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BLOCKED IN EFFORT TO DISCREDIT MRS. THAW

Jerome Tries in Vain to Introduce Evidence to Prove Her Story False

Calls Ten Witnesses But They Are Not Allowed to Give Any Damaging Testimony—District Attorney During Argument Gets Before Jury the Matter He Wanted Them to Hear—May Prove an Alibi for Stanford White.

New York, March 11—On the first day of the state's case in rebuttal to the trial of Harry K. Thaw, District Attorney Jerome today came to a temporary standstill against the practically solid wall of the evidence built around the story of Evelyn Nesbit Thaw. Mr. Jerome began to attack the story as soon as court opened this morning. There ensued a well-nigh ceaseless battle between the prosecutor and Delmas, the leading counsel for the defense, at the end of which Justice Fitzgerald upheld the rule laid down at the beginning of the trial—that young Mrs. Thaw's story was admissible only as tending to show the effect it might have had in unbalancing the defendant's mind and that its truth or falsity is not material.

Mr. Jerome tried to avoid this rule by declaring he was endeavoring merely to show by inference—by circumstantial evidence as to facts and details in the story—that Mrs. Thaw could not possibly have told the story to her husband. Although the rule will doubtless be blocked by the same rule when the time comes, it is said the district-attorney may attempt in the same way to prove an alibi for Stanford White on the night he is alleged to have murdered young Miss Nesbit.

Jerome Got His Story Before Jury. Nine-tenths of today's sessions were spent in argument and in nearly every instance when the smoke of conflict cleared away, Mr. Delmas, the attorney for the defense, while Mr. Jerome, in the very argument itself, had got before the jury a perfect knowledge as to what his witnesses would have testified to had they been permitted. The district-attorney called ten witnesses during the day, but aside from drawing from the state's eyes-witnesses to the tragedy the night that Thaw secured national notoriety, he shot and killed Stanford White, little real headway was made.

Lying up all his forces in rebuttal, Mr. Jerome decided to open his fight upon the defense by attacking the story told by Evelyn Nesbit Thaw. He called to the stand Frederick W. Longfellow, formerly an attorney for Thaw, and asked first concerning the case in which Ethel Thomas is alleged to have sued Thaw for damages because of cruel treatment. Mr. Delmas objected to questions along this line, and urged the professional privilege of lawyer and client, but before Justice Fitzgerald ruled on the objection, Mr. Jerome declared the story of the girl tied to the bed post and whipped by Thaw is the story of Ethel Thomas, his poor girl is now dead." Here Mr. Delmas interposed an objection to the district-attorney's remarks, and the latter began an attack along a different line.

He showed Mr. Longfellow the photographic copy of the affidavit Evelyn Nesbit is said to have signed in the office of Abraham Hummel, and that Thaw treated her cruelly while abroad in 1903, because she would "not tell lies against Stanford White."

Mr. Jerome followed this up by asking the witness if Mrs. Thaw had not turned over to him certain papers to which she had subscribed. Mr. Longfellow said she had. Here was a long argument between Mr. Jerome and Mr. Delmas, at the conclusion of which Mr. Longfellow turned his entire examination to naught by declaring that Mrs. Thaw had never shown him a paper similar to the Hummel affidavit in any way. He thereupon was excused without cross-examination.

Police officers who saw Thaw the night

of the tragedy declared he acted rationally. Captain Hodgins, of the Tenderloin precinct, however, qualified his answer to the question by saying once that "for a man who had just committed murder, Thaw acted rationally." This was struck out, and he said: "Well, his eyes had a stare and a gaze such as they show now as I look at them." This answer was also struck out, and finally the captain declared: "Well, he seemed more rational than irrational, and that's the best answer I can give."

Many of the witnesses called by the state during the prosecution of the case in chief were recalled today. All declared Thaw seemed to them to be rational. During the afternoon recess Mr. Jerome sprang something of a sensation by calling to the stand Dr. Randolph Withaus, a chemist and expert in poisons. The district-attorney framed a hypothetical question covering Evelyn Nesbit's description of her night with Stanford White in the 24th street studio house, and asked if there was any known poison which would cause insensibility in two minutes and permit of the quick recovery testified to by Thaw's wife.

Around this vital point, opening up as it did a path through which the prosecutor could march his forces in attack upon the truth or falsity of Mrs. Thaw's story, the storm of argument was fiercer than ever. Mr. Jerome pleaded with Justice Fitzgerald at great length. Mr. Delmas, in reply, cited Mr. Jerome's own words at the beginning of the trial. At that time the district-attorney had the court instruct the jury that young Mrs. Thaw's testimony was permissible only as tending to show what effect its relation to Thaw may have had in unbalancing his mind. The prosecutor further said that, under the rules of evidence, he would not be permitted to attack the truth of the story. "Now," said Mr. Delmas, in conclusion, "he is attempting to do that very thing."

Mr. Jerome said he was not attacking the truth of the story. He was calling for an expert opinion to the effect that no known drug would produce the effect testified to by Mrs. Thaw. "My question indicates the answer I expect to get to this question," said Mr. Jerome, "and if I can show there is no such poison in the world; if I can show, in short, that there was no such occurrence in the 24th street house, as testified to, then it is for the jury to infer whether or not Evelyn Nesbit told her story to Thaw in Paris in 1903."

When, late in the afternoon, Mr. Jerome called James C. Smith, a brother-in-law of Stanford White, to the stand, another long argument ensued. Mr. Smith was on the Madison Square Roof Garden the night of the tragedy. He knew Thaw and spoke with him that evening. He said Thaw stood in the aisle a minute or more after reaching his seat, and looked over the audience intently.

MET SAME FATE AS MOTHER DID

Thomas Cullen Froze to Death While on His Way Home

TOOK LONELY ROAD

Victim Was Returning to South Branch, Kent Co., from Nova Scotia Lumber Camp When He Succumbed—His Parent Perished About a Year Ago.

(Special to The Telegraph.)
Reaton, N. B., March 11.—Thomas Cullen, of South Branch, was found frozen to death on the road between St. Anne and South Branch Friday morning about a half mile above Simon Basterache's house.

He was returning from the lumber woods in Nova Scotia and was walking from Basterache on a road through the woods, which is seldom traveled. He was about thirty years of age and leaves a wife and family. There were sixty dollars found in his pocket and a valise by his side.

It is a strange coincidence that the mother of deceased was found frozen to death on a road near the home at South Branch about a year ago.

Mrs. Alex. McGregor has returned from an extended visit to New York and Maine. Louis Collet is seriously ill with pneumonia.

Mrs. John Maloney, sr., of Jardineville, is dangerously ill.

Lumbermen have had to cease operations owing to the great depth of snow.

Alex. Fraser, jr., has undertaken to raise J. & T. Jardine's large saw loaded with stone, which sank in the river during the severe storm of November last.

A good many of the stones have already been taken out.

Miss Mary McLean returned yesterday to her school near Moncton.

W. Johnson, M. P., has sufficiently recovered to be able to go to Fredericton, he left for that place Tuesday.

James Barnes, M. P., of Buctouche, N. B., was in the city today.

The left Monday for Fredericton to attend his legislative duties.

ONLY ELECTION AT FREDERICTON

Only Two Ward Contests, and Alderman Maxwell Defeated

TANNERY STRIKE

Eighty-five Employees of John Palmer Company Want More Wages, Which is Refused—Chairman of Sewerage Committee Says Town Was Not Fairly Treated.

(Special to The Telegraph.)
Fredericton, N. B., March 11.—The civic election which took place here today was one of the quietest in the history of the city. There were contests in only two of the five wards, and less than two thirds of the qualified voters took the trouble of going to the polls.

Ald. John Maxwell, was defeated in Carleton ward by John Oldham, and in St. Ann's ward the two old aldermen were returned by large majorities.

The temperance people, being unable to induce candidates to enter the field, took very little part in the contest. Charles W. Hall, who was the only candidate who identified himself with temperance in the campaign, was snubbed and defeated.

Ald. Colter and Boyce, did not offer for re-election.

Fredericton are the returns: Mayor, Harry F. McLeod, acclamation; Wellington ward—Ald. J. S. Scott and W. S. Hooper, acclamation.

St. Ann's ward—Ald. Cornelius Kelly, 402; Ald. W. E. Everett, 389; Charles W. Hall, 259.

Queen's ward—John Oldham, 522; Ald. J. D. Hanlon, 491; John Maxwell, 216.

John Maxwell, M. P., is in the city today.

Hugh Dougherty, Everett Johnson, acclamation.

City Clerk McCready announced the result of the polling in the city council chamber, after which short addresses were made by Mayor-elect McLeod and the several successful aldermanic candidates.

Struck for Wages. About eighty-five employees of the John Palmer Company, Ltd., tanners and larrigans, went on strike today.

The men marched out of the shops at noon and took their tools and benches along with them. The strike comes as a result of a refusal of the company to grant the demands of the piece workers for an increase in wages.

LABOR DISPUTES BILL AMENDED

Government Makes Important Changes at Instance of Employes

ONE SECTION TO PASS

Railway Men Putting Up a Stiff Fight Against Clause That Will Prevent Them Striking Before Investigation—No Debate on Insurance Report This Session.

(Special to The Telegraph.)
Ottawa, March 11.—Hon. W. S. Fielding stated in the house today that the probability was that the insurance commission's report would not be discussed this session. The question was too large to be taken up at this stage, still he would not like to speak definitely on the latter.

Mr. Oliver answering Mr. Smith, Nanaimo, read a letter from Thomas Howell, secretary of union for the Salvation Army, stating that occasionally they brought mechanics to this country who were willing to give up their trades to go farming. The Salvation Army had the good of the trade unions at heart and would not permit their immigrants to go there where they were wanted.

The Army refused to bring skilled mechanics to Canada.

The house then went into committee on Mr. Bennett's labor disputes bill. An amendment was made providing that no one who had any direct pecuniary interest could be a member of the board.

Want "Lockout" Defined. To the clause defining "lockouts" Mr. Comtee suggested that the clause be amended as a basis of lockout the lowering of wages or an increase in the hours of labor.

The minister insisted that the object sought by Mr. Comtee was used in a subsequent provision for procedure before an investigation board, and finally conveyed an impression of willingness to broaden the clause in the interest of the men, as Mr. Comtee's amendment would provide that no person can act as a member of a board who has any direct pecuniary interest in the issue of the dispute referred to the board.

Another amendment provides that any party to a reference may be represented by three or less persons, and by counsel or solicitor as hereinafter provided. Originally it was intended that the board should be excluded from the proceedings before the board.

The clauses providing for the signature of applications as a condition of the investigation board, were amended to provide that if made by employees who are members of a trades union, application should be signed by two of the authorized officers of the union or on a resolution taken by ballot, and approved by a majority of the members of the union.

The board should be composed of three members of a union and some are not, the application shall be signed by a majority vote of all the employees.

Important Clause Dropped. The minister announced that he had decided to drop the clause to provide that the government in council might specify certain industries as coming under the provisions of the act. He denied that the clause had been devised to give the government power to investigate the business of private concerns, but that it was rather to meet the case of strikes and lockouts which might be properly held to come within the meaning of the bill.

There would be a broad treaty, say in Ottawa, as there had been an ice trust in New York, and in the event of a strike should be signed by two of the authorized officers of the union or on a resolution taken by ballot, and approved by a majority of the members of the union.

The clause had been opposed, inside and out, by the business community, and a tyrannical view of the power of government. Therefore it was dropped.

MAINE FISH HATCHERY BURNED; TWO MEN MISSING

One Body Visible in Ruins, But the Heat Prevents Its Removal

Much Mystery Surrounds Fire as They Were Consumed in Broad Daylight, and Superintendent and Assistant Were Seen a Few Minutes Before the Flames Broke Out—A Trunk Saved, But Who Took it Out Puzzles Authorities.

(Special to The Telegraph.)
Greenville Me., March 11.—Suspecting that one and possibly two state employes had been murdered, Piscataquis county officials tonight were investigating the fire which totally destroyed the state fish hatchery at Squaw Brook, forty miles above here on Moosehead Lake today.

When Greenville people who discovered the fire and went to investigate it, arrived on the scene they were surprised to find that Supt. A. W. Wilkins and his assistant Arthur Hersey were missing, and no one was at the place. Soon they distinguished in the ruins of the living cottage a form which they believed to be that of either the superintendent or his helper. The embers were too hot to permit of a thorough examination late this afternoon, but only one body was to be seen.

Deputy Sheriff H. L. Sawyer, of Greenville, assumed charge of an inquiry and word was sent to the office of the state fish and game commissioners at Augusta, from which General Supt. W. E. Berry was expected to arrive here tonight.

The fire broke out about 9 o'clock this forenoon and consumed the dwelling house, stable and hatchery building, the three structures of which the station was composed. The loss was estimated at \$5,000 and there is an insurance of \$2,000. The station was established in 1902 and will be rebuilt immediately. It contained a large stock of fish fry.

Supt. Wilkins belongs at Windthrop, where his wife and daughter live, is about sixty years old and has been in charge of Squaw Brook hatchery since last spring. He formerly was located at the Monmouth hatchery. He went to Squaw Brook last fall. The hatchery was located near the point where the brook empties into the southerly side of Moosehead lake.

Upon his return Deputy Sheriff Sawyer furnished additional details, but did not clear up the mystery. The body found in the cellar beneath Wilkins' bedroom and probably was his. A small trunk belonging to Wilkins was found on a sled fifty feet from the house. It was locked, but will be opened tomorrow and may disclose a clue. No tracks were found and diligent inquiry failed to reveal a trace of a suspicious character on the single foot road which passes near the station. Besides the trunk nothing was removed from the buildings. No arrests have been made.

It developed that Wilkins was removed and superintended by Hersey a week ago by General Superintendent Berry, and was to have left in a day or two.

Edgely Hersey, the new superintendent's son, left for Greenville to meet his mother, who was to visit him. At that time his father was in the hatchery and he thought Wilkins was with him.

About twenty minutes after Hersey's departure, John Clark, a teamster, reached the station from this town. He found the stable and the ell connecting the house on fire and the hatchery filled with smoke. As the hatchery was in a separate building and there was no sign of fire on the outside of it, it seems certain there were two distinct fires in progress.

Within fifteen minutes Clark was joined by Peter Larkin, a camp caretaker. They both searched the grounds, but did not enter the buildings because of smoke and fire. They saw no one about. It was impossible to search the hatchery building ruins tonight. The elder Hersey is about forty-five years old.

STMR. MINTO STILL STUCK IN THE ICE WITH 100 PASSENGERS

It is Rumored She is Short of Provisions—The Stanley in the Same Fix—Smallpox Under Control at Charlottetown.

(Special to The Telegraph.)
Charlottetown, P. E. I., March 11.—Steamship Minto is still stuck in the ice in the straits of Carillon, where she has been for the past week, and while the wind still is east there is little hope of her release. It is rumored that the ship is getting short of provisions, as she has 100 passengers besides her crew. The Stanley is also stuck a little outside of Georgetown, which port she left this morning for Pictou.

There is nothing new in the smallpox situation. There has been no case of the disease, and the outbreak is under control and is likely soon to be over. There is only one mild case in Charlottetown, which is almost recovered.

PICTURES CANADIAN FARMERS AS NO BETTER THAN SLAVE DRIVERS

English Woman at Poor Guardians' Meeting Protests at Sending Children to This Country.

(Special to The Telegraph.)

Montreal, March 11.—A special London cable says: Mrs. Garnett, a member of the Charlton board of guardians, in protesting against the proposal to send several children to Canada, characterized Canadian farmers as no better than slave drivers.

A Skivington declared that the content of the children was a mere farce as they were misled by unreliable parties of the country and its possibilities drawn up by paid agents of Canadian railways. The board decided not to send the children.

The Manchester Guardian commenting on this action regrets that a strong protest did not meet with the success it merited.

HEAVY TAX IN ALBERTA ON PUBLIC SERVICE CORPORATIONS

Edmonton, March 8.—The Alberta Legislature yesterday passed Premier Rutledge's bill for the purpose of raising corporations.

The street railways will pay \$200 per annum, \$10 per mile for everything over twenty miles.

Telephone companies pay \$1 a mile for every mile of line.

Electric lights \$500 in cities of ten thousand people, \$100 in towns, and \$25 in villages.

Express companies pay \$300.

Corporations taking money on deposit pay \$200.

Banks pay \$400 for head office and \$200 per branch.

Private banks pay \$200 and \$25 per branch.

Insurance companies pay one per cent. of gross premiums.

The bill has passed through all the committee stages, and the coming law is now only a matter of formality.

CAPE BRETON WOMAN FOUND HUSBAND DEAD ON BARN FLOOR

(Special to The Telegraph.)
North Sydney, March 11.—Alexander McLean, of Bonaventure east, died very suddenly this morning. Shortly after arising he left his house and went to the stable, about 100 yards distant, to feed and water the stock, leaving his wife to prepare breakfast. After some time Mrs. McLean went to the stable to see what was detaining him, and on entering the door she found her husband lying on the floor dead, with a pitchfork with which he was about to gather hay for the cattle, still in his hand. Death is believed to have been due to heart disease.

Reported St. John Man Killed in West.

Allan Boyer, said to be from this city, was killed on Thursday last at Watop, Manitoba, by a train which ran over him, severing his head and spine.

QUEBEC TO IMPOSE HEAVY TAXES ON ALL CORPORATIONS

(Special to The Telegraph.)
Montreal, March 11.—Important taxes on express companies, sleeping cars, insurance companies and telephone companies are included in resolutions brought down today in the legislative assembly at Quebec by Provincial Treasurer Tessier. The list is a long one and includes among other things that every company, firm, association, etc., leasing or hiring sleeping cars or parlor cars, or whose sleeping cars or parlor cars run upon the line or are used by a railway company or companies in the province, shall pay an annual tax of one-third of one per cent. upon the capital of the company invested in cars or rolling stock used by it in the province and an additional tax of \$50 for every office or place of business in Montreal and Quebec, and \$20 for each office in any other place.

Upon mutual insurance companies in each year a tax of one per cent. on the gross amount of premiums; on every telephone company working a telephone line in the province, a tax of \$1,200 upon the amount of paid up capital if it is \$200,000; \$1,500 if it exceeds \$500,000, and \$2,000 if it exceeds \$1,000,000.

Every express company foreign to the province is to pay a tax of five-tenths of one per cent. upon the gross earnings, the tax not to be less than \$800.

Every express company foreign to the dominion, carrying on any business than

SLICK WOMAN MADE TWO GOOD HAULS

Got \$3,000 from a Colorado Farmer, Who Had Her Arrested—Married Him and Got \$3,000 More and Skipped.

Chicago, March 11.—Mrs. Sophie Wambaugh, formerly Sophie Finlen, of Denver, (Colo.), who was married in court last Friday, after she had been arraigned on the charge of obtaining \$3,000 from her prospective husband, William Wambaugh, disappeared today after obtaining more than \$3,000 from her husband.

Wambaugh reported to the police that he had gone to a department store with his wife and said that he entered a room with her and that she entered a room with him on a pair of trousers he had purchased. His wife induced him to give her all the money he had, about \$3,000, before entering the room and said that she would wait until he came out. He searched the store for an hour and then reported the matter to the police.

Wambaugh is a farmer in Colorado and Friday after his wedding he said that he and his wife were about to return there and live on his farm.

Wambaugh told the police today that he had spent more than \$6,000 on his wife since he met her in Denver a week ago. This amount includes the \$3,000 she obtained from him today. When asked by the police why he gave her such a large sum, he replied: "Well, she said she wanted to buy a hat."

KNOXVILLE, TENN., KNOCKS OUT SALOONS

Almost 2,000 Majority for Prohibition—Women and Children Throng the Streets Conquering.

Knoxville, Tenn., March 11.—Knoxville, by a majority of nearly 2,000 votes, decided today that the saloons must go. Under a state law granting incorporated cities the right to say whether or not they desire saloons, an election was held as an expression of sentiment. The result was a majority of 1,921 for temperance.

When the legislature reconvenes following a recess, a bill will be introduced abolishing the present charter and incorporating the city without saloons. Six months' notice will be given the saloons in which to close.

Today's election was featured by memorable scenes. Five thousand women and children paraded the streets before the polls opened, and all during the day women worked at the polling places, requesting the men to cast their ballots for the temperance cause.

Shaefer Defeats Sutton

Chicago, March 11.—Jake Schaefer, of Chicago, tonight won the world's championship at 151 pounds from George Sutton in the 24th lining. Schaefer's average was 22-3-3.