

DEMENTIA AMERICANA.

Each mention of "dementia Americana," was uttered by Mr. Jerome with

a sarcastic inflection, "Dementia Americana, men," he said, "has no place in your verdict. You swore to take no higher law than the

swore to take no higher law than the law of your state. "Dementia Americana--what is the dementia Americana which waits and glares at its enemy for inree years and then kills?" It waits three long years and grows bitter and then strikes. "Dementia Americana--that flaunts the woman for whom it kills through the capitals of Europe for two years as its mistress. Is that the higher law? No gentlemen, the higher law does not hinge itself under the hem of a wo-man's skirt.

man's skirt. "Dementia Americana—is that the law which puts a woman up to tell of her shame—or misfortune, as the case may be—to all the world in the hope it will shield a worthless life, the people's just demand? "That is not the kind of law you swore to accept and if you do it, men, you violate your caths." Mr. Jerome took up the evidence of the witnesses upon the direct case, and with the ald of a diagram, showed tho jury how Thaw moved about the roof garden before and after the shooting. He referred to the testimony of James Clinch Smith.

Clinch Smith. "'Do you remember Truxton Beale and the case of two men and a wo-man?" Thaw asked Smith.

called to the bar, JEROME BEGINS. "Gentlemen of the jury," said Mr. Je-rome, arising when the court had open-ed, "from all I can judge from the pa-pers—I having been absent—you have been wandering through a mere field of fend himself, then turned suddenly and, holding the pistol so close to Stanford White's head that after he was dead Mr. Smith, his brother-in-law, did not know him because of the powder marks, and fired once, twice, three times." Mr. Jerome picked up the pis-tol from the table and as he spoke the words, punctuated them by pulling the

or the administry given to congress in regulate intersistic commerce and at the same time it undertakes to regulate commerce within the state. In the Howard case the suit was for \$20,000 damages occasioned by the acci-dental killing of the plaintiff's husband while serving as a fireman on the fill-nois Central railroad near Memphis. The case was tried before Judge Mc-Call in the United States circuit court. Northern district of Tennessee, who also held the law to be invalid upon the two grounds that Hability for accident cannot be regulated under the com-merce clause of the Constitution, and that even if it could be, the authority would not extend to the regulation of interstate commerce which he asserted was undertaken by the law. The government was not at first a

grounds.

officer.

Interstate commerce which he asserted was undertaken by the law. The government was not at first a party to either of the suits, but since the law has been attacked, it has in-tervened and the department of justice will be represented in the argument. The attorney-general has filed an ex-haustive brief in the case in which he strennously upholds the law. Upon the point as to whether Congress has the power to regulate the instrument-ality of Interstate commerce, the at-torney-general contends that such reg-ulation is in line with the regulation of interstate commerce itself, and as-serts that the courts have frequently recognized the power to regulate the liability of common carriers. 'It is fifficult.' he proceeds, 'to see why. If Congress may regulate the liability of common carriers and others engaged in interstate commerce to strangers, it may not regulate their liability to their employes, the protection of interstate commerce being as much involved in the one case as in the other. It would be strange, indeed, if it should be held that Congress can pro-tect everything and everybody con-nected with interstate commerce—the carrier, the passenger, the stranger, the merchandise—but could not pre-

carrier, the passenger, the stranger, the merchandise—but could not pro-tect the person employed to carry it

party of finance were chosen in the wave grounds in an automobile, they were stopped by Capt. Brookes, who four-ished a revolver in a threatening man-ner, complained that his dog had been run over by an automobile, and finally compelled the party to leave the grounds. gin to run between Salt Lake and Los Angeles tomorrow.

UTAH AND IDAHO POSTMASTERS grounds. The conduct of the officer was wholly without justification, in the opinion of the persons whom he insulted and all but assaulted, and Mr. Newhouse lost

(Special to the "News.")

Washington, April 10.-Alexander A. Larsen has been appointed postmaster at Geneva, Boxelder county, Utah, vice E. C. Peterson, reisgned. Bural approximation

no time in lodging complaint with the commanding officer, Col. Benjamin C, Lockwood. That gentleman was curt, to say the least, in his treatment of Mr. Newhouse, and he comes in for a share of the criticism from the superior officer

Peterson, reisgned. Rural corriers appointed: For Idaho Routes-Boise, rout I, Laura L, Wiseman, carrier; Gerard Wiseman, substitute. Weiser-Route 2, James W, Jeffereys, carrier; (reinstated); no substitute. The postoffice at Brinton, Sait Lake county, Ulah, will be discontinued April 20. The name of the postoffice at Na-trona, Natrona county, Wyoming, has been changed to Hobart; William Clark, postmaster. Salt Lake, and for two or three days he was actively engaged making a thorough investigation of the matter. Each

PATENTS GRANTED TO UTAH INVENTORS.

(Special to the "News.")

Washington, D. C., April 10. – Patents is-sued: Utah-Charles O. Michaelsen, Salt Lake City, machine for separating gold and platinium from other material. Emil Nestles, Prove, shaft supporter for validate Paul O. Paulson, Brigham, rotary en-

Wyoming-John A. Evans, Yellowstone Park, saddle pack cover.

EMPEROR WILLIAM HAS A NARROW ESCAPE.

American Federation of Labor, will preside. Among those who will de-liver addresses are Frank M. Foster of the International Typographical union, Boston; Dennis A. Hayes, president of the Glass Bottle Blowers' International union, Philadelphia; James O'Couneil, president of the International Associa-tion of Machinists, Washington, and James J. Murphy, president of the Typographical Union No. 6 of New York. ややややややや men to thinking of plans to make a great success of the Trans-Missouri congress, to be held here in October. ANARCHIST SOLANI ARRESTED. Attents, April 10.—Pietro Solani, a well known anarchist, was taken into custody at the Hotel Constantinople. Piraeus, pre-vilous to the arrival of King Vietor Eman-nuel. It was suspected that he had de-signs upon the Italian monarch. The police authorities questioned him at length as to his presence in Greece, but he was umable to answer satisfactorily. He also contradicted himself several times while being questioned. At noon today the Utah Arid Farm association, fully organized, came in to existence as a result of the first

AND BOT

DR. DRAGO INVITED.

Buenos Ayres, April 10.-American Secy, of State Root has written Dr. Drago a letter inviting him to visit the United States. The secretary congratulates him-self on the interest for South America aroused among his countrymen by last year's trip. He says that Americans have learned more about the southern conti-nent during the last year than during 10 previous years.

APPEAL TO AMERICANS TO HELP STARVING RUSSIANS.

London. April 10.-Dr. Kennard, com-missioner of the Boelety of Friends, who was sent to investigate the Russian fam-ine, writing from Samara, in the heart of the familie district, under date of April 3, appeals to the United States and Great Britain to promptly send help. He says: "There are 20,000,000 people distributed in the southeastern provinces of Russia, who, without aid, cannot live to see an-other harvest."

starting them, This morning an executive commit-tee of one man from each county, to consist of the committee on perman-ent organization, appointed yesterday, with a few alterations, was appointed to serve as an executive committee, with the president, three vice presi-dents, and the secretary. The inatter of preparing a fine dis-play of arid farm products for ex-hibit during the Transmissouri Dry Farm congress next October, was dis-cussed, and assurances given by many dry farmers that they would plant crops this spring with a special view to securing products for display. Fisher Harris, president of the Transmissouri congress, made a brief statement in which he said that the Commercial club had pledged the raleing of \$5,000 to secure this con-vention for Sait Lake, and that if would raise this money for the print-ing of proceedings, entertainment of visitors and preliminary publicity

starting them,

Newhouse: War Department, Adjutant General'a Office, Washington, April 4, 1907.-- Col-onel Benjamin C. Lockwood, Twenty-ninth infanary, commanding Fort Douglas Utah: Sir-Having reference to the denior-able occurrence at your post on Feb-ruary 14 last, the acting secretary of war directs that you be informed and instructed as follows: That he has thoroughly examined all the papers, both official and unofficial, in the case, and having carefully weighed the evidence therein contained

and will arrive in this city at 6:30 Sat-urday morning. The read has made herculean efforts to get the repairs made and the track put in shape for through business dur-ing the past two months, and all the men that it was possible to gather up at both ends of the road have been put to work at the broken out spots, and nearly a million dollars in labor has been expended in placing the track in condition for trains to run over it. The work has been accomplished and as above stated, through trains will be-gin to run between Salt Lake and Los

pers-I having been absent—you have been wandering through a mere field of romance for two days. The life of a human being is not to be judged on such premises The issues here cannot be determined by quotations from the Scriptures. You have been enjoined by the court to make up your verdict solecourt to make up your verdict sole-

room before that hour. Court attend-

ants employed the side doors, leading

to the antercoms, to good advantage,

and so when the main entrance was opened, the trial room was almost filled.

indge's bench was also taxed to its ut-most capacity by the friends and as-sistants of the attorney, and altogether the scene in the courtroom when Mr. Jerome rose to address the jury was

one of tense interest, in expectancy and suppressed excitement. In the corridors the scenes were most

In the corridors the scenes were most stirring. Scores of disappointed men and women made an onslaught upon the police in a last effort to pass, only to be repulsed and fairly dragged back from the entrance. Men with imagined influence pleaded with the officers, cajoled, begged and threat-ened, but all in vain.

THAW FAMILY ARRIVES.

was begun members of the Thaw failt-ly began to arrive. The first to enter was Josiah Thaw, accompanied by the Countess of Yarmouth. Mrs. Carnegie and her husband were next. Mrs. Ed-ward Thaw and Evelyn Thaw followed (quickly, and the elder Mrs. Thaw came last. All looked hopeful and confi-dent

dent. At 11:35 Justice Fitzgerald took his seat upon the bench and the jury was brought in, and Harry K. Thaw was called to the bar.

About five minutes before the session

begun members of the Thaw fami

The small enclosure in front of the

"The attorneys for the defense have had the responsibility of a human life resting upon them. But there has been insibility equally grave upon the

"The law is not a cruel law. It does not punish for the mere sake of punish-ment. It punishes to protect those who live under it.

live under it. "Important as it is that no human life should be put out unjustly, it is equally important to the community in which you and I dwell that the law shall be justly upheld. "I, gentlemen, have had no easy task. If in the heat of the battle I have trans-cended the courtexy due to course! I

canded the courtesy due to counsel. I will beg you to overlook it. If in the judgment of the court I have gone fur-ther than I should have gone in making certain statements in court, I have nothing but regret for it. This is a time for us all to lay aside our animosities. The issue here is not to be determined upon my personality or upon that of the counsel for the defense.

DUTY OF JURY.

"Keep clearly in mind that while the defendant's counsel stand for the de-fendant individually, there is another side, the side of the people, of whom you are a part. This is no action be-tween the executors of Stanford White and this defendant; it is not a trial to determine whether Evelyn Nesbit was ravished by Stanford White. It is an is-sue between the people of New York state and Harry Thaw, and it is to de-termine whether what he did was justi-fiable or excusable, or whether he would be punished for it. "Keep clearly in mind that while the be punished for it.

"I will assure you that, not upon the word of the counsel, but upon the evidence you are bound by your oaths to decide this issue. On the evidence I will try to point out to you that this defendant's crime was not justifiable or excusable and that he should be punished.

punished. "You are not entitled to say that this man is guilty because the grand jury indicted him for murder in the first de-gree, but you are entitled to consider that on the records they said the un-explained evidence justified them in charging him with murder in the first degree."

Mr. Jerome went briefly into the law covering the various classes into which homicide is divided, describing each.

IF DEFENDANT WAS INSANE.

IF DEFENDANT WAS INSANE. "If you find that this defendant was insane when he killed White it is your duty to say so in your verdict. If you do not say so it is because you believe that this crime was justifable. Justi-fable does not mean dementia Ameri-cana; it means self-defense. But when a man sits with his head in his hands and is deliberately shot with a pistol held so close to him that after the shooting the victur's own brother-in-taw did not recognize him, it can hardly be called self-defense east of the Mis-sissippi river." issippi river."

ONLY FOUR VERDICTS.

"There can be logically but one of four verdicts returned by you-murder in the first degree, because there was not only design, but premeditation: murder in the second degree, because there was design but no premeditation: manslaughter, because there was peither design nor premeditation, but

trigger three times. THAW'S ACT DELIBERATE.

"Deliberately he shot the man who had barred him from clubs, who had once taken from him the woman he loved and threatened to take her away again, and then, my learned opponent tells you he stood with his arms extended, like a priest dismissing a congrega-tion. I did not see anything in the evidence about that.

dence about that. 'He held the pistol up that the people present might know that there would be no more shooting, in order to prevent a panic. When the man who arrested him asked him why he did it, the pris-oner answered 'He ruined my wife.' He did not say, 'I am the aposte of God, appointed to kill this ravisher of Am-erican virgins.

erican virgins. "No, my friends, this apostle of God business came after this defendant had the advice of my friend. Dr.

Evans. Mr. Jerome went into the details of the evidence regarding Thaw's actions and words after the killing, and said that there was not one thing that did not show caimness, coolness and rationality.

tionality. "He was rational, he was calm." went on the district attorney. Mr. Jerome made a fiery attack upon Evelyn Nesbit Thaw, referring to her sarcastically as the "angel child." say-ing she seemed always ready to go to the "human ogre who had stripped her of her virtue." of her virtue

Jerome denounced Evelyn's story as Luncheon recess was ordered at 1 p. m. to 2 o'clock.

TWO SOUTHERN PACIFIC LOCOMOTIVES EXPLODE.

Bakersfield, Cal., April 10.-The boiler of engine 2615, third helper on Southern of engine 2615, third helper on Southern Pacific freight train, blew up at mid-night four car lengths in front of the entrance to tunnel No. 12 on the Teha-chapi mountain, instantly kiling Engi-neer Bob Machie and Fireman Vaughan, Brakeman H. R. Jones was badly injured, but will recover. At 4 o'clock this morning Southern Pacific passenger engine 2703 blew up while leaving the roundhouse at Mojave to hich on to the Los Angeles morning passenger train No. 7 and acting hostler H. B. Earnestand and helper D. Shea were killed outright.

RAILS FOR CHICAGO BAILWAY.

Chicago, April 10.—Ten thousand tons of steel rails, or 20,000,000 pounds, have been ordered by the Chicago City Rall-way company for use in reconstructing its lines.

This is one of the largest rail orders This is one of the largest rail orders given by a local concern in recent years, excepting railroad companies, which send out contracts for equip-ment from this city, and will involve about \$400,000 in cash. Two hundred ions of steel rails are needed to construct a mile of single track, therefore the lot that is to be delivered to the city railway will ex-tend over 50 miles of single or 25 miles of double track.

on, those that bear the heat and bur-den of the day. From the foundation of the government the power of Conof the government the power of Con-gress to regulate interstate and for-eign commerce has been construed to extend to the regulation of the instru-mentalities by which such commerce is conducted, and the regulation of such instrumentalities to include conthe persons operating the trol

With reference to the applicability of the law to railroad employes whose duties are confined to one state, he

says: "It is the carrier and not its em ployes that the act seeks to regulate and the carrier is subject to such regand the carrier is subject to such reg-ulations because it is engaged in in-terstate commerce. It is submitted that Congress can make a common carrier engaged in interstate com-merce liable to any one for its negli-gence who is affected by it, and if they can do that, necessarily it can make such carrier liable to all of its employes." employes.'

PULITZER'S BIRTHDAY.

Proprietor of N. Y. World Will Give Dinner in Honor of His Sixty Years,

New York, April 10,-In celebration of his sixtleth birthday, Jos. Pulitzer, proprietor of the New York World, and

evidence therein contain has reached these conclusions, namely: 1. The conduct of Captain Brookes I. The conduct of Capian broass in drawing his revolver was extraor-dinary, rnseemly, and, because of the proximity of the sentine, sitozether unnecessary and hence inexcusable. This view holds irrespective of the

On March 15 Col. French arrived in

of the persons present when the oc-currence took place was questioned sep-arately and minutely by Col. French

who afterwards submitted the results of his inquirfes to the proper authori-ties, and thereupon the following letter was addressed to Col. Lockwood, and a copy each to Contain Granthand

copy each to Captain Brookes and Mr. Newhouse:

This view holds irrespective of the speed of the automobile. 2. Although It appears that happily no serious injury has resulted to any of the persons concerned, wet through Capitaln Brookes's behavior a very grave injury has fallen upon the ser-vice, and the post commander will ad-monish Capitaln Brookes a scordingly. 3. If the post commander had re-sponded to the complaint more cordial-ity assuring Mr. Newhouse that it was receiving due attention, the incident might have been settled without so much trouble. much trouble.

The post commander will furnish 4. The post commander with furnish to Captain Brookes a copy of this lef-ter; also a copy to Mr. Newhouse. 5. Under the circumstances the fore-going is considered to be a sufficient measure of correction.

6. Nothing in this communication is to be construed as diminshing in the least the restonsibility of the post commander to enforce by every proper to be least

means within his power the strict ch-servance of traffic regulations for auto-mobiles within the reservation limits, Very respectfully. HENRY P. McCAIN.

Adjutant General.

Berlin, April 13.-Emperor William's chauffeur, by his dexterity in handling his car, yesterday probably saved the em-perior from injury. It was while the em-perior was on his way to a post near Berlin to attend a military breakfast that the automobile driver, in rounding a sharp turn, found a heavy transport wagon blocking his way. The chauffeur three on his brake hard and the car skid-ded, causing the emperor to lose his equilibrium He was uninjured, however, and the car proceeded.

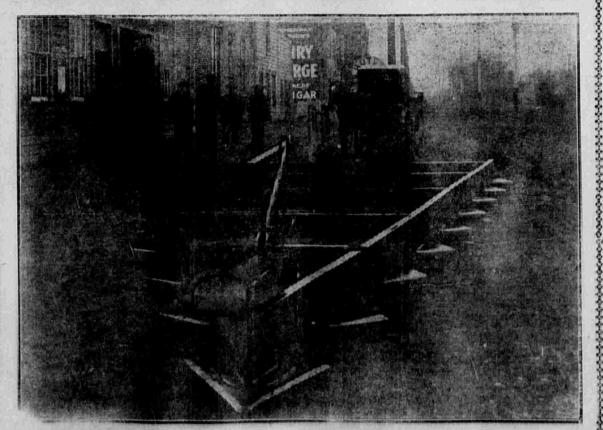
A BULLET IN HER BRAIN.

Mabel Guy Walks a Mile to Hospital After Being Shot.

New York. April 10.-With a bullet in her brain, Mabel Guy, the 10-year-old daughter of Mr. and Mrs. Charles Guy of Middletown, N. Y., walked a mile to Thrall hospital for treatment yesterday. The girl was wounded by a young com-panion who was playing with a pistol supposed to be empty. At the hospital an unsuccessful effort was made to recover the bullet. The physicians say the girl may recover.

LINCOLN TRUST CO. SUSPENDS.

Philadelphia, April 10 .- The Lincoln Savings & Trust company of this city closed its doors today. The company is one of the city depositories. The



UPROOTS THE SAGEBRUSH.

A Powerful Grubber, Invented by a Utah man, B. Bates, of American Fork, Which, When Attached to a Steam Traction Engine, Rapidly Reduces Greasewood and Sagebrush Wastes to Condition for the Plow of the Arid Farmer.

the southeastern provinces of Hussia, who, without aid, cannot live to see an-other harvest." In Samara alone, the commissioner adds, thousands are dying and 750,600 are stary-ing Of the latter only 372,700 are getting relief, a dole of one meal in 24 hours. As a meal is only two pounds of bread and a bowl of soup, this, according to the commissioner, means dying by de-grees and a dole in many instances is di-vided among many mouths. There are only sufficient funds on hand to last un-til May I, whereas money will be needed until the end of July, when the harvest will bring relief. The commissioner aspe-cially appeals for canned milk. He says there are 20,000 children in Samara prov-ince who have no milk and are forced to ent coarse bread made of acorns, pow-dered wood and cucumbers, resulting in thousands of deaths and much disease. In conclusion, the commissioner appeals to the Anglo-Satons for \$2,500,000 to save "twenty millions of human beings who are dying lingering deaths from starva-tion."

FROM LAKES TO GULF.

Deneen Commission Reports 18-Ft.

Channel is Feasible.

Springfield, III., April 10.--Gov. Deneen today sent to the legislature the roport of the commission appointed by him two years age to investigate and report upon of the commission appointed by him two years ago to investigate and report upon the possibilities of a deep waterway be-tween the lakes and the gulf. According to the report, a channel containing 15 feet of water is entirely feasible from Chicago to 3t. Louis, Gov. Deneen recommends that legislation be enacted conferring up-on the canal commissioners the power necessary for the development and use of the immense water power made possi-ble by the large flow of water proposed hetween Lockport and Utica and recom-mends that the state so legislate that part of the revenue secured from the sale of water power shall be made to contribute to the construction of the proposed deep waterway.

waterway SANDOW MERTES WINS.

His Appeal to Baseball Commission

Was Upheld Today.

Cincinnati, April 10.-The decision in the cas of Sandow Mertes, the ball play-er, as reached by the national baseball commission a few days ago, and pub-lished today, is to the effect that unless the St. Louis or Boston Nationals pay him \$4,000 salary he becomes a free agent.

agent. Mertes was transferred from St. Louis Mertes was transferred from St. Louis to Boston on the understanding that he was to receive 34,000 per annum. Later he received a contract from the Boston club calling for a salary of \$2,400. He refused to sign and appealed to the national commission. In another decision Henry Pattee of Brocklyn is religiated without negative

Brooklyn is reinstated without penalty, his failure to report last season owing to his college work being considered sufficient excuse.

SARAH MILES HANNA DEAD.

Kansas City, April 10.-Mrs. Sarah Miles Manna, one of the oldest mem-hers of the Daughters of Rebekuh and the only woman upon whom the degree of chivalry was ever conferred by the I. O. O. F. died at her bome here yesterday, the result of a stroke of pa-ralysis, aged \$2. She was the cousin of Gen. Nelson A. Miles

CHANGE OF VENUE.

The case against Frank and Willis Rudy et al. charged with dynamiting in the Jordan river, was to have been tried before Justice of the Peace Dana T. Smith this morning but counsel for defense got a change of vanue to the court of Justice F. M. Bishop. The ac-cused were represented by Attys. Ray Van Cott and P. J. Daly.

state conference on ways and means to replace Utah sagebrush with wheat

crops. A large number of people were present this morning and took keen

interest in th final proceedings, show-

ing by the nature of the technical

questions asked the speakers that they

have dry farm projects in mind, and

are figuring on details of method in

would raise this money for the print-ing of proceedings, entertainment of visitors, and preliminary publicity work connected with the convention. He said that the impression that only tillers of the soil have a right to be in-terested in arid farming must be done away with. An interesting feature of this morn-ing's program was a series of informal talks from people who know what is going on in various counties towards establishing arid farms of large acre-age. The reports show that they ex-ist in almost every county, while in Cache, Juab and Toole they are well established and on a paying basis.

ist in simost every county, while in Cache, Juab and Tooele they are well established and on a paying basis. On the regular program there were three papers. Howard Cox of Prova read a paper on the traction engine and its use in arid farming. He declared that the engine is being rapidly im-proved and that within a few years much better results may be expected. As present the engines are too small to do the work required of them, and burn more fuel than is necessary. He advised against the buying of engines under 60-horse power, and one of these, he said, could be operated for \$22 per day, plowing an area of from 30 to 40 acres at a cost of about 50 cents per acre. Gasoline and electricity were dis-cussed as motive powers, and it was cussed as motive powers, and it was stated that at least one gasoline engine will be on duty in Utah within a year.

NO MORE FARMERS.

John Beck, in commenting on the traction engine, declared that he looked forward to a day of the farm without a forward to a day of the farm without a farmer. "It will soon be a question of machinery and the elements, with an engineer instead of a farmer in charge of the machinery. The farmer is the lucky man who will own the ground, and his duty will be to look happy and enjoy his leisure on the income, or divi-dends, if he is owner of shares in an incorporated farm." Mr. Beck recalled the time he opened the Bullion Beck mine, the second mine over to be oper-ated in Utah, and of the great progress made towards scientific mining since made towards scientific mining since that time.

OUT IN TOOELE.

An interesting talk on Rush valley was made by Israel Bennion, who has been engaged in arid farming there for a long time. He spoke of the ear-ly efforts at dry farming out there, and of the endless task of grubbing sage-brush by hand that marked the first cra. "Then one day" he continued orean by hand that marked the first era. "Then one day," he continued, "some strangers dropped in and took 10,000 acres of land right out of my front door yard, and began to disturb the peace of myself and my neighbor, who lived seven miles across the fields. "I managed to save a few acres of land out of the wreck for my children, and bought a share in the bie com-

and bought a share in the big com-pany. They are working there now with the sagebrush grubber and the steam plow, and I am sure their work will be successful. All the land we cleared by hand has produce good

cleared by hand has produce good crops." Dr. Widtsse followed Mr. Bennion with a brief tribute to his work in Tocele, and of the inspiration it has been to others of the south who proved stubborn converts to the idea that crops will grow with harrowing and fail plowing instead of frequent int-gation. He recalled a visit he made there when he found crops of melons. conr. wheat, and potatoes on arid conr. wheat, and potatoes on arid

SAN JUAN POSSIBILITIES.

Hanson Bayles of San Juan county spoke of the fact that there are 2,000,-000 acres of land in San Juan that may be cultivated under this system, and