

THAW'S DEFENSE WILL BE INSANITY

"Dementia Americana" Having
Signally Failed, a New
Tack Will Be Taken

SECOND TRIAL NEXT MONDAY

Evelyn Nesbit Thaw, the "Child
Wife," Will Again be the Great
Storm Center.

New York, Dec. 29.—One week from
tomorrow Harry K. Thaw will be called
a second time before a jury to make
his defense to the charge of having
murdered Stanford White. There have
been several postponements of the date
of the second hearing of this noted
case, but it is said now that there will
be no further delay.

It is announced that Mrs. William
Thaw, mother of the defendant, is ex-
pected in the city by next Saturday.
Mrs. Thaw has been in poor health, it
is said, but believes she will be able to
come on to be with her son during the
opening hours of his second fight for
life and freedom. Other members of the
family circle, including Mrs. George
Carnegie, Harry Thaw's sister, and
Joseph and Edward Thaw, his brothers,
are also expected to reach the city
during the week, and will remain
throughout the trial. The countless
Yankees, the defendant's sister, is at
present in New York, and is expected
to attend the second trial. Mrs.
Evelyn Nesbit Thaw, who has been a
daily visitor at the Tombs ever since
the first trial, is also expected to
be present, and will be in the city
recently, when she was in for a few
days, and, of course, be one of the first
arrivals in the courtroom on Monday
next.

There have been many rumors as to
the plans of the defense for the second
hearing of the case, and it has been
predicted that an entirely new line of
action might be followed. It can be au-
thoritatively stated, however, that the
defense will again be the same, that
Evelyn Nesbit Thaw will again relate
her story to the jury, and that an im-
posing array of expert witnesses will
again undertake to establish the theory
that Thaw was insane at the time he
killed Stanford White in the Madison
Square roof garden, but has so far re-
served his mental balance since that
time as to be no longer a menace to
the community, and therefore is en-
titled to freedom. This theory was ex-
pounded at length during the first
trial, but after the taking of much ex-
pert testimony and after a lunacy com-
mission had declared Thaw sane at the
present time, the theory of temporary
insanity was practically abandoned in
the summing up of the defense. Delmas,
M. Delmas, the defense attorney, who
made an appeal of the verdict, at the
second trial, it is declared, there will
be no mention made of a plea of
higher, or unwritten law, but the de-
fense will adhere strictly to a plea of
insanity at the time the act was com-
mitted. There were mistakes made
at the first trial which will be the
attempt of Thaw's attorneys to make
good during his second hearing. In
the expert testimony, for instance, they
have been able to separate the wheat
from the chaff, and will only offer that
which proved most effective before.

Having once felt the sting of
Dist. Atty. Jerome's skilful cross-ex-
amination on all phases of the diseases
affecting the brain, several of the
expert witnesses will be in a much more
secure position than they were in the
first trial when the prosecuting offi-
cer's wonderful knowledge of medi-
cine fairly amazed and in one case
completely dumfounded the witness.

Evelyn Thaw, it has been variously
reported, would and would not take
the stand in defense of her husband.
There is no longer any doubt that
she would do so, but the provision of
money it would be difficult for the de-
fense to predicate a plea of insanity.
During the first trial the entire struc-
ture of mental derangement was based
upon the story of her alleged mis-
treatment at the hands of Stanford
White, told by her to Thaw one night
in Paris, when he had just become
her husband. It was after he had
heard this narrative that Thaw wrote
the queer letters which were intro-
duced in evidence afterward that he
made his will with the provision of a
fund for the punishment of persons
responsible for vice. Afterward he
went to his home in Pittsburgh and
acted so strangely that his mother
was alarmed and afterward that he
shot and killed the man his wife had
accused. Without Evelyn Nesbit's
story as the moving cause for the in-
sane which spent its fury in the
death of Stanford White on the galli-
lighted, crowded summer roof garden,
Harry Thaw's plea of insanity for
punishment would have but little left
to stand upon.

Evelyn Thaw will again be the storm
center of the trial, and next in im-
portance to her story will be the tes-
timony of several alienists who testi-
fied before.

Dist. Atty. Jerome will, of course,
be prepared to combat the testimony
of the insanity experts. His formi-
dable hypothetical question, which was
asked before in omnibus style to nine
expert witnesses in a row, and under
which they based opinions entirely op-
posite to those entertained by the experts
for the defense, will be taken out of
the archives, and polished up for use in
rebuttal. The state's direct case will
again be very brief. It will have been
added to it the testimony of James Clinch
Smith, brother-in-law of Stanford
White, who met and talked with Thaw
the night of the tragedy. Mr. Smith's
testimony, which Mr. Jerome regards
as highly important and is showing
the calm, cool, calculating state of
Thaw's mind, but a few minutes be-
fore he fired the fatal shot, was taken
before on rebuttal, having been dis-
covered after the trial was well under
way.

Martin W. Littleton of Brooklyn,
who nominated Alton B. Parker for
president at the last Democratic na-
tional convention, will act as leading
counsel. He will have the assistance
of Daniel O'Reilly and A. Russell Pea-
body, both of whom went through the
first trial. O'Reilly is ill with the
grip, but probably he will be well again
when the trial starts.

Thaw is looking forward anxiously
to the beginning of his new trial. He
feels that all chance of further delay
is past and will enter the courtroom
with the same confidence of acquittal
which has marked his attitude from
the start. The work of securing a
jury will be more or less laborious
and may occupy two or three weeks.
The special venire summoned for the
first trial, O'Reilly is ill with the
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BASEBALL

"Before I began using Cigarettes, I had a bad
cough, and it took me a long time to get
over it. Now I can smoke and feel fine."
—The Cigarette Company, Chicago, N.Y., 600
N. Dearborn St.

Best For
The Bowels
CANDY CATHARTIC
THEY WORK WHILE YOU SLEEP

ANNUAL SALE, TEN MILLION BOXES

THE REAL STARS
OF BASEBALL

Hans Wagner and Tyrus Cobb
Are Leaders in Their
Leagues.

Some weeks ago the athletic director of
a great university gave out an interesting
interview on the various physical require-
ments necessary to the athlete who would
excel in any of the great outdoor sports.
He spoke of the short lower leg and strong
ankle of the jumper, the long-muscle, clean-cut
frame of the runner, the broad, sturdy frame
of the football player, and on, but when he
came to baseball he threw up his hands.

"Baseball players are of all shapes,
sizes and ages, and there is not the
slightest warrant for naming anything
but good health as an essential," he said.
Young Cobb, the champion batter and
hero of the American league, and the
veteran Hans Wagner, who again dis-
tanced all comers for honors in the
National league, seem to show the wisdom
of the expert's views. Both men arrived
at the same place, but by widely different
methods.

COBB'S SENSATIONAL RISE.
Cobb shares with Hal Chase the fame
of being "the most remarkable young
player of the day," and Cobb's rise to
first place was even more sensational
than the Yankee star's, coming from a
very minor league, the Southern, in two
years of big league ball. Cobb is the
leading player of the season. Besides
leading the American league in batting,
with an average of .322, the Young De-
mo player showed the veterans of the
league how to steal bases, leading the
list with forty-nine pilfered bags.

Cobb was under 25 when he came to
Detroit, and it was his business, by all
league tradition, to work softly for a
couple of years and speak when spoken
to. But he was made of other material.
He was filled with an admirable conceit,
he believed himself to be one of the
best ball players in the country, and he
didn't intend losing any time in proving
it. He began to bat and run hard as if
he had a right to, and he fielded with a
headlong aggressiveness that made him a
bitter enemy of two of his own club, and
finally wound up in a pitched battle with
another outfielder of the Tigers. Cobb
looked him and went on in the same old
way.

This year he was the sensation of base-
ball. His batting and base-running were
the fan talk of eight cities. Of medium
build, powerful, tapering legs, a quick,
big, big, big, big, big, big, big, big, big,
and, above all, a superbly insistent con-
fidence in himself, he became the greatest
ball player of the league, while but little
more than a boy.

WAGNER CONSISTENT AT BAT.
Big, awkward, conscientious, good na-
tured Hans Wagner, steady and strong in
his eye of baseball lore, greatest ball
player in the country is the direct anti-
thesis of Young Cobb. So much has been
said of Cobb's batting and base-running
that even a recapitulation is almost superfluous.
He established a new record for long
hitting the fifth year that he has led the
National league title. He won the bat-
ting championship with a mark of .330
and the base-running honors with eight
one stolen sacks. He is just behind
Cobb in batting honors and far ahead in
base-running of the year.

No one ever saw anything graceful or
picturesque about Wagner on the dia-
mond. His movements have been likened
to the gambols of a caracoling elephant.
He is ungainly and so bow-legged that
when he runs his limbs seem to be in a
circle, after the fashion of a pro-
peller. But he can run like the wind.
When he starts after a grounder, he
outlying portion of his anatomy appar-
ently has ideas of its own about the proper
time of decision to be taken. His action
at the bat is awkward and the muscu-
lar swing of his great arms and shoul-
ders is strong enough to drive the ball
farther than most batters who hit from
their toes strikes up.

THE GREATEST SHORTSTOP IN THE GAME TODAY
but there is no question that he is the
greatest shortstop ball player of this or
probably any other season.

SHOWED THE FRENCHMEN.
McCoy and Fene Gave Frog-Eaters
Ideas on Boxing.

Boxing has taken a great hold in
France. A few years ago the French-
man was a terrible terror to the sports-
man with the fist, even when it was
covered with a padded glove. Kicking,
however, was a gentlemanly accomplish-
ment.

Now Paris has several boxing clubs.
Up to date the English boxers have had
a monopoly of the game in that dear
old country. But a few years ago a large
silk banner that proclaimed him the cham-
pion of France.

Frank Erne is just starting as man-
ager of a large boxing club in Paris.
The sport will be booming, says Bob
Edgerton in the New York Evening World.
Kid Lavigne and a boxing school in
Paris for a couple of years and Frank
Erne worked with him for awhile, edu-
cating the French people up to the fine
points of the battle art.

Kid McCoy was really the first Ameri-
can to show what he could do in the
padded ring. The kid was in Paris a
few years ago enjoying himself. At
that time there was a great French
evils champion. This Frenchman with
gloves on his hands and chamois skin
shoes on his feet, was a state of
the slow English pug into a state of
unconsciousness. He was a popular
champion.

The French promoters, hearing of Mc-
Coy's fall with the gloves, offered him
a match with the native expert. McCoy
smiled and accepted for a consideration.
McCoy and the Frenchman met in the
ring. The position where the fight was
held was packed to the doors. All Paris
was there to see an American get the
same down that had been handed out to
all English opponents. All Paris was
anxious to back the toe against the fist.

When the bell rang McCoy walked up
to the Frenchman and addressed the
first kick lightly. As the frogster fol-
lowed with another McCoy slipped out
of range and dropped his hands. Then
he looked over the Frenchman's head and
laughed. The Frenchman glanced up to
see what McCoy was looking at. About
half an hour later he spoke up.

It all happened so quickly that the
crowd at the ring did not realize that
McCoy had slipped in a "backstroke"
until he was out of the ring and
headed for his dressing room. Then there
was a chorus of screams and shrieks
and sobs from the crowd. If three
French seconds have had had had had
the same kid at that moment they would
have scratched his eyes out. They fled
into the ring and went over their uncon-
scious champion.

And the next day McCoy blew in a few
hundred more at the races.

STORY OF AN EGG.
Bill Coughlin, the gallat captain and
third baseman of the Detroit club, is not

only a good batsman, but a close co-
operator in general, and, although
per Wanda, as he is called, is a close
of men, yet he never fails to express his
opinion when occasion arises.

Bill Coughlin is as well known
to the citizens of Scranton as Charlie
Hickman or Harry White is known to the
average Washingtonian, and Bill is just
as popular as these players are. His
townspeople, who are justly proud of this
clever third baseman, so when Coughlin
entered the city after a little refresh-
ment, he was greeted by the water as if
he were a prince.

When Bill's order was served he started
in to do justice to it, while the waiter
looked on with military attention and fairly
smothered William with his ingratiating
smiles.

The first crack out of the box Bill
struck an egg, and the waiter, who was
at the seat, saw the waiter's face as he
looked on with military attention and fairly
smothered William with his ingratiating
smiles.

Has that egg been cooked too long,
Mr. Coughlin?

"Not long," shot back Bill, "but
not soon enough."

APOLLOS VICTORIOUS.
Basketball Team Defeated W. S. A. by
Score of 29 to 20.

The basketball game between the Web-
ster Stakes academy team and the Apollo
Midgets resulted in victory for the lat-
ter by a score of 29 to 20. The game was
played at American Fork on the 27th. In
the second half the visiting team made a
great sport and tried hard to overcome
the lead gained by the others, but the
effort was too late. The teams lined
up as follows:

American Fork. O'Brien, R. F., Hancock,
Riley, R. F., R. F., R. F., R. F., R. F.,
Tattered, Tattered, Tattered, Tattered,
Chaudrick, R. F., R. F., R. F., R. F.,
Miller, R. F., R. F., R. F., R. F., R. F.,
Umpire—Dunkley. Attendance—20.

SPECIAL TRAINS FOR
WILLIAMS-SMITH BOUT.

Manager Fred Wood of the Charles
Williams-Rube Smith scheduled twenty-
round bout at Lagoon on the afternoon of
Monday, Dec. 30, at 8 o'clock. The ar-
rangements for special trains over the Salt
Lake and Ogden road, and from
crowd of fight fans at the ringside, the
trains will leave at 1:30 p. m., 1:45 and 2.
Trains will return to Ogden at 2:15, 2:30
and 2:45. A large delegation of fight
fans will be at the ringside and a special
train is coming from Wyoming, where
Williams bails from.

Both boxers have completed their hard
training and are now in the best con-
dition to keep in trim. Both are down to
the required weight, and each is full
of confidence. Smith is a favorite be-
cause he is better known here and has
weights in the world and has held his
own with all of them. Not a great deal
is known of Williams, but he is a
new comer and has polished off all the
men who have faced him. Those who
have seen him fight say he is a terrific
hitter, is fast and a hard man to hit.
He is so well thought of in Evanston and
other Wyoming cities that a bunch of
fight fans will come down on a special
train to see the contest. Referee Tom Painter
has visited both boxers and instructed
them as to the rules, which will be
straight Marquis of Queensbury. The
fighters will box for 25 per cent to the
winner and 25 per cent to the loser. They
have been carefully instructed and warn-
ed as to fouls and the management pro-
mises the fight will be one of the best
ever witnessed in Utah.

NEW YEAR'S GAME.
Y. M. C. A. to Line Up Against Strong
Alaska Team Here.

On New Year's day the Y. M. C. A.
basketball players will line up for a
game with the Alaska team, an organ-
ized company of eastern players, and
the local boys are working hard to get
into fit condition to meet the visitors.
The Alaska team is now the coast, meet-
ing all comers. The team has played
eight games on the present trip and lost
but one. There is a great deal of in-
terest in the coming contest and it is
expected that a record breaking crowd
will be in attendance.

LEHI TEAM WINS.
The second Y. M. C. A. team was de-
feated in a basketball game played with
the Lehi team, by a score of 39 to 25.
The game was a fast one every minute
the ball was in play and proved highly
interesting to the large crowd present.
The game was played at Lehi. The
teams lined up as follows:

Lehi. F. M. C. A. Wooley,
Davis, R. F., R. F., R. F., R. F., R. F.,
Hammond, R. F., R. F., R. F., R. F.,
Wornton, R. F., R. F., R. F., R. F.,
G. Holmstead, R. F., R. F., R. F., R. F.,
Flinders.

WHAT'S
worth doing is worth doing well. If you
wish to be cured of Rheumatism, use Hal-
lard's Snow Liniment and you will be
well cured. A positive cure for Sprains,
Neuralgia, Bruises, Contracted Muscles,
and all the ills that flesh is heir to. A. G.
M. Williams, Navasota, Texas, writes:
"I have used Snow Liniment for grain-
ing ankle and it gave the best of satis-
faction. I always keep it in the house."
Sold by F. C. M. L. Drug Dept.

A lazy liver leads to chronic dyspep-
sia and constipation—weakens the
whole system. Doan's Regulax (25
cents per box) cures constipation, tones
the stomach, cures constipation.

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GYPSY STRING BAND

Including such renowned musicians
as K. Pego, violin virtuoso, and M.
Malar, cornetist of Chicago, will open
a several months' engagement at the
Cullen Hotel Cafe on New Year's Eve.
The mere mention of this wonderful
Hungarian Band fills any theater in
the eastern cities. A special menu
including choice refreshments, after
dinner specialties, etc., has been pre-
pared, and a thoroughly enjoyable evening
will be spent. A great many seats
have already been engaged. Six p. m.
till the wee hours of morning.

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plays a very important
part in making a cozy
and cheerful home, our
Patent Radiant Gate
warms the room thor-
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economizing and cleanli-
ness.

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ber.
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also daily except Thursday, tourist
sleepers to St. Louis; on many
days of the week, personally con-
ducted Tourist Sleeping Excursions
to Chicago and St. Louis.

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lighted Chicago Flyer No. 6, leav-
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No. 14 THE ST. LOUIS FLYER from
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Chicago, leaving Denver on Bur-
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it is in our power to do. We know
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TEA**

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of tea. In her hand and said:
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eagle on, and never send any
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