New-York Tribune.

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SHONTS FOR INTER-MET.

SUCCEEDS MR. BELMONT.

To Take Charge of Whole System of City's Transportation.

Theodore P. Shonts, chairman of the Isthmian Canal Commission, was elected president of the Interborough-Metropolitan company yesterday, succeeding August Belmont, who was made chairman of the company's board of directors. At the same time John B. McDonald, the contractor for the subway, was elected vice-president of the company, to have charge of new subway construction.

Mr. Shonts will not retire from the canal commission until March 4, after which date he will give all his time to the Interborough-Metropolitan company as its president. The promotion of Mr. McDonald is said to be proof that he and Mr. Belmont are friends again. Mr. McDonald left the Interborough and went over to the Metropolitan soon after he finished the task of building the subway, but the merging of the two great corporations brought him and Mr. Belmont together again. The differences which had caused their estrangement were not known to have been settled, however, until the action of yesterday was announced.

The bringing of Mr. Shonts into the corporation which controls passenger traffic in Manhattan and The Bronx, the elevation of Mr. McDonald to a high office in the corporation and the recent retention of William Barclay Parsons, the former chief engineer of the Rapid Transit Commission, who planned the subway, as the chief consulting engineer of the corporation are all intended, it is understood, to strengthen the Interborough-Metropolitan in bidding for new subways.

THE COMPANY'S STATEMENT.

The following official announcement was made by authority of the company's board of directors yesterday afternoon:

The Interborough-Metropolitan Company has secured, with the consent of President Roosevelt, the services of Theodore P. Shonts, who will come to New York and take the presidency of the Interborough-Metropolitan Company, assuming charge of the whole subject of transportation now covered and to be covered by the constituent companies of the system.

This has been accomplished by Mr. Belmont because he felt that the subject was one to which a man must give his entire time and undivided attention, his large business interests making this impossible. Mr. Belmont, however, will become the chairman of the board of directors, and the company will have the benefit of his general supervision and co-operation.

This step was taken only after consultation with the President, and securing his consent to the release of Mr. Shonts from his present office. Mr. Shonts will, for the present, give such attention to the work as his time will permit, and after March 4, when the President will definitely release him, he will come to New York and take up his active duties.

Mr. Belmont in like manner, and for the same reason, has taken the chairmanship of the board of the Interborough Rapid Transit Company, and Mr. Bryan has been elected president, Mr. Bryan and Mr. Vreeland thus continuing to be the chief operating officers in charge of the two principal companies.

John B. McDonald has been elected vice-president of the Interborough-Metropolitan Company, to have general supervision of the construction of new subways.

Mr. Shonts did not attend yesterday's meeting of the Interborough-Metropolitan directors. He started for Chicago in the afternoon. Before leaving the city he said he considered that his chief duty at Panama ended when he had so organized the work there that nothing remained to be done except the execution of a contract with responsible contractors to build the canal. He had accepted the duty of clearing up the numerous complications in which when he took charge the great canal work was involved, had organized its executive, engineering and operating departments and had superintended the plans for construction. Mr. Shonts further remarked that he never contemplated supervision of this construction; his work went only from chaos to contract.

MR. SHONTS ON TRANSIT.

Of the transportation situation in this city Mr. Shonts said he took a deep interest in the problem of moving two millions of people a day, in practically two flights, one up and one down town, with speed and comfort. He said he wanted to adapt better to the needs of the great travelling public the city's transportation machines, the subway, the elevated lines and the great web of surface lines, now under one control.

It was said yesterday that the Interborough-Metropolitan would be active bidders before the Rapid Transit Commission for all new subway routes planned, for the bridge loop and for the Brooklyn Fourth avenue contract.

SHONTS TO QUIT MARCH 4.

Mr. Stevens Expected to Succeed Him as Head of Canal Work.

[From The Tribune Bureau.]

Washington, Jan. 23.—Theodore P. Shonts, chairman of the Isthmian Canal Commission, has tendered his resignation to the President, to take effect "not later than March 4." The President has accepted the resignation and written Mr. Shonts a letter expressing his regrets and wishing the retiring chairman success in his future field. Mr. Shonts has accepted the general management of the Belmont-Ryan traction interests in New York, and it is understood here that he will receive $50,000 a year.

It will be recalled that Mr. Shonts was chosen for his present place largely because of his exceptional capacity for organization. The organization of the machinery which is to construct the interoceanic canal having been practically completed, Mr. Shonts decided that there was no reason why he should not yield to the tempting pecuniary inducements offered by his New York friends.

STEVENS MAY GET PLACE.

It is noteworthy, in connection with the announcement of Mr. Shonts's resignation, that one of the subordinate headings contained in the President's special message to Congress on the subject of the Panama Canal was, "A Single Commissioner Desired," and under this heading the President had this to say:

A seven headed commission is, of course, a clumsy executive instrument. We should have but one commissioner, with such heads of departments and other officers under him as he may find necessary. We should be expressly permitted to employ the best engineers in the country as consulting engineers.

Under these circumstances, and in the absence of any intimation to the contrary from the White House, it is generally assumed that Chief Engineer Stevens will be made chairman of the commission, and as such will draw the salary now paid Mr. Shonts, while no additional member of the commimssion will be appointed to take the place on the commission which the re-

Continued on seventh page.

GOLD & BLACK LABEL SHERRIES,
Bottled in Spain. Feldmann Importing Co., New York.—Advt.

PANIC FOLLOWS "L" FIRE

Short Circuiting of Current Causes Bad Block.

Through the snapping of a drawbar connecting the second and third car of a Third avenue train at Canal street early last night, and a portion of it falling on the third rail, one of the cars and a section of the structure were set afire, causing a panic among the passengers on the crowded train. Reserves had to be called from the Elizabeth street station. The power of the system was turned off for half an hour while the firemen fought the flames.

The entire system from 129th street to City Hall and South Ferry was blocked for a time, and thousands of passengers crowded the platforms and waited patiently in the cold until the block was raised. The uptown platforms were more congested than the southbound.

The six car train was pulling into the station at Canal street when the drawbar between the second and third cars snapped. A piece of the bar fell on the third rail. There was a brilliant electrical display, and in a second the woodwork was afire. The passengers on the train became panicstricken, and the guards were kept busy preventing some of them from jumping off the train. The noise and fire attracted attention in the street and many persons rushed up the elevated stairways to help those on the cars. They blocked the way of those rushing down, and the prompt arrival of the reserves was probably the only reason a serious accident was averted.

When the firemen arrived they found not only the car afire, but a portion of the structure. Fearing to tackle the flames from the structure with the current turned on, word was sent to the powerhouse and the electricity was shut off. Then the firemen had an easy time in putting out the blaze, which did no serious damage. It was nearly an hour before traffic resumed its normal condition.

MR. HIGGINS IMPROVES.

Heart Action and Respiration Better—Taking Nourishment.

Olean, N. Y., Jan. 23.—Dr. Hibbard, who is attending ex-Governor Higgins, gave out the following bulletin at 9:30 o'clock to-night:

Contrasting Governor Higgins's condition with twenty-four hours ago, there has been a slight but noticeable improvement. The heart action, pulse and respiration are better. He has taken more nourishment during the last twenty-fonr hours than during any previous forty-eight hours of his illness.

Dr. Hibbard, after his first visit to ex-Governor Higgins this morning, gave out the following statement:

Improvement noted in bulletin last night was only temporary; mind clouded this morning; took only a small amount of nourishment during the night; has gained nothing in the last twenty-four hours; pulse held up by strong heart stimulants; weakening gradually but surely.

At 2 p. m. Mr. Higgins was resting in a comfortable condition. There had been no noticeable change since the morning bulletin.

At 4 p. m. it was said that the patient had rested quietly this afternoon, and that his mind was less clouded.

WOODRUFF SEES HUGHES.

Also Calls on Wadsworth and Brooklyn Legislators.

[By Telegraph to The Tribune.]

Albany, Jan. 23.—State Chairman Woodruff spent a good part of the day around the Capitol. He called on Governor Hughes, saw Speaker Wadsworth for about an hour, and talked with many of the Brooklyn legislators. Various rumors have attended his presence here, one of which was that he intended to urge that Brooklyn men now support a bill abolishing the Metropolitan Elections District, because Lewis M. Swasey, his candidate, was not appointed superintendent. A bill which would accomplish this has been introduced by "Paradise Jimmy" Oliver.

When he was asked about this, Chairman Woodruff said it was absurd and that he would oppose such a bill vehemently. The belief is prevalent here that Mr. Woodruff hopes to have Mr. Swasey retained as deputy superintendent of elections, the place he held before Governor Higgins named him as superintendent. It is thought that Superintendent Leary will not retain Mr. Swasey, though.

BITTER COLD IN EUROPE.

The Continent Fast in Grip of the Frost King.

London, Jan. 23.—Arctic weather conditions continue to prevail over the whole of Europe, while, curiously enough, the actual Arctic regions—Northern Norway and Iceland—report a prevalence of mild and rainy weather.

All the vessels reaching British ports present the unusual spectacle of being covered with long icicles and have an inch or more of ice on their decks.

Dispatches received from all parts of the Continent give almost incredible reports of the extreme rigor of the frost grip and the consequent suffering. Many deaths are reported. In Austria two sentinels were found dead at their posts as a result of the cold. The heavy snows continue in Russia and Turkey, and the Danube is frozen over in several places in Rumania. Slight earthquakes are reported from Batoum.

The blizzard continues at Constantinople, where the snow is said to be several feet deep. Navigation on the Bosporus and the Black Sea has been practically suspended.

Business and travel in Berlin have been seriously hampered by the extreme cold, and in France deaths from exposure are reported. The Seine at Paris is frozen over, and the Parisians are enjoying the novelty of outdoor skating on the ponds in the parks.

WINTHROP NEAR DEATH.

Governor of Porto Rico Has Narrow Escape in Railroad Accident.

San Juan, Porto Rico, Jan. 22.—A special train conveying Governor Beekman Winthrop and a number of officials and citizens from San Juan to attend the American Railroad Company's celebration of the completion of the railroad connecting San Juan and Ponce was derailed to-day near Quebradillas because of a defective truck on one of the cars.

The coach containing the Governor's party stopped within six inches of the edge of a slope 1,400 feet high. The Governor jumped from the coach and was not hurt. The other members of his party were badly shaken up, but no one was injured.

The train was drawn for a distance of three hundred feet after leaving the rails, there being no means of informing the engineer of the accident.

IN THE LIMELIGHT OVER SIXTY YEARS.
Acknowledged the standard of excellence. Accept no Substitutes for FERRIS Hams & Bacon.—Advt.

CROWD WATCHING THE DEPARTURE OF THAW'S FAMILY FROM THE CRIMINAL COURTS BUILDING.

STUDENT KILLS SELF.

SON OF RAILROAD MAN.

Lathrop Smith Blows Out Brains at Grand Union Hotel.

Within fifteen minutes after he had registered at the Grand Union Hotel, Lathrop Smith, a student in the law school at Columbia University, committed suicide yesterday afternoon by shooting himself through the head. He had not even taken off his overcoat before he fired the shot.

Smith left several notes, one of which read: "Mother and all the loved ones, goodby. Mother! Mother!"

Another note requested the police to inform W. M. Smith, Room No. 7, Union Depot, Kansas City.

Late in the afternoon the student appeared at the hotel with a small grip. He paid $1 for Room No. 35. Fifteen minutes after he was shown to his room, Thomas Bullinger, the hotel carpenter, heard a pistol shot. He ran to the office and notified the clerk, who, with a pass key, opened the door.

Lying face downward, the body was found near the bed. In the right hand was a revolver, with only one shell in it. It was apparently a new one. On the dresser was a box of a hundred cartridges.

In the student's pocket was found a receipt from the Story chapter of Phi Delta Phi of Columbia University, showing that $20 had been paid for initiation fees and dues. There was also a receipt from the Young Men's Christian Association of the university, and one from St. Luke's Hospital, showing that he had paid $4 for treatment on Wednesday.

In a wallet was found a draft from the New England Bank of Kansas City, Mo., on the Chase National Bank, of New York, payable to L. Smith and signed by the cashier of the Kansas City bank, F. T. Childs. The draft was for $25. In the pocketbook was a $5 bill and some odd coins. A gold watch and chain, the former having the initials "L. S." engraved on it, were also found. Inside the watch was the picture of a pretty girl about twenty years old.

Written on a slip of paper was a question pertaining to bridge whist and signed "Bridget, No. 430 West. 118th street." At that address it was said that Smith had lived there about a year ago.

At Livingston Hall last night it was said that Smith had been a student in Columbia for three years, and was popular. He attended the law school, and would have been graduated this year. No reason could be given by his friends as to why he should have killed himself. They said that he was not in love with any young woman, and that he spent the most of his time in his room studying.

At St. Luke's Hospital the clerk said that Smith had been in the institution one day. He gave the name of his best friend when he entered the hospital as "Mr. Marsh, Orange, N. J."

Kansas City, Mo., Jan. 23.—Lathrop Smith, who committed suicide in New York to-day, was a member of one of the most prominent families of this city, and was a well known leader in exclusive social circles here. He was a nephew of Gardiner Lathrop, general solicitor of the Santa Fe Railroad, with headquarters in Chicago, and a son of W. Medill Smith, general claim agent of the Santa Fe. His relatives here knew of no reason to cause him to take his life.

WILL GO HIGHER UP.

Cuban Generals to Insist on Fulfilment of Taft-Bacon Pact.

Havana, Jan. 23.—A meeting in the office of General Garcia Velez, yesterday, of Generals Guas, Marquettis, Arencibia, Miret and Fuste, resulted in all waiting upon Señor Zayas, president of the executive committee of the Liberal party, at 11 o'clock last night, and delivering to him an important resolution regarding the political condition of Cuba.

The resolution stated that if the executive committee was unable to demand Governor Magoon's fulfilment of the Taft-Bacon pact, then the five generals named would wait upon Governor Magoon personally and demand its fulfilment.

In case Governor Magoon should declare that he knows of no such pact, the generals will go to Washington and interview Secretary Taft and Mr. Bacon. Should they, too, fail to reveal the terms an appeal will be taken to President Roosevelt, after which they will be able to judge better what to do.

The generals say they have the support of all the generals who took part in the last two revolutions, and that all will insist upon the fulfilment of the pact.

WOULD SELL THE PHILIPPINES.

Florida Representative Introduces Bill Offering Islands at Cost.

Washington, Jan. 23.—Representative Clarke, of Florida, introduced a bill to require the President to sell the Philippine Islands to Japan or any other power which will pay a price sufficient to reimburse the United States for the original cost of the islands and for subsequent expense entailed in retaining them.

PINEHURST—CAMDEN—PALM BEACH.
Seaboard Fla. Ltd. Quickest Florida train. Seaboard office 1183 Bdwy. or P. R. R. offices.—Advt.

TO PAY CONGRESS MORE.

SENATE VOTES, 53 TO 21.

Salaries of Vice-President, Speaker and Cabinet Also Raised.

[From The Tribune Bureau.]

Washington, Jan. 23.—The Senate agreed to-day to the House amendment increasing the salaries of the Vice-President, members of the Cabinet, the Speaker and the members of the two Houses; listened for a little over an hour to the beginning of Senator Beveridge's speech on child labor; received a special message from the President on the subject of ship subsidies; held a brief executive session, and then adjourned. Senator Beveridge, who spoke to crowded galleries to-day, will go on to-morrow with his remarks in support of his bill prohibiting interstate commerce in goods made by child labor.

By its action to-day the Senate made certain the increase of the salaries of the Vice-President, the Speaker of the House and members of the Cabinet, from $8,000 to $12,000, and of Senators and Representatives from $5,000 to $7,500. The House had voted this increase of compensation without a record vote, but the Senate came out into the open and decided, 53 to 21, on an aye and no vote, to provide for the increase. The increased compensation of these officials will call for an increased annual expenditure of $1,268,500.

With the settlement of the salary question the Senate disposed of the conference report on the Legislative, Executive and Judicial Appropriation bill, and the measure was sent back to conference, that the few remaining and unimportant differences might there be adjusted.

Mr. Lodge, in favoring the increase, said that members of the English Parliament received no salaries, that the Irish members, who were poor, received contributions from the people of their districts and from this country, and that the labor members were paid by their labor unions. This, he asserted, was a bad system, and he believed Great Britain was coming to recognize it.

Referring to his late colleague, Senator Hoar, Mr. Lodge said he knew the latter years of the Senator had been one continual financial pressure. He had devoted his entire life to the public service, giving up a lucrative practice at the bar.

BATTLESHIP ON A REEF?

The Connecticut Said to Have Been Ashore at Culebra Island.

San Juan, Porto Rico, Jan. 22.—It is reported that the battleship Connecticut ran on a reef while entering the harbor at Culebra Island, on January 13, and that she sustained serious damage as a result. The naval authorities at San Juan, however, disclaim any knowledge of the accident.

Washington, Jan. 23.—The Navy Department has received no report regarding an accident to the battleship Connecticut while entering the harbor at Culebra Island on January 13. The Connecticut left Hampton Roads about two weeks ago to join the Atlantic fleet at Guantanamo, Cuba.

The Connecticut displaces 16,000 tons and carries an armament of four 12-inch, eight 8-inch, twelve 7-inch, twenty 3-inch, twelve 3-pounders and eight 1-pounder guns, in addition to rapid fire guns of smaller calibre. She was launched on September 29, 1904, and is the only first class battleship ever built in a yard owned by the United States government. She was placed in commission on September 29, 1906.

The Connecticut left the Brooklyn Navy Yard on December 15, last year, for Hampton Roads to join the North Atlantic fleet for the winter manœuvres. She went to sea, although armed and ready for service, direct from the hands of her builders, without the customary trial trip. She behaved splendidly on her way down New York Bay, and naval officers who watched her said they had every reason to feel proud of the biggest American battleship.

EXODUS FROM CHICAGO.

Epidemic Frightens People, Who Flee to the South.

[By Telegraph to The Tribune.]

Chicago, Jan. 23.—The epidemic of contagious diseases in Chicago jumped almost one hundred new cases to-day over the record of yesterday. Three hundred and two cases were reported to the Health Department to-day, against 214 yesterday, which was twice as many as seven days before.

Nearly every train bound for the South carries hundreds of women and children, fleeing from the epidemic, most of whom are bound for New Orleans, thousands of whose citizens fled from yellow fever there a year ago last summer and came to Chicago. Extra coaches are being put on for day coach passengers, and additional Pullmans are being attached to the through trains.

THE 20TH CENTURY LIMITED,
TO CHICAGO IN 18 HOURS.
Leaves New York 3:30 P. M., arrives Chicago 8:30 next morning—a night's ride by the NEW YORK CENTRAL LINES, "America's Greatest Railroad." A dozen other fast trains to Chicago and St. Louis.—Advt.

ANSWER KEPT SECRET.

GOVERNOR HEARD FROM.

Swettenham's Language Rebuked, but Spirit Not Condemned.

London, Jan. 23.—The Colonial Office is now in possession of official advices from Sir Alexander Swettenham, Governor of Jamaica, concerning the exchange of letters between himself and Rear Admiral Davis, but the extent of these advices, and whether or not they contain an explanation or apology, or extenuating circumstances, has not been disclosed.

It appears that the imperial authorities requested the Governor of Jamaica to send them a copy of his letter to Rear Admiral Davis. This now has been furnished, and it shows that the letter as sent out by The Associated Press was, to all intents and purposes, a correct copy. It is now learned that the Secretary for the Colonies, Lord Elgin, sent a second cable message to Governor Swettenham, asking him to give his version of the affair, and to this, the Foreign Office informed The Associated Press to-night, no answer yet has been received. It is explained that while this second cable message was drawn up on January 21, and the Colonial Office announced on that day that it had been sent to Kingston, it was not really forwarded until January 22, as it required the direct authority of Lord Elgin, who was absent in Scotland, and who could not be reached until the 22d.

John B. Carter, chargé d'affaires of the American Embassy, called at the Foreign Office to-night, and received the same explanation of the situation as was furnished to The Associated Press.

The fact that Governor Swettenham wrote the letter to Rear Admiral Davis having been established there remains only to determine the official formalities, and the indications are that the matter will be handled through the usual diplomatic channels and that the correspondence will be made public in a Blue Book.

Discussion of the incident discloses the fact that the British view makes a clear differentiation between Governor Swettenham's opposition to the presence of a foreign force on Jamaican soil and his manner of expressing this opposition. What the British government and people now condemn is the tone of the letter to Rear Admiral Davis, the Foreign Office having declared that there was "no excuse for such language from an official to the officer of a friendly nation engaged in a work of humanity," and the press and public are adopting a substantially similar view. But on the question whether or not Governor Swettenham was justified in asking Rear Admiral Davis to withdraw his armed forces from the island British opinion inclines to hold that the Governor acted clearly within his rights, although many persons contend that the abnormal conditions should have induced him to waive the usual requirements if, as is supposed here, Rear Admiral Davis landed marines at Kingston without a specific request from the Governor.

The idea prevails here that the Admiralty as an outcome of the agitation aroused by the recent events in Jamaica may modify the plans under which the West Indies were almost abandoned as a naval station, and it is suggested that Jamaica might be made a strong naval station attached to an effective and well equipped naval base on the Canadian coast if the forthcoming colonial conference can devise some plan for the distribution of the financial responsibility for naval defence throughout the empire.

TWO MORE SHOCKS FELT.

Kingston Buildings Thrown Down—No One Hurt.

Kingston, Jamaica, Jan. 22.—Two earthquake shocks, the heaviest since the destructive ones of January 14, were felt here at 2 o'clock this afternoon. Several buildings were thrown down and there was great alarm among the people. No one was injured.

INCIDENT DISMISSED.

This Government to Pay No Further Heed to Swettenham's Action.

Washington, Jan. 23.—The President has finally dismissed the incident connected with the refusal by Governor Swettenham of Jamaica of aid from Admiral Davis, as is shown in the following letter, made public at the State Department to-day, addressed by Acting Secretary Bacon to Mr. Howard:

State Department,
Washington, January 22, 1907.

To Mr. Esme Howard, charge d'affaires ad interim, the British Embassy, Washington.

Sir: I have the honor to acknowledge the receipt of your note of yesterday's date, by which you communicate the substance of the instructions received by you from Sir Edward Grey in reference to the Jamaica incident.

I hasten to assure you, on behalf of the Presi-

Continued on fourth page.

DEWEY'S CLARET OR OLD BURGUNDY
Taken with your meals enriches the blood. H. T. Dewey & Sons Co., 138 Fulton St., New York.—Advt.

TWO JURORS FOR THAW

QUICK WORK FIRST DAY.

Family in Court—Jerome Quizzes Talesmen on "Unwritten Law."

DEMING B. SMITH, broker; No. 253 West 111th street; married; Juror 1.

GEORGE H. FECKE, manager; No. 601 West 135th street; married; Juror 2.

At the end of the first day's examination of talesmen these two men had definitely been chosen as jurors to try Harry Kendall Thaw for the killing of Stanford White on the roof of Madison Square Garden the night of June 25. A third man, Frank P. Hill, a baker, of No. 1991 Seventh avenue, had proved acceptable to both prosecution and defence, but upon his urgent plea to Justice James Fitzgerald he was excused. The selection of two jurors, however, was looked upon as an unusually good start in such an important case.

The first day of the trial had its dramatic periods, as was to be expected. The moment when young Thaw, with swinging stride, entered the courtroom where the legal battle for his life is to be fought was one of these. But all the attention of those in the courtroom was not centred upon him. Of at least equal interest were the five women who had come there to give him the moral support of their presence—his white haired mother, Mrs. William Thaw; his young wife, Florence Evelyn Nesbit Thaw, the cause of his being a prisoner at the bar of justice; his two sisters, much alike in appearance, the Countess of Yarmouth and Mrs. George Lander Carnegie, and the stanch friend of himself and his wife, Miss May McKenzie.

The time set for the beginning of the trial was 10:30, but long before that hour the courtroom was uncomfortably crowded. A hundred policemen under Inspector McClusky kept the morbid curiosity seekers away from the halls about the court, but in the streets there were big crowds waiting to see the principals in the case enter. Every seat except that of Thaw himself was taken when Justice Fitzgerald ascended the bench. At a few minutes after 10 o'clock the women relatives had quietly entered the courtroom through a private door, escorted by Clifford W. Hartridge, principal counsel for the defendant.

Mrs. William Thaw led the way. She was dressed in black, with a heavy veil which she wore continuously during the morning session. The Countess of Yarmouth was in brown, with a veil of the same color, and Mrs. Carnegie in green. Mrs. Evelyn Thaw's dress was of some blue hued material, and she wore a heavy white chiffon veil, which at all times she kept down. Miss McKenzie gave the only bit of color to the group, as she wore a purple colored dress and a big hat, feathers and veil to match. The women had seats in a row directly back of the chair where Thaw would sit. Mrs. W. Thaw was in the centre, while on the inside sat her two daughters and on the outside Mrs. Evelyn Thaw and Miss McKenzie. With them, sitting in front, were Edward Thaw and George Lauder Carnegie.

"PRISONER TO THE BAR!"

The talesmen were still entering the court when the women were seated, and, although staid business men of apparent good breeding, many of them arose and stared, as if it was an involuntary action which could not be denied. The counsel for both sides soon followed, and as soon as Justice Fitzgerald opened court and the roll of the special panel was called Mr. Penny, clerk of the court, in a moment of quiet called:

"Harry K. Thaw to the bar."

Instantly every one turned his or her head toward the rear door through which the defendant would enter. A wait of two or three minutes ensued, which seemed much longer, and then Deputy Sheriff Bell entered, followed by young Thaw. Without a tremor, as if he did not appreciate that several hundred people were staring at him, Thaw walked down the aisle to his seat. He carried a long ulster over his right arm and his hat was in his left hand. When he reached his relatives he bowed slightly, a smile spread over his features, and then he placed his coat over the chair and sat down with his back to them. Not once during the trial did he turn around to speak or even to smile at them. As he walked out at the noon recess he did not give them a glance, nor did he when he entered in the afternoon. When he left to return to the Tombs for the night he smiled at his wife.

As soon as he had taken his seat and arranged his hat and coat Thaw whispered to A. Russell Peabody, his counsel, who sat nearest to him. All during the trial he showed great interest in every question put, and frequently whispered to either Mr. Peabody or Delphin M. Delmas, another of his counsel, and questions he suggested were put to the prospective jurors.

Thaw's appearance showed his long imprisonment of nearly seven months very noticeably. He had the unmistakable prison pallor, and his shoulders as he walked appeared stooped and rounded, as from lack of proper exercise. He seemed thinner, too, and his hands were as white as his cheeks. He was dressed neatly in a double breasted blue suit, black tie and high collar. His hair was neatly brushed and parted and he had been cleanly shaven.

OFFSETTING "UNWRITTEN LAW" PLEA.

When the examination of talesmen began District Attorney Jerome, who took charge for the prosecution, made it evident that he meant to try to offset any plea of emotional insanity or the so-called "unwritten law" which might be urged by counsel for the defendant. Bright and early Drs. Carlos F. Macdonald, Austin Flint and William Mabon were seated in the inclosure alongside of the District Attorney, having been retained as expert alienists for the prosecution. In Mr. Jerome's examination of talesmen he asked each one if he would take the law as written in the statute books, and not, as he said, "a higher law, a moral law, a law of equity or any other law than the law of the State of New York." On the other hand, at no time did Thaw's counsel give any inkling as to what their line of defence would be.

At the afternoon session the five relatives of Thaw were again in court, but Mrs. Evelyn Thaw and Miss MacKenzie had changed places with the Countess of Yarmouth and Mrs. Carnegie. The Countess of Yarmouth and Mrs. Carnegie when they lifted their veils plainly showed the strain they were under, and appeared wan and tired. Mrs. William Thaw, a determined, motherly woman, bore up well and showed little effects of the mental anguish she must have endured for months. At no time did either Mrs. Evelyn Thaw or Miss MacKenzie raise her veil. They whispered to each other frequently during the afternoon session, and at times smiled at some remark one or the other made. Mr. Carnegie spoke to his wife at intervals, but the Countess of Yarmouth devoted her entire attention to the questioning of the tales-

AFTER ALL, USHER'S THE SCOTCH
that made the highball famous.—Advt.