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TWENTY-SEVENTH YEAR

FOURTEEN PAGES—TUESDAY MORNING FEBRUARY 5 1907—FOURTEEN PAGES

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Insanity in the Family Thaw victim of Delusion

Addresses to Jury and Presentation of State's Case Yesterday—Explosive Impulse to Kill Because of Real or Fancied Wrongs to Wife, Due to a Diseased Brain, is Defence.

THAW'S WIFE AS A WITNESS WILL TELL THE REASON WHY

New York, Feb. 4.—The state laid today its case against Harry K. Thaw for the shooting on the Madison-square garden roof, laying the motive to be inferred from a plea of delirious insanity.

It was asserted that Thaw, in slaying Stanford White, believed he was acting as an agent of Providence; that real or fancied wrongs committed against him by the architect and former friend of his wife, seethed in his brain until at last there came the explosive impulse to kill. When the act was accomplished Thaw made no move to escape its consequences, but holding the fatal revolver aloft he stood as if mutely proclaiming to the world: "The deed is done; it was right; it was not wrong."

Thus Thaw's counsel outlined his case to the jury this afternoon, after the prosecution had occupied less than two hours of the morning sitting of the court in relating their evidence, and the defence had introduced its plea and outlined its case, an adjournment was taken until tomorrow morning. Then the first witnesses in Thaw's behalf will be heard.

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There was another period—during the morning session—when Thaw again looked up at his hands, clasped before him on the table. Thaw again looked up at his hands, clasped before him on the table.

WITNESSES TELL OF THE SHOOTING

Mr. Garvan congratulated the jurors on their body having been completed, and then outlined the purpose of the law, which was not seeking for vengeance, but to uphold the security of the state.

DISCHARGE IN COCKBURN CASE

Col. Denison Decides That McGill Evidence Was Not Corroborated in Any Single Circumstance.

COCKBURN STOUTLY REFUTES

Under Oath Declares Ex-Manager Swore Falsely and Directors Support Him—Mr. Langton's Behavior.

George R. R. Cockburn, ex-president of the Ontario Bank, accused of making a false return to the Dominion government, was discharged by Magistrate Denison yesterday afternoon.

Mr. Cockburn testified in his own behalf. He denied every allegation made by Charles McGill, the late general manager, as to his knowledge of any wrongdoing. The directors also denied McGill's evidence.

Magistrate Denison asked Mr. Cockburn two questions: "When you signed the statements did you believe they were true?" "I did," was the reply.

The crown attorney failed to bring any charge home to the defendant. Every witness brought to court except the solitary one, the principal offender, Charles McGill, who, unfortunately, is now standing under two charges of theft, gave evidence for the defendant.

PROOF OF WILFUL INTENT IS NECESSARY TO CONVICT

Text of Magistrate Denison's Judgment in the Case Against Ex-President Cockburn—Semi-Liar to the Yarnpunch Case and Statutes Are Unchanged.

In discharging Mr. Cockburn yesterday, Col. Denison delivered a prepared judgment, declaring that it is necessary that the crown should prove intent to deceive.

MONTREAL IS GRIPPED.

Light and Power Co. Get 20 Years' Extension of Gas Contract.

B.C. ELECTIONS LATEST RETURNS

McBride Will Probably Have 26 Seats, With the Loss of Richmond—Socialists Have Three.

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Mr. Hays: "Expensive? Now, I don't suppose you'd believe what those 'sleepers' alone cost us railway people."

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FIGURES SHOW OVERCROWDING

City Officials Present Statistics to Railway Board Confirming the "Indecent and Immoral" Crush in Street Cars.

97 STANDING ONE MORNING

In Down-Bound College Car—Witnesses Add to City's Case by Recital of Their Own Experiences.

Some striking evidence of overcrowding on street cars was given by John Pearl of the city engineer's staff of inspectors at the opening of the hearing of the city's application before the railway board yesterday afternoon.

Mr. Pearl's work was very thorough, giving exact statements of the number of passengers sitting and the number standing on King-street cars eastbound and westbound; College and Yonge, and Bloor and McCaul cars during the rush hours of the early morning and late afternoon.

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