MURDER IN FIRST DEGREE

Is the Verdict of the Jury in the Case of Martin Thorn.

Jurors Went Out to the Woodside Cottage and Saw the Bath Tub in Which Guldensuppe's Body Was Carved Up—After Addresses of Counsel the Twelve Good Men and True Went Out for About Two Hours, Then Came Back With a Verdict of Guilty.

New York, Nov. 30.—Martin Thorn walked into the court room in Long Island City's big building this morning, looking none the worse for his ordeal of several hours' duration on the witness stand yesterday. The crowd of yesterday was in evidence this morning, but there were very few women to be seen in the court house.

As soon as the District Attorney arrived in court, Mr. Howe made a motion to have the question asked Thorn yesterday as to his hearing of the reading of Mr. Howe's affidavit in reference to the coming of the witness Peterson, from Germany, being stricken from the record, as Thorn was not present when the affidavit was presented and read before Judge Smith in October.

The judge directed the stenographer to strike out all reference to the affidavit from the record, and requested the jury to pay no attention to it.

Wanted Them to See the Bath.

Mr. Howe, having gained this point, made an application that the jurymen be permitted to go to the Woodside cottage, so that they could personally view the bath tub.

"I want them to see," said Mr. Howe, "how impossible it would be for one person alone to cut up the body, as described, in a bath tub of the size of the one in the Woodside cottage without marking the sides of the tub."

The people's lawyers demurred, and the court refused to grant Mr. Howe's request.

A few minutes later Justice Maddox reconsidered his decision and allowed the jury to go to the cottage by trolley car, in charge of Detective Sullivan and six officers.

The court admonished the officers not to talk to the jurymen in reference to the case or to say anything to them during the examination of the cottage.

The sheriff was instructed to procure a special trolley car, and an adjournment was declared at 10 o'clock until about 11.30.

Gone to the Jury.

Judge Maddox gave the case of Martin Thorn into the hands of the jurors at 2.24 o'clock, and they immediately retired to the jury room.

There is some comment as to whether a mistake was not made by the court in not sending Thorn to Woodside with the jury. At the time Mr. Howe asked that the jury be sent to Woodside to inspect the cottage he said Thorn would waive his rights to go along with the jury. Lawyers say that the Court of Appeals has, in a number of capital cases, decided that counsel has no right to waive any of the prisoner's rights, and that the action of Mr. Howe may leave a loophole for a new trial in case Thorn is convicted. The jurymen arrived at the cottage at 10.35 o'clock, and the inspection occupied about eight minutes.

Many of the women who had been denied admittance to the court did the next best thing, and crowded the trolley car both going and returning from Woodside. The conductor of one of the largest cars caused no little comment by announcing, as the car neared the corner lot on which the "slaughter house" stands: "All out for the Woodside cottage!"

Jury Re-enter Court.

The jury re-entered the court room at half-past eleven o'clock. Mr. Youngs arived a minute later, and Mr. Howe immediately began his summing up for the defence, speaking with a quivering voice. He told them they had an awful duty to perform, and he felt confident that they would do their duty to the people and his client.

"Why did Mrs. Nack not go to Mrs. Haffner's for the key of the cottage, gentlemen?" asked the counsel. "You know well, gentlemen; although I cannot refer to anything which Mrs. Nack said on the previous trial, when she was a witness, I say again, gentlemen, you know well."

Mr. Howe referred to the fact that Mrs. Nack was not produced as a witness on this trial, and said: "Your District Attorney is too astute a man to bring her here to be refuted.

"She is saved, and Thorn is on trial for his life. God forbid that justice shall ever be administered in this State or country so that a murderess may escape and this man subjected to even a ten years' imprisonment."

The Rebuttal Evidence.

In speaking of the evidence adduced in rebuttal, last evening, Mr. Howe said: "Gentlemen, you have heard witnesses say that Mrs. Nack was seen in her apartments on the afternoon of June 25, trimming a hat. Just think of it—trimming a hat on the evening of the day that she trimmed the dead body of her lover, whom she killed in the morning!"

Mr. Howe spoke of Gotha as a Judas, who for the sake of money was ready to sell his Master.

Then he referred to the visit of the jury to the cottage, and said that they must have seen that it was impossible for one person to do the cutting up of the body as it was accomplished. The woman's knowledge of anatomy, which she owed to experience in her profession, stood her in good stead when she was cutting up the corpse of her former lover."

District Attorney's Address.

District Attorney Youngs opened by saying:

"The woman tempted me, and I did yield."

The jurymen, no doubt, had read their Bibles, and they knew exactly who made this excuse. He was sorry that both the man and woman were not jointly tried, as they were jointly indicted, and each was equally guilty of the crime charged. The lawyers were to blame, as they had asked for separate trials. Mrs. Nack was not on trial; she would be brought in due time before another tribunal. The people did not propose to put her on the stand to let her swear to lies, as to where she was or was not on the days immediately preceding and subsequent to the murder of Guldensuppe.

Mr. Youngs advised the jury not to be misled by the eloquence of Mr. Howe. Mr. Youngs finished at eight minutes to 2 o'clock, after speaking 55 minutes. Judge Maddox then called on the jurymen to stand up, and explained very clearly the law governing the charge, and defined the difference between murder and manslaughter.

The charge was extremely fair and impartial.

When the judge had finished, Mr. Howe said: "Your Honor, I have nothing to say other than to thank you for your impartial charge."

The jury retired from the court room at 2.25 o'clock and recess was ordered until 4 o'clock. In the meantime Judge Maddox instructed the sheriff to have dinner brought to the jury.

Agreed on a Verdict.

The court resumed its sitting about half-past five, the jurors having signified that they had agreed upon a verdict.

Martin Thorn was brought in by Sheriff Doht. The prisoner did not show any signs of nervousness as the jurors filed into the box and answered to their names. As soon as this formality was over the clerk of the court addressed the jurors and said:

"Gentlemen of the jury: Have you agreed on a verdict?"

"Yes, we have," answered Foreman Thomas Morse.

"Martin Thorn, stand up. Jurors, stand up," said the clerk.

Thorn faced the jurors stoically, but it was easily seen that he was controlling himself with great difficulty. His jaws were set rigidly and his lips tightly compressed. His lawyers evidently were more perturbed than Thorn.

When the jurors stood up the clerk of the court again addressed them and said:

"How say, you, gentlemen—Is the prisoner guilty or not guilty?"

A Painful Silence.

There was a painful silence just then and the jurors looked at each other, evidently wondering who should answer. Finally Foreman Morse spoke up in a jolting, nervous way and said:

"We find the prisoner, Martin Thorn, guilty of the charge preferred."

Then the clerk read the verdict from the back of the paper handed him by the foreman.

Lawyer Howe asked that the jury be polled.

As the name of each man was called out and asked: "Is that your verdict?" he answered, "Yes, sir."

Thorn all the time was looking stolidly at the front row of jurors. He dropped into his seat the moment the roll was completed. District Attorney Youngs then arose and moved that a day be set for sentence.

Will Appeal for a New Trial.

Mr. Howe was on his feet immediately, and moved for a new trial, on the grounds that the verdict was against the evidence and the weight of evidence adduced.

Judge Maddox denied the motion for a new trial.

Mr. Howe asked the court to postpone the passing of sentence until next Friday, and Judge Maddox set it down for Friday next at 10 a.m. The court then thanked the jury and discharged them, saying they deserved the commendation of all good citizens, as their verdict was dictated by their consciences. Thorn was taken to his cell.

None of the jurors would tell anything about their deliberations, but it was learned from reliable persons that the first six ballots tallied 11 to 1 for conviction. On the seventh ballot they agreed.

THORN OWNS UP.

Admits That He, and Not Mrs. Nack, Killed Guldensuppe—Says the Verdict Is Correct.

New York, Nov. 30.—When Thorn had been led back to his cell after the conviction he admitted that the verdict was just, and that he, and not Mrs. Nack, had killed Guldensuppe. This acknowledgment of guilt took place while Thorn's cell in the jail was being prepared for him. During the trial Thorn has been under the charge of Deputy Captain Methven of Flushing. Captain Methven had him under his watchful eye when the jail officials searched the cell Thorn is to occupy for a day or two. While this was being done Thorn talked with the police captain. He said: "I am glad it is over and the verdict given. I am convicted and I am contented. It was I who killed Guldensuppe, and I cut up his body. Every word that Mrs. Nack said upon the stand was substantially correct. When I was on the stand I lied when telling the story as I did, but I lied to clear myself. It is no use carrying it any further. I am guilty and am convicted. It is what I expected and what I suppose people think I deserve, and perhaps I do."

HENRY MAYBEE KILLED.

A Boy of 16 Fell From a Load of Wood Which He Was Teaming and the Wheels Crushed Him.

Sunderland, Ont., Nov. 30.—Henry Maybee, a boy of 16, was teaming wood from the 4th concession of Brock to this village, and riding on top of the load. When coming round a turn about two miles from home the wood on which he was sitting gave way and he was thrown between the horses and the wagon, the wheels of the latter passing over his shoulder, chest and ribs, crushing him fearfully. He lay there for some time before being found by Mr. F. Keenan, agent for the Massey-Harris Company, who at once picked up the poor boy and hastened home with him, where everything possible was done for him, but he expired shortly after 6 o'clock this evening.

RELIEF FOR THE KLONDIKE.

Portland, Oregon, Will Supply Food if the Government Will Transport It.

Washington, Nov. 30.—The Cabinet to-day considered the subject of sending relief to the people in the Klondike. President McKinley received a telegram from the Portland, Oregon, Chamber of Commerce, stating that there was danger of destitution and suffering on the Klondike and offering to supply the necessary food for relief if the Government would undertake its transportation. The Cabinet considered every phase of the situation and discussed ways and means of affording relief, the disposition being to do everything possible to prevent starvation and misery among the Americans in the Klondike.

The Late Father Reddin.

St. Paul's Church, Power-street, was crowded yesterday morning when Requiem High Mass was sung for the late Father Reddin. The celebrant was Rev. Father Jeffcott, Oshawa; deacon, Rev. Father Trafling, Port Colborne; sub-deacon, Rev. Father Gallagher, Pickering, and Rev. Father Hand, master of ceremonies. In the sacristy were Archbishop Walsh, Vicar-General McCann and all the priests of the diocese. The service was of a very impressive character. The remains were taken to Pickering in the afternoon for interment.

Increase in Customs.

The total duty collected at the port of Toronto for the month of November, 1897, was $276,877.94, against $228,561.81 for the corresponding month of 1896, showing an increase of $48,316.13.

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Sarsaparilla
Is the original Sarsaparilla, the standard of the world. Others have imitated the remedy. They can't imitate the record:
50 Years of Cures

THE DENOUNCED TREATIES.

German Exports to Britain and Her Colonies and the Effect of the Recent Decree of the Imperial Ministry.

Washington, Nov. 30.—Commercial Agent Stern at Bamberg, in a report to the State Department, has given a great deal of general information concerning the recent notice of England to terminate the commercial treaty made with Germany. Mr. Stern says that negotiations have been entered into at the instigation of Great Britain for a new treaty. The commerce between England and Germany comprises nearly 25 per cent. of the latter's trade. Germany's exports to Great Britain proper in 1896 were valued at $169,932,000, and to the British colonies $26,418,000. The great amount of trade, he says, is due to the treaty of most favored nations existing between Germany and England and her colonies. The treaty about to be terminated conceded to German trade the enjoyment of any concession or privilege granted to the colonies of Great Britain or to the Mother Country by the colonies. Germany does not have the same advantage with the Dutch, French or Spanish colonies. The relations of the three latter mother countries to their colonies are much closer in matters of trade than England has with hers.

Referring to the fact that Canada has recently made concessions in her tariff to English goods, and after expressing the opinion that there is no doubt that other English colonies will soon follow Canada, Mr. Stern says: "Great Britain will then be obliged to make concessions in her turn and alter the customs law in such a way that certain products of her colonies may be imported into the Mother Country under more favorable conditions than the corresponding products of other countries. This would be carrying into effect the plan to amalgamate all parts of the British Empire into one customs union."

Along the Water Front.

The number of steamers and vessels that will winter in Toronto is increasing, and will be larger than usual this season. Among the steamers are the Rosedale, Algonquin, Hamilton, Melbourne, Ocean, Persia, Cuba, St. Joseph, Clinton and a number of smaller sailing craft, including the Knapp roller boat.

The steamer Melbourne arrived in port on Monday from Montreal. After she unloaded her cargo she went across the lake to Port Dalhousie, to go on the drydock.

It has been decided by the Harbor Commissioners that the harbor buoys be taken up this week, as there is only one boat, the Antelope, out. Should any boats be coming in they know the channel and do not need the buoys. The harbor lights will be kept up till the harbor freezes.

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Banished Forever by Dodd's Dyspepsia Tablets.
Snow cannot withstand the heat of the midsummer sun. There's no ice on the creeks in August.
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But Dodd's Dyspepsia Tablets do more. While they are digesting the food they rest the stomach, tone it up, restore all its old strength and give it a new supply.
You don't have to take Dodd's Dyspepsia Tablets forever. A short course of treatment—two or three weeks—is enough for any case. Then you can quit using them and enjoy the benefits they have given you.
Dodd's Dyspepsia Tablets are specially suited to every form of dyspepsia. They will positively cure any form of the disease.
Dodd's Dyspepsia Tablets prevent the formation of poisonous gases in the stomach by digesting the food at once. There is no time for it to ferment and create gas.
If the bowels need treatment Dodd's Dyspepsia Tablets won't give it. But in each box is a package of smaller tablets that will. Thus there is a double treatment in every box.
Dodd's Dyspepsia Tablets, each box containing the double treatment, can be procured from all druggists at 50 cents a box, or will be sent, on receipt of the price, by the Dodd Medicine Co., Limited, Toronto.

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Their Annual.

Note in another column the announcement of the Hobberlin Bros.' Company's big December sale, the clothing-to-order chance of the season.

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"Dr. Ward's Blood and Nerve Pills put new blood in me, and I have gained five pounds since taking them. They are a god send to weak and run down women. I never had anything do me so much good." Miss MAGGIE J. EVES, 47 Wellesley Street, Toronto.

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"Dr. Ward's Blood and Nerve Pills took hold of me right from the start, freed me from kidney and stomach troubles, took away that bad taste in my mouth, and gave me a splendid appetite." WM. MCGIRR, Hamilton, Ont.

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"Catarrh in the head and throat for years. Best doctors in Toronto tried hard but could not cure. Said no more could be done. Became alarmed, tried Dr. Ward's Blood and Nerve Pills—Catarrh cured, strength and appetite restored. Now strong and well as ever." FRANZ FILDES, Lithographer, Clarence House, London, Ont.

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