

Dr. Charles F Bingaman of Pittssummoned to investigate the govern Dr. Charles F. Singaman of Filts-burg, followed Mrs. Thaw upon the stand. Under the guidance of Mr. Delmas he told of seeing Thaw on Nov. 16, 1903, at which time he was ment hospital for the insane at ington "As a matter of fact, wasn't every head of an institution for the insame in the east likewise summoned?" "On the contrary, I know they were waters are down sufficiently low along the line to commence a temporary line yet or not; the present work is largely cleaning up, preparatory to actual re-construction.

That this destroyed competition, he de-nied, as he maintained that under the agreement each company could publish an independent rate if it wished to. It was developed, however, that the rate where more than one line runs, is the same all over Utab on all roads.

COL WALL'S CHARGE.

The investigation was held in the office of Mayor Thompson, and the en-tire committee was present. Besides Mr. Griffin the only witness called was Col. E. A. Wall, who had had experience shipping ore out of Bingham. Harry Joseph was summoned to tell about nents out of Tintic, but he was no as the time was too far ex-d. John Dern and F. P. Gridley hausted. had been subpoenaed but could not be located by Asst. Sergt.-at-Arms Edge-hill, who found that they were both hill, who fe out of town

Col. Wall proved an interesting witness. He detailed how the railroads make it hard for the Bingham miners who are not in with the big operators. When he was shipping ore three, and five years ago he paid \$1.75 per ton or \$2.25 per ton, while the Highland Boy mine got its product hauled down at the rate of 40 and 50 cents.

AS TO "OPERATION."

After he had concluded his testimony was taken in hand by Mr. Tolton for a series of questions, and later by Parley L. Williams. Mr. Williams started out kindly chough, but waxed more severe and finally began to atack Col. Wall's knowledge of railroad

"Have you ever operated a railroad?" demanded Mr. Williams in rather harsh

"No," came the ready reply. "I have never operated a railroad; but I have been operated by them often enough." In trying to bring out that the large producer occupied the relative position

will

o'clock, af submitted.

A. Proclamation:

with the railroad that the retailer and wholesaler have to each other in prices, Mr. Williams drew only from Col. Wall a declaration that it costs no more or very little more to haul a car of ore no matter who furnishes it, and so long as ore is delivered in carloads at a reg-ular loading station, it ought to go to its destination in the same train with the big shipper's ore, at the same with price.

"A FAIR DEAL" RATE.

Do you favor a maximum rate?" put

"Do you favor a maximum rate?" put in Mr. Lawrence. "No." said Col. Wall. "If the big thipper's rate can be participated in by the small shipper, it will be suf-ficient. This will give a fair deal to all. There are so many conditions that an arbitrary rate would not fit them all with justice." "Are you familiar with the agita-tion for a railroad commission ""

"Are you familiar with the agita-tion for a railroad commission "" "Not very familiar with it, but I find that the law, alroady in existence does not carry out its purpose. There are some words that are evasive at critical positions, and through these construc-tions I think the railroads could es-cape successful prosecutions.

TOLTON'S QUERY.

have to haul free, and charge those that pay just a little more to cover the ex-pense of those they haul on passes." "That, too, is an unfortunate condi-tion," replied Mr. Williams, "I admit that the railroads have been weak enough to give free transportation to potential persons but that is not a con-dition I am here to defend."

UTAH TARIFFS.

"Are the Utah tariffs fair to the "No, they are not. At Bingham the tendency has been to drive the small producer to extinction or the big producer has secured his proper-

"Would a maximum rate be a good thing to apply to coal." "Yes. There the mines are estab-

lished, the hall is known, and a rea-sonable rate can be arrived at, while for mining a fair rate for Tintic may be very unfair for Park City on ac-count of the grades and other diffiulties.

"How about mining machinery ?" "I think the rates are proved "I think the rates are grossly un-reasonable, although interstate laws and competition may be making them

SPECIAL ELECTION.

Caused by Taft's Death.

fairly so, in the matter of machinery imported from the east." It was brought out that the rate on mining machinery had been arbitrarily aised within the past few years from so cents to \$1.25 per 100 from the east o the railroad law of putting on all

he traffic would bear in every in-He also thought that rich ore at He also thought that rich ore at Ringham was charged more because the railroads thought it could stand it. while the low grade ore was hauled heap because they knew that if they up the rate it could not be ship-

The final session of the committee held Friday morning at 10 after which a report will be

when Bliss Parry, editor of the At-lantic Monthly, President Eliot of Harvard university, Col. Thomas Wentworth Higginson, the author, and others, will take part, To be Held March 30 to Fill Vacancy

Gov, John C. Cutler, directing that a special election be held on March 30, 1907.

Whereas, A vacancy exists in the office of a member of the house of representa-tive of the legislature of the State of Utah, from the County of Wayne, caused ternoon. by the death of Representative Seth Taft. which occurred on Feb. 2, 1907, and,

Whereas. It is provided by law that the governor shall in such cases imme-diately issue a proclamation for a special

TOLTON'S QUERY. Representative Tolion took charge of Col. Wall long enough to argue fagalist an amendment to existing laws, asking him if he had ever tested them, and why he did not test them tefore suggesting an amendment. "The fair way." replied the witness, 'is to fix the law so that it becomes what it burports to be." Col. Wall then submitted a written amendment to the existing statute, mentioning a test load rate as a basis for fixing the parif, and making it explicit that all

ver, Beaver county, O. F. McShane, vice Harry Harris, resigned. Wyoming-Mohler, Laramie county,

Walter E. Dougherty, vice A. R. Tenny resigned

resigned. A pastoffice has been established at McClellan, Kootenai county, Idaho, with Minnie Drew, postmaster. John F. Ogden has been appointed regular and Samuel S. Martin substi-

tute rural carrier, route 2; Benjamin B. Caldwell, regular and John M. Bellamy substitute, route 3 at Troy, Idaho.



New England Commemorates Hundredth Anniversary of His Birth.

Boston, Feb. 27.—The universal re-gard in which the memory of Henry W. Longfellow is held was given ex-pression throughout New England to-day by exercises commemorating the one hundredth anniversary of the poet's birth. In Maine, where the poet was born, and in Massachusetts, where he ment so many of the most where the spent so many of the most important years of his literary life, the principal public observances were held, but there was scarcely a public school or literary society in this sec-

tion which did not devote some time to the memory of the man whose writings touched the common heart of

humanity. The opening exercises of the day were held chiefly in the public scitcols, Cambridge, where the poet lived so long, devoting the entire morning ses-sion to this purpose. During the day Craigie house, which Longfellow occupied, was thrown open to the public.

"I want to find out what tendency there is to invanity in the family," said Mr. Jerome. "I want to get at the facts If I find the defendant is crazy, I'll say

Longrellow occupied, was thrown open to the public. At Bowdoin college, in Brunswick, Me., from which the poet was gradu-ated in 1825, a program was carried out which included addresses and a

poem by Prof. Johnson. The most important features of the celebration were planned for the even-ing, in Cambridge at Sanders theater, plied Mr. Jerome, "that the district at-torney's office is quasi-judicial and that he has a right to examine all witnesses as to decide his course." "The district attorney's office is quasi-judicial," said Justice Fitzgerald, "and he has the right to summon and ex-amine witnesses, but when he comes in-to court he is bound by the same rules of evidence as the attorneys for the defense. I sustain the objection."

A proclamation was today issued by HEARNE'S MEMORY HONORED.

Denver, Feb. 27 .- Twenty-five thou-sand employes in the steel works, machine shops, foundries and mines of the Colorado Fuel and Iron company ceased work from noon until 2:30 ceased work from noon until 2.30 o'clock today in honor of the com-pany's late president, Frank J. Hearne. Funeral services, conducted by Dear H. Martin Hart, were held in St. John Dean chapter house at 1 o'clock, and at 2:30 the body of the late president was placed aboard his private car, "Sunrise," which was attached to the Rock Island train for Kansas City, where burial will take place tomorrow afwhich was attached to the Rock i train for Kansas City, where

STELLA GOOD RELEASED.

STELLA GOOD RELEASED. Denver, Feb. 27.-Stella Good, who was arrested in Colorado Springs yes-terday on suspicion of having been im-plicated in a plot to nurder Mrs. Cora Wright and her daughter, was released last night, after she had convinced police authorities of this ecity that she had no knowiedge of Wright's inten-tion to polson his wife and child. Ad-mitting that he alone is responsible for the deaths of his wife and child. Wright claims not to remember what polson his gave them or any details of the murder.

Nov. 16, 1903, at which time he was very nervous and melanchoiy. On Aug. 17, 1906, the witness called on Thaw in the Tombs and again saw him on Sept, 11. He was not sleeping well and was nervous. He had delu-sions, among them that there were conspiracies against him, and giving as their object either his railroading to an insane asylum or his death. not "Dr. Wagner." "Do you know what insanity is?" asked Mr. Jerome.

to an insane asylum or his death.

was irrational and laboring under de-lusions. Newspapers had been woven

Justons. Newspapers had been woven into the cell bars, to create a draft, and Thaw had told him the authorities were allowing the wind to blow in on him so that he would contract pneu-monia and die and thus prevent his case coming to a triat.

JEROME CROSS-QUESTIONS.

asked permission to take his testimony

Mr. Delmas objected. Mr. Jerome asked when the defense expected to conclude.

tion," said Mr. Deimas, "we expect to get through this week." Mr. Jerome asked Dr. Bingaman to return next Monday. In the meantime he proceeded to cross-examine him re-garding his visits to Thaw in the

Dr. Bingaman said Thaw had not ex-

Dr. Bingaman salo rinks of far to ex-hibited any delusions so far as he knew prior to June 25 last. At his visit he prescribed a nerve tonic for the pris-oner on Aug. 21. "Did you notice any exaggerated

DR. EVANS CALLED. "Of what institution of learning are you a graduate?" asked Mr. Jerome, "The College of Physicians and Sur-

geons." "That is the institution from which

"In good faith, and not for publica-m," said Mr. Delmas, "we expect to through this week."

the form of a deposition.

Tombs

ego?

said

WHAT INSANITY IS.

'Name some one who was not." 'Dr. Wagner."

Mr. Delmas was about to lay a foundation for the questioning of Dr. Bingaman as an expert, but Mr. Jerome interrupted. "It is not necessary, Mr. Delmas. I "Insanity is a positive condition; san-ity is a negative condition." "Did you take the initiative in coming into this case

'Mr. Hartridge wrote to me asking "It is not necessary, Mr. Delmäs. I would sconer have as to this defend-ant's insanity the opinion of a general practitioner who has known him for 30 years than the opinions of all the experts there are, with due respect to my own," and he smiled at Drs. Flint, MacDonald and Mabon, who daily sit beside him. Dr. Bingaman said he believed Thaw was irrational and laboring under defor an interview. As a result of that interview I was retained." "Do you know Allan Metane Hamil-

"Yes." "Then do you consider him an authorty on mental disasses?" Objection sustained. "Are you on friendly terms with

hitu

I think so." "Do you go into consultation with

Dijection sustained. "Isn't it a fact that many reputable physicians refuse to go into consultaion with you because you are an un-rofessional man?" Objection sustained.

'Isn't it a fact that Dr. Hamilto Mr. Jerome began his cross question-ing by asking as to the taint of insanity refused to go into consultation with you for that very reason?" "Objection sustained," said Justice in Thaw's family. Mr. Delmas object-ed on the ground that this was not proper cross-examination.

"May I assume that Dr. Hamilton will be called in this case?" added Justice Firzgerald.

You may, and I will call him." re-

Dr. Hamilton originally was retained by the defense. It is said that he be-lieves Thaw to be still insane. Dr. Evans said he had never read Dr. Hamilton's writings and could not tell whether they were considered as an au-thority. 'If Mr. Jerome desires to prove that Thaw was crazy on June 25 last, we will admit it." rejoined Mr. Delmas. "I have the old fashioned idea." re-plied Mr. Jerome, "that the district at-

thority. DR. EVANS' READING.

Jerome asked about many works of

mental diseases in an attempt to find out what Dr. Evans had read. "Who wrote about paranola 500 years before Christ?" asked Mr. Jerome. Dr. Evans smiled and while Mr. Jedefense. I sustain the objection." Mr. Jerome said he would call Dr. Bingaman for the state in rebuttal and

e was scarching among his paper: said

"In one of my writings I said that a mad king of the Medes and Persians

exhibited signs of paranola." Mr. Jerome read from Dr. Evans' tes-timony in another case in which he said paranols had been described in all books of value since 500 years before Christ. He said he did not know of any book written at that time or in fact any book devoted entirely to par-

"Is there any book on mental and nervous diseases that you regard as au

thority "If you mean any one whose work I

like for anything, no." "Is there anyone who has written on the subject whom you consider more qualified than yourself?"

"I don't know about that." Mr. Jerome questioned the witness further about the names of books he

oner on Aug. st. "Did you notice any exaggerated ego?" asked Mr. Jerome. "He had a very high esteem of him-self, but there was nothing else." Dr. Binguman was excused and Dr. Evans was called. had read. "If I con

had read. "If I could remember the titles of all books on nervous diseases. I would feel very proud of myself." Dr. Evans told the district attorney that if he would produce the books he would point out the ones he had read.

(Continued on page two.)

On the fact that railroads exercise a "function of the government," he said, depends the rights of the people with regard to the ownership and operation of the reads.

of the roads. Mr. Patterson presented a table show

Mr. Patterson presented a table snow-ing the attitude of 64 countries towards rallroads. Of these government owner-ship obtains to a greater or less extent in 59 and is exclusive in 29. Private ownership obtains in 26 and is exclu-sive in five. This Mr. Patterson said loops that the construction and ownersive in five. This Mr. Patterson said shows that the construction and owner-ship of radiroads is really the business of governments, as three-fourths of the democracies and two-thirds of the mon-archies of the world own radirosds.

ACQUISITION OF ROADS.

The United States government. Mr. Patterson maintained, could acquire ex-isting railroads by condemnation pro-ceedings under the postroad clause. teedings under the postroad clause. He supported this contention also by supreme court decisions. Not only the roads, but their corporate franchises, he said, could thus be acquired by condemnation. As to compensation. Mr. Pattersor ontended that the stock and bond olders of the roads ought to be paid bond

full value for their boldings. The full value of all American roads he placed at between \$11,000,000,000 and \$12,000,-000.000. His suggestion for financing 100,000. His suggestion for financing the government's purchase of the roads was by a mortgage backed by govern-ment guarantee, which would work out by having stock and bond holders ex-change their holdings for government bonds. He believed this exchange would be so attractive as to secure to the government practically all private railroad holdings.

railroad holdings.

SCOUTS MACHINE IDEA.

The idea that government ownership would result in a political machine by the combination of employes was scout-ed by Mr. Fatterson. At the outset, he suggested, no radical change should be made in methods of management. Rates about be fixed by the interstate commerce commission and a division transportation should be established conduct the actual operation of the roads. The reforms that would follow would be large economies to the freight shipped and reduction of the passenger one half. would permit of extending the

postal system and establishing a postal express. It would guarantee the adop-tion of all known safety appliances and the best signal systems. Service pensions would be paid employes and new and needed lines could be built. Rai-way politics would be abolished and equilibrium of power between the state, the government and the people resto

Reforms in rate-making by adopting the zone system, and in freight classi-fication would result. Government ownership need not, he said, private construction of roads. ----

MARRIED TODAY.

Walter J. Lewis and Lillian Rose United in Salt Lake Temple.

The many friends of Miss Lillian Rose of this city and Mr. Walter J. Lewis, the manager of the Deseret News Book store, will be surprised to learn of their marriage, which took place today, the ceremony being sol-emnized this morning the Temple. Mr. and Mrs. Lewis will continue to reside here, and will receive the congratula-tions and best wishes of a host of friends for their happiness. and Mrs episode,

ALL TRAINS ANNULLED.

H. G. Wells, general manager, is at the scene with H. E. Van Housen, di-vision superintendent, and other offi-cials. Mr. Van Housen is "boos" of a big gang of Jap section hands and un-dow big discretion the fills has and under his direction the little brown men are too busy to think of school troubles. All trains have been annulled but pussengers listed over the Salt Lake Route are traveling to and the coast via the Southern Pacific. The travelers caught in the neighborhood of Caliente returned to Los Angeles and on to this city via San Francisco. The Salt Lake Route has expended an enor-mous sum in an effort to strengthen the line to prevent a repetition of last year's trouble and work of installing year's trouble and work of installing immense culverts, etc., has been on all summer. The desired result has not been obtained evidently. The tracks pass through the wash between two rows of hills, at right angles with gul-lies-hundreds of them-and each spring the melting snow fills these with water. The company's loss and expenses from last year's wash-outs represented a sum close to \$1,000,000. It seems that the unfortunate line must find a "high line" build a new line over another secthe," build a new line over arfother sec-tion of the country or suffer an animal tie-up with all attendant losses. An engineering problem is presented for solution, and that some big change will be effected by the company is certain 35 1.12

ANOTHER FATAL CASE.

Cerebro Spinal Meningitis Responsible For Death of Goodwin Boy.

Cerebro Spinal meningitis claimed. other victim this morning in the person of little Lorenzo Goodwin. The parents Mr. and Mrs. John H. Goodwin, live is the year of 427 east Eighth South stree where the funeral will take place tomo row afternoon, commencing at 3 o'clock The child was five years of age, and has been ill but a short time. The set of the set of

EXCITING RUNAWAY.

Frantic Horse Charges Crippled News-

paper Vendor.

About noon today a horse attached

to a light delivery wagon dashed down

Main street, and when near Market

street, turned into that thoroughfare.

The animal was headed directly to-

ward the newspaper klosk at the north-

ward the newspaper klose at the horizo-sast corner of the post office, and it looked as though the stand were doom-ed for destruction and its aged crip-pled occupant to perhaps scrious in-jury. However, a dozen feet away from it, the horse fell, and went slid-ing over the pavement against the moveable structure, which was foreibly pushed against the curbstone, but suf-tored po damage. The newspaper

pushed against the cursitions, but Mil-fered no damage. The newspaper vender was much frightened, but was not injured. The mouth of the run-away hopso bled profusely from con-tact with the pavement, but there were no serious results from the exciting episode.