within a state?"

The seven charges against the Rio Grande fall around July 11 and 12. They are, briefly as follows: (1) July 11, 1907, car of lumber restained to Fruita, Colo., from Helper, coupling on "A" end missing, arm of lock block broken. Car of floortling to San Francisco, (2) July 11, "A" end out of repair and inoperative, bottom of block lock out of repair. (3) July 12 cism by many laymen as well as many lawyers to the effect that United States courts have no right, nor even the power to decree the invalidity of state statutes. The argumet, or, rather, the talk, is that the people know what they need, and that their representatives in legislature assembled alone should determine what statutes we must have. And when so deter-mined and evidence by legislative en-

The only winter excursion from Salt Lake to southern California is scheduled for February 8th and it will be under the auspices of the local lodge of Elks. Re-cently Secretary Raybould made a trip to Los Angeles for the purpose of arranging the excursion, locating places of enter-tainment and getting things in shape for the stampede of the herd. He announced this morning that all arrangements had been completed and that a big special train would leave over the Sait Lake routs at 11 p. m. Saturday, Fobruary Sth. Those who contemplate the trip are re-quested to see Secretary Raybould for tickets and berths. There will be many side trips at reduced rates and the ex-cursion promises to be the most successauspices of the local lodge of Elks. Re-

When the Thaw trial was resumed then the Thaw trial was resumed morning, Evelyn Nesbit Thaw is called to the stand to re-ther story of a year ago, t. Atty, Jerome immediately re-red his motion that the public, uding the representatives of news-try he avoluted from the court peat her Dist. Att

papers be excluded from the court room. Mr. Littleton for the defense said he desired to leave the matter entirely in the hands of the court. Jerome declared he understood Mr. Littleton to join the motion when it was made last Friday and did not grasp the chance. "I said on Friday." Was made last Friday and did not grasp the chance. "I said on Friday." reforted Mr. Littleton, "that I would like to spare Mrs. Thaw from the gaze of the idly curious, but as to all points of legality and propriety, I re-litrate what I said then, that the mat-ter rests entirely with the court." Justice Dowling said he had con-sulted with the suthorities cited by the

ulted with the authorities cited by the district attorney and could find no warrant under the Constitution for excluding the public from a capital case. The harm done by publishing the details of revolting testimony, he added, was more than offset by the safeguards thrown around a defendant by granting him a "speedy and public

"The court will not exclude any one who conducts himself with propriety."

EVELYN TAKES STAND.

Mr. Littleton then asked Mrs. Thaw to take the stand and tell the story of her experience with Stanford White as she told to Thaw in Paris in 1903 when he asked her to become his wife. erome at once made a strenuous ob-

"Here is a recital of years before the homicide," declared the prosecutor, it is absurd on the face of it to say that this conversation three years be-ore accounted for the insanity of the defendant at the time of the killing." detand Justice Dowling interrupted to say he found nothing in the authorities fix-ing a time limit to conversations or ing a time limit to conversations or statements inducing or tending to inuce insanity

He overruled the objection.

He overruled the objection. Young Mrs. Thaw was suffering to-day from a bad cold and coughed fit-fully while testifying. In response to questions from Mr. Littleton, tho witness told again, but more briefly than last year, of her experience in the Warty, fourth stread house where she enty-fourth street house where she Was taken to lunch with Stanford White and drank champaigne and be-came dizzy. She told again of the velvet swing and the mirrored room and the big Japanese parasol attached

"Every time you were swung up to "Every time your feet would crash through the paper of the parasol." said the witness, "and a fresh one would be put with the witness, be put up."

HER VOICE DEFIANT.

Evidently induced by Mr. Jerome's constant objections and his manner of interposing bimself between her and her husband, Mrs. Thaw's voice had a tone of womanly defiance in it that was lacking at the first trial and that did not add to the effectiveness of her re-cital. vital When the

prosecutor occasionally When the prosecutor occasionally would take his sent. Thaw was gasing intently at his wife. When Mr. Je-rome was on his feet the defendant would crane his neck to get a view of the bine chad figure on the witness stand with the round velvet hat and its grown of violets. s crown of violets, Mrs. Thaw, as last year, constantly

what she had told Thaw in Paris, Distances, what she had told Thaw in Paris, Distances, and the second to him the witness was transwhat she had told Thaw in Paris. Dist ity, Joronne constantly objected when received to him the wilness was trans-pressing. The wilnes, when Mr. Jerome offered

THAW WEEPS.

Mrs. Thaw's voice broke at the last when she told of all that happened and she went on with some difficulty. Thay broke down completely and wept. The

broke down completely and wept. The witness speedily regained her compos-ure and resumed her narration. The story varied in no detail from the narrative of last year. "Mr. Thaw, when I told him, got very excited and walked up and down the room and moaned and sobbed; his eyes were wild," she said. "He bit his nails and said, 'My God; my God!'" "How long did that keep up?" ask-ed Mr. Littleton.

"How long did t ed Mr. Littleton.

"All night. "What did Mr. Thaw say when you had concluded?"

had concluded?" "He said it was not my fault and that he thought just as much of me as ever. He said he wanted me to marry him and I said it would make him the laughing stock of his friends, for some people knew of what had happened to me. He wanted to know a lot about my mother and how often she had seen Stanford White and what he had done for her. I told him my mother did not for her. I told him my mother did not know anything about it." Mr. Jerome would not allow any ques-

into to be asked until the witness had completely exhausted her memory. His constant objections did much to do-crease the effectiveness of the recital. "For several days after I hald told him about Stanford White," said the witness "Mr. Theav would git for house

him about Stanford White." said the witness. "Mr. Thaw would sit for hours looking into space. When I would speak to him it was always some time before he could answer.

"Did Mr. Thaw say anything about your early life?" Yes, sir

"What did you tell him?" Mr. Jerome objected. "I sustain the objection," ruled Justice Dowling, "as to anything that oc-carred prior to the meeting of the wit-ness with Stanford White."

EVELYN'S EARLY LIFE.

Mr. Littleton had sought to get the story of Evelyn's early life before the the jury on Friday, but objection of Jerome was sustained. Mr. Littleton argued today that the early life story of the witness had a great deal to do with impressing Thaw with the truth of her story and thus had a direct effect as

MAJOR HOOPER HERE.

Talks Very Conservatively Upon Rail. road Matters and Western Conditions.

Maj, S. K. Hooper, general passen-ger agent of the Rio Grande is here from Denver to attend the Transconfrom Denver to attend the Transcon-tinental Script meeting. In discuss-ing financial and other conditions in Colorado he says he sees no differ-ence but reports some of the business men of his state as believing they set indications of improvement. Regard-ing the rumored road to connect the Moffatt road and Rio Grande he says he has not had any official informa-

he has not had any official information on it and until he hears son .han tion on it and until he hears solve initial definite will offer no statement regard-ing the project. "The passenger busi-ness so far has not been affected by hard times. We have taken off two trains each way between Denver and Pueblo, but this has nothing to do with hard times or vice versa and means nothing. The trains are summer trains

hard times or vice versa and means nothing. The trains are summer trains and come off every winter. A tighten ing may be coming. Business is abou-even in this state and Colorado." With much to do at the script meet-ing, which began at 3 o'clock this aft-ernoon, and the affairs of his own line to look after, Maj. Hooper will be here until Wednesday in all likelihood

DENVER CONVENTON.

Democratic Sub-Committee Assembles To Consider Plans,

Denver, Jan. 20 .- The Democratic national committees sub-committee on

arrangements for the Domocratic na tional convention assembled here today and began consideration of taplans for the auditorium now under

pians for the auditorium now under construction in which the convention will be held next July. The members present are: Thomas Taggart of Indiana, chair-man; Col. John I. Martin of St. Louis, seageant-at-armis; Norman E. Mack of New York, Roger C. Sullivan of Iti, nois, John T. McGraw of West Vir-ginia, Clark Howell of Georgia, R. M. Johnson of Texas, James C. Dahlman of Nebraska, Urey Woodson of Ken tucky and John E. Osboras of Wyom ing.

COURT'S DECISION. The decision in part follows: This court is mindful of the criti-cism by many laymen as well as many

representatives in legislature assembled

actment, that the courts shoul not in-

some lawers of recent days is that th

THE WISCONSIN CASE.

Judge McPherson cited a decision of

to a federal court. In this case, how-ever, he says, the company had no property in the state and had made no

to do business is not the question. Each company invested millions of dol-lars and it is now in the state and can-not be removed. To prevent it from do-

ing business means appropriating its

ing business means appropriating its property, or destroying it, without mak-ing any compensation therefore. "It was invited to come into the state and was told by the laws then in force, that it should have the same and like

"In the case at bar," he says, "licensa

estments therein.

tion.

A UNIQUE CONFESSION.

Bank Robbers Tell How They Followed Sleep. Walking Bank President.

Chicago, Jan. 20 .- A dispatch to the Tribune from Jackson, Miss., says:

A unique confession was made yesterday to A. F. Thomason, president of the National Bank of Hattlesburg by James Harper and W. T. Smith, bank robbers, brought back from Seattle, Wash., where they were caught after

a long chase. Harper says the bank president walked in his sleep. He and Smith watched the bank for several nights, according to their confession, and fre-quently witnessed Thomason enter with the aid of his door key. They payer terfere by decree, and therefore thwart the legislative will. In other words, that it is well to limit the powers of executives and courts, but a written constitution restraining legis-lative bodies is all wrong, and that Great Britain has the model governthe aid of his door key. They never dreamed that he was not in full posses-sion of his senses until they saw him under an electric light with his eyes closed. Then the robbers say they con-ceived a plan to enter the bank with Thomason and to say him if he came ment. Officers of the state, contin-ued Judge McPherson in his decision, too often decry the power of the na-States rights is their shibbo-"The most attractive argument to Thomason and to gag him if he came out of his trance. They declare that some lawers of recent days is that the state courts alone in the first instance should pass on the question as to the validity of state statutes with the right of the defended party to carry the case for final decree to the supreme court of the United States. Such argu-meants are pleusible, are convincing Thomason gave them the combination to the safe, which they looted, and that they left leaving Thomason asleep in the bank.



meants are plausible, are convincing to many good people but are so dan-gerous as to amount to a heresy. It is the extreme of state rights in a new Justice Greenbaum Says Most so Bad

As to Drive Men to Drink.

New York, Jan. 20 .- That most women cook so badly that they drive their husbands to drink was the statement the Wisconsin state supreme court which upheld a state statute unde-which an insurance company's charter had been revoked for removing a case made yesterday by Supreme Court Jusmade yesterday by Supreme Court Jus-tice Greenbaum, in an address at the Hebrew technical school for girls. Aft-er describing the excellent work being done by the school, the justice said: "In this country, the cooking is fir from what it ought to be, particularly in the country districts, where nature has endowed the soll with all that should make for ideal conditions as to food. Yet, the average woman there knows nothing about cooking. The food. Yet, the average woman there knows nothing about cooking. The cooking is vile. Children are nourisn-ed improperly. The wage-earner, the bread-winner, does not receive proper food to sustain him. I have no doubt that many men go to saleons at night just because they are improperly nourjust because they are improperly nour ished at home."

GERMAN RADICALS GAZETTED FOR DECORATION

Berlin, Jan. 20 .- Among the names of Berlin, Jan. 20.—Among the names of those gazetted for decoration on the an-niversary of the first corenation of a king of Prussia as German emperor, are several of the leading radicals members of parliament. The distinction og rad-ical politicians in this way is almost without precedent and it is regarded as an indication that the government is planning to hold the radicals to the coal-ition formed by Chancellor von Euclow in 1865.

In 1965. The men to be henored include Herr Knemf, second vice-president of the relobstag, Herr Muenstreberg, brother of Prof. Hugo Mune Muenstreberg of Har-vard university. Herr Gysallner, a young member from Koenignsburg, who de-feated the Socialists in a hard contest, and Prof. Weimer, who has come to the front recently as an energetic speaker in defense of the reichetag coalition. There is considerable dissatisfaction in the radical constituencies over Chapcel-for yon Buelow's declaration concerting the Prof. Weimer, who has come to the four presently as an energetic speaker in defense of the reichetag coalition. There is considerable dissatisfaction the radical constituencies over Chapcel-for yon Buelow's declaration concerting the Prussian election system. Meetings

Meetings for von Buelow's declaration concerning the Prussian election system. Meetings have beet held in the provincial cities at which resolutions were paised against the radicals supporting the chancellor in the imperial parilament so long as he refused to support the idea of election reforms in Prusela.

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CURRIE DENIES IT.

ost suce

J. R. Currie, president of the District Council of Electrical Workers, with headquarters in Salt Lake, takes decided exceptions to an article printed in a morning paper today, to the af-fect that the electrical workers object to an ordinance providing for inspec-tion of outside wiring and for meter installation.

cursion promises to be the most ful one yet given by the Elks,

"I want to say," he declared "that the electrical workers framed this ordinance it is now claimed we object to, and have worked for four years to to, and have worked for four years to secure its passage. It gives more pro-tection to electric workers and lessens the opportunities to meet death while at work among the wires. Having worked for the ordinance and being heartily in sympathy with it it certain-ly is strange to have it now charged that we are opposed to it and working to defeat it.

Ordinances providing for city in-spection of electric light wires are comnon in western cities, and are some-"grafts," From Seattle a case is ro-ported where an independent electrical ported where an independent electrical wiring firm installed the fixtures in a house, and could not get it "approved." As a last resource they sold the job to a union firm, and it was inmediately approved, without a single alteration. Mr. Currie maintains, however, that the points about this ordinance ap-omiting to electrical workers are that aling to electrical workers are that pealing to electrical workers are that it makes for greater safety to life, and not for any possibilities for financial gain to inspectors, or to unions with which they may privately be affiliated.

ENTERPRISE ON COAST.

E. E. Wicks returned last evening from an extended trip through Cali-

fornia. He expresses the great surprise he experienced when standing on steps of the St. Francis hotel in San Francisco and counting some 20 new great steel structures in process of erec-tion down in town-a number of these being designed for 12 to 20 stories. Mr, Wicks says it is nothing short of the being designed for 13 to 20 stories. Mr, Wicks says It is nothing short of the marvelous, the energy and enterprise shown by the San Franciscans in the rehabilitating of their formerly ruined eity. Chinatown has been relocated and rebuilt in a most substantial way, and the business part of the eity has been largely restored. The Fairmount hotel has been made over into a most pa-latial structure, the St. Francis opened with four pages of artivals the very latial structure, the St. Francis opened with four pages of arrivals the very first day, and the Palace hotel is rising up in the air at a rapid rate with its new steel columns. Mr. Wicks found Los Angeles a lively town also, but showing nothing like the activity dis-played in San Francisco. He also noted the livelest kind of a movement in San Franciscan real estate, with addi-tions being platted for quite a long dis-tance out beyond Goiden Gate park.

tance out beyond Golden Gate park.

f the court will show that arrests were made under the Sheets regime for gambling, and convictions were had. Why the arrests and prosecutions if there was no gambling then?

LEST WE FORGET.

The organ carefully refrained from any mention of the "game" in which the McWhirters lost \$10,000. Perhaps it does not call that gambling, althouga it did on several occasions, but to admit that now would be to admit that under Thompson and "Honest George Sheets" gambling did flourish and that the dity was infested with blocklass Sheets" gambing did flourish and that the city was infested with blacklegs and tinborns. There are no claims that the particular game in mention was gambling in the ordinary sense. It was apparently simply a case of pre-meditated robbery and the evidence in the case indicates that the then chief of pairs and others especiated mere of police and others associated were connected with it. When the details of the affair were

made public the organ of the drain were made public the organ of the crocks tried to get from under by blaming it on to Captain Burbidge. The sheet blamed Burbidge but later crawled in-to its hole.

to its hole. Now that more incompetency of Now that more incompetency of "American" rule is made known it tries to crawl from under again, and again blames the whole thing on to Capblames the wir tain Burbidge.

THE REAL REASON.

And why?

Because Chief Pitt and Burbidge have not shown a disposition to come to heel as far as the Salt Lake Tribune is concerned. They apparently much disposition to "gang their gait.

When the split wide of the split of the split of the split in the "American" party is widening

into a rent. The "News" carries no brief for The "News" carries no brief for Capt. Burbidge. But as one man

Capt. Burbidge. But as one man said this morning. "The sheet has been forced to ad-mit that there is gambling in Salt Lake. It has been forced to admit it before but makes the lame excuse that Bur-bidge is to blame. If he is to blame then Chief Pitt is more to blame and the mayor and party he represents are more to blame than either." The sheet asks: "If Burbidge has been given orders to permit gambling, and is not responsible for it hinself, who gave him the orders." Burbidge has not been given orders to permit gambling nor has he given or-

permit gambling nor has he given or-ders himself to permit it, at least so say his friends. Chief Fitt said this morning: "These

people who are jumping on us forget the fact that we have made several arrests for gambling. We were un-able to secure convictions, it's true, but

The organ has been forced to confess that gambling does exist in Sait Lake under "American"party rule. To es-cape responsibility it throws the blame others

on others. Neither Chief Pitt nor Captain Bur-bidge cared to discuss the matter to-day. Burbidge had nothing to say whatever, and Chief Pitt merely laughed laughed,

MAYOR BRANSFORD COGNIZANT.

MAYOR BRANSFORD COGNIZANT. Mayor Bransford said this morning that he is aware that rambling is go-ing or. In the city, and that he is cos-posed to it. He declares that the po-lice force is doing everything it can to cope with the situation and will con-tinue to do so. He says there, will be it more men added to the department. I is more men added to the department. I and that when that is done there will be a force sufficient to take care of the situation and will then put a stop is gambling in all unlawful forms.

that it should have the same and like standing as resident companies, with benefits as great and with burdens no greater. After these investments had been made, and which cannot be with-drawn, it is declared by legislation that no kind of Itigation shall be carried on by it in any court other than the state courts, but leaving to the railway corporation organized under the laws of the state to ga to the national courts with its litigation of all kinds arising under the laws or Constitution of the United States. The state corporation, organized under its laws, may sue or be sued in any court, state, or national, if there is a foderal question, but a for-eign corporation doing business as a eign corporation doing business as competitor must at all times be su aub ject to the state courts; or if it ventures into a national court, then all invest-ors lost all, MRS. METCALF SAYS SHE INTENDED TO KILL HERSELF

Indianapolis, Ind., Jan. 20 .- Mrs. Beatrice Thomas Metcalf, who shot at Atty, Samuel R. Hamill, in Chicago last week, returned to her sister's nome in this city yesterday. She says the shots she fired were not intended to hit Atty. Hamili, but to kill herself.