

THAW IS STILL
KEPT ON
RACK

His Counsel Confident That
There Will Be No Commis-
sion in Lunacy

AND PRISONER WILL
NOT GO TO ASYLUM.

Crown Adduces Affidavits as to
the Insanity of the Prisoner
at Present.

THAW'S COUNSEL ASKED
FOR THEIR REJOINER.

Prisoner Believes That His Ac-
quittal is Only a Matter
of Days Now.

New York, March 22.—The statue of the Thaw case, now that District Attorney Jerome has furnished Justice Fitzgerald with the affidavits of seven alibi witnesses who substantiate his expressed opinion that the prisoner is insane and incapable of consulting his counsel as to his defence against the charge of having murdered Stanford White, is this: By two o'clock tomorrow the attorneys for the defence must file affidavits answering Jerome's assertion and combatting his affidavits.

The district attorney has not formally asked for a commission to inquire into Thaw's mental condition, but has left it to the "conscience of the court," as he expressed it on Wednesday. Justice Fitzgerald will consider the affidavits, submitted by each side and inform all the counsel when to appear in court to hear his decision. He may defer the weighing of the affidavits, or he may call for more evidence before he makes up his mind what procedure is advisable. In particular he may seek the opinion of Dr. Allan McLane Hamilton, the alienist who, when called to the stand by the defence on Wednesday, evoked District Attorney Jerome's statement as to Thaw's mental state and brought about the present condition of the case. Should Justice Fitzgerald do this, the defence, it is certain, will strive to bar Hamilton's testimony on the ground of professional privileges, inasmuch as he was engaged by the defence to examine Thaw. In all this, Thaw will have no part, although it was excused yesterday to appear in court this morning. This, however, will be a formality, and they will be again excused until it has been decided whether Thaw must undergo an examination as to his sanity.

Notwithstanding District Attorney Jerome's belief that Thaw is a pariah and that the corroborative opinions of the state's experts that he is practically incurably insane, the defence will make a determined effort to combat the appointment of a lunacy commission, or his going to an asylum. His five attorneys last night and discussed plans toward this end. A line of action was proposed. This will consist of sworn statements by alienists that they found Thaw fully capable of advising counsel and also sworn statements by counsel and relatives to this effect.

Probably Drs. Evans, Wagner and Hammond will make affidavits which will set forth that they have sat in court beside Thaw for several weeks, have talked with him freely, and are convinced that he is quite competent to confer with his counsel as to his welfare in the case. A number of letters to his counsel since the trial began will also be submitted to the court.

If Justice Fitzgerald decides to appoint a commission in lunacy, it will consist of three members, an alienist, a lawyer and a layman. The alienist must necessarily be one who has not figured in any way in the case. The commission, if chosen, will examine Thaw and report to the court. If it were to find him sane, the trial would be resumed; if otherwise, Justice Fitzgerald would be obliged to order Thaw's confinement in the hospital for the criminal insane at Matewan.

Thaw is not greatly disturbed, it is said, over the possibility of having to be examined by a commission. His lawyers have told him that the question at issue is merely whether he can instruct their properly.

He is confident on this point, and confident also that when once this question is disposed of it will be all the easier for his lawyers to persuade the jury as to the "brain storm" theory.

The County Court. In the County Court to-day the case of Colter vs. McDonough was transferred from the jury to the non-jury docket and set down for trial on May 1st.

The case of Good vs. Stairs was set down for 2.30 this afternoon and is now being tried.

Important Legislation to
Come Before the House

Fredericton Assessment Act to Be Further Considered on Tuesday Morning--Sewage Bill Comes Up on Wednesday--Mr. Hazen Asks for All Correspondence Between Government and McKenzie and Mann in Regard to Railway Down St. John Valley--Mr. Flemming on Budget.

The coming week promises to be one of importance in the Legislature, and it is now practically certain that the House will not prorogue until about April 11th, or perhaps even a week later.

The Committee on Agriculture has only had one meeting so far. They were to have met this morning, but owing to pressure of business with other committees the members decided to have the meeting stand over until next week.

The Boom Arrangements. The St. John River Log Driving Company's bill to give them permission to carry on the business of the Fredericton Boom Company has been put down for next Monday morning. The bill to allow the Miramichi Lumber Company to erect a dam, etc., has been put down for Wednesday next. These bills will come before the committee on corporations.

Fredericton Assessment Act. The Fredericton Assessment Act to have come up before the committee on Municipalities this morning.

INCOME TAXES
I. C. R. EMPLOYEES

Suggestion That If Case Were
Taken to Privy Council That
Employees Would Have
to Pay Up.

In the House on Thursday afternoon Premier Pugsley had the bill to allow the valuations to reduce the parish assessment of St. Mary's by \$15,000, the amount of incomes of residents of that parish employed on the Canada Eastern Branch of the Intercolonial Railway.

In doing so, the Premier stated that he had always felt that if the question was taken to the Judicial Committee of the Privy Council they would reverse the decision of the Canadian courts to the effect that the salaries of Custom House, Post Office and I. C. R. officials and judges, etc., were not taxable.

He then referred to a decision a few weeks ago by the Judicial Committee of the Privy Council which decided what he considered a very similar case.

The case referred to was that of Webb vs. Ostrin, decided by the Judicial Committee of the Privy Council on appeal from a judgment of the Supreme Court of Victoria in the Commonwealth of Australia. The facts were that Mr. Ostrin was the Deputy Postmaster General of the State of Victoria and as such was an official not of that state but of the Australian Commonwealth, and he objected to being taxed by the government of Victoria in respect of his salary as a Commonwealth official in the Commonwealth of Australia. The facts were that Mr. Ostrin was the Deputy Postmaster General of the State of Victoria and as such was an official not of that state but of the Australian Commonwealth, and he objected to being taxed by the government of Victoria in respect of his salary as a Commonwealth official in the Commonwealth of Australia.

The case referred to was that of Webb vs. Ostrin, decided by the Judicial Committee of the Privy Council on appeal from a judgment of the Supreme Court of Victoria in the Commonwealth of Australia. The facts were that Mr. Ostrin was the Deputy Postmaster General of the State of Victoria and as such was an official not of that state but of the Australian Commonwealth, and he objected to being taxed by the government of Victoria in respect of his salary as a Commonwealth official in the Commonwealth of Australia.

The case referred to was that of Webb vs. Ostrin, decided by the Judicial Committee of the Privy Council on appeal from a judgment of the Supreme Court of Victoria in the Commonwealth of Australia. The facts were that Mr. Ostrin was the Deputy Postmaster General of the State of Victoria and as such was an official not of that state but of the Australian Commonwealth, and he objected to being taxed by the government of Victoria in respect of his salary as a Commonwealth official in the Commonwealth of Australia.

was put over until Tuesday morning of next week.

The Sewerage Bill. The bill introduced by the Premier to give effect to the city's resolution to allow the sewage to be dumped into the St. John river will come up in the House on Wednesday of next week, being made the order of the day for that day.

On Monday next the House will consider a motion for an address for the correspondence which has passed between the government or any member thereof and the firm of Mackenzie & Mann relative to a railway down the St. John Valley. Mr. Hazen has given notice of such a motion.

Mr. Flemming on the Finances. The Premier has now completed his budget speech with his mythical announcement as to railways, docks, water powers, G. T. R. R. and seems happy to feel that his task has been completed.

This afternoon Mr. Flemming, of Carleton, the able financial critic of the Opposition, is making his speech in the budget debate. The debate will likely last until the Easter adjournment on Thursday next.

ST. JOHN BILLS
IN LEGISLATURE

Large Delegation Heard Before
the Municipalities Committee
This Morning Regarding
St. John Bills.

The Municipalities Committee this morning gave a hearing to a delegation of St. John citizens on the civic election bill from that city which has caused so much discussion.

Mr. A. O. Skinner said that the city business was now being carried on by fifteen aldermen and the original bill allowed for an increase of two. In some unknown way and without the authority of the Council or citizens, the committee, which came here about two more to the number. He told of the public meeting lately held at St. John, when those present were unanimously in favor of a plebiscite to decide the matter of whether there would be a ward system or a district system, or the present system.

If the plebiscite was allowed, the citizens would hold public meetings and give a true vote as to their feeling. Having four extra aldermen means a yearly cost to the city of \$500 annually, or at 4 per cent. an extra debt of \$20,000.

Mr. J. H. McRobbie, president of the St. John Board of Trade, was the next speaker. He also asked for a plebiscite and put forth many reasons why the people of the city should be allowed to decide the matter for themselves. He felt that the petition which had been signed by so many prominent citizens should have weight.

Concluding, Mr. McRobbie thought that it would be well to hold the bill over until next session and take it up with the St. John assessment bill.

Dr. A. D. Smith followed and felt that if the bill passed 10,000 people would be disfranchised. The aldermen, he felt, overstepped their duty by trying to insure their re-election.

Mr. O. H. Warwick was the next speaker. He said that the people were most anxious to have the best possible civic government, and they felt that it would be best secured through a plebiscite.

Ald. Vanwart also asked that the people be allowed to decide the matter and that the bill be not passed. He had been criticized by the papers, but he was back here again to look out for the rights of the people.

Chairman Allen—The papers did not fear to criticize the committee.

Mr. Skinner, replying to Mr. Maxwell of St. John, said that he was not prepared to say what system was better than the present system or the ward system. But he did want to have the bill left so that the citizens, if they should so decide at their public meeting next Tuesday evening, could have another scheme voted upon as well.

Ald. John McGoldrick was also present, but he did not address the committee, which then adjourned.

Polo To-night. The polo match at the Arctic Railway to-night between the St. Stephen crack team and the Fredericton team is being looked forward to with a great deal of interest. A good fast game is promised. There will be skating with band after the game.

Donald's Bridge Blown Down.

The different members have during the past day or two been receiving word of damage to some of the flimsy bridges in their constituencies as a result of the recent storm.

Mr. Murray, of Northumberland, yesterday afternoon received word that the Donald bridge at Upper Blackville had been blown down by the blizzard. This bridge was about 300 feet long and was, to have been repaired before the ice goes out this spring. Word was sent back by Mr. Murray to have the debris hauled off the ice and the bridge will likely be replaced by a new structure next summer.

The Telephone Bill.

Mayor Sears and Recorder Skinner, of St. John, and City Clerk Macdonald, who were here as representatives of the Union of Municipalities, had a conference yesterday afternoon with Premier Pugsley regarding the general telephone bill, which is to be brought down by the government.

Before leaving for home last even-

AWARDED DAMAGES
FOR FALSE ARREST

Action of J. H. Lewis Against
E. I. Keenan in County Court
Endorsed by the
Jury.

In the county court yesterday before Judge Wilson and a jury the case of J. H. Lewis vs. E. I. Keenan was concluded. The case was begun on Wednesday and went to the jury about noon Thursday. This was an action for damages for false arrest of the plaintiff Lewis by the defendant Keenan. Keenan is a Jew who carries on a clothing business.

In St. Stephen and also engages in soliciting life insurance. Lewis, who is employed in the manufactory shops at McAdam, was induced by Keenan to sign a note or a policy of life insurance, the amount of the note being \$4,500. The application was not accepted by the company, but another policy for a larger amount was afterwards substituted, but as Mr. Lewis swore, without his consent. The note was retained by Keenan, but when it became due Keenan employed one Daniel Johnston, a constable of Charlotte County, to go to McAdam, where Lewis is employed by the C. P. R. and arrest Lewis. Johnston did arrest Lewis in the round house in the presence of some hundreds of his fellow workmen and tried to extort payment. This being refused he took Lewis to the depot, telling him that he would take him to Fredericton to jail. After detaining him at the depot for some three hours he released him but Mr. Lewis proceeded to Fredericton and engaged Mr. H. F. McLeod to take action against Keenan.

This trial was the result of the proceedings then instituted by Mr. H. F. McLeod. The defendant Keenan was represented at the trial by Mr. J. C. Hartley of Woodstock and Mr. J. W. Richardson of St. Stephen. Mr. H. F. McLeod and Mr. McMonagle appeared for Lewis.

At the close of the plaintiff's case Mr. Hartley moved for a non-suit on the ground that there was no arrest proved and that if arrest was proved there was no evidence to connect the defendant Keenan with such arrest.

Judge Wilson said that he must refuse the application as he certainly believed there was evidence of these facts to go to the jury.

This morning the defence closed without submitting testimony and Mr. McLeod addressed the jury on behalf of the plaintiff, showing the aggravated nature of the arrest and the great damage to the reputation and standing of the plaintiff in the eyes of his employers and fellow-workmen. Mr. McLeod cited authorities, which Judge Wilson, in his charge, fully endorsed, as to the law relating to wrongful arrest.

Judge Wilson's charge was strongly in favor of the plaintiff and against the defendant Keenan on every point of the case.

The jury, which was composed of John S. Scott, foreman, Hubbard Niles Cook, Kitchen, William Jaffrey, and Treadwell Smith, after twenty min-

utes deliberation returned a verdict for the plaintiff for the full amount of the claim, \$200.00.

This case has created a great deal of interest and Mr. Lewis goes back to McAdam with his reputation and standing fully sustained by the verdict of the jury.

Some Modern Slang.

The House is no longer the place where people go to hear flowery speeches. Instead, many members are resorting to slang terms as the more expressive.

For instance, the Premier talks of the Province not being "thrown down," while the new member of the government, Hon. C. W. Robinson, refers to a "bunch" of stockholders; but Mr. Corrie of Restigouche, captured the premier honors in this direction on Thursday afternoon, when in speaking of the Presbyterian Church bill he spoke of a pastor wanting to "boss the whole job," and of how it would be a "cold crack" to the church if certain action were taken.

STOCK MARKET
VERY IRREGULAR

Weakness in Dominion Iron
Causes Common to Drop to
193—Other Features on
Montreal Exchange.

Montreal, March 22.—The stock market was irregular to-day with a disposition towards weakness. Trading was on the light side and in the first hour prices held fairly well at the improved level of yesterday's closing. A weakness developed in Dominion Iron, which held well during recent trouble, and the price went off to 193, pfd. holding at 50. Other features were Twin City, 94 1/2 to 12; Montreal Power, 85 1/2 to 86 1/2; Toronto Railway, 106; Detroit, 70; Illinois pfd., 89; Toledo, 25; Mexican, 47 1/2; Lake of the Woods Mining, which broke to 77 yesterday, but closed by at 78, had a further rally to 80.

New York, March 22.—The market for stocks opened weak in sympathy with the London market.

GREAT INCREASE
IN IMMIGRATION

Ottawa, March 21.—The immigration department gave out a statement to-night that immigration into Canada for the eight months from July to February inclusive, was 95,655, as compared with 65,170 for the same period of last year, an increase of 47 per cent.

The arrivals by ocean ports were 67,686 and from the United States 27,969, as compared with 43,014 by ocean ports and 22,156 from United States for the same period last year. The percentage of increase via ocean ports was 57 per cent. and from the United States 26 per cent.

TYPEWRITER CHAMPIONSHIP.

Chicago, March 22.—Miss Rorel Fritz, two-time winner of the typewriter contest, last night won the championship for the third time, winning permanently the silver cup offered, and bearing the world's record for copying dictation from shorthand notes. The record she established last night was 2,445 words in thirty minutes. This is two hundred words better than her last record a year ago.

Died in Boston.

Mrs. W. H. Vradenburg this morning received a telegram conveying to her the sad intelligence of the death of her sister in Boston, Miss Sarah Gough. The body will be brought to St. John where interment will take place from the home of Mrs. David J. Brown, sister of the deceased.

utes deliberation returned a verdict for the plaintiff for the full amount of the claim, \$200.00.

This case has created a great deal of interest and Mr. Lewis goes back to McAdam with his reputation and standing fully sustained by the verdict of the jury.

SIR WILFRID TO
SET SAIL ON
APRIL 5

Sir Frederick Borden Will Accompany the Premier to London.

BRODEUR WILL PUT
THROUGH ESTIMATES.

Parliament Is Expected to Prorogue on April 18 if
Nothing Intervenes.

NO CONTENTIOUS BUSINESS
AFTER EASTER HOLIDAYS.

Routine Work Will Be Hurried
Through and the Members
Go Back to Homes.

Toronto, March 23.—The World's Ottawa special says that information from those in the secret enables the World to state without fear of contradiction:

1. Sir Wilfrid Laurier and Sir Frederick Borden will sail for England on April 5. Brodeur will put through the estimates for the militia department in the absence of Sir Frederick Borden.

2. Parliament will prorogue on April 18, but after Easter holidays no business will be taken up except routine work in committee of supply, government bills and formal enactments of new tariff which has been already approved.

PEASANTS SACK
AND BURN TOWNS

Vienna, March 22.—According to the news received to-day in Budapest from Moldavia, the peasant movement in Roumania is spreading. The town of Dorogoi has been sacked and burned by the peasants. The inhabitants were compelled to flee for their lives. At Cucuteni, where there are many Hungarian and Roumanian inhabitants, four Hungarians are reported killed and thirty wounded. Fourteen peasants were killed in a collision with troops at Belgesti, while in Fokshani the people are in revolt against the authorities. The village of Sulice was destroyed by peasant rioters, and the fate of the inhabitants is not known.

THE GOVERNMENT
HOLD A CAUCUS

The supporters of the Government had another caucus today. It started at about 11 o'clock and lasted until well on towards two o'clock.

Railway propositions and election are believed to have been two of the topics of discussion. While some say that the general provincial elections will be called on not until well into the month of August, others say that they may be called on before the month of June.

G. T. R. MACHINISTS
TO GO ON STRIKE

Montreal, March 22.—An ultimatum will be handed out to the management of the Grand Trunk Railway tomorrow by the machinists in this city, numbering between 700 and 800, who unless their requests for consideration in the matter of wages are acted upon they will go on strike.

An Enterprising Firm.

The enterprising dry goods firm of E. A. O'Brien & Co., are having their plate glass windows lettered today in gold leaf, advertising their wares. When finished it will greatly add to the already attractive appearance of the store.

The City Streets.

Mr. S. E. McManus, of J. B. McManus, Ltd., is at the Queen. He says that early in the spring work will be commenced in putting streets of the city in shape where sewerage work was kept on late last fall.

A girl always refuses a man if she knows he will propose again.

52 15 200
260 14 200
June 30/02