

INSANITY IN THAW FAMILY

It May be There But it Has Not
Been Proven That It Exists
In Harry Thaw.

EXPERT UNDER HEAVY FIRE.

Jerome Puts Dr. Wiley Through a
Wonderful Cross-examination—He
Was the Worse for Wear.

New York, Feb. 5.—The task of proving to a jury that Harry K. Thaw was insane, through hereditary and mental stress, when he shot and killed Stanford White, was taken up today by the defense in this famous case, but when adjournment was announced later in the afternoon it was the general opinion in the courtroom that but little progress had been made.

Thaw's attorneys endeavored in vain to place before the jury evidence tending, it was said, to prove a strain of insanity in the collateral branches of the defendant's family, but they were blocked at every point by Dist. Atty. Jerome, whose objections were upheld by the rulings of Justice Fitzgerald.

The defense did, however, get before the jury in the box the testimony of an expert, that in his opinion Harry Thaw was suffering from insanity the night of the tragedy. Mr. Jerome undertook to break down the evidence of the alienist—Dr. C. C. Wiley of Pittsburgh—and for three hours put him through a cross-examination as severe as ever heard in a New York court. The prosecutor was relentless in his attack, and before he had finished Dr. Wiley protestingly declared:

"I didn't come here as an expert. I came as a witness to a fact, and I have been converted into an expert without being prepared for it."

Mr. Jerome concluded his cross-examination of Dr. Wiley, and Dr. C. H. Bingham, a Thaw family physician from Pittsburgh, was called as the second witness for the defense.

Dr. Bingham testified that Harry Thaw for 30 years, and his mother the same length of time.

"Did you attend Harry Thaw in his infancy?"

"Yes."

"What disease do you first recall?"

"St. Vitus' dance."

On cross-examination Mr. Jerome suffered had Dr. Bingham repeat that Harry Thaw was 7 years of age when he suffered from St. Vitus' dance. The witness was then released.

Alfred Lee Thaw, 42 years of age, a resident of Richmond, Va., next was called.

"Are you related to the defendant, Harry K. Thaw?" asked Mr. Gleason.

"I am. My father and his father were first cousins."

"When did your father die?"

"Oct. 25, 1855."

"Where was your father, or have you any means of knowing where he was when he died?"

"I object," interrupted Dist. Atty. Jerome. "The question is irrelevant and immaterial."

Justice Fitzgerald sustained Mr. Jerome's objection.

Mr. Gleason argued the point. He said it was intended to show a collateral condition of Thaw's relatives—the relatives descended from a common ancestor.

Mr. Gleason said he wanted to prove the hereditary phase of Thaw's insanity, and could trace it back to a common ancestor with witness' father. It was not necessary or contemplated by the law that it should prove a man's father or grandfather was insane to establish hereditary insanity.

Dist. Atty. Jerome argued in reply that the witness was not a competent person to testify as to insanity of the family of the defendant. It was necessary, he said, to go back to the great-grandfather and mother of the witness and the defendant to reach common blood. On the stand, the witness of the family four separate stocks had been blended with the birth of the witness and the defendant.

"I infer from the opening address of the defense," said Mr. Jerome, "that they expect to prove by this witness that his father died in an asylum or some retreat for the insane. The fact that a man dies in an asylum is not proof of his insanity. The law does not recognize it. The fact that a man dies in an asylum like that conducted by the eminent Dr. Wiley, who was on the stand today, for instance, does not prove he was insane."

Justice Fitzgerald said he felt constrained to adhere to his decision sustaining the district attorney's objection for the present. He would take the authorities cited by Thaw's counsel under consideration. He thought a closer relative than the witness should be offered as a witness.

"Did you see your father in an asylum for the insane in the year 1885?" asked Mr. Gleason.

Mr. Jerome again objected to the question.

"In the present condition of the record and at this stage of the trial," said Justice Fitzgerald, "I will not allow the question."

Dr. John E. Deeman, a physician of Kalamazoo, Mich., was next called to the stand. Dr. Deeman is the family physician of the Copleys, Mrs. William Thaw's parents. Dr. Deeman said he had known Harry Thaw 25 years. When the defendant was a young man, Dr. Deeman treated him for a nervous disorder.

"Did you know Henry W. Copley?" asked Mr. Gleason.

"Yes. He was a brother of Mrs. William Thaw, mother of the defendant."

"Did you know John Ross?" asked Mr. Gleason.

"Yes. He was a first cousin of the defendant. John Ross' mother was Margaret Copley Ross, a sister of Mrs. William Thaw."

Dist. Atty. Jerome here interposed an objection against any further examination of the witness, on the ground that the testimony he could give would be of collateral relatives of the defendant, and he did not think the matter should

BABY WASTED TO MEKE SKELETON

In Torments a Year and a Half with
Terrible Sores on Face and Body
—Hands Tied to Stop Scratching
and Tearing at Flesh—But

CURE BY CUTICURA
COMPLETE AND SPEEDY

"My little son, when about a year and a half old began to have sores come out on his face. I had a physician treat him, but the sores grew worse. Then they began to come on his arms, then on other parts of his body, and then one came on his chest, worse than the others. Then I called another physician. Still he grew worse. At the end of about a year and a half of suffering he grew so bad I had to tie his hands in cloths at night to keep him from scratching the sores and tearing the flesh. He got to be a mere skeleton, and was hardly able to walk. My aunt advised me to try Cuticura Soap and Ointment. So great was her faith in it that she gave me a small piece of Cuticura Soap to try and a little Cuticura Ointment. I took it home, tried it, and it seemed to dry up the sores a little. I sent to the drug store and got a cake of Cuticura Soap and a tin of Cuticura Ointment and followed the directions, and at the end of about two months the sores were all well. He has never had any more of them since. He is now strong and healthy, and I can sincerely say that only for your most wonderful remedies my precious child would have died from those terrible sores. I used only one cake of Soap and about three boxes of Ointment. Mrs. Ebert Sheldon, R. F. D. No. 1, Woodville, Conn., April 22, 1905."

ITCHING PIMPLES

Cured by Cuticura in Nebraska.

"I had suffered with itching pimples for years. At last a friend told me to get Cuticura Soap and Ointment. I did so and in three weeks my face was entirely cured. I am so pleased with the result that I will recommend them to other sufferers. Mrs. Florence Delavigne, R. F. D. No. 2, Auburn, Neb., Aug. 28, 1906."

Complete External and Internal Treatment for Every Humor of the Skin, Children and Adults. Cuticura Soap (22c) to cleanse the skin, and Cuticura Ointment (10c), for the form of Choccolate, for the form of Chocolate, sold throughout the world. Foster Drug & Chem. Corp., Sole Importers, New York, N. Y.

be further gone into until counsel brought authorities to sustain their position. Justice Fitzgerald upheld their contention, and the witness could be recalled at any time, provided the authorities to be cited by the defense should prove the court in error in shutting out the collateral branches of the family in a single line, such as mother, father, grandmother, grandfather, and so on.

Adjournment was then taken until tomorrow.

PANAMA CANAL WORK.

The Digging of It Is Going on at a Rapid Rate.

Washington, Feb. 5.—While consideration is being given to the question of letting the contract for the digging of the Panama canal, the work is going on there at a rapid pace. Numerous reports from time to time have been submitted, and the progress being made, but the cablegram received at the war department today from Chief Engineer Stevens, contained the assurance that the work was being pushed forward with all possible haste.

"We took out 568,750 cubic yards from Culebra cut in January, and about twice the best monthly record made by the French since inception of work by De Lesseps."

The information is regarded by the war department as indicating that no time is being lost in consequence of the possibility of the work being turned over to private contractors.

NEVADA ASSEMBLY.

Reconsiders Its Resolution Censuring President Roosevelt.

Carson City, Nev., Feb. 5.—The assembly resolution censuring President Roosevelt for alleged interference with the rights of the states was reconsidered today by the Nevada assembly, and the committee on federal relations.

GERMAN ELECTIONS.

Reballoting Emphasizes the Government's Victory of Jan. 25.

Berlin, Feb. 5.—The reballoting in the Reichstag elections which occurred throughout the empire today emphasized the government victory of Jan. 25. The Socialists now return to the Reichstag shorn of nearly half their strength. They have lost old strongholds like Dresden, Elberfeld, and Frankfurt-on-the-Main, and they suffered defeat in Stettin, Darmstadt, Paderborn, and many other places. On the other hand they have captured Strassburg, Wiesbaden, Offenbach and Muehlheim-on-the-Rhine.

E. S. DUNDY, SHOWMAN, DEAD.

New York, Feb. 5.—Elmer S. Dundy of the firm of Thompson & Dundy died suddenly tonight from the effects of a cold, aged 43 years. He was born in Omaha. His father, Judge Elmer S. Dundy, was the first United States judge appointed in Nebraska. When the Panama canal exposition opened at Buffalo, Elmer Dundy joined partnership with Frederick Thompson in the show business. Success led to many other things, among the most notable being Luna park at Coney Island and the Hippodrome in this city.

FIRE AT COAL HARBOR, N. D.

Bismarck, N. D., Feb. 5.—One side of an entire block of the business portion of Coal Harbor was destroyed yesterday by a fire which originated in the village hotel. Loss, \$75,000.

SENATOR BAILEY CROWD WROUGHT UP

Statement of Witness Causes
Him to Brand Him as
A Liar.

IT WAS INSTANTLY RESENTED.

Senator Started for Him, Who Was
Ready, Sheriff Interfered and
Trouble Was Averted.

Austin, Tex., Feb. 5.—A dramatic scene was enacted in the Bailey investigation today shortly after the legislative committee resumed consideration of the charges against the senator. E. N. Mentz of Houston, was on the stand, when Representative Coke asked Mr. Mentz if Col. Cowart of Dallas went to New York to see Bailey while he was there, ostensibly to have his throat treated, but really to attend to business for the Kirby Lumber company.

Senator Bailey arose and said that any one who said that Cowart went to see him in New York was a liar.

The witness understood that Senator Bailey meant him and he arose in his seat and declared that he would allow no man to call him a liar.

Senator Bailey started for the witness, who seemed ready to meet him. Deputy Sheriff White stopped Senator Bailey and trouble was averted.

The senator apologized to the committee, declaring that he had been irritated so much during the past few weeks that he could hardly help his action. He asserted that it was hard to keep from denouncing what he knew to be lies.

Representative Coke retorted that Bailey had legal advisers who were able to take care of his interests.

Examination of witnesses occupied most of the afternoon. No facts of interest were made public by the committee or witnesses. A telegram from H. Clay Pierce in St. Louis announced he will not be able to see the committee next week. The visit to St. Louis therefore will be deferred.

The chairman announced that John W. Gates, now at Port Arthur, Texas, had been subpoenaed. The committee probably will not complete its labor before the latter part of next week.

It is not known when Senator Bailey will go on the stand.

STRONG INSTANCE OF THE PRESIDENT'S INFLUENCE.

Sacramento, Feb. 5.—An attempt to bring up the Japanese question today failed signally. Assemblyman Kohlman of San Francisco offered a resolution to the effect that it was the sense of the assembly that a compromise or surrender at this time on the part of the board of education relative to the Japanese school question would be a sacrifice of the pride and dignity of the sovereign rights of the state of California and tend further to ridicule and belittle the United States in the eyes of the nations.

Before the resolution had been half read, Speaker Fairbanks quickly ruled it out of order and refused to have it presented to the assembly in view of the governor's request at the instance of President Roosevelt that the California legislature keep hands off the Japanese question for the present.

HOUSE OF LORDS.

Effort May be Made to Curtail Its Power of Veto.

London, Feb. 5.—Premier Campbell-Bannerman, in his customary summons to his supporters to attend the reopening of parliament, employed the very unusual phrase, "to discuss matters of grave importance." As foreign affairs are now tranquil, these words are regarded as applying to the contest between the house of lords and the house of commons, and judging from the recent platform utterances of prominent members of the government it is supposed that the ministers will ask the house of commons to pass a resolution limiting the lords' power to veto. Should this be done a struggle will be precipitated.

In the meantime the lords themselves seem to realize the necessity of putting their house in order. Lord Newton has drafted a bill for presentation during the coming session proposing the reconstruction of the house of lords on a partly elective basis. It is doubtful if such a bill would be accepted, but it is declared that Lord Newton is receiving support from both sides of the house.

Winston Spencer Churchill, parliamentary secretary for colonial affairs, speaking at Leeds tonight, referred to the Kingston disaster. He said he ventured to hope that before long Kingston would arise from its ruins improved, enlarged and beautified, and that the importance of the island of Jamaica would receive from the opening of the Panama canal would make it a wealthier state than anything that ever had been known in the West Indian islands. While justifying the naval policy of the government, Mr. Churchill admitted with regret that there was no British warship in the vicinity of Jamaica at the time of the earthquake, and he advocated the urgency of providing a squadron to discharge patrol duties so necessary over the wide extent of the empire.

RUSSIAN ELECTIONS.

St. Petersburg, Feb. 5.—The elections for members of parliament have been in progress for a fortnight, but the returns are still too incomplete to serve as a basis for definite announcements. In the large cities directly represented in parliament the trend of the elections is unmistakably toward the return of a majority of members of the left.

THOMAS MINE EXPLOSION.

VICTIMS, THIRTY-EIGHT.

Elkins, W. Va., Feb. 5.—The death list in the Thomas mine explosion is 38. Of these 37 were working in the mine at the time of the accident. The thirty-eighth victim was Mine Boss Daniel Jones, who lost his life leading a rescue party.

Gas in the mine is interfering with the work of recovering bodies, and only 18 have been brought to the surface. An investigation of the accident is being made.

EMINENT DOMAIN.

Montana Supreme Court Renders an Important Decision on It.

Helena, Feb. 5.—A decision of far reaching importance was handed down today by the supreme court when it held that neither by the constitution nor the laws of the state, is a foreign corporation authorized to exercise the right of eminent domain within ten days after service of this summons upon you, if served within the County of which this action is brought, otherwise, within thirty days after service, and defend the above entitled action; and in case of your failure to do so, judgment will be rendered against you according to the demand of the plaintiff, and in case of your failure to service of this summons upon you, will be filed with the clerk of said court.

Plaintiff's Attorney,
P. O. Address 516 Templeton Building, Salt Lake City, Utah.

Jos. E. Taylor, PIONEER UNDERTAKER

Or Utah, Open day and night. Factory and Warehouse, 23 E. First South, one and one-half blocks east of Taylor.

up by the company's dam across the Missouri. The suit was decided in favor of the company, and Spratt appealed, winning the case today. The court holds that the lands were wanted for a public use, but the company had no right to condemn them. The court says the decision is only applicable to foreign corporations of the respondent's character, the question not being considered with reference to any other clause or charter.

ASCOLI COPE CASE.

Crown Prosecutor Moves Acquittal of All Accused for Lack of Evidence.

Rome, Feb. 5.—In the course of the trial today of the persons charged with theft of famous Ascoli cope of Pope Nicholas IV, which was purchased by J. Pierpont Morgan in 1903 but subsequently returned by him to the government, the crown prosecutor proposed the acquittal of all the accused for lack of evidence. Exception of the photographer Roehkegiani, who committed suicide when about to be arrested.

MORE TROUBLE WITH JAPANESE.

San Antonio, Feb. 5.—The policy of the San Antonio police in arresting Japanese residents for alleged vagrancy threatens to cause complications. Nearly all the Japanese arrested claim to be employed and have money.

L. S. Mogi, a wealthy Japanese resident, says:

"The police make these arrests nearly every day, though none has been fined. If this continues, I shall have to appeal to the Japanese consul, and if I hear of any Japanese being mistreated, I will appeal to the consul immediately to have the apparently purposeless arrests stopped."

WOMAN SUFFRAGE.

Indications Are Oklahoma Constitutional Convention Is Against It.

Guthrie, Okla., Feb. 5.—The veto by which the proposed amendment to the report of the committee on suffrage, extending the right of franchise to the women of Oklahoma, was tabled, is the constitutional convention late this afternoon is indicative of the position of that body on the woman's suffrage question.

The committee report does not mention the woman voters and the amendment was defeated by a vote of 56 to 28. Final action was not taken before adjournment this afternoon, however, and the committee report tomorrow.

HONORED BY THE POPE.

Rome, Feb. 6.—William E. Cook of Independence, Ia., has been signally honored by Pope Pius, who has consented to give the painter settings for a portrait. Mr. Cook will be the first American to paint a picture of his holiness. The artist, for the painting of the effigy, has not been announced but it will be in the near future.

FRUIT TREES!

A large assortment of the finest quality of Fruit, Shade and Ornamental trees very low prices. We make a specialty of dealing direct with the farmers. Write for our catalog. FREE. We pay the freight. Schroeder-Son Nursery Company, Lafayette, Colorado.

GODBE PITTS.

PRESCRIPTION DRUGGISTS, 101 MAIN ST.

EVERYBODY IS ENTHUSIASTIC

OVER THE

Permanent Display of Utah's Resources

AT

THE UTAH CHAMBER OF COMMERCE

56-58 West Third South Street.

UTAH'S CITIZENS SHOULD NOT FAIL TO SEE IT

Everybody Welcome, No Charge.

"That Good Coal"

BAMBERGER, 161 Meighn Street.

CHEAP RATE CHOICE

3-ROUTES-3

\$64.40

SALT LAKE AND OGDEN TO CITY MEXICO and Return

DATE OF SALE February 15th, 1907.

Return Limit 60 days

See C. F. WARREN, A. T. & S. F. Ry, 411 Dooly Block, Salt Lake City.

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Or Utah, Open day and night. Factory and Warehouse, 23 E. First South, one and one-half blocks east of Taylor.

A Reasonable Plea For the Stomach

If Your Stomach is Lacking in Digestive Power, Why Not Help the Stomach Do Its Work—Especially When It Costs Nothing to Try?

Not with drugs, but with a reinforcement of digestive agents, such as are naturally at work in the stomach? Scientific analysis shows that digestion requires pepsin, nitrogenous ferments, and the secretion of hydrochloric acid. When your food fails to digest, it is proof positive that some of these agents are lacking in your digestive apparatus.

Stuart's Dyspepsia Tablets contain nothing but these natural elements necessary to digestion and when placed at work in the weak stomach and small intestine, supply what these organs need. They stimulate the gastric glands and gradually bring the digestive organs back to their normal condition.

Stuart's Dyspepsia Tablets have been subjected to critical chemical tests at home and abroad and are found to contain nothing but natural digestives. Chemical laboratory, Telegraphic address, "Difendo," London. Telephone No. 11629 Central. 20 Cullum St., Fenchurch St., E. C.

London, 9th Aug. 1905.

I have analyzed most carefully a box of Stuart's Dyspepsia Tablets (which I bought myself at a city chemist's shop for the purpose), manufactured by the F. A. Stuart Co., Temple Chambers, London, E. C., and have to report that I cannot find any trace of vegetable or mineral poisons. Knowing the ingredients of the tablets, I am of opinion that they are admirably adaptable for the purpose for which they are intended.

(Signed) John R. Brooke, F.R.C., F.C.S.

There is no secret in the preparation of Stuart's Dyspepsia Tablets. Their composition is commonly known among physicians, as is shown by the recommendations of 40,000 licensed physicians in Great Britain and Canada. They are the most popular of all remedies for indigestion, dyspepsia, water brash, insomnia, loss of appetite, melancholia, constipation, dysentery and kindred diseases originating from improper digestion and assimilation of foods, because they are thoroughly reliable and harmless to man or child.

Stuart's Dyspepsia Tablets are at once a safe and a powerful remedy, one grain of these tablets being strong enough (by test) to digest 3,000 grains of steak, eggs and other foods. Stuart's Dyspepsia Tablets will digest your food for you when your stomach can't.

Ask your druggist for a 50 cent package or send us direct for a free trial sample package and you will be surprised at the result. F. A. Stuart Co., 64 Stuart Bldg., Marshall, Mich.

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A large assortment of the finest quality of Fruit, Shade and Ornamental trees very low prices. We make a specialty of dealing direct with the farmers. Write for our catalog. FREE. We pay the freight. Schroeder-Son Nursery Company, Lafayette, Colorado.

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