

AFTER MEN HIGHER UP. MANY POOLROOM CLEWS.

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TAKES OHIO CHALLENGE.

C. P. Taft Says Contest Should Eliminate One Contestant.

Cincinnati, March 30.—In reply to the statement made public by Senator J. B. Foraker a few days ago, Charles P. Taft, proprietor and editor of "The Cincinnati Times-Star," gave out the following to-day in behalf of his brother, Secretary Taft:

Senator Foraker's statement indicates that he is running for the Presidency and for the Senate. The friends of Secretary Taft are urging him for the Presidency. As the Senator has included the two offices in this primary contest, it will make a distinct contest—Taft for the Presidency or Senate, or Foraker for the Presidency or Senate.

This is a direct contest between the friends of the administration of President Roosevelt and his opponents. We are willing to submit it to the Republican voters of Ohio, and the sooner the better.

Washington, March 30.—When the statement of Charles P. Taft was shown to him to-day Mr. Foraker said: "I attach no importance whatever to it, and therefore refuse to discuss it in any way."

ARTIST DEAD FROM GAS. Mrs. F. G. Rigby Asphyxiated When Bedroom Tube Bursts.

Mrs. F. G. Rigby, a portrait painter, was found dead in her bedroom at No. 131 East 16th street, shortly before noon yesterday. A burst gas tube, running from the chandelier to a small stove, from which gas was pouring into the room, explained her death.

Pennsylvania Railroad Authorities Adopt Stern Measures for Safety of Trains.

Pittsburgh, March 30.—Five men are now in the county jail on suspicion of being implicated in the several efforts to wreck fast passenger trains on the Pennsylvania Railroad near East Pittsburgh recently. As the result of stern measures adopted by the railroad officials to prevent the re-occurrence of the attempts at train wrecking, it is now stated that the detectives employed on the work have obtained considerable evidence against certain employees of the railroad.

COUNTESS DE NANTOIS BADLY HURT. Two Children, Nurse and Chauffeur Also Injured in Motor Car Accident.

Paris, March 30.—The Countess de Nantois, her two children, a nurse and the chauffeur all sustained serious injuries in an automobile accident at Ville d'Avray, a suburb, this afternoon.

PRICE OF LIGHT CUT IN ALBANY. Municipal Gas Company Takes Action After Senate Passes Bill.

Albany, March 30.—The Municipal Gas Company of this city, to-day decided to cut the price of gas to consumers from \$1.20 to \$1.25 a thousand cubic feet, and of electric current from 15 to 12 cents per kilowatt hour, the new prices to be retroactively to March 1.

MARVIN CHILD MAY BE IN IOWA. Boy Closely Resembling Pictures Left in Burlington Boarding House.

Burlington, Iowa, March 30.—Several weeks ago a man and a woman, calling themselves Smith, came to Burlington with a four-year-old boy and engaged board at the home of Mrs. Fannie Harmer. In a few days the man left town and shortly afterward the woman followed, saying she would return in a few days and asking Mrs. Harmer to care for the boy in the mean time.

SAW "MARVIN BOY" IN SUBWAY. A man named Charles S. Thompson, who said he had an office at No. 377 Broadway, reported to the police last night that he had seen a boy closely resembling the missing Marvin boy between two suspicious looking men sitting in a northbound subway car.

A NEW GOVERNOR OF JAMAICA. London, March 30.—King Edward has approved the appointment of Sydney Olivier to be Governor of Jamaica, in succession to Sir Alexander Swettenham, who recently resigned the office, giving as the reason his advanced years.

BURIED JEWELRY PLOUGHED UP. Wilmington, Del., March 30.—Word reached here to-day of a find of hidden treasure on the farm of Magistrate Elledge, near Ellendale, Del. George Coverdale, while ploughing, unearthed a vault containing a large quantity of gold rings, gold chains, brooches, earrings and other jewelry. The treasure is supposed to have been buried by robbers.

HILL'S FREIGHT REMEDY SOLUTION IN WATERWAYS

Says President's Appointment of a Commission Promises Relief.

James J. Hill, president of the Great Northern Railway, taking as a text the recent action of President Roosevelt in appointing a waterways commission, said yesterday that through the waterways of the country, properly improved, must come the much desired improvement in freight handling conditions. Mr. Hill said there was little possibility of any great alleviation of freight congestion without radical changes in the business world. He reiterated his statement that it would take 73,000 miles of railway construction, at a cost of \$5,500,000,000, to relieve the present strain through the railways alone.

Here he reached into his desk, took from it a newspaper clipping and read this extract from President Roosevelt's letter announcing the appointment of an internal waterways commission: "The control of our navigable waterways lies with the federal government, and carries with it corresponding responsibilities and obligations. It is becoming clear that our streams should be considered and conserved as great natural resources."

"If that attitude had been adopted twenty years ago it is safe to say there would now be no freight problem," continued Mr. Hill. "As President Roosevelt points out in his letter, the products of the Northern interior states have doubled in the last ten years, while railroad facilities have been increased only about one-fifth."

"Now, if the government would improve its waterways and extract from them one-fifth of their latent possibilities, the freight handling problem would speedily be nearer solution than the railways themselves can ever hope to bring it."

"Do you not think that the railways might suffer from loss of business if any considerable development of waterways was put through?" was asked.

"There has been in the past," replied the Great Northern president, "a feeling among some railroad men that waterway development would be inimical to railway interests. I do not think it would, and if this idea has not already wholly disappeared, it is in a fair way of doing so soon. We realize that we have created in the prosperity of the country a condition that calls loudly for relief, and any means to that end would be welcome."

"Take, for instance, a fifteen foot channel in the Mississippi from St. Louis to New Orleans. There is no more important work for the general government than this improvement. It might cost \$100,000,000, but when it was finished a single powerful towboat could pull from thirty to forty trainloads. Heavy freight, requiring only moderate speed in transportation, would go to the seaboard by way of the Gulf, and there would no longer be freight congestion between the East and West."

"Business must be diffused, permitting of transfers where land can be obtained for terminals. The traffic system of the country must be adjusted to this condition."

"Do you mean by this that terminal enlargement is now impossible?"

"No, but the expense for land is almost prohibitory. In many cases the lack of available space puts enlargement out of the question. This condition must be met by a decentralization of traffic. As I pointed out in my letter to Governor Johnson of Minnesota on January 14, there must be more points of export and more interior markets. A canal down the Mississippi Valley would do more to relieve the West and Southwest than any other work that could be undertaken."

The National Rivers and Harbors Congress, organized to arouse interest in the country's waterways, has for its aim the annual appropriation by Congress of at least \$50,000,000 for waterway improvement, both interior and seacoast. While the Rivers and Harbors Congress is not allied with nor engaged in pushing any particular improvement, many have been suggested to it and are now under consideration.

Among the improvements in line are several in which New Yorkers are vitally interested. There has been proposed an extensive dredging operation in Jamaica Bay to obtain a sufficient depth of water to float the largest ocean freighters. This is expected to be of great benefit in connection with the barge canal. It is pointed out that it will be absolutely necessary to accommodate the increased amount of freight transfer when the canal is completed.

Another improvement is the deepening of the channel of the Hudson to the end of tidewater. Then there are also under consideration extensive improvements in Newark Bay.

MR. ZIMMERMAN TALKS. Prefers Federal to State Control of Railroads.

Cincinnati, March 30.—Eugene Zimmerman, who was in this city to-day, on his way to Chicago and San Francisco, at which latter place he is to meet his son-in-law and daughter, the Duke and Duchess of Manchester, who will arrive there with the party bringing home the body of the late "Silent" Smith, said: "Railroads ought to spend large sums in terminals, but the conditions prevailing now do not offer much encouragement to railroad development. Labor is demanding a high price and is very independent, various other factors passing arbitrary laws, and the public is so suspicious of railroad securities that the money cannot be raised to carry on needed work except at excessive rates of interest."

On my two roads—the Ann Arbor and the Detroit, Toledo & Ironton—many improvements which were to have been made have been countermanded. We had work laid out of cutting down grades, building twenty miles of new road and the erection of extensive docks at Toledo and Detroit, all of which has been stopped. A proposed new ferry line across the lakes has also been abandoned. The present agitation will eventually hurt business in general if it is not stopped. Uneasiness in commercial lines is already in evidence. The agitation will have to run its course, however, and it is to be hoped it will not go too far. I prefer federal regulation, through the Interstate Commerce Commission, to control of railroads by states.

LARGE GAIN IN BRITISH REVENUE. London, March 30.—The Exchequer returns for the financial year ended to-night show the total revenue of the United Kingdom to have been \$775,182,290, an increase of \$5,787,060 over the previous year. The surplus balance in the Exchequer is \$9,721,535.

THE PRESIDENT'S PLANS NOT LIKELY TO GO WEST.

Expected to Discuss Railroads in Speech at Jamestown.

Washington, March 30.—Unless something happens which, in his opinion, makes it desirable or necessary to do so it is probable that President Roosevelt will not go to Springfield to address the Illinois manufacturers on the railroad question, in response to the invitation extended to him early this week. It is certain that, should he finally decide to go there for that purpose, he will not be able to make the trip for two or three weeks. About that time, on April 26, he is to deliver an address at the opening of the Jamestown Exposition, at which he will have an opportunity to say what he desires to on the railroad subject.

The President has told those with whom he has talked on the subject that he would like to go to Springfield. By some of his advisers he has been urged to attend the convention, by others he has not yet fully made up his mind on the subject. There is considerable public business just now demanding his attention. He also is seeking knowledge of the railroad situation from every point of view, with a view to forming a definite opinion on the matter before discussing it in a public speech.

Conferences are held almost daily by the President with members of his Cabinet, of the Interstate Commerce Commission and with railroad men and financiers, primarily with regard to railroad matters and incidentally on the financial situation. To-day he talked with August Belmont and Jefferson M. Levy, of New York, and with Frank B. Kellogg, special counsel of the Interstate Commerce Commission, during which the railroad question was gone over.

The question of state rights is thought also to be an important feature of the discussions which have been held by the President and his advisers on the treatment of the railroad subject. It involves many perplexing problems, of which careful consideration, the President feels, must be given before a decision is reached.

RAILROAD BRINGS SUIT. Validity of Interstate Commerce Commission's Acts Attacked.

Toledo, March 30.—One of the most important questions ever raised in the history of American railroading was presented to Judge Robert W. Taylor, in the United States District Court here to-day, in a demurrer filed in the case of the United States against the Ann Arbor Railroad. It is the question whether the railroads of the country are subject to control by the federal government or by the individual states, or both, under the present Interstate Commerce laws.

The decision on the demurrer, which attacks the validity and constitutionality of the United States Interstate Commerce laws, as relating to common carriers, will be of national interest and will decide the subject of federal control. At present this topic is engaging the attention of federal government officials, railroad men and legislators.

Suit was filed against the Ann Arbor road some time ago by the government, seeking to collect \$200 in penalties because the railroad is alleged to have violated the federal safety appliance laws. It has been specifically set up that on November 16 last two trains were hauled from Michigan points to Toledo on which the percentage of cars equipped with brakes operated by the locomotive engineers was only 57.17; that under the United States laws at least 75 per cent of the cars must be so equipped; and, in this instance, the petition averred, only twelve out of twenty-one cars had the brakes.

Alexander Smith, counsel for the Ann Arbor, to-day filed a demurrer, alleging that the various acts of Congress and the proceedings of the Interstate Commerce Commission, under which the suits were filed, are not a regulation of interstate commerce within the scope of that clause of the Constitution of the United States which confers power upon Congress to regulate commerce among the states, and are, therefore, unconstitutional and void.

Mr. Smith admitted that the demurrer was a test case, and that by attacking the constitutionality of federal control a decision was sought. Every railroad in the country will be interested, whether the demurrer is sustained or overruled.

ALABAMA ROADS WIN. State Temporarily Enjoyed from Enforcing New Laws.

Montgomery, Ala., March 30.—Judge Thomas G. Jones, of the United States Circuit Court, to-day gave the first setback to the railroad rate and regulation laws just passed by the Legislature by issuing an order restraining the application of any or all of them which will tend to decrease the compensation of the carriers or prevent them from operating without restraint. The order is for thirty days, during which time the question of a permanent injunction will be considered.

The laws restrained are those making the rates of freight on June 1 the maximum rates for all time, the 24 cent passenger fare regulation and the bill classifying railroads and commodities and fixing rates on 110 articles of equipment. It was argued that the reductions in these rates would make it impossible for the railroads of the state to do business without loss. Judge Jones explained that the order was simply one to hold the state off until it could be determined what would be just and right, and did not pass upon the merits of the reduction at all.

DOG'S BODY MAY STAY IN CEMETERY. Man Who Didn't Want To Be Buried Near Canine Loses Suit.

Louisville, Ky., March 30.—Judge Shackelford Miller to-day handed down an opinion in the case of Henry Hertle against Alice Riddel, in which he decided that the court would not interfere to enforce the removal of a dog buried in Cave Hill Cemetery, because the plaintiff disliked the idea of some day being buried near the dog. The defendant buried a pet dog in her lot in the cemetery, and the plaintiff sought to have the body removed.

FAITH IN UTILITIES BILL.

Hughes Says It Will Receive Attention Public Interests Require.

Albany, March 30.—Governor Hughes took note this afternoon of articles which have been published purporting to announce that the Governor's action will be in case the Public Utilities bill is defeated or amended in such a way as to evoke his veto.

"No statement has been made with my authority," said he. "No one is in position to predict what course I shall take. As I said before my inauguration, I shall be my own spokesman, and when there is occasion to state my attitude with regard to public questions I shall state it myself."

"So far as the Public Utilities bill is concerned, I have no reason to question that it will receive such consideration and that such action will be taken upon it as the public interests require. I have stated to you before that I have nothing to say about the matter at present, and if any statement is made of my views, I shall make it publicly."

The Governor refused to discuss the Kelsey matter. When asked as to the accuracy of the statement made by Superintendent Kelsey yesterday before the Senate Judiciary Committee in reference to the Governor's interview with Mr. Kelsey when he asked for his resignation, the Governor replied: "I do not care to discuss any phase of that matter."

It is known, however, that Governor Hughes regards Mr. Kelsey's version of the interview as substantially correct.

PURSE, CHECK AND CALVE. Payment Stopped on Draft That Wasn't Lost—Storm Averted.

There was a breathless moment yesterday at the Manhattan Opera House. Calvé sang Santuzza, in "Cavalleria". Perhaps, and perhaps not; the breathlessness didn't last long, and Oscar Hammerstein didn't hear about it until it was all over, but it was exciting while it lasted.

Madame lost a purse early in the afternoon. It contained four hairpins, the address of a place in Paris where they make the most "ravishing" slippers, a little pocket mirror and \$3 in real American money. Of course the singer wanted it back. Her secretary rushed to the business office and Arthur Hammerstein heard all about it. He thought the check that had just passed from his father to the soprano had been lost and jumped for a telephone. In a moment the "all night" bank was on the wire, and in another payment had been stopped.

A little while later Mme. Calvé, dressed as the unfortunate Sicilian girl, was holding court in her big dressing room. Two or three newspaper men were talking to her, when Arthur Hammerstein dropped in, innocently. He asked about the check, and a look of surprise greeted him. "But the check is not lost," said the secretary. "But it is no good; payment is stopped," rejoined the manager's son.

Some one translated the remark, thoughtlessly, and for a minute there was a chance that explanations wouldn't amount to much. Then a radiant smile replaced the look of doubt, and the singer asked, in French, if they would believe she had enough to carry her over Sunday.

At 11 o'clock last night Mme. Calvé reported that the purse was found.

SUICIDES AT NIAGARA. Three in One Day Breaks Record—Brooklynite Leaves Note.

Niagara Falls, N. Y., March 30.—An open letter found at the Third Street Island, just above the Falls, this morning, and signed "T. Tamal, 17 Concord street, Brooklyn, reads: 'I will commit suicide in this fall.' The letter also stated that the writer was a Japanese. Other letters found are addressed to persons in New York and Indianapolis. One of these was addressed to Don Shinde, care University Club, Indianapolis, and the other to E. Nakashima, 139 East 17th street, New York. Both were written in Japanese and were unintelligible to the Coroner.

James Lisle, of Valleyfield, Quebec, a visitor here, reports having seen a man go down the upper rapids this morning. He wore a blue jumper and struggled fiercely to get out of the water, but was swept to death. If the Brooklynite referred to carried out his threat to commit suicide this will make the third life lost by going over the Falls since last night, a record unprecedented here.

The officials of the Japanese Methodist Episcopal Mission at No. 17 Concord street, Brooklyn, said last night that Mr. Tamal had left the mission on Thursday, saying that he would call at the home of his friend S. Nakajima, at No. 139 East 17th street, Manhattan, before he left for his home in Japan. According to M. Kagawa, secretary of the mission, Tamal had a brother who edited a Japanese paper in Seattle. He had lived at the home for nearly four months and it is thought had become dependent because he could not obtain work.

GOETHALS IN CHARGE? Supposed to Have Assumed Control at Panama.

Washington, March 30.—Lieutenant Colonel Goethals is supposed to have taken charge of the digging of the Panama Canal to-day. According to the programme arranged, Mr. Stevens should have turned over to him the chairmanship of the commission and the command of the work this afternoon. While no advice were received at the offices of the canal commission in this city on the subject, Secretary Bishop of the commission said to-night that he supposed the transfer of authority had been made.

RAN AWAY TO SEE CENTRAL PARK. Gerry Society Sends Little Girl Home After Three Days' Absence.

West Orange, N. J., March 30 (Special).—Ruth Smith, eleven years old, who made a lonely little journey to New York last Tuesday, was returned to-day to the home of her sister, Mrs. Percy Woodruff, of No. 19 Valley Road, West Orange, by the Gerry Society.

THAW'S ORDEAL ENDED.

JEROME CROSS-EXAMINES. Commission Decides to Hear Testimony of Alienists.

Unless the commission in lunacy which is trying to find out whether Harry K. Thaw is sane enough to understand the gravity of his crime and to advise with counsel, makes some different rulings on Tuesday, when the next sessions will be held, there is every probability that Thaw will not know his fate for many weeks to come. Reversing its previous decision, the commission yesterday decided that it would hear the testimony of alienists as to certain facts, thus making it likely that the case, which has already been in progress nearly ten weeks, will continue for a long time to come.

Since the first hearing of the commission the District Attorney has had much trouble in getting evidence on the record to prove his contention that Thaw is insane. He has fought for the admission of expert testimony, but has been consistently overruled. Even yesterday morning the commission decided that alienists should not testify to anything prior to the present time. But at an open hearing in the afternoon this decision was reversed, and the outcome is that the District Attorney may call his alienists and they may testify as to what they have decided as to the defendant's sanity, relying solely on their observations during the trial, the writings of Thaw and the testimony they have heard. The defense will also call its experts.

Thaw was under examination for over three hours yesterday, of which nearly an hour was taken by Mr. Jerome in cross-examination. He was said to have answered questions without hesitation, and to have confirmed the good impression he made on the members of the commission on Thursday. In his cross-examination it is understood that the District Attorney asked him as to any delusions he might have had at the time of the shooting. He also asked, "Did you not have a delusion of a conspiracy between counsel and the District Attorney that you were going to be railroaded to an insane asylum?" but objection was made and the question ruled out.

NOT EXAMINED ABOUT KILLING. During the general examination of the defendant, all of which was in executive session, the commissioners asked him about the letters which he had written to Delphin M. Delmas, and which were included in the affidavits filed last Saturday. They also examined him about a number of other letters and notes sent to counsel. The commission, however, excluded all questions which touched on the actual killing of Stanford White and the letters which Thaw wrote to J. Denniston Lyon, of Pittsburgh, which the prosecution contends show signs of paranoia.

The new letters which counsel for the defense introduced, and on which Thaw was examined, pertained principally, it is understood, to the calling of certain witnesses during the trial. Later in the day Mr. Delmas, when on the witness stand, explained these letters to a certain extent by saying that many of them contained the ideas of a layman, which a lawyer would take exception to.

Much of the time of the secret session, it is understood, was taken up with argument between counsel, Mr. Jerome endeavoring to have certain testimony introduced and Mr. Hartridge successfully objecting.

The afternoon session of the commission had lasted about an hour when word was sent out that Thaw's examination was ended and that hereafter the sessions would be public, and the courtroom was quickly comfortably filled. Dr. Allan McLane Hamilton was the first witness called. Thaw sat within the railing, surrounded by his counsel, and was seemingly perfectly satisfied with the result of the ordeal he had passed through. Dr. Hamilton said he had made a specialty of mental diseases for many years. He had known Thaw, he said, for two or three years.

PROFESSIONAL PRIVILEGE QUESTION. "Have you talked with him at any time in that period?" asked Mr. Jerome.

There was instant objection from Mr. Hartridge, and Chairman McClure said the commission did not wish to go back so far, and Dr. Hamilton then said he wished to raise the question of professional privilege.

"I must confess," Mr. Jerome replied, "that I don't know where I am under the rulings of the commission. I want to prove this defendant insane at the present time if I am allowed to do so. If you want me to have the burden of proof I will take it and call my own witnesses to prove my contention. Your honors know that the professional privilege can be waived, and I say that if it is once waived it is always waived."

"We want you to bring out the defendant's condition," said the chairman, "without offending the witness's regard for his professional obligations. We want witnesses produced here who can give information of the mental condition of Thaw at this time."

Turning to Dr. Hamilton, Mr. McClure added: "If you occupied a professional position toward the defendant you are privileged by law from testifying."

"Are you gentlemen going to rule on this question of privilege without hearing me?" asked the District Attorney. "I should like to bring in authorities on the question, and that the professional obligation once waived is always waived thereafter."

JEROME CHECKED. Mr. Jerome was then allowed to proceed in his examination, leaving out any reference to Dr. Hamilton's professional services, and asking him only questions on which he could answer without such waiver. Dr. Hamilton said he had been an alienist for thirty-seven years. Mr. Jerome then asked: "In your opinion, what do you believe to be the present mental condition of the defendant?"

This brought an objection from Mr. Hartridge, and the question was withdrawn. Mr. Jerome said: "Excluding a replies that might tend to include your professional capacity and separating that part from your other observations, what do you believe the defendant's present mental condition to be?"

Again there was an objection, and Chairman McClure, in apparent surprise, asked: "Do you mean to tell the commission, doctor, that you can separate your professional observations from any others?" "I would be unwilling to do so," the witness answered. "I have a separate opinion, but I cannot separate them and do justice to myself." By general consent Dr. Hamilton was temporarily excused until the prosecution could produce and argue on its authorities on the waiver of professional privileges.