so unusual that some spectators marvelled how she did it.

The trial will be resumed on Monday, and a session will be held on Tuesday, Lincoln's Birthday.

SAYS ACTOR PROPOSED.

"Jack" Barrymore Wished to Wed Me, Said Mrs. Thaw.

Thaw was in better spirits apparently yesterday than on Thursday. He smiled and joked with counsel on his entrance, and showed no signs of depression at any time. Mrs. Evelyn Thaw was also improved in appearance. She was dressed as on other days.

There was no delay in beginning the trial. Mrs. Thaw was called to the stand as soon as court opened, and the defence continued the introduction of letters written by Thaw to his lawyer, Frederick W. Longfellow, and to his wife, by which it was sought to show that Thaw's mind was already affected in 1903.

The first letter read, written to the young wife and marked as Exhibit D for the defence, was as follows:

No one could have made me believe since I first saw her that she would show any one except he I first thought she cared for any letter. I should have betted every cent in the world three weeks ago to get money for fabulous presents for you; that after trusting each other no hypnotism could make you forget all. I won't say but it is inexpressibly sad.

I have been asked not to have anything to do with you because you are a dangerous woman. He never lied to you. From the first time he ever saw you he wanted to do his best for you, to send you to school in Paris with your mother, or to send you and Howard both to school, and he never did anything not respectful.

Yesterday he said you believed everything false people told you as you did before, but as you are absolutely honest he would do you no harm ever for it, only he was sorry. He won't trouble you at all, as he would do anything for you, but now you must get stronger without him.

At this point in the letter the words "If I wished Evelyn to be my mistress" had been written, but a pencil line had been drawn through them, and they were stricken out. Continuing, the letter read:

You said you would live anywhere any way he wished so he could have chaperoned you and had all the honor of your exclusive friendship, and lose nothing himself. Instead he wished to give up everything to do all he could for you.

Exhibit F, to the lawyer, was as follows:

I wish I could have spoken this even through the telephone. To make you sure I'll explain. After I saw the poor, ill-advised angel, I was so sorry; she meant to do right, and was right had she only kept the purest things from polluted, lying, double minded, deceitful, money grasping, smooth tongued, hard hearted but soft speaking professional deceivers.

The following letter was also addressed to Mr. Longfellow:

Dear Longfellow: I was not mistaken. Being honest and decent has finished me. Instead of possibly useless but certainly beneficent as well as interesting planing for years or centuries ahead, I am finished. But something, of course, awakes one's activity momentarily. Now, I want to ask you to have the N. Y. El. Vehl. Co. or N. Y. Transportation Co. send my bill. Part of former bill they sent me was exorbitant, but they are reasonable people, I think. With regards, sincerely,

H. K. THAW.

In Exhibit H, the next letter, a letter head of the Republican Club, No. 54 West 40th street, was used. The letter was:

Dear Longfellow: Enclosed is check. Warren is more use some ways now in help than in repelling rather imaginary chage. Please with first typewriting sending (to-morrow) a $10 bill (always clean, please). Write $50 for maid the 22d in type. Yours, THAW.

Thank you more than ever, which is a great deal. I've nothing to live for, but it is so much live like ——. Yours, H. K. T.

In Exhibit I—A line at the beginning, "I slept seven hours upon the train when"—had been marked out. The letter, which was to his wife, follows:

"Found many Pittsburgers on train. Mr. and Mrs. George Carnegie. Should be your loving brother and sister-in-law." "I am so glad Doucet dress is pretty for you. I wished and always knew you would keep it to wear first with me." "Please mail the ring quick; I should wear it at Joe's wedding." "Never lied to you," Thaw says.

"I've something very important to tell you. When I saw you when we were together, I saw clear through even then and you meant absolutely right, you are hypnotized, I think, but you meant no wrong. You know I never lie to you. I have thought very carefully, and I promise you I will never hurt you at all. You are unlucky enough, and I don't want you to worry, so I give you my sacred word, by the hope that if there is a heaven your pure soul will go there, that I never shall hurt you at all.

"About the birthday present. I got it mostly for Her, to please her, and some for him, too, he likes her to have it, but mostly Evelyn. You had lost all faith. Now, I've gone so broke to please you. You know that I've always treated you with perfect respect and always thought you the most good, and you know that I have always been perfectly honest with you and trustworthy."

"Now, you know that I've never deceived, and that your trust is not betrayed, so, dear, you can believe there is decency and honor that is such a good reason for my extravagance, so let your heart feel there is faith.

"You know you always said that anyway you would be good. Now, you know some things are faithful until death—and beyond, you can be good for Her"——

"Give my regards to Rose and Edna. You begged me not to, so I've seen no young ladies, except Miss —— by accident, but I've seen a lot of men. Shall I tell you something? You have in three weeks got a reputation as dangerous. Also for telling scandals, true or false.

"Take back about Elba. How would you like what you did at Lincoln of your own free will repeated, without my asking, retold? Only I understand and therefore respect you the same angel.

"Say some one got you to say so—not any person you know—just some one—maybe a stranger put you up to it.

"Also they say you are going to pieces and in eight months may be in the gutter, morally and mentally."

Following these words, in pencil, was written, "and dishonorably." The line ended, "You can't materially for me." Continuing, the letter read:

"Blacky likes other girls.

"Is Howard at school? How much does that cost?

"Your mother must trust her friend who ruined her birthright as a young lady and make your father's name a byword, hers, and will always make Howard's.

"If only you had let me save you before you were sixteen.

"It would never be known. I would have, just as a friend, and rejoiced in all your happiness and peace and stood by you loyally without demanding any reward.

A marginal note followed these words, reading:

"She knows this well. Ask her. She will say she knows I was respectful and modest always."

The body of the letter continues:

"Oh, you know about those needles. They were not for morphine or anything. I never have had any dope in my life, not even to try. Answer, you believe, of course, I never lie to you."

[Note entry about change, with thanking for nail file.]

HIS DESCRIPTION OF HOME.

"I am trying to forget, but when I reached our big home then sat at breakfast with the decentest people in the world and not dull, oh, you should have been there. They would have seen your honestness and you would have been so respected and your reputation as a beauty would be greater over the world and last longer too, probably forever, as we could own Pittsburg, not the money but politically, then next I should be supreme" [and then follows some word which is illegible].

"Alone I can't settle down, besides I've not one worth doing it for. Twice I had to leave the table so they could not see. [Then some words in pencil;] In some ways I'm gayer at times.

"I'm not responsible so I'm frivolous now like before. I met her and I thought she wouldn't have me. You must know me. Also, every story, including Dillingham's, is a fake, except one. Not the one with the paper, that is false.

"She had asked to be long even for a minute when I saw her in a joint, and I repeated it. Promised not to mention to any one (all right). If you care some time I will tell you of the true one. It was drunken. You know me better than any one. If you don't trust me and now that I am true and unselfish and think first of you as a gentleman and devoted, there's no hope—I am changed now, but not in truth, faithfulness or courage.

"Promise me one thing—don't drink any champagne.

"Evelyn, give Annie Crane $10 and let her telegraph every day sure how you are. Address just Pittsburg, but with my initials always. I am too poor and must live at home. I cannot pay for your ring even until the beginning of next year. Of course, if you get in trouble I can get floods of money, but that would do very great harm, and just must stay poor in Pittsburg, or get East cheap. Don't tell, of course. If you will write or telephone."

The direct examination of Mrs. Thaw was then continued. Only two or three questions, all relating to her friendship with Stanford White, had been asked, before the name of Abraham Hummel was brought in. Mrs. Thaw's description of Hummel, as given to her by White, caused many in the court to laugh. Justice Fitzgerald had a hard time controlling his features. Mr. Delmas asked Mrs. Thaw:

Q.—Did you at any time, madam, tell Mr. Thaw of an episode in your life that related to Stanford White and yourself from the time that you arrived in New York, in November, 1903, down to Christmas Eve of the same year? A.—No, not at that time.

Q.—I ask if you ever told him of that episode or of that part of your life and the relations with Stanford White from the time you arrived in New York in the beginning of November, 1903, down to Christmas Eve of the same year—if you ever told him, is the question. A.—No.

Q.—Now, I ask you, if you ever told Mr. Thaw anything relating to yourself and Stanford White and Mr. Abraham Hummel that had happened from the time you arrived in New York, or landed in New York, up to Christmas Eve, 1903? A.—No.

Q.—You never told him? A.—No; not up to Christmas Eve.

Q.—When did you tell him? A.—In the early part of 1904; I think in January.

SAW WHITE IN A CAB.

Q.—Now, then, I will ask you to be kind enough to state to the jury what you told him in the early part of 1904, that in any manner related to yourself and Stanford White, and Stanford White and Abraham Hummel. Proceed and state: A.—He asked me why, on leaving New York, I ever spoke to Stanford White again, and I told him that one day shortly after I arrived I was driving down Fifth avenue in a hansom cab and passed Stanford White, and when Stanford White saw me he got up in his cab and said, "Oh, Evelyn!" and with a very surprised look on his face. Then on the next day, or a day later, I will not be sure, but very soon after I had seen him, he called me on the telephone at the Hotel Savoy, where I lived. I was called to the telephone. I went there and asked who it was. The voice said: "Don't you know me?" I said "No." Then he said, "Can't you guess who this is?" I said, "No; who is it, please?" He said: "This is 2260—18th," which was the number of his telephone. I said, "Oh!" I did not know what to think. He said it was so good to hear my voice again, and that he was so surprised to see me on Fifth avenue, and that he wanted to come over and see me. Then he said that Harry Thaw was a morphine fiend; what did I mean by going around with a man that took morphine? I said I didn't know that he took morphine, and he insisted that he did; he said he knew positively that Harry Thaw took morphine, and he said he could prove it. Then he talked a great deal more about him, and said I should have nothing to do with him, and I said, No, that that wasn't so. Then he talked a great deal more. I can't remember everything he said about Harry Thaw, but he was the subject of the whole conversation. Then he went home. Then he kept coming to see me constantly after that.

Q.—Kept coming to the hotel? A.—Yes. Then he also sent people up to see me.

Q.—Did you tell him who had sent them? You said that these people had been sent by Mr. White. Did you say that to Mr. Thaw? A.—I didn't say they had been sent directly, but Mr. White had told me that he could send people to me that could tell me things about Harry Thaw.

Q.—Proceed with your narrative of what you told Mr. Thaw of these subjects. A.—When Mr. White telephoned that he was going to send the carriage for me—I don't remember just when it was, but around the 1st of November; somewhere along there.

Q.—November, 1903? A.—Yes, and I was to get in this carriage, drive down to the corner of Broadway and, I think, 20th street, or 19th, somewhere along there—I don't remember exactly—and when I got there Mr. White was there and gave the driver directions, and then got in the carriage, and I think we drove down the Bowery.

Mrs. Thaw began, at this point, her story about White taking her to Abraham Hummel's office and the subsequent attempt to frighten Thaw. The testimony was as follows:

Q.—The Bowery? A.—Yes. Then Mr. White told me that he was going to take me to see a great lawyer; his name was Abraham Hummel, and I asked who he was, and he said he was a very great lawyer in New York, a very celebrated lawyer, and that he was going to take me to him and have him protect me against Harry Thaw. Then later on Mr. White told me that when I saw Mr. Hummel I must not be frightened. He said Mr. Hummel was a boor, with a tiny little body and a very large head, and that he had warts on his face and was very ugly.

Q.—He said that to you? A.—Yes.

Q.—And you repeated that to Mr. Thaw? A.—Yes.

WENT TO HUMMEL'S OFFICE.

Q.—Proceed. A.—And then he said that I must not be frightened when I saw him, but that he was the slickest lawyer in New York City. And then we rode to Mr. Hummel's office. I think we went in a side entrance; then we went back to his office, which was in the back of the building, and first we went into one office and then a man showed us into Mr. Hummel's office, and Mr. White introduced me to Mr. Hummel, and then after a few moments Mr. White went away. Then Mr. Hummel took me around his office, and there were pictures of actresses all over the walls, and he told me about them, that he got divorces for them or won cases for them, and all the photographs had writings on them. Every one of them had secured divorces through Mr. Hummel; and then I sat down at a chair near his desk. Then he asked me where I had met Harry Thaw, and how I happened to go abroad. I told him that I had gone abroad with my mother, and that Harry Thaw had sent me, and that I was ill at the time, and that the doctor had recommended a trip abroad for me, and that Harry Thaw had offered to send me. Then he asked me about the quarrel that I had with mamma in London.

Q.—With your mother? A.—Yes. He asked me why we had quarrelled, and I said we had quarrelled all the time, that we couldn't get along together at all, and that she wanted to come back to America, and I did not, and she said she would come back anyhow, and I said I would stay in London and go on the stage. Mr. Thaw would not let me go on the stage because, he said, I was not able to dance. The doctor told me that I could not dance for a year. And he asked me when mamma had left England. I told him it was a month, maybe a little more after that—after we quarrelled—I couldn't remember exactly. Then he asked me where I had travelled with Harry Thaw, and I told him all the different places I could remember. Then he shook his head and said it was very terrible, that I was a minor, that I was not of age and that it was a very mean thing for Mr. Thaw to do. As I said, I couldn't help it very much, that I was abroad with my mother. I was not able to dance, and I liked Mr. Thaw very much, but I had gone of my own accord; it wasn't Mr. Thaw at all. He said nevertheless that was a very mean thing, and he talked about that a long time. Then he asked me very particularly all the different places we had gone and how long we had stayed at these different places, and I told him as much as I could remember. Then he said that Thaw was a very bad man; he had a case in his office against Thaw; that it had been there for several years, but that the woman in the case was a very bad woman, and he didn't think the case was much good, and he never could do anything with it.

Q.—Mr. Hummel gave you the name of that woman? A.—Yes, sir; he showed me her signature.

Q.—Proceed, now. A.—Then he said—he talked a great deal about Harry Thaw—said he was a very bad man, and I must be protected. He said above all things I must be protected against Harry Thaw; that it was very necessary to get Harry Thaw out of New York and keep him out of New York. He said he was very anxious to do that.

Q.—Keep him out of New York? A.—He said he would have to resort to some very strong method of getting him out; that he was too much of a nuisance.

Q.—That Mr. Thaw was? A.—Yes. Then he said that I must be guided by his advice absolutely; that he had practised law a great many years and knew just what to do, and I would leave the whole matter in his hands. Then he sent for a stenographer—I think it was a man; and this man came in and sat down in front of Mr. Hummel's desk. I was very nervous and excited, and I think I cried.

Q.—And cried? A.—I think so. Then Mr. Hummel dictated to this man, but before he came in he told me I must not interrupt what he had to say. Then he put in a lot of stuff that I had been carried off by Harry Thaw against my will, and I started to interrupt, and he put up his hand for me to stop.

Q.—Proceed, then, with your statement of what you told Mr. Thaw had been the interview between yourself and Mr. Hummel in his office. A.—Yes.

Q.—Tell us nothing except what you told Mr. Thaw upon that subject. A.—Yes, sir. Then Mr. Hummel went on at great length about how I had been taken away against my will and against my consent, and that I had been forcibly taken away from my mother, and a lot of stuff that wasn't true, and that I had been ill treated by Thaw, and then the man was sent out.

MADE AN AFFIDAVIT.

Q.—Tell us all the details of that affidavit. I put this question at the suggestion, a very proper one, of the District Attorney, that you told Thaw, whether it is much or little—tell us all that you told Mr. Thaw upon that subject. A.—I am. Then Mr. Hummel went on, and he seemed to remember every place that I had gone. He went over all these places. Then the man was sent out, and that was all there was to that interview. I don't remember whether Mr. White came back again or not, but I think not—I don't know. Then I received a message from Mr. Hummel, asking me if I had any letters from Harry Thaw, and I said that I had. He told me to bring them down to his office. I said that I did not want to, and I had a conversation with Stanford White about it, and Stanford White said that I ought to do what Mr. Hummel advised; that he was going to all this trouble just to have me protected, and that if I didn't do what I was told, why, it was no use. He said I had better do what Mr. Hummel advised. So I made the letters up into a package and took them down to Mr. Hummel's office. Mr. Hummel said he didn't care to read them, but all he wanted to do was to hold them over Harry Thaw's head.

Then he said he didn't want to read them and he put them in a big envelope and sealed them up and then had them put in his private safe, just to assure me, he said, that he didn't care anything about the letters, but merely to hold them over Harry Thaw's head. Then he asked me why I didn't sue Harry Thaw—first he asked me if they were love letters and I said yes; and then he asked me why I didn't sue Harry Thaw for breach of promise, and I answered that that would be absurd, that any breach of promise suit might be the other way, because Thaw had asked me to marry him. And, he said: "Oh, that doesn't matter!" He said there would be lots of money in it and he said I was an actress and he said it would make lots of advertisement, and I said I didn't care anything about that kind of advertisement. And he said that was nothing at all; that lots of women had done that. He named over several cases. I think among the cases he named ——

Q.—Do not mention names. A.—There was a certain English duke who had been sued for breach of promise by an actress. He said it was nothing at all; that lots of rich men were sued for breach of promise of marriage by actresses, and he said I ought to sue Mr. Thaw and he could easily win the case for me. I said I did not want to sue any one for anything, and I certainly would not sue Harry for breach of promise or anything else. And Mr. Hummel was very angry and said I was very foolish.

Q.—Was that the substance of that interview as related by you to Mr. Thaw subsequently? A.—Yes.

Mrs. Thaw said that Thaw became much agitated, and declared there was something "crooked" in her being taken to Hummel's office. Continuing, she said:

Q.—Did you tell anything? A.—Then Mr. Thaw asked if I had ever signed anything at Hummel's office. I told him I had not, and he said, "Well, that was very funny, because if they were up to something crooked they would surely get you to sign something." I said that Mr. Hummel had never asked me to sign anything; that I had signed absolutely nothing in Mr. Hummel's office, and then I think Mr. Thaw said he was going to Mr. Longfellow; he was agitated about it. He said that whole thing was crooked.

Q.—While the fact of Mr. Thaw's going to see Mr. Longfellow is not what I am asking you for, did he say anything in that conversation—did Mr. Thaw say anything to you indicating his intention or purpose of consulting Mr. Longfellow, or visiting him upon these matters? A.—Yes, he said Mr. Hummel was a shyster, and I said, "What was that?" and he said that was a disreputable lawyer, that no decent lawyer in New York would have anything to do with him; that he was a very bad man and a blackmailer, and that when any woman had a blackmail suit to bring against any rich man she always went to Mr. Hummel.

Q.—What I am asking you, specifically, is, whether Mr. Thaw in that conversation said anything to you of his purpose in consulting his own lawyer, Mr. Longfellow, upon these matters? A.—Yes; he said that the case looked crooked to him; he was sure there was something wrong somewhere.

Q.—He told you he was going to call upon Mr. Longfellow? A.—He didn't tell me he was going to call, but I think he said he had been there, or would go; I am not sure.

Q.—Well, one or the other? A.—One or the other.

Q.—Indicating that he had seen or would see Mr. Longfellow upon this subject? A.—Yes.

Q.—Have you stated all that you remember of what you related to Mr. Thaw on the subject of this episode in which Mr. White and Mr. Hummel took part? A.—No; there was some more.

Q.—Kindly tell us the rest. A.—I told him what this other man, the lawyer I asked, had said about Mr. Hummel.

Q.—You yourself consulted, if I understand you, a lawyer, a member of the bar of this city, a gentleman of standing and character and established reputation, did you? A.—Yes.

Q.—Not at all on any of these matters connected with this episode that you have spoken of? A.—No; it was about something else.

CALLED HUMMEL "SHYSTER."

Q.—Now, what did you say to Mr. Thaw upon the subject of your interview with this lawyer, without mentioning his name? A.—I told him that this lawyer had come to me and said, "Well, Thaw will be here in a few days," and I said, "I don't care, because I am not afraid of him; I have been to see Mr. Hummel." And this man got very much excited, and he said, "What in thunder did I go and see him for?" and he said, "Have you retained Mr. Hummel as your lawyer?" and I said, "No, he is Mr. White's lawyer," and that he was the cleverest lawyer in New York; whereat this man got very mad and said it was not so, and he said he was a "shyster," too.

Q.—This you repeated to Mr. Thaw, as you say? A.—Yes.

Q.—Proceed and tell us the rest of that statement of yours to Mr. Thaw, if there is any more of it. A.—Then this same man said I had no business to go and see Mr. Hummel.

Q.—Proceed and give us the rest of your statement, in answer to questions of Mr. Thaw, of your relations with Mr. White and Mr. Hummel during that period. A.—Mr. Thaw talked a great deal about it, and said that I had no business ever speaking to Stanford White again; that I had no business to have anything to do with him whatever, and he accused me of having improper relations with Stanford White from the time I had arrived from Europe in 1903. I said it was a lie; that I had not; that I had had nothing to do with Stanford White, and that it was not true, and that if anybody said so they lied. And then he said that people would think I was a blackmailer if they ever knew I had gone to Abraham Hummel's office, and I said I had never heard of Abraham Hummel before, and I didn't know anything about him, and Mr. White had said he was a great lawyer and the very smartest lawyer in New York, and I didn't know that he was not a reputable person. And then Mr. Thaw said that people would think I was a blackmailer, and I said I didn't [part of answer not audible], because I am not a blackmailing person, and didn't want to be called so, and then he said he was sure that those two had been up to something, and he said that ever since he had heard my story he had known Stanford White was a bad man, but that he did not know he was crooked in other ways. He said also that the mere fact that he had Hummel for his lawyer was against him.

Q.—That he was his own lawyer personally? A.—Yes; that White had Hummel for his lawyer.

Q.—Did you tell him of any interview that you had had with Mr. White relating to any claim that Mr. Hummel had made upon him connected with this affair?

Mrs. Thaw caused some merriment by telling in her ingenuous manner of White saying how he had been "squeezed" out of $1,000 by Hummel, "and the Lord only knew whether he would squeeze more."

I told Mr. Thaw one night in 1903, I think, in November, that White had come up to the Hotel Navarre in a terrible state of excitement; he was tearing his hair and walking up and down the room, and I sat down on the trunk and asked him what was the matter. He did not take his overcoat off, but tore up and down the room, and ran his hands through his hair, and mumbled and talked, sort of crying; he wasn't really crying, but sort of whining.

SAID HUMMEL "SQUEEZED" HIM.

Then he came and sat down suddenly by me on the trunk, and he said: "My dear child, what did you tell Hummel about me?" I said: "I didn't tell Hummel anything about you." He said: "You must have told him something about me." I said no, I did not. And he said: "Well, there is something wrong somewhere. You must have told Hummel something about me," and I said I did not. The only time I had ever mentioned his name to Mr. Hummel was that I told Hummel when I refused to sue Harry Thaw for breach of promise that he had better not bother him, because Harry Thaw knew dreadful things about Stanford White. And Mr. White did not answer me; he sat back and looked at me for a long time and never said a word. Then Mr. White began walking up and down the room again, and said that Hummel had just squeezed $1,000 out of him, and the Lord only knew whether he would squeeze another.

Q.—All this you related to Mr. Thaw? A.—Yes. And Mr. Thaw laughed a great deal, and said it served White right.

Q.—Well, madam, have you exhausted that episode about the Hummel matter? A.—Not yet. I got very much worried about it, and one day, without telling anybody, I called Stanford White up on the telephone. First, when Harry Thaw asked me if I had ever signed anything for Hummel, I told him I had not. Then he asked me, I think after he had seen Mr. Longfellow, if I had ever signed anything for Stanford White, and I tried to remember, and I remembered one night in the tower, in the company's offices, I had signed a paper for Stanford White, and I said there was nothing in it except like all the papers I signed for Stanford White; that I signed lots and lots of papers, and Mr. Thaw wanted to know what they were. I didn't know, because he covered them up always and said they needed my signature. And he covered them over, and later I found out they were papers for money——

Q.—Coupons? A.—Yes; but I told him at the time I didn't know what it was. Then I think he went to see Mr. Longfellow again, and then he came back more excited than ever, and that he was sure that I had signed some papers, so, without asking anybody or telling anybody, I called Stanford White on the telephone——

Q.—Pardon me. You had told Mr. Thaw that you had signed a paper at the request of Mr. Stanford White, at the Madison Square Garden? A.—Yes, in the company's office.

Q.—And that was the only paper you had signed? A.—Well, the only one that I could remember of having signed since I had been in the company.

DEMANDED AFFIDAVIT BACK.

Q.—Tell us further anything you said on that subject. A.—Then I called Mr. White on the telephone and I said, "Is this Mr. Stanford White?" and he said, "Yes." And I said immediately, "What was that paper that I signed for you in the tower?" and he said, "What do you mean, 'signed,' and how are you?" and he started to talk about other things; then I asked him immediately, "What was that paper I signed for you in the tower in the company's offices?" and he said, "Why, that was just a paper." I said, "Where is that paper?" and he said, "I haven't got it"; he said it was nothing, and then he started to talk to me again, and then once more I asked him where that paper was. He said it was down with all his other private papers in Mr. Hummel's office. I said, "Very well, then, I am going down there immediately, and I want to see that paper." Then he said I must be very careful; where was I; that I should not talk about these things over the telephone. I said I didn't care where I was, or who heard me; I wanted to see that paper at once, and I would not wait, and I wanted to see that paper. And he said some more, that I must be very careful, and wouldn't I come to his office and see him, and I said, "No." So he said then that he would meet me at Mr. Hummel's office, which he did.

Q.—You met there then—you stated, rather, to Mr. Thaw that you had met there by appointment? A.—Yes.

Q.—Did you tell him what took place when you were present? A.—I did.

Q.—Proceed and relate to the jury. A.—Stanford White was there when I got there. He came up, and I said I wanted to see that paper immediately, and he said I must have patience and wait until I got in Mr. Hummel's office. Then we were taken into Mr. Hummel's office, and Mr. Hummel called for a boy and told him to get this paper.

Mrs. Thaw in a graphic manner told of the burning of the document. In spite of this, it is understood that a photographic copy of it is still in existence. Mr. Delmas asked:

Q.—Called for a boy? A.—Yes; rang the bell for a boy, and the boy went and got the paper, and I put out my hand to get the paper, and Stanford White stopped me and said no, and I said I wanted to see it, and he said no, it was not necessary; that they would burn it up. I said I wanted to see what it was about. He said it was nothing. He said he was in a great hurry, and to please him wouldn't I please be patient and let Mr. Hummel burn the paper, and they turned the paper over like that [indicating] so that I could just see my signature, and they asked me if that was my signature, and I said that it looked very much like it. And I looked at it again, and I said, yes, I thought it was. Then Mr. Hummel went and got some matches and burned this paper in a big jardiniere in his office And then I went away and Mr. White went away, and I went back to the Grand Hotel, and as soon as I saw Harry Thaw I told him about it, and then I think Mr. Harry Thaw went to see Mr. Longfellow again.

Q.—Then this return of yours to Mr. Hummel's office, where you met Stanford White, had taken place after the first conversation? A.—Yes.

Q.—Now, does that end your narration to Mr. Thaw of that episode? A.—Yes.

THE TRIP TO EUROPE.

Q.—You stated that when you went to Europe in 1903 you went with your mother, and that some short time thereafter Mr. Thaw came and met you and her in Europe? A.—No; he sailed before.

Q.—You met him there? A.—Yes.

Q.—Had any arrangements been made by him for your going there? A.—Yes, sir.

Q.—How did he know; did he know from you or any one else that you know of, or anything having been spoken in your presence, that the physician had advised that you should have a rest and a trip and that you could not return to the stage, after the operation that had been performed, for a year? A.—I believe he did. I think he heard Dr. Walker say so.

Q.—He heard Dr. Walker say so? A.—Yes, sir.

Q.—Who made the arrangements for your tickets, etc., upon the steamer? A.—Mr. Thaw.

Q.—Had he left any one to take charge of you after he left? A.—Yes, he left his valet, Mr. Bedford.

Q.—He is, I believe, now dead? A.—Yes.

Q.—And did the valet see to your being taken care of here and everything made ready for you? A.—Yes, he did everything for us.

Q.—Did he accompany you to Europe? A.—Yes.

Q.—What was your condition of health at that time? A.—I was very, very weak.

Q.—You were very weak? A.—Yes, sir; I couldn't walk.

Q.—From that time on until the time that Mr. Thaw pressed to marry you, that you have already related, relate to the jury, if you please, in what manner, if any, he manifested his regard or love for you. A.—Well, he paid all his attention to me, and he did everything he could for me. He took me driving every afternoon and carried me up and down stairs because I couldn't walk, and he carried me from the door to the carriage on the pavement, and sent me fruit and flowers——

Q.—He was in every way attentive? A.—Yes, sir.

Q.—You have stated, madam, that you were married in 1905, on the 4th day of April, in Pittsburg? A.—Yes, sir.

Q.—And you have already stated who were present at that marriage? A.—Yes, sir.

Q.—Immediately after your marriage, what did you and your husband do? A.—We went West on our wedding trip.

Q.—How long were you gone on that wedding trip? A.—We were gone from April 4 to June 14.

Q.—You went as far as the Pacific Coast? A.—Yes; to San Francisco.

Q.—And where did you make your home at that time? A.—At Mr. Thaw's mother's house, in Pittsburg.

Q.—At Mr. Thaw's mother's house? A.—Yes, sir.

Q.—Had you seen the mother of your husband before your marriage? A.—Yes, sir.

Q.—When did you finally accept before you were actually married on April 4, 1905? A.—On or about April 3.

Q.—Now, will you tell the jury whether up to that time you had persisted in refusing Mr. Thaw's hand? A.—I did.

Q.—Will you state to the jury the reason you gave at various times to him why you did not deem it prudent or desirable that he should marry you? A.—Because I said on account of my reputation. I said that he—I said because of the Stanford White matter. I said it would affect him and his family, and it would not be a good thing for him. I knew it was a good thing for me, but I cared enough for him not to marry him. I told him that if I did not care so much for him I might be tempted to marry him, but caring so much as I did I would not for his own good.

Q.—While you were in England with Mr. Thaw had you visited with him his sister who was living there, the Countess of Yarmouth? A.—Yes, sir.

Q.—Can you fix the time that he took you there? A.—No, not exactly; it was some time in 1903.

Mrs. Thaw told of visiting Lady Yarmouth while abroad and being received by others. Then she told of the two occasions after her marriage when she saw White. She was asked:

Q.—Did you after these visits to New York inform your husband, Mr. Thaw, of any attempts on the part of Stanford White to approach you or speak to you? A.—Yes.

Q.—Will you state when it was that you told Mr. Thaw of the first of these occurrences, and what you told him on the subject? A.—I told him in our room at the Hotel Lorraine that I had passed Stanford White in Fifth avenue, and Stanford White had seen me; I had looked very much surprised, and I heard him say "Evelyn," as the carriage passed, just like that.

Q.—You had heard him say "Evelyn"? A.—Yes; he said my name.

Q.—What effect did that have, if any, upon Mr. Thaw? A.—He said the dirty blackguard had no right to speak to me.

PROMISED NOT TO MEET WHITE.

Q.—Was that the end of that incident? A.—Yes, except he made me promise that if I ever saw Stanford White I should come and tell him immediately.

Q.—Now, then, did you keep that promise? A.—I did.

Q.—When, then, did you tell him the next time, if at all, that you had again seen Stanford White? A.—It was again in Fifth avenue, and I was going to the doctor's to have my throat treated; I had a sore throat, and it was in the morning.

Q.—State the name of the doctor. A.—Dr. Delavan.

Q.—In what street? A.—In East 33d street, No. 1, I think.

Q.—East 33d street, Dr. Delevan. Now proceed and tell us what you told Mr. Thaw that Mr. Stanford White had said or done on that occasion. A.—I told him that I drove straight down Fifth avenue from the Hotel Lorraine, that at about 34th street I had passed Stanford White; he was in a hansom and I was in a hansom; he was in some open kind of a hansom, and he did not try to speak to me this time, but he stared at me—stared and stared—and I did not speak to him. I looked right away. Then I turned in East 33d street, and the hansom turned around and I got right out of the hansom and ran up the steps to the doctor's. I saw Stanford White coming in his hansom. I rang the bell and the maid came to the door, and I got so nervous and flustered I told her that I would come back again, and I ran down the stairs as fast as I could, and got into the hansom again, and didn't look to the right or left, and I was very nervous, and I drove straight to the Lorraine and told Mr. Thaw immediately.

Q.—What, if anything, did Mr. Thaw say on that subject when you made this statement to him—what did he say and how did he act? A.—He always got excited and he would always bite his nails.

Q.—Did you tell him of any other occasion when Mr. White had approached you or attempted to speak to you? A.—No.

Q.—Those were the only two? A.—Yes.

Mrs. Thaw was asked about "Jack" Barrymore, the actor, at this point. Mr. Delmas' said:

Q.—You have stated, madam, an episode—or at the time you went to school at a place in New Jersey, called Pompton. Did you state to Mr. Thaw afterward any reason for your being sent to school there in which the name of a young man named Barrymore figured? A.—Yes.

Q.—Will you kindly tell the jury what you told him on that subject of your relations with Mr. Barrymore, and what part those relations had in Mr. White sending you to school at Pompton? A.—Mr. Thaw first asked me why—he wondered why, he said, that Stanford White had sent me to school; he couldn't understand why, and I said that Stanford White complained that I had nothing to do with him, and that he had begged and tried, and scolded and done everything he could to make me come and see him alone, and that I had refused, and then he told me that I was cold and that I had no feling at all, and that I was a cruel thing, or I would come and see him alone. I said, No, that I did not care to; that I did not care to trust him. And then Mr. White used to get very, very angry. About that time when I was in the "Wild Rose" at the Knickerbocker Theatre, Mr. White gave a dinner party, and at this dinner party I met Mr. John Barrymore, who is a very nice fellow, and I liked him very much. Mr. Barrymore used to wait outside the stage door for somebody in the company, I forget who it was, and I would speak to him as I went out. Then one evening he wrote me a note and asked me to go to a party, and told me who was to be at this party, not Stanford White, but some of his friends. So I went to the party.

Adjournment for luncheon was taken at this point. At the afternoon session Mrs. Thaw was asked about Barrymore, and to the surprise of those who have followed the case, she said he had proposed marriage to her in front of Stanford White. It had generally been supposed that White sent Mrs. Thaw to the boarding school to avoid Thaw, but she said it was on account of Barrymore's proposal. She said:

A.—The reason I was sent to school was on account of a quarrel that Mr. White and my mother and I had over Mr. Barrymore. One day, one afternoon, in the tower of the Madison Square Garden, Mr. Barrymore, Mr. White and myself being present, Mr. Barrymore had suddenly said to me, "Evy, will you marry me?" and I said, "I don't know." Mr. White got very mad and his face got purple, and then Mr. Barrymore said it again, "Evy, will you marry me?" and I said, "I don't know," and I laughed. Mr. White said, "If two kids like you get married, what would you live on?" and Mr. Barrymore said "On love," and that was all there was to that. Then every day when I saw my mother she would take hold of me and ask me if I intended to marry that little pup Barrymore; she didn't like him, and I wouldn't tell her; and then she said she told Mr. White she was very sure we were going to elope, and she watched me all the time, and told me that I must not marry him; that he didn't have a cent, and that he was nothing but a little tough, and she absolutely forbade me to marry him.

WHITE HARD ON BARRYMORE.

And Mr. White came and talked to both of us. He said it would be a very foolish thing for me to do. He said it would be much better for me to continue on the stage and try to be a great actress. Then he said that we would have nothing to live on, and we would probably quarrel and separate and get a divorce, and he said, besides that, he thought Mr. Barrymore was a little bit crazy; that his mother was in an insane asylum, and that the whole family was a little bit queer, and that I ought not to marry him on that account alone. He said that it was a certain fact that within a few years Mr. Barrymore would be in an asylum, that he had terrible headaches, and that he was nearly crazy, and lots of people thought so.

Q.—My question to you was what, if anything, you told Mr. Thaw that had to do with your being sent to school. A.—I said that I would marry him if I wanted to; that I liked him very much; and then he asked me again. It got to be sort of a joke, and I quarrelled with my mother continually about it; and the upshot of it was Mr. White came and said I ought to be sent to school.

Q.—And——. A.—And he had me sent. He had my mother look up an agency, or his secretary, I don't remember which; anyhow, they found a school, and I was sent there.

Q.—After you had told Mr. Thaw of what had happened between you and Stanford White in 1901, did Mr. Thaw have any conversations with you in which he discussed the fate of other young girls who had met with similar treatment at his hands?

Mr. Jerome interrupted to ask: "Whose hands?" Mr. Delmas replied: "The hands of Stanford White. Who else could it be?"

Mr. Jerome, in a most earnest voice, then said: "Now, I submit, if your honor please, Stanford White is dead. The laws do not permit us to controvert the truth of a single one of these statements. Are there no limits which the law puts upon the condemnation which may be thrown upon the dead? I object to this question. It does not bear upon the case, and we have gone far enough on this path, a path on which we cannot meet the defence according to the miserable, stringent rules of evidence."

Mr. Delmas explained that the defence had no desire to injure the reputation of White any more than could possibly be helped. The defence, then, to support its contentions, tried to introduce two documents as bearing on the unsoundness of mind of Thaw. One was Thaw's will, signed by him on the afternoon of their wedding, and by three witnesses. The other was a codicil, similarly signed. What was contained in them is not known, except that in the codicil mention in some way is made of Stanford White, as Mr. Jerome, in having identifications made, read his name.

COULDN'T GET WILL ACCEPTED.

Mr. Delmas tried in devious ways to get the documents in evidence. Mrs. Thaw identified them as far as the handwriting of Thaw was concerned. Mr. Delmas called Miss Frances E. Pearce, of Philadelphia, who was a witness. She could identify only her own signature, and after Mr. Delmas tried in every way possible to get the documents admitted gave it up, and they were marked only for identification. Counsel for the defence said after adjournment that the lawyer who drew the documents would be in court on Monday, and there would be little trouble in getting the will and codicil in evidence.

When Mrs. Evelyn Thaw was recalled to the stand the first question asked her caused a storm of protest. It was:

Q.—I will ask you, madam, the question I put to you before—whether after you had told Mr. Thaw the events that had taken place in 1903 between yourself and Stanford White, as you have related them, Mr. Thaw himself at various times and up to the time of the 25th day of June repeatedly discussed with you a fate similar to yours which had befallen a number of other young girls at the hands of Stanford White, and what condition of mind he appeared in and was in, so far as to the rational or irrational way he discussed that subject?

Mr. Jerome made another plea for decency, urging that every effort should be made to prevent dragging in "the weird tales of the Tenderloin. They should not be allowed to besmirch the memory of him who is dead. It is a discretion that I submit should be exercised in behalf of one who at least we must assume to have been innocent, as he cannot speak for himself now."

Mr. Jerome said he knew the defence could force such testimony if it desired, but urged against it at this stage of the case.

DELMAS SCORES ON JEROME.

Mr. Delmas said the defence would do its utmost to keep the case as clean as possible. He "got back" at Mr. Jerome for the Tenderloin reference by saying:

"I have heard from the lips of the learned District Attorney the words, 'the gossip of the Tenderloin.' Whatever technical meaning may be attached to those words, of course, he may be familiar with. I surely am not. I presume, from the expression and the tone of voice in which they are uttered, that it is the gossip of some disreputable district in this city."

Mr. Delmas moved for an adjournment, to which Mr. Jerome agreed, and Justice Fitzgerald added that there was just as much strain on the court as on counsel. It was at first suggested to hold court to-day, but instead hearings will be had throughout next week, including Tuesday, Lincoln's Birthday.

CALLS MRS. THAW'S STORY FALSE.

[By Telegraph to The Tribune.]

Meridian, Miss., Feb. 8.—Miss Edna Goodrich, leading woman with Nat Goodwin's company, denied to-day that she was the medium through which Evelyn Nesbit met Stanford White for the first time. Miss Goodrich said:

Evelyn Nesbit and myself were members of the same theatrical company at one time, and this was the only association I had with the girl. I was never a member of any social gatherings that included Miss Nesbit. I knew Harry Thaw and Stanford White only from seeing them around the stagedoors of theatres.

It is not true, as Miss Nesbit testified on the witness stand yesterday, that I invited her out to dinner for the purpose of meeting Mr. White for the first time.

FRENCH WOMEN WISH TO TRAVEL.

Paris, Feb. 8.—The newspapers of Paris are devoting much space to the proceedings of the Thaw trial in New York, and as a result a number of persons are coming forward anxious to testify to Thaw's alleged escapades in Paris, which, they say, can be explained only on the ground that he was insane. A woman from whom Thaw rented an apartment in this city has visited Consul General Mason and recounted numerous episodes of Thaw's stay. Another woman, who says she is an American, has informed the newspapers that she figured in the bathtub incident, to which reference was made in Evelyn Nesbit Thaw's testimony yesterday. This woman makes further allegations of maltreatment at the hands of Thaw, and declares that he gave her $2,000 to compensate her for the injuries she sustained.

DENIES COLLAPSE OF MRS. HOLMAN.

Pittsburg, Feb. 8.—A report from New York last night to the effect that Mrs. C. J. Holman, mother of Evelyn Nesbit Thaw, had collapsed at her home in this city as a result of the testimony given in the Thaw trial by her daughter, is absolutely denied. Mr. Holman made the following statement to The Associated Press: "You can say for Mrs. Holman that the report is a malicious lie. She has not collapsed, nor is she near that state. The report is absolutely and wilfully false."

AGE STATEMENTS DISAGREE.

[By Telegraph to The Tribune.]

Pittsburg, Feb. 8.—A discrepancy between statements made by Mrs. Evelyn Nesbit Thaw, both times under oath, is being discussed in Pittsburg. Mrs. Thaw either does not know the exact year of her birth or she committed perjury on the witness stand in New York yesterday, or when she obtained a license here to marry Harry Kendall Thaw. In court yesterday Mrs. Thaw said that she was born on December 25, 1884. According to the press dispatches, she repeated this statement when asked by Mr. Delmas, and was positive that this was the correct date. At the marriage license office the statement referring to her birth is recorded as follows:

And the second named applicant doth further depose and say that she was born in Allegheny County, Penn., on December 25, 1885, and is of the full age of nineteen years.

Appended to this oath is a statement of Mrs. Holman, in which she corroborates the statement made by her daughter.

MRS. THAW GIVES $1,500 TO SCHOOL.

[By Telegraph to The Tribune.]

Lexington, Ky., Feb. 8.—Mrs. William Thaw, mother of Harry Thaw, has offered $1,500 to the Presbyterian School and College, at Pikeville, Pike County, to be paid at any time the institution sees fit. The money will not be called for, however, until the trial ends, although the college funds are very low. Mrs. Thaw made the offer through the Rev. John Barbour, of Maysville. Mrs. Thaw became interested in work there two years ago.

WHITE'S FIRM BRINGS SUIT.

McKim, Mead & White, architects, the firm with which Stanford White, was connected, have brought a suit in the Supreme Court against Stefano Bardini, a resident of Florence, Italy, to recover $11,012, which they paid for a certain antique wooden ceiling. The ceiling was shipped to the architects, but was seized by the United States custom authorities for fraudulent undervaluation and will probably be sold to satisfy the duties.

According to the complaint, the ceiling was invoiced at 5,000 lires, but the custom authorities placed a valuation on it of 20,000 lires.

HUNT FOR NEWSPAPER MAN.

Police Get Urgent Request from Keokuk Official Who Is Interested in Case.

A card bearing a picture and description of Willard D. Barr, a newspaper man and veteran of the Spanish-American War, who disappeared mysteriously from Vincennes, Ind., on January 12, was received in this city yesterday. In the request for information of Barr, which was sent out by his brother, G. Walter Barr, of Lawrenceville, Ill., the missing man is said to be insane.

The circular says, in part:

Barr is forty-one years old, about 5 feet 7 inches in height, slightly stooped, has a heavy mustache. Normally bright and sociable. Insanity, if present, is of quiet kind. If travelling out of his head, is probably on trucks, as he was a skilful "panhandler" in youth.

The following notice to police departments accompanied the circular:

I will go the limit for G. Walter Barr, who has been very valuable to this department for years. I want every department desiring to favor me to go the limit for him in his search for his only brother. Whatever you do for him you will be glad you did.

C. H. HENNEMAN, Chief of Police.

Keokuk, Iowa.

This family is prominent and liberal, and I am specially interested in finding this man.

P. J. CARR, Ex-Sheriff.

Lawrenceville, Ill.

NORFOLK & WESTERN INCREASES WAGES

Roanoke, Va., Feb. 8.—The Norfolk & Western Railway to-day announced an increase in wages for engineers, conductors and brakemen, as follows: Engineers, mine runs, from $4 25 to $4 60 a day; yard enginemen, from $3 75 to $4 25 a day; brakemen, from $1 85 to $2 10 a hundred miles, and 21 cents an hour for overtime; passenger brakemen, from $1 20 to $1 35 a hundred miles. The conductors, both freight and passenger, also received a substantial increase, but the figures are not given. Last year all hands received an increase which amounted to about 10 per cent.

$25.00 COLORADO AND RETURN

First-class round-trip tickets at this rate Chicago to Denver, Colorado Springs and Pueblo on sale by the Chicago, Union Pacific & North-Western Line February 5 and 19, with return limit of 21 days.

Round-trip tickets at $45.85 to same points from Chicago, return limit May 31, 1907, on sale daily.

One-way Colonist tickets to Colorado points on sale first and third Tuesday of each month at $17.85 from Chicago. Approximately as low rates from points east of Chicago.

The Colorado special, leaving Chicago daily at 7.00 p.m. is only one night en route to Denver. The Denver Express, leaving Chicago daily at 11.00 p.m., arrives Denver and Colorado Springs the second morning via the Chicago, Union Pacific and North-Western Line.

The Best of Everything.

All agents sell tickets via this line. All information from H. C. Cheyney, Gen'l Agent, C. & N.-W. Ry., 461 Broadway.

Rapidly clearing away for the Spring stock already well represented in our stores.

Generous price reductions on practically all Winter overcoats and Winter suits do the work.

ROGERS, PEET & COMPANY.

Three Broadway Stores.

258 at Warren st. | 842 at 13th st. | 1260 at 32nd st.

GLUTEN BREAD

THE FIRST MADE IN AMERICA (1875) THE BEST MADE ANYWHERE

Health Food Co., 61 5th Av., N. Y.

Some unprincipled bakers attached the word to their harmful stuff and we rechristened our superior bread GLUTO-SAC

81 Mt. Prospect Av., Newark.

YOUR AILMENT is NATURE'S REPROOF.

To overcome that ailment You require Nature's Assistance

ENO'S 'FRUIT SALT'

Is Nature's Own Remedy

NO FAMILY SHOULD EVER BE WITHOUT IT.

CAUTION.—Examine the Capsule and see that it is marked ENO'S 'FRUIT SALT,' otherwise you have the sincerest form of flattery—IMITATION.

Prepared only by J. C. ENO, Ltd. 'FRUIT SALT' WORKS, London, S.E., Eng., by J. C. ENO'S Patent.

Wholesale of Messrs. E. FOUGERA & Co., 26, 28 and 30 North William Street, New York.

Always Remember the Full Name Laxative Bromo Quinine Cures a Cold in One Day, Grip in 2 Days E. W. Grove on every box. 25c