HAY AND HOGS MARKET FEATURE

LOCAL MARKET.

Thursday, Jan. 30.

Although the weather was extremely cold it did not deter a large number of farmers and buyers from attending the market this morning. The feature of the market was the big supply of hay and the large number of dressed hogs that was offered. Prices were not as high as on Monday, the increase in the supplies no doubt was the cause of the easier feeling in prices.

Grain—Oats were plentiful, about twenty loads were offered. Sales were made at $1 50 to $1 52 per cwt. Wheat sold at 95c to 92c per bushel.

Hay and Straw—There was nearly forty loads of hay offered today. Sales were fairly brisk, and prices slightly easier at $14 to $15 50 per ton. The majority of the loads sold at $15. Straw was also more plentiful at $8 per ton, and occasionally $8 50 per ton.

Butter and Eggs—Butter was none too plentiful. There was no change in prices. Sales were made at 26c for crocks, and 27c for pound rolls, by the basket-lot. Fresh laid eggs sold mostly at 28c per dozen.

The supply of vegetables and apples was small, as the weather was to cold to display these commodities.

COTTON MARKETS.

NEW YORK.

New York, Jan. 30.—Cotton—Futures opened steady; January, 11.25c; February, 11.18c; March, 11.34c; May, 11.25c; July, 11.10c; August, 10.88c; October, 10.32c to 10.32c.

LIVE STOCK MARKETS.

TORONTO.

Toronto, Jan. 30.—Trade and prices are firm; 29 loads in today, including 1,490 cattle, 1,700 sheep and lambs, 650 hogs and 116 calves. Quotations:

Export cattle, choice, cwt.	$4 75	@	$5 00
Export cattle, medium	4 40	@	4 65
Export bulls	3 75	@	4 00
Export bulls, light	3 25	@	3 50
Export cows	3 50	@	4 00
Butchers' cattle, choice	4 50	@	4 75
Butchers' cattle, medium	3 75	@	4 00
Butchers' cattle, common	3 25	@	3 50
Butchers' cows	2 75	@	3 25
Butchers' bulls	3 00	@	3 25
Stockers, choice	3 25	@	3 50
Stockers, medium	2 75	@	3 00
Stockers, common	2 50	@	2 75
Stock bulls	2 00	@	2 50
Feeders, heavy	2 75	@	4 00
Feeders, short-keeps	4 25	@	4 40
Milch cows, choice, each	40 00	@	50 00
Milch cows, common, each	25 00	@	35 00
Springers, each	25 00	@	40 00
Export ewes, cwt.	4 00	@	4 50
Export bucks	3 00	@	4 00
Lambs, grain-fed	6 00	@	6 00
Lambs, common	4 00	@	5 50
Calves, cwt	3 00	@	6 00
Hogs, selects, cwt. off cars	5 40	@	5 40
Hogs, lights and fats	5 15	@	5 15

CHICAGO.

Chicago, Ill., Jan. 30.—Cattle—Receipts, about 8,000; market steady; beeves, $3 60 to $6 10; cows and heifers, $1 70 to $4 60; Texans, $3 30 to $4; calves, $5 to $7; westerns, $3 70 to $4 60; stockers and feeders, $2 60 to $4 60.

Hogs—Receipts, about 40,000; market steady to 5c higher; light, $4 to $4 30; mixed, $4 05 to $4 37½; heavy, $4 05 to $4 40; rough, $4 05 to $4 15; pigs, $3 50 to $4 10; bulk of sales at $4 20 to $4 30.

Sheep—Receipts, about 10,000; market weak; natives, $3 25 to $5 60; westerns, $3 25 to $5 60; yearlings, $4 90 to $5 60; lambs, $5 to $7 15; westerns, $5 to $7 20.

SUGAR MARKETS.

NEW YORK.

New York, Jan. 29.—Sugar—Raw firm; fair refining, 3.20c; centrifugal, 96° test, 3.80c; molasses sugar, 3.05c; refined sugar steady. Molasses—Quiet.

LONDON.

London, Jan. 29.—Raw sugar—Centrifugal, 11s; Muscovade, 9s 10d; beet sugar, January, 9s 11½d.

DAIRY MARKETS.

CHICAGO.

Chicago, Jan. 29.—Butter—Firm; creameries, 21c to 32c; dairies, 20c to 28c.

Cheese—Steady, 11c to 13c.

NEW YORK.

New York, Jan. 29.—Butter—Strong; receipts, 5,105 packages; creamery specials, 32c; extras, 32½c; thirds to firsts, 23c to 31c; held, seconds to specials, 24c to 31c; state dairy, common to finest, 21c to 31c; process, common to special, 18c to 24c; western factory, common to firsts, 17c to 21c; imitation creamery, firsts, 22c to 24c; held, thirds to firsts, 17c to 20½c.

Cheese—Firm and unchanged; receipts, 1,238 boxes.

OIL MARKETS.

OIL CITY.

Oil City, Pa., Jan. 29.—Credit balances, $1 78.

LONDON.

London, Jan. 29.—Petroleum, American refined, 7 1-16d; spirits, 7½d.

ANTWERP.

Antwerp, Belgium, Jan. 29.—Petroleum, 22 francs.

PITTSBURG.

Pittsburg, Pa., Jan. 30.—Oil opened and closed at $1 78.

PRODUCE MARKET.

TORONTO.

Toronto, Jan. 30.—There is plenty of barley offering on the market now, with but few buyers for it. It was offered at 75c; buyers seem to expect a still further drop in the price, and are waiting for it. In spite of the downward tendency of the Chicago market, Manitoba wheat continues steady. It appears that the comporative scarcity of high grade wheat will keep prices up. The flour market is quiet, and bids do not come up to the prices asked. Prices are:

Wheat—Manitoba No. 1 northern, $1 21; No. 2 northern, $1 16; feed wheat, 68c; No. 2 feed, 63c; Ontario No. 2 white, 98c to 98½c; No. 2 red, 97c to 98c; No. 2 mixed, 97c per bu.

Barley—No. 2, 74c to 76c outside.

Flour—Winter wheat patents, $3 70 bid for export; Manitoba patents, special brand, $5 80 to $6; seconds, $5 20 to $5 40; strong bakers, $5 10 to $5 20.

Peas—84c to 85c outside.

Rye—No. 2, 81½c outside.

Corn—No. 2 yellow American, 63c to 63½c, Toronto freights; old corn about 72½c; inferior, 62c.

Oats—No. 2 white, 49½c to 50c outside, 52c on track at Toronto; No. 2 mixed, 47½c to 48c outside.

Buckwheat—No. 2, 65½c to 66c.

Millfeed—Bran, $22 outside; shorts, $24; bran sold at $24 at Toronto, to arrive.

Butter and Chese—Steady.

Eggs—Steady.

ENGLISH MARKET.

LIVERPOOL.

Liverpool, Jan. 30.—Wheat—Spot easy; No. 2 red western winter, 7s 7½d. Futures steady; March, 7s 5¾d; May, 7s 6d; July, 7s 0¾d.

Corn—Spot easy; prime mixed American, new, 5s 3d; do. old, 5s 5d. Futures quiet; January nominal; March, 5s 3d.

Peas—Canadian steady, 7s 9d.

Flour—Winter patents steady, 31s.

Hops (in London)—Pacific coast steady, £2 to £2 10s.

Beef—Extra India mess steady, 55s.

Pork—Prime mess western quiet, 85s.

Ham—Short cut, 14 to 16 lbs, firm, 42s.

Bacon—Cumberland cut, 26 to 30 lbs, weak, 38s 6d; short ribs, 14 to 16 lbs, weak, 44s; long clear middles, light, 28 to 34 lbs, 43s 6d; long clear middles, heavy, 35 to 40 lbs, weak, 43s 6d; short clear backs, 16 to 20 lbs, weak, 41s; clear bellies, 14 to 16 lbs, weak, 45s; shoulders, square, 11 to 13 lbs, quiet, 35s 6d.

Lard—Prime western, in tierces, easy, 38s 9d; American refined, in pails, easy, 40s 9d.

Cheese—Canadian finest white new steady, 63s 6d; do, old, steady, 64s 6d.

Tallow—Prime city easy, 28s 6d; Australian (in London) weak, 31s 4½d.

Turpentine Spirits—Quiet, 38s 6d.

Rosin—Common steady, 8s 2d.

Petroleum—Refined firm, 7¼d.

Linseed Oil—Dull, 25s.

Cottonseed Oil (Hull refined)—Spot steady, 23s 9d.

STOCK MARKETS.

TORONTO.

	Toronto, Jan. 29. Morning. Ask.	Morning. Bid.	Afternoon. Ask.	Afternoon. Bid.
Canadian Pacific	151½	150¾	151½	150½
C. P. R., rights	..	..	8⅞	8½
Detroit Railway	..	28	..	..
St. Catharines	..	75	..	..
Rio Janeiro Tram	34½	32½	..	32½
Sao Paulo Tram	117	115	119	117½
Toronto Railway	..	95	..	..
Twin City	86	85¼	86¾	85¼
Winnipeg Railway	140	..	..	..
Niagara Navigation	..	107½	..	107
Northern Nav.	96	..	..	..
St. L. & C. Nav.	..	107½	..	..
Bell Telephone	126	..	125	..
General Electric	100	98	..	..
City Dairy, com.	20	..	..	..
City Dairy, pfd.	..	80	..	..
Consumers' Gas	..	186½	..	186
Dom. Coal, com.	40	..	..	..
Dom. Telegraph	115	..	..	..
Woods, com.	..	77	..	..
Mackay, com.	56⅝	56¼	56¼	55¾
Mackay, pfd.	62¾	61¾	62	61
Mexican L. & P.	48½	47¾	..	47¾
Nipissing Mines	7¼	7	..	..
N. S. Steel, com.	..	50	56	..
M. S. S.	..	90	..	..
Prairie Lands	180	170	..	..
Dominion Bank	218	216	..	..
Imperial Bank	212	210	..	..
Bank of Montreal	240	239	..	..
Standard Bank	220	214	..	..
Bank of Toronto	212	..	..	..
Traders' Bank	123	122¼	123	122½
Agricultural Loan	..	117½	..	..
Canada Landed	120	119	..	..
Canada Permanent	122	..	..	..
Central Canada	160	..	..	..
Colonial Loan	..	68	..	..
Dom. Savings	..	70	..	..
Hamilton Provident	120	..	..	..
Huron & Erie	..	175	..	..
Landed Banking	..	121	..	..
London & Canada	100	..	..	..
National Trust	150	..	..	..
Ontario Loan	128	..	..	128
Real Estate	..	85	..	..
Toronto Mortgage	..	105¼	..	110
Dom. Steel, bonds	..	70½	..	..
Electrical Dev., bds.	..	..	..	76½
Mex. Power, bds.	..	..	..	85¾
Rio, bonds	75	74½	76½	76
Sao Paulo, bonds	93	92	..	..

Afternoon Sales: Twin City, common, 25 at 85¾; St. Lawrence, 2 at 109; Mexican L. & P., bonds, 10,000 at 86; Sao Paulo, 25 at 117, 20 at 117⅝, 5 and 50 at 118, 25, 50 and 50 at 118½; Rio, bonds, 1,000 at 75, 1,000 at 75¼, 2,000, 1,600 and 5,000 at 75¾, 1,000, 2,000 and 1,000 at 76; Mackay, common, 10 at 56, 100, 25 and 25 at 55¾; Dominion Bank, 40 and 15 at 217; Soo, common, 10 at 91⅝; Electrical Development, bonds, 4,500 at 70.

PHONE 433
FIRE
J. A. NELLES & SON
INSURANCE
Board of Trade Bldg, 380 Richmond St.

NEW YORK.

	New York, Jan. 29. Open.	High.	Low.	Close.
Amal. Copper	52¾	52⅞	51⅛	51¼
Amer. Locomotive	37¼	37½	37	37¼
American Sugar	114½	114½	112½	112½
American Smelting	67½	68¼	66¾	66⅞
Anaconda	33½	33¾	33	33
Atchison	72¼	72½	71⅝	71⅝
Atchison, pfd.	87	..	..	..
Baltimore & Ohio	88¼	88½	87¾	87¾
Brooklyn Transit	47⅛	47½	45⅝	45⅞
Canadian Pacific	150	150	149½	149½
Col. Fuel & Iron	20¼	20½	19⅝	19⅝
Chesapeake & Ohio	30	30	29¼	29¼
Chicago & G. W.	5¼	5⅜	5¼	5¼
Rock Island	14¼	14¼	13⅝	13⅝
St. Paul	114½	114⅝	112⅝	112¾
Erie	15⅝	15⅝	15⅛	15½
Erie, 1st pfd.	32	32	31½	31½
Illinois Central	132	..	..	..
Lead	40	40	39½	39½
Great Northern	121⅝	122¾	121	121
Northern Pacific	126	127⅜	125⅜	125¾
Mexican Central	20⅛	20⅛	18⅞	19¼
Missouri Pacific	44	44	43¾	43¾
Kansas & Texas	23½	..	..	..
Kansas & Tex., pfd.	56	..	..	..
Norfolk & Western	67	67	66½	66½
New York Central	97½	98	96⅞	97
Ontario & Western	33	33¼	32¾	32¾
Pennsylvania	114	114⅛	112⅞	112⅞
People's Gas	85½	..	..	..
Pressed Steel Car	21	..	..	..
Reading	104½	105¼	101¾	101¾
Southern Pacific	75½	75½	73¾	73⅞
Southern Railway	10¾	..	..	..
Southern Ry., pfd.	33½	..	..	..
Texas Pacific	19½	..	..	..
Twin City	85¾	85¾	85	85
U. S. Leather	19	..	..	..
U. S. Steel	29	29	27⅞	28
U. S. Steel, pfd.	88¾	89	88¾	88⅞
Union Pacific	124⅝	124¾	122	122⅜

MONTREAL.

	Montreal, Jan. 29. Morning. Ask.	Morning. Bid.	Afternoon. Ask.	Afternoon. Bid.
Bell Telephone	123	122½	130	124
Converters	58	..	..	..
Canadian Pacific	151	149	..	..
Detroit Railway	38⅞	38½	38⅝	38⅜
Dom. Coal, com.	..	38¼	..	38
Dom. Coal, pfd.	91	..	91	..
Dom. Steel, com.	15⅛	15	15⅛	14⅞
Dom. Steel, pfd.	51	50½	51	50½
Halifax Railway	97	95	97	..
Illinois, pfd.	82½	81	..	..
Woods, com.	79	78	..	..
Laur. Paper, pfd.	..	106	..	..
Mackay, com.	56½	56	56½	55½
Mackay, pfd.	62½	61	..	..
Mexican L. & P.	48⅛	48	..	..
Minn. & St. Paul	92½	92	92½	..
Montreal Power	87⅛	87	87⅛	86⅞
Montreal Railway	181	180	181	180
N. S. Steel & Coal	58½	57	59	57
R. & O. Navigation	65¼	62¾	65	63
Rio Janeiro Tram	34½	34	..	..
Sao Paulo Tram	..	..	..	117½
Toronto Railway	97	96	97	96½
Tri-City, pfd.	..	..	72½	..
Twin City	..	..	85¾	85
Shawinigan	64¾	64	65½	60
C. P. R., rights	..	..	8½	8⅜
Bank B. N. A.	..	..	150	..
Bank of Commerce	..	..	162	160
East. Town. Bank	150	..	..	150
Molsons Bank	199	..	199	..
Bank of Montreal	..	230	..	220
Bank Nova Scotia	..	275	..	275
Royal Bank	..	..	..	220
Dom. Textile, pfd.	..	..	82	80
Dom. Textile, com.	44	..	44	..
Dom. Cotton, bds.	92	..	92	..
Dom. Steel, bonds	73	71	73	71
Woods, bonds	..	100	..	100
Mex. Electric, bds.	76	75⅝	76	75⅝
Mex. Power, bds.	86	85¼	86	85⅞
Mont. Power, bds.	95	90	95	90
N. S. Steel, bonds	105	102	105	102
Nova Scotia, bonds	..	100	..	100
Ogilvie, bonds	112	..	112	..
Rio, bonds	75	74¾	..	75¾
Textile bonds, A.	87½	83	87½	83
Textile bonds, B.	87½	83	87½	82
Textile bonds, C.	..	..	87½	83
Textile bonds, D.	..	..	87½	83
Winnipeg, bonds	99	..	99	..

Afternoon Sales: Bell Telephone, 43 at 124½; C. P. R., rights, 3 at 8⅝, 35 at 8½, 2 at 9, 4 at 8½, 4 at 8¾, 2 at 9, 15 at 8½; Twin City, 100 at 85¾; Woods, common, 15 at 58½; Switch, common, xd., 5 at 78; Power, 50 at 87; Rio, bonds, 2,500 at 75¾, 5,000 at 75¾; Illinois, 5 at 82; Dominion Cotton, bonds, 1,000 at 91½; Bank of Montreal, 4 at 240; Bank of Commerce, 22 at 161; Bank of Nova Scotia, 4 at 276¾, 2 at 277¼.

SUMS UP FOR THE STATE

(Continued From Page One.)

have no part whatever in your verdict. You are not trying the district attorney. Any sneers he may have made is not evidence, and neither are they any evidence that Harry K. Thaw was insane when he killed Stanford White. As to the woman, if my manner was one of disapprobation, that is not evidence. Neither I nor the woman is being tried here. Harry Thaw is on trial for the murder of Stanford White, and the defense is that he was insane on the night of June 25, 1906, that he was not generally insane or is insane. All you have to deal with is, all I have dealt with is, whether or not at a particular time and place this defendant was insane—whether when he shot and killed Stanford White he knew that the act was wrong and against the law of the land.

One for Littleton.

"I shall endeavor coldly to dissect the evidence in this case, to take it step by step, and to show you that the burden of the law places upon the defense of proving the insanity of this defendant has not been met. Then I shall ask that when you retire to your room you will treat this case coldly and impartially, weigh it as you would a business proposition, and render the verdict that your conscience dictates.

"I shall endeavor not to attack the learned counsel for the defense. I have so often been placed on trial by counsel for the defense that it is an old, old story. To arraign the district attorney is old, very old, whether it comes from the mountains of Tennessee, the Panhandle of Texas, or the sunny slope of the Pacific, you gentlemen understand it and will not regard it seriously."

Martin W. Littleton, chief counsel for the defense, is a native of Tennessee and formerly lived in Texas.

Mr. Jerome explained to the jury the different degrees of murder defined by the law, and declared that in the case the only verdict possible under the circumstances were murder in the first degree, murder in the second degree, manslaughter in the first degree, or not guilty on the ground of insanity. Murder in the first degree is punishable by death, in the second degree by life imprisonment, and manslaughter in the first degree by imprisonment not to exceed twenty years.

Thaw's Motive.

The district attorney declared Thaw plainly had a motive for killing White. Every act of his for two or three years before the tragedy pointed to his deadly and consuming hate of the man he killed. Thaw believed that White had drugged and mistreated his wife, he knew that White had kept him out of a New York club, he knew that White had threatened his life, if the stage doorman is to be believed, and he knew that just a month before the tragedy White had told May MacKenzie that he heard Thaw and Evelyn were not living happily together, and he would get the girl back.

"It matters not whether you believe the girl's story of the drugging or not," declared Mr. Jerome, who up to this time had not once raised his voice above the tone of confidential conversation with the jurors.

"It is certain that a great wrong was done—a wrong that cried out for vengeance. It is for you to pass judgment as to the drugs—I say nothing. But the relations of this middle-aged married man with the girl of 15 cry out to heaven, and no decent man can say a word in defense. I certainly have no intention of doing so. But with all the things I have pointed out to you, if there was no motive in the heart of this defendant, I can imagine nothing that can create a motive."

In his speech last year, Mr. Jerome passionately defended Stanford White, declaring that his spirit hovered ever near the courtroom, crying out to be heard in defense, crying for someone to tell the truth and protect a character Evelyn Nesbit had sought to blacken.

Coldly, calmly, the prosecutor, took up one by one the acts of Thaw on the roof garden, and immediately following the tragedy, and asserted they all pointed to a full knowledge of what he was doing—that his eyes fell upon "the monster" who had done him many wrongs, against whom he had many grievances, and the premeditated murder came to startle the whole world. Thaw's movements were characterized by the utmost deliberation, Mr. Jerome said, and there was absolutely nothing to indicate a brainstorm, a mental fulmination, or a symptom of manic-depressive inanity.

"Thaw had every motive a man could have against another. Stanford White had basely wronged this girl. We find Thaw armed on the garden. Armed for a single purpose—armed for the man he walked up to and killed by the bullets.

"Is there anything insane about all of this? He was nervous as a child, he had fits of tantrums, he didn't like algebra. He was always pale with staring eye, he may have had outbursts here and there, but what has all that to do with this case? You are to consider only if Thaw had the capacity to know he had a pistol in his pocket, if he knew it was Stanford White toward whom he was walking, and if he knew the act was against the law. That is all."

BORDEN'S MOTION LOST

Parliament Votes It Down After an All-Night Session.

Ottawa, Jan. 29. — At 3 o'clock this morning Mr. Borden's resolution in denunciation of the Government's emigration agreement with Japan was put to a vote, and defeated by 100 to 45.

BRITAIN ASSENTS.

London, Jan. 30.—The British Government, which has been kept fully informed as to the tenor of the German proposals for the maintenance of the territorial status quo in the North Sea, has given its full assent thereto.

FROZEN TO DEATH.

Ely, Nev., Jan. 30.—The body of Harry Norwood, aged 44 years, was found yesterday five miles west of Mizpah. He had been frozen to death. His only known relative is Alfred Norwood, of Montreal.

THE WEST LAMBTON LIBERALS GATHER IN BIG CONVENTION

Monster Meeting at Sarnia This Afternoon To Nominate for the Ontario Legislature.

[Special to The Advertiser.]

Sarnia, Jan. 30.—The Liberals of West Lambton will hold a monster convention here today, when candidates for both Houses of Parliament will be chosen. There will be no opposition to the nomination of the present member of the Dominion House, Mr. F. F. Pardee. He has done well during his term in the House and has materially strengthened his position with the electors of this historic riding. There are several names mentioned for the nomination for the local House, prominent among them being that of Capt. Towers, a rising young lawyer of Sarnia. He is one of the most popular young men in the town, and has more than ordinary ability. If he can be persuaded to stand, he will give Hon. W. J. Hanna a very hard run for the place.

Hon. A. G. MacKay, leader of the Opposition, will be present, and will deliver an address. Mr. F. F. Pardee, M. P., will also be present, and Mr. H. J. Pettypiece, ex-M. P. P., and others will deliver addresses.

Littleton's Strong Plea for Acquittal Demands It On Insanity Score

Great Crowd Hears Final Plea of Counsel for Harry Thaw.

New York, Jan. 29.—Martin W. Littleton, chief counsel in the defense of Harry K. Thaw, today asked for the acquittal of his client upon the ground of insanity, declaring he could not conceive how, in the face of the evidence, the jury could render any other verdict. The serious and sincere evidence of the defense, tending to establish the insanity of the defendant, Mr. Littleton declared, has been answered only by the sneers and insinuations of District Attorney Jerome. These sneers and insinuations, the advocate asserted, were not the competent proof the law required the prosecuting authorities to produce once the insanity of the accused person was brought into dispute. He repeatedly urged upon the jury to remember that in a case of this kind the burden of proofs rested wholly upon the state to prove the sanity of the defendant beyond all reasonable doubt.

Mr. Littleton warmly defended Evelyn Nesbit Thaw against the attacks of District Attorney Jerome. He said he could not understand what she had done, what great crime she had committed, considered in the light of all she had confessed herself to be, that the prosecuting attorney should transcend all the rules of propriety and decency and attempt to destroy her, when in the next breath he was ready to coddle and hug and vouch for the testimony of such a scoundrel as Abram H. Hummel—the very vermin of the New York bar."

The address of the defending attorney occupied all of the day's session, and District Attorney Jerome is expected to reply tomorrow. If he should conclude at the morning session, Justice Dowling will charge the jury during the afternoon. If Mr. Jerome's address should extend well into the afternoon, however, the case will not go to the jury until Friday morning.

Mr. Littleton told of the delicate line that sometimes separates the sound from the unsound mind, and declared that every man has the weight that may some day break his heart, that some day might send his brain crashing toward insanity. Thaw's school days were a failure. Mr. Littleton traced his travels through Europe with his parents as a young man and told again the incidents that the foreign physicians testified to.

"The coming of those physicians was met with the usual sneers and insinuations of the district attorney that they might be charlatans or shysters," said Mr. Littleton, "but when they appeared before you there came not a word to question their standing and reputation. Every witness we have produced has been answered by a sneer or an insinuation, but no other way. But sneers and insinuations do not meet the requirements of the law which demands evidence and proof. I want you to hold the district attorney to that rule as hard as you have held me to the production of proof. I have submitted testimony for your serious consideration from competent witnesses. I have not tried to sneer it or smile it into the case.

"I confess to you, gentlemen, that I do not know what the district attorney's course has meant in this case. Where is his proof? Where are the scientists, the books on insanity with which he has shown such thorough familiarity in the past? Where are the gallant band of alienists—nine of them—who appeared at his behest at the last trial and are still available? In opening this trial I challenged the district attorney to produce a single reputable physician who was willing to say that Harry K. Thaw was not insane when he killed Stanford White. I repeated the challenge day after day, and the prosecuting officer evaded it. Now, at last, he has laid down in the face of it."

Afternoon Session.

At the afternoon session Mr. Littleton came to the point of Thaw's life where he met Evelyn Nesbit. He condemned District Attorney Jerome for his treatment of the young woman on the witness stand.

"I don't know what the judgment of you gentlemen may be as to her morals or as to any reprehensibility of conduct, either with Stanford White or Mr. Thaw," he proceeded, "but the district attorney's manner toward her, in my judgment, exceeded anything she deserved.

"It amounted to official antipathy—an antipathy which I believe exceeded by far the necessities or duties of his office. There always was the note of savagery and bitterness in his examination of her and in his comments upon her before this jury, which were not justified by the facts of this case. I don't know how you gentlemen feel about it, but it generally has been understood that a woman when she takes a witness stand in this country she at least is entitled to have her testimony elicited with as much gentility, care, tenderness and regard of the ordinary proprieties as ordinarily govern such intercourses of men and women.

"I do not say that the district attorney transcended the proprieties and decencies; I leave that to you, but it has seemed to me that Mr. Jerome has been more intent upon destroying this young woman than proving that Thaw was sane.

"The trend of his attack would lead you to belive that Mrs. Thaw, and not her husband was on trial."

Scores Hummel.

"If I were the district attorney and had no other testimony to destroy a young woman with than that of a miserable little convict, Hummel, the very vermin of the New York bar, I would hesitate a long time before asking twelve of my fellow-citizens to hear the testimony of a perjurer whom I convicted myself.

"What was there about this young woman or against her that Mr. Jerome should pace up and down before you like a caged lion when he was questioning her, and glare at her and clench his teeth at her; what was there about her that called for such treatment from a man who could coddle and hug and vouch for this loathsome little Hummel?

"This girl was brought up in poverty and was put upon the stage at fifteen. She told you of her experience. What was strange about it? Haven't you heard of such things before? Thaw came into her life and loved her. He proved his love in the greatest way any man can. With all that the district attorney showed you about her, what right did he have to bend all his activities against her—bend all his bitterness upon her, and forget all his duties as to proving the sanity of this man? Mr. Jerome scoured the whole world for evidence against this girl, and all he could find to impeach her was the testimony of Abe Hummel—the miserable little rat."

"He had only the testimony of this briber of judges, rolling in his mind when he attacked Mrs. Thaw with the savagery which I shall not judge, but leave to you." Mr. Littleton then cited the many letters introduced in evidence as proving that Evelyn Nesbit told Thaw her story in Paris just as she told it upon the stand.

When she returned from Europe in 1903, she encountered White who began to pour poison into her ears, and who took her to Hummel—of all the people in the world—and had the affidavit prepared.

Mr. Littleton said it was significant that Hummel and White thought it necessary only to photograph and preserve that part of the affidavit which disclaimed White's responsibility for assault upon the girl. It showed the affidavit was prepared solely to protect White against Thaw, when he should return and undertake action against him—the work of a spider.

"I have no word to offer against Stanford White. If all his works and charities were set up here, I would be the last to tear them down, but the fact that he joined hands with Abe Hummel gave this girl no chance to protect herself. Over Hummel's office should have hung the sign, 'All hope abandon ye who enter here.' This Hummel affidavit is all they have against her. Yet they make her the eternal mark for all the savagery, all the bitterness and antipathy they can heap upon her.

"They pour out their bitterness upon this unfortunate creature who, whatever her sins may have been, has borne her share in the fight with a fortitude that has challenged the admiration of anybody with a spark of manhood in his breast.

"They will tell you she was immoral with Thaw. 'Let him who is without sin cast the first stone.' Why of all in the community should she be picked out and held up to scorn—this girl whom Thaw loved, and who consecrated that love with the sacred rites of marriage—the foundation of all our life."

Mr. Littleton was eloquent in his defense of young Mrs. Thaw from the vituperation that has been heaped upon her, and asked that she be judged only by what had been proved against her and by the manner in which she was reared, without protecting hand of father or brother lifted once in her behalf.

Thaw's Letters.

Mr. Littleton said Thaw's letters to Anthony Comstock, his will and his codicil, all were evidence of the mental disorder of the defendant. Coming to the events immediately preceding the tragedy, Mr. Littleton said there was increasing evidence of a maniacal outbreak, but nothing to indicate the contemplation of murder. As to James Cliach Smith's testimony concerning Thaw's rational conversatiin on Madison Square Garden, Mr. Littleton said it was unreliable to say the least, but could be pardoned because of the feeling of bitterness entertained by the brother-in-law.

Mr. Littleton called attention to the fact that Clinch Smith admitted on the stand that all the while he was on the roof garden he kept his eyes on Thaw.

"Why? Because Thaw was normal in appearance, or because there was something about him that excited attention or apprehension?"

Mr. Littleton painted a vivid picture of Thaw's irrational ravings in the station-house after his arrest and his complaint of hearing little girls. He ridiculed the testimony of the men called on rebuttal and who said "rational" every time they were asked a question, but never once painted the picture of the man as the witnesses for the defense had done. A police sergeant who saw Thaw seven minutes said he was rational.

"Against that sort of testimony," said Mr. Littleton, "we give you the testimony of the two doormen who had him in charge for seven hours and who tell you he was absolutely crazy."

Mr. Littleton also referred to the testimony of the coroner's jurymen who saw Thaw at the inquest the day following the tragedy, and who swore that Thaw was irrational.

Referring to the testimony of the experts, Mr. Littleton said they were giving the jury the benefit of their medical study, but had no more facts than the jury itself to judge from.

"Mr. Jerome probably will say there is no sense in expert testimony," he continued. "This will be because he has none willing to go on the stand and say this defendant was sane. Last year he had nine. Now they are lost.

"The district attorney will tell you he demanded the 14 letters Stanford White wrote to Evelyn Nesbit in Europe and they did not appear. Is that proof? That is all he has to offer. Please ask the district attorney when he talks about those letters how on earth they could throw any light on the sanity or insanity of this defendant? Keep that issue clearly in your minds and demand the proof of the district attorney that the law says he must remove all reasonable doubt as to the insanity of the young man who stands before you.

"Do not let the district attorney lead you into any speculation as to a doubt which might resolve your verdict into conviction in some lesser degree than murder. If you have doubt as to this man's sanity he has a right to have your verdict on that ground. It is the duty of the district attorney to establish this man's responsibility. If he has failed, it is your duty to acquit him on that ground.

"I have tried to present the evidence in this case with the utmost fairness. I have not meant to be bitter toward any man living or dead. I have not sought to appeal to your passions.

"Gentlemen, I can conceive of no circumstance, I can cherish no thought, but that your verdict will be that Harry Thaw was not guilty—was not responsible for his conduct, on the night of June 25, 1907. With every confidence in you, I leave his destiny for life or death in your hands."

Mr. Littleton concluded at 4:45 p.m. and was heartily congratulated. Adjournment then was taken.

THE LEMIEUX ACT SCORES AGAIN C. N. R. DIFFERENCES SETTLED

Toronto, Jan. 29. — A settlement which is said to be satisfactory to the men has been reached in the arbitration between the C. N. R. and their locomotive engineers and firemen on the system from Fort William to Edmonton. The difficulty was not a matter of wages or hours, but was over the relations existing between the company, or its officials, and a certain section of the engineers and firemen.

The whole trouble grew out of the general rivalry between the Brotherhood of Locomotive Engineers and Brotherhood of Firemen and Engineers, the two big organizations of North America. The engineers of the latter organization claimed that they were discriminated against, in favor of the members of the former association, with which the C. N. R. has a schedule. The firemen also wanted, among other things, a regulation that two firemen should be promoted to the position of engineer for every engineer engaged from outside sources. This request could not be granted by the company.

The settlement that was effected by the arbitrators, Messrs. Professor Shortt, J. G. O'Donoghue and Fred Richardson, is said to be satisfactory to all parties, and to have removed all the difficulties in regard to the relations between the men and the company. The result is another triumph for the Lemieux Act.

South Oxford Liberals Nominate Today

[Special to The Advertiser.]

Tillsonburg, Jan. 30.—The convention of the Liberals of South Oxford willy be held here today. Judging from reports from all parts of the riding the convention will be one of the largest in the history of the riding. Every section will be fully represented. It is understood that Dr. McKay, of Ingersoll, a former member will not be a candidate for the nomination, and the unanimous choice of the convention should redeem the riding to Liberalism.

Mr. Duncan C. Ross, M. P. P., West Middlesex, and others, will address the convention.

MANY DIE FROM THE ICY BLASTS FROST KING'S TOLL AT NEW YORK

New York, Jan. 30.—The icy blasts which swept down upon the city last night sent the mercury tumbling to the lowest point of the present season, and brought intense suffering to thousands. Even death came to some, who either through duty or misfortune, were compelled to remain out of doors. Patrick Allen, who for forty years had been a horse-car driver succumbed to cold and exposure just as he was about to finish his night's work and tumbled from the platform of his car into the street. He was taken to the hospital in a dying condition.

John J. Harrington, a newsdealer, was found lying in a roadway in the Bronx. He was so badly frozen that he died soon after being taken to a hospital. A man who said he was Ginter Empt, 28 years old, was found lying insensible in the Union Square. He had slipped on the icy pavement and sustained a fracture of the hip, and had been lying helpless a long time before he was found. He is in a hospital in a critical condition. Sixteen-year-old Charles Jackson also is in a serious condition at a hospital as a result of exposure. He was overcome at the Fourth and Twenty-third street, and was near death when a policeman found him. From 4 o'clock yesterday afternoon, when the temperature stood at 30 degrees above zero, the cold increased steadily until 7 o'clock this morning, when the mercury stood at only 4 degrees above. All through the night the high wind which came with the cold wave continued to swirl through the streets, and into the less protected places, where thousands of un