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18 PAGES — SATURDAY MORNING APRIL 13, 1907 — 18 PAGES

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## The Thaw Jury Disagree

## Seven for Murder in First Degree Five for Acquittal as Insane

### WOMAN BURNED AND MURDER CHARGED

#### Leopold Koefler of Stratford Arrested on Suspicion of Foul Play in Death of Woman in His House.

Stratford, April 12.—(Special.)—Following the death by burning yesterday of Mrs. Harriet Dewing, aged 65, Leopold Koefler, the only other occupant of the house, was to-night arrested on a charge of murder.

There are several suspicious incidents connected with the case to be cleared up, and it is thought Koefler knows more about the death than he has yet revealed.

Mrs. Dewing, was an English woman, 63 years of age, who had been engaged as housekeeper by the Koeflers. Mrs. Koefler and her two children had been absent in Chicago for a week, returning yesterday morning.

Found Her in Flames. Koefler's story yesterday was that when he woke up at 3 o'clock he heard a moaning noise. He listened and thought it was the dog out in the stable. It sounded quite familiar to him, but as it continued he got up, went into the kitchen and looked out the window to the stable.

He could see nothing, and he went out into the kitchen, where he heard near the noise coming from the room above where Mrs. Dewing slept. He called out: "Harriet, are you sick?" but receiving no reply, he opened the door leading upstairs.

He could then see the glow of the flames and, thinking the house was on fire, rushed upstairs and into her room to find the unfortunate woman standing in the center of it with a look of unutterable anguish on her face. She had her hands extended as if pleading for assistance, while her clothes were a mass of flames.

He got down the lamp which he was carrying and extinguished the flames with a quilt. He then crossed the street and got the assistance of a neighbor named Hunt and a doctor was sent for.

Alleged Discrepancies. The arrest is due to discrepancies between his story and what the police say are facts.

For instance, Koefler claimed that when he entered the room the woman was enveloped in fire, with flames reaching the ceiling, which is a little over 6 feet high. The ceiling is spotted white and shows no marks whatever, and his story in this respect is contradicted.

The carpet where she stood is scarcely burned.

How did her clothes ignite when the lantern in her room had not been lit? Is another puzzle.

How did Koefler extinguish flames with a quilt, which he claims he did without scorching the quilt?

Why was she not discovered sooner? These are some of the questions which should be brought out at a trial. The coroner's jury viewed the body to-day, and adjourned till Tuesday next.

A post-mortem examination has been ordered.

Clothing Destroyed. The woman's clothing was so completely destroyed that it is impossible to tell just how she was dressed. She must have been, however, in her working clothes.

Mrs. Dewing had been living in Canada about ten years and had no relatives here except one son, who is living in Winnipeg. She has been employed as a housekeeper at various places in this vicinity. Before being engaged by Koefler she was employed by John Smith, near Shakespeare.

### N. S. Cabinet Members To Get \$5500 Annually

Halifax, N.S., April 12.—(Special.)—The salaries of the Nova Scotia government members henceforth will be \$5000 annually, besides \$500 as seasonal indemnity as members of the legislature. The premier's increase is \$1000. A bill backing this has been introduced.

### Telephone Strike Inquiry Cost Government \$1750

Ottawa, April 12.—(Special.)—In supply the house to-night voted \$1750 for the expense of the telephone investigation at Toronto. Judge Winchester received \$20 per day.

### WHAT IT HAS COST THAW TO PUT STANFORD WHITE OUT OF THE WAY.

Estimated cost to Thaw estate, \$250,000. Delmas receives \$50,000 to \$100,000. Other four lawyers divide \$100,000. Experts divide \$27,000 at least. Detectives and incidentals will make up balance. And the end is not yet.

## BEWARE OF THE BEAR THAT WALKS LIKE A MAN.

The so-called contract between the Toronto Electric Light Co. and the Ontario Electrical Development Co., whereby the latter was to supply the former with Niagara power at \$35.00 per horse power for a long period, is the most significant intimation the public of Ontario have yet received of the designs of the electrical ring in this province upon the said people.

This \$35.00 is supposed to be a wholesale rate from one company to the other, and the public can well imagine that the retail rate to them would have to pay anywhere from \$60.00 up to \$100.00 per horse power to a private monopoly. The design of the electric ring is to put the whole Province of Ontario under its rule for all time at anything from \$60.00 per horse power per annum up, if they can effect it.

Do you want power and light at less than \$20.00 per horse power, or do you want to pay a private monopoly \$60.00 to \$100.00 for it, and to have these private companies interfering with your municipal government, with your provincial government, with your newspapers and all public employes? That has been the record in the past and will predominate in the future, only much more so, if this great electric ring gets its feet on the neck of the City of Toronto and the towns and all the municipalities of the Province of Ontario.

The only solution for the problem is that the Ontario Legislature have the courage to carry out the Beck plan of a public-owned distribution plant and to give every town and municipality its own local plant. When this is done the people of Ontario for all time will have cheap power, cheap light and eventually cheap heat without the intervention of a middle-man, who, besides being a middle-man, has the still worse characteristic of corrupting our various political institutions, our public officials and our newspaper press.

The electric ring would be in Ontario what the coal barons are in Pennsylvania.

### MAN WHO SAW THAW SHOOT STANFORD WHITE, KILLED HIMSELF HERE

#### Unknown Suicide on York Street Identified as Teskey, Who Claimed to Be a "Missing Witness."

A "missing witness" in the Thaw case, at a reward of \$200 a week—such was the unknown man who on Saturday, March 23, killed himself in a York-street lodging-house. He has been identified as Bertram C. Teskey of New York. He asphyxiated himself, leaving a note saying: "Haunted by furies, I am chasing myself from place to place, and can find no rest any place."

According to a Stratford special to The World, Teskey was in that city shortly before his death and told a remarkable story of having been paid \$200 per week to absent himself from the Thaw trial. He also said that he had sent his wife to Vancouver, paying her \$1400. His wife was a Stratford girl, formerly Miss O'Hara.

Teskey spent his money lavishly, and requested friends not to tell of his whereabouts, as he was in hiding. He said he was wanted as witness in the Thaw trial and that his attorneys, Greenhalgh & Greenhalgh of New York, desired him to go back. He showed a letter from them, making a request for his return, but in it no reference was made to the Thaw trial.

The story was that he had owned a barber shop on Wall-street, which Harry Thaw pointed out. They became well acquainted thru his having been frequently called to the Hotel Touraine to shave and massage Thaw. When Teskey sold out his shop he and his wife stopped at the same hotel and were members of the Thaw party the evening of the tragedy and went with them to the Cafe Martin and thence to the Madison-square roof garden.

He claimed to have been sitting at the same table with Thaw and his wife and witnessed the shooting of Stanford White. Learning that the detectives and the district attorney's office were after him, Teskey said he consulted his lawyers and they advised him to leave the city, they meanwhile having arranged with the Thaw family to give him an allowance of \$200 a week till the trial was over. He claimed to have received the allowance promptly every week, and to back up his statements showed good-looking rolls of bills.

Speaking of Thaw, he said he was the squarest and best-hearted man he ever met.

"Why," he said, "whenever I shaved Harry he would give me the first bill that came to his hand, whether it was a \$1 or \$10 bill. Do you think I would go back and give evidence against Harry?" he asked. "Not on your life."

Teskey remained in Stratford for a few days, and it was while on a drunken spree he told his story to a few friends, but cautioned them not to repeat it.

His father and brother are living in St. Mary's.

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Insure your earning capacity. We insure accident and sickness policies that provide an ample indemnity in case of disability thru accident or sickness. The terms are so broad that practically all the chances of accident and sickness are provided against. Weekly indemnity allowed during the period of incapacity. The cheapest policies cover six months' disability. London Guarantee and Accident Company, 46 West King-street, Toronto, Phone Main 1642.

### FROZEN TO DEATH.

Portage la Prairie, April 12.—(Special.)—Andrew Moffat, aged 72 years, was found this morning by J. A. Fraser, about two miles north of here, frozen to death.

### Dunlop's Roses.

A synonym for all that is beautiful and perfect in the flower world, the most exquisite fragrant roses in all colors. Expressed to any point in perfect condition at prices list. Night and Sunday phone Park 792.

Grosvener House, Yonge and Alexander Sts., Toronto. Sunday dinners a specialty. Yonge and Avenue Rd. cars from train and bus.

### OLIVER GETS ANGRY CHARGES OPPOSITION WITH USING SLANDER

#### Minister of Interior Compelled to Apologize for Remarks in Denying an Apparent Western Scandal.

Ottawa, April 12.—(Special.)—The house spent substantially all day in debating an amendment to the motion to go into supply proposed by Lake (Cons. Sask.), censuring the government for its action in the matter of the notorious Montebelli case, where a valuable townsite at Blairmore was handed over to a favorite of the government.

Lake briefly stated the facts and was followed by Macdonnell (South Toronto), who said that a gift had been made to Malcolm Mackenzie, a prominent Liberal and one of the government's principal supporters at Manitoba, of this townsite, worth approximately \$200,000, for the patriation in 1880. A number of persons had settled upon the land and buildings worth from \$40,000 to \$50,000 were erected thereon, all of which passed to Mackenzie. Under this assignment the centre of a flourishing coal mining centre. One Felix Montebelli, an Italian, having built a mill-house on the land, made a claim and assigned it to Malcolm Mackenzie for the nominal sum of \$1000, which sum was never paid. Under this assignment Mackenzie procured a deed to himself of this townsite, which had a population of about 300 people. Other settlers on the land made claims there, but the patent was awarded to Mackenzie, the defeated Liberal candidate in the last general elections for Southern Alberta, and at present a Liberal member of the local house of Commons.

### Declared Fraudulent.

One Lyon, who considered himself aggrieved, procured a fiat from the chief justice of Canada, the Hon. David Mills, and proceeded to set aside the patent. In these proceedings the evidence was taken and a report made by Justice Wetmore, who decided that the application and affidavit of Montebelli, upon which the government had granted the patent, was fraudulently procured. Under the fiat to do so, it could cancel the patent and the land would revert to the crown.

Continued on Page 7.

### Man on Toronto Market Selling as High as Wheat

The scarcity of yield is well exemplified by a sale of wheat which was made by a Toronto commission merchant yesterday. The sale was made at \$22.50 a ton in buyers' sacks, equal to \$24.50 a ton. Alex. Butler, grain buyer of the board of trade, says that bran at that price is selling equal to wheat at 73 cents a bushel, and in selling up the two thinks that either bran is far too high or wheat much too low.

This is a record price for very many years.

### Shipwrecked on Ice Prevented From Sinking

St. John, N.B., April 12.—(Special.)—Thru ice holding after having shattered the steamer Olive, a calamity was narrowly escaped.

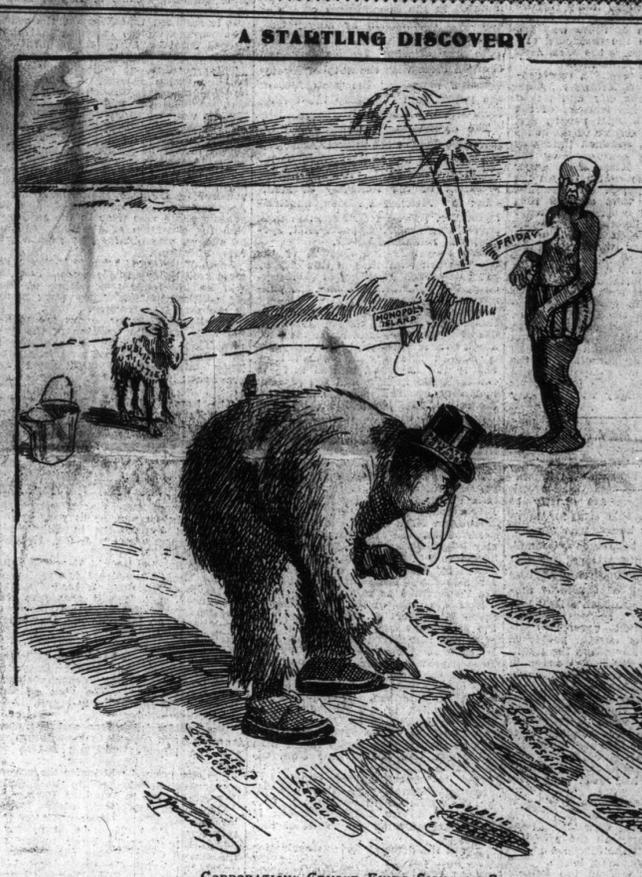
The steamer was forcing its way thru the ice at Dover Run, where a plank was stove in, filling her immediately. Passengers clamored ashore with great difficulty, and walked several miles over the ice to Dover Settlement, the only one.

The owners, the Whitman Fish Company, will try to raise the wreck.

### If Not, Why Not?

Have you seen our Business Man's and Triple Indemnity Accident Policy? Call Walter H. Blight, city agent Ocean Accident and Guarantee Corporation, Traders' Bank Building, Phone Main 2776.

Hub Hotel, cor. Yonge and Alton Sts. Remodeled under new management. First-class business men's luncheon in connection. W. J. Davidson, Prop. 18



CORPORATIONS CRUISE FINDS SIGNS OF SAVAGES.

### \$500 AND HOT PROGRAM STARTS SUNDAY LEAGUE

#### Aim to Secure More Liberty on Sabbath—Goldwin Smith Approves—The Committee.

A number of gentlemen met yesterday afternoon and organized the Canadian Rational Sunday League. Letters were read from Prof. Goldwin Smith and several others, approving of the movement and promising their support.

The following resolutions were unanimously passed:

"That it is desirable to organize an association similar to the London Rational Sunday League, for promoting healthy and innocent recreation on Sundays, and to oppose tyrannical and restrictive legislation regarding Sunday, and it is felt that recent legislation on this subject has been carried too far, interfering with individual liberty to an extent unknown in any other country under the British flag.

Out Against Legislation. That this association be called the Canadian Rational Sunday League, and that its declared objects be:

"To promote rational Sunday recreation.

"To secure the opening of picture galleries, museums and reading rooms on Sundays.

"To provide music on Sunday afternoon in the parks or other convenient places.

"To obtain legislation allowing a charge to be made for popular Sunday lectures or concerts, and

"To oppose restrictive legislation regarding Sunday observance.

### Freight in the West Begins Moving Again

#### Congestion is Lessening—Snow Interferes With Train Schedules.

Winnipeg, April 12.—(Special.)—The freight congestion thru the west is rapidly lessening.

Connections have again been established on the main line of the C. N. R., and the first train from Edmonton for several days arrived in Winnipeg to-day. There are some settlers in their cars in the local yards, and some at Regina who are unable to make any headway, but many cars have been switched in the past three days, and the condition which caused the complaint of the board of trade has very materially improved.

The heavy wet snow which fell very generally thru the west, of course, has not improved the situation, and most regular trains are many hours behind.

The C. N. R. insists that the refusal of the C. P. R. to deliver its cars to their system is one chief cause of the failure of that road to make prompt delivery, but the C. P. R. asserts that in reality the C. N. R. has now so many C. P. R. cars on its system now that it is not warranted in delivering more to it.

This is a phase of the case that is unquestionably causing a great deal of hardship.

The Regina trouble has resulted in the city caring for settlers who were as destitute, and a lawyer has been retained to bring suit for the Americans.

For fine funeral emblems try Jennings, 123 West King-street, Delivery day or night. Phone Main 7219 and Park 1637.

Cool Smoke for pipe, No. 7. Try it. \$6 package. Allys Bolander.

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Oscar Hudson & Company, Chartered Accountants, 5 King West, M. 4780

## 'UNWRITTEN LAW' HAD NO PART IN ISSUE WAS SANITY

#### 4 Jurors From First Stood For Acquittal, Converted Another and Conceded "Insanity" to Induce General Agreement.

#### TOOK TEN BALLOTS IN ALL MURDER TO MANSLAUGHTER

#### Thaw Counsel Regret "Dementia Americana" Appeal of Delmas—Second Trial Will Be Delayed—How the Verdict Was Taken.

Thaw when he had returned to the Tombs, prepared and issued the following statement: "I believe that every man in the jury possessing average intelligence, excepting Mr. Bolton, comprehends the weight of evidence and balanced it for acquittal. All my family bid me goodby with courage. I trust, D.V., we may all keep well."

To his attorneys Thaw said he was deeply disappointed. "But I could hardly expect anything else, in view of the events of the past few days," he added.

NEW YORK, April 12.—Hopelessly divided seven for a verdict of guilty of murder in the first degree and five for acquittal on the ground of insanity—the jury which, since Jan. 23 last, had been trying Harry K. Thaw, reported to-day, after 42 hours and 8 minutes of deliberation, that it could not possibly agree upon a verdict.

The twelve men were promptly discharged by Justice Fitzgerald, who declared that he, too, believed their task hopeless.

Thaw was remanded to the Tombs, without bail, to await a second trial on the charge of having murdered Stanford White, the noted architect.

Thaw, surrounded by the members of his family—his devoted aged mother, his pale young wife, his titled sister, the Countess of Farnmouth, his sister, Mrs. George Carnegie and his brothers, Edward and Josiah Thaw—received the news in absolute silence.

The story of the proceedings in the jury-room, as they were learned to-night, far outranked in interest the brief court proceedings which brought the famous trial to a close. It turned out that the jury considered everything connected with the case except the "unwritten law." Basing their arguments entirely upon evidence, they voted either for or against murder in the first degree when they cast their first ballots.

#### The Jury's Deliberations.

The first vote was 8 to 4 in favor of conviction. Then the twelve voted to reach unanimity upon a verdict of manslaughter in the first degree, the maximum punishment for which is twenty years' imprisonment.

The men in favor of acquittal, largely on the ground of insanity, it is said, would not change their ballots, and in the end won over one of the eight who favored conviction.

During the nearly 48 hours of deliberation only eight ballots were cast. The jury spent the two night sessions dozing in their chairs.

The entire story of what happened in the jury-room from the time the twelve men retired, at 5:17 o'clock on Wednesday afternoon, until they finally decided this afternoon that the prospect of a verdict were too remote to warrant longer discussion of the facts, was told last night.

#### Continued on Page 7.

#### Miller & Richards.

From Waterloo Ontario. Among the prominent type foundry of Europe is the firm of Miller & Richards of Toronto has for many years been the Canadian representative. Miller & Richards is not only one of the largest type houses in the world, but many years of experience in the Chronicle-Telegraph office have proved their type products the best on the market. There is nothing equal to the Scotch type for printing quality. It is made on honor and lasts that way. The Scotch type of the printing trade can be supplied by Miller & Richards, and a call at their well-stocked warehouses at Jordan street, Toronto, will reveal any printer or newspaper man, the goods are always right and sell on their own merits. Mr. Patterson has a long and enviable record as the Canadian representative of the firm, and the secret of its firm hold on the printing trade throughout Canada is explained by a long record of fair and honorable dealing and good service. The growth of the business some time ago necessitated the opening of a warehouse in Winnipeg.

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