

WHITE'S SLAYER PUNCHED AT A REVERSE CHARGE OF JUDGE

Jerome in Masterly Style Punctured Delmas' Graphic Picture of the Modern Knight Rescuing the Maiden and Handed Out the Cold Facts of the Case, Declaring Evelyn Thaw's Story False, and That She, a Hardened Girl of the World, Was Responsible for the Tragedy.

New York, April 10.—Harry Kendall Thaw's fate is in the hands of the jury. The trial, which had been in progress since Jan. 23, came to an end at 5:17 o'clock this evening, when the twelve men who are to pass upon Stanford White's slayer retired to deliberate upon a verdict. The general impression prevailed that a decision would be reached before morning. After considering the case for an hour and a half, the jury was taken to the Broadway hotel for dinner, and in the meantime Justice Fitzgerald adjourned the court until 9 o'clock. He did not then indicate how late he would remain at the court house. From the opening of court until the jury retired, the fate dealt unceremoniously with Thaw. Beginning with District Attorney Jerome's final argument, and throughout the judge's charge, Thaw had to listen to a scathing attack upon his wild life and narrative of hard facts which stripped the deeds of the halo of chivalric glory which his own attorneys had thrown about him. The judge's charge, lasting about an hour, was a concise and intelligible outline of the law, and gave to the jury the alternative of rendering any of the following verdicts: Murder in the first degree; murder in the second degree; manslaughter in the first degree; or not guilty. The ground of insanity. The statutes governing the plea of insanity were defined clearly, much stress being laid on the fact that an irresistible impulse had no place in law.

Charge Adverse to Thaw

The judge also informed the jury that an illusion, unless it is of a nature which might result in injury to the man suffering it, could not be accepted as an excuse. Altogether, the charge, while consisting principally of a complete explanation of the law, was considered by those who followed the trial as adverse to the defendant. This fact was indicated by expressions which the attorneys for the defendant took because the judge had failed to include any of their prayers. Thaw was much depressed by the judge's words and could not suppress his feelings. He left the court room weeping and apparently little hope left for an acquittal. A few minutes after 11 o'clock Justice Fitzgerald called upon Captain Lynch, of the court police, to remove Thaw to the jail, and asked if there were any likelihood of a verdict being reached tonight. On receiving a negative reply, he ordered that the jury be locked up in their room until tomorrow morning, at 10:30 o'clock.

Jerome Opens. Mr. Jerome began his address to the jury by saying that the jurors for the past two days had been "wandering through a mere field of romance." He added that the life of a human being is not to be judged on such a premise and that the issues can not be determined by sentimental quotations. The verdict must be upon the evidence. He referred to the difficulties to all concerned attending the trial of the case—jurors, court and counsel. "The law is not cruel," he declared later, "it punishes only to protect those who live."

Mr. Jerome expressed regret in the heat of battle for New York and advised the jury that the issue was not to be determined upon personality of counsel, he explained. This is not a trial to determine whether a man is a murderer or whether he should be punished for it. The district attorney again reminded the jury that it must be guided not by words of counsel, but solely by the evidence. Mr. Jerome then went briefly into the law covering the various phases into which homicide is divided and continued:

your judgment, but take the law as it was laid down to you by the court. You swore you would accept only the form of insanity which deprives a man of the knowledge that his act is wrong, that it is against the current morality of the community. "You did not swear to consider 'dementia Americana' in the case. 'Dementia Americana' has no place in the law that the law of your state. 'Dementia Americana'—what is this? 'Dementia Americana'—it glares at its enemy three years and the '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, the higher law does not hide itself under the hem of a woman's skirt. 'Dementia Americana' is that the law which puts a woman up to call her shame or misfortune to all the world in the hope it will shield a worthless life from a people's just demand? That is not the kind of law you swore to accept, and if you do it, men, you violate your oaths."

Mr. Jerome took up the evidence of witnesses for the people and, using a diagram, showed the jury how Thaw moved about the roof garden before and after the shooting. He referred to the testimony of James Clinch Smith and the case of two men and a woman. Thaw asked Smith, "Perhaps, gentlemen, my learned friend from the Pacific coast remembers it; perhaps he remembers that case of 'dementia Americana.' Thaw walked deliberately across the room and in such a manner that his enemy should have had no chance, no opportunity to defend himself, but find Thaw holding the pistol so close to Stanford White's head that he would shoot in a moment, and he shot three times."

Mr. Jerome picked up the pistol and punctuated his words by pulling the trigger three times.

"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 congregation in a church, because of the powder mark; heard (once, twice, three times)."

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"You heard the story of that Christmas Eve when this Sir Galahad again rescued the maiden from the dragon's grasp. You heard how they remained in Retors' until four o'clock in the morning, and then went to Thaw's apartments. Again he saved the maiden from the dragon's grasp; he put his stalwart arm about her and they would go through life side by side. So Sir Galahad lived with her until she died in the Hotel Helvetia, in Europe, going to the Dead End and the Cafe de Paris and doing cake-walks at 2 o'clock in the morning. This is the natural history of the case, gentlemen. I have been unable to reply to some of the things that have been uttered, it has seemed to me that I have heard the voice of Stanford White asking me if I could not utter one word for him; 'Must I be blackened as by the fires of hell, unheard and undefended?'"

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SAYS PROHIBITION IS FAILURE IN P. E. I.

Hotel Keeper Tells a Tenyson Smith Meeting That Low Dives and Bad Liquor Result. Charlotte, P. E. I., April 9.—Tenyson Smith, the English temperance reformer, has been drawing crowds of people to his second campaign in Cambridgeport, which opened last Sunday. The market hall, seating more than 1,000 people, was packed last night, hundreds having to stand.

Wonderful Power in My Constipation Cure

Mine is a marvellous remedy. There are others, but not one possesses the peculiar merit so prominent in mine. With my remedy I guarantee to cure constipation. I also guarantee to prevent it; others do not. My preparation, which is in pill form, gives tone and regularity to the bowels, it gently rubs the system of obstructions, accumulations of bile and other injurious results of constipation. I call my pills Dr. Hamilton's.