



MAKING IT EASY FOR THE TREATY.

M. D.'S CALLED TO TESTIFY

Physicians Examined in the Pickett Murder Case

ON EFFECTS OF FIRE

They Say Heat Won't Contract Muscles Flexed by Death.

PRISONER'S MOTHER RECALLED

She Tells of the Condition of the Pickett Home After the Fire.

Reuben C. Pickett, on trial for the murder of his wife, is apparently reserved as the last witness in his own behalf. In anticipation of his appearance on the witness stand, which was promised by the defense, the crowds are noticeably larger in Judge Elliott's courtroom. The proceedings which were at first quite ignored by the public have now risen to the dignity of a real murder trial.

The testimony this morning was confined entirely to that of Mrs. Pickett, Sr., and two medical experts called to testify as to the action of heat and fire on the human body. The evident purpose of the defense in this line of evidence is to satisfy the jury that Mrs. Pickett was burned to death in the bathroom and was not first murdered and then dragged to the bathroom which was then set on fire in order to cover the traces of a crime.

Conditions After the Fire.

Mrs. H. C. Pickett, mother of the prisoner, resumed her testimony relating in some detail the condition of the Pickett apartments after the fire and telling of the health of her grandson, Reuben.

She said that the bed in which her son and his wife had slept showed that it had been occupied on the night of the fire. Mrs. Pickett's garments were on the floor in a position which indicated that she had "just stepped out of them."

Reuben, the little boy, had been ill with dysentery for several days before the fire, and she had herself treated the boy, as well as giving his mother the prescription. Mrs. Pickett herself was not well, suffering from a common cold. The witness testified that Mrs. Pickett was about 5 feet 7 inches in height and that her normal weight was from 105 to 110 pounds.

The witness had met Miss Ella Olson on an interurban car. The latter had told the witness that when she opened the door from her flat to the hallway she saw Pickett in the bathroom. Mrs. Pickett also testified that Mrs. Nelson had looked into the hall she saw Mr. Pickett in the bathroom.

Pickett Was Burned.

The witness said that three of Mr. Pickett's fingers showed burns. Two of the fingers were blistered, the blisters being larger than a pea. He also had a burn on the back of his foot, which was treated. The witness broke down completely while relating what she had done with the clothing of her deceased daughter-in-law. She was joined in the weeping by Mrs. Mahke, sister of the late Mrs. Pickett, and other members of the feminine contingent.

Medical Experts Testify.

Dr. Thomas J. Gray, professor of surgery at the state university, testified that fire would have no effect on the muscles of a dead body. On the other hand, if the person was alive when attacked by fire, the limbs would be found contracted, due, in the opinion of the witness, partly to reflex muscular action.

On cross-examination the witness said that even if the burning took place within a body within minutes of death there would be no contraction, the person being the same as if the person had been dead longer.

"Did you ever see a body which was burned in a fire and minutes after death?" asked Mr. Boardman. The witness admitted that he had not. Then there came a long discussion between the witness and County Attorney Boardman on the effect of heat on beef steak, fish and other animal foods.

Dr. William H. Caine, a practicing physician and surgeon for twenty-six years, who had made many observations of the effect of fire on human bodies in the Hinkley fire, said that if fire was applied to living muscular tissue it would contract. In his opinion there would be much less contraction, probably none if the fire was applied after death had ensued.

Theoretically, the application of intense heat to a body within from one to five minutes after death would also cause contraction but to what extent the witness could not tell. In his opinion it would be very small though this might depend on to what depth the fire or heat penetrated.

Pickett Takes the Stand.

After several minor witnesses had been examined, the prisoner was finally sworn in his own behalf at 2:30 this afternoon.

Pickett was in a sad state when he first took the stand. His voice trembled so that he could hardly be understood. For a time it looked as if he would be unable to continue, but gradually he recovered his composure and the control of his voice.

Just then a wash boiler fell down and until he approached the dreadful events of the night, when his voice began to quiver again.

He said he was awakened by a noise, but paid no attention to it. Later he thought he heard the call "Reuben" in a low voice. He thought this was his wife speaking to her son Reuben in the bathroom. Then he heard another call and ran to the bathroom. The door was closed but he forced it open with his shoulder.

At this point in his story Pickett was obliged to stop, and the scene was pathetic to the extreme. His mother was weeping convulsively; likewise his wife and sister. Over on the other side of the table, Mrs. Mahke and the witnesses for the state were all in various degrees of weeping.

Pickett said that he was forced back by the rush of flames but that he dropped on his hands and knees and crawled into the room. He tried to raise his wife. The heat was intense. He turned on the water and splashed it but that had no effect.

Just then a wash boiler fell down behind him and impeded his work. He threw the boiler into the hall. Looking up then he saw Mrs. Nelson standing in the doorway. "For God's sake, save the children!"

Mrs. Nelson and her sister, Miss Olson, looked mutely at each other when this testimony was given and shook their heads. Pickett ran and got his children and turned them over to Mrs. Nelson while he ran to turn in an alarm.

"I ran up and down the streets screaming," said the prisoner. "I don't know what I said, but a man stopped me and said he would turn in the alarm."

FRYE'S NEW SUBSIDY BILL

It Makes Concessions to the West, but Representative Stevens Finds It Faulty.

From The Journal Bureau, Room 45, Post Building, Washington.

Washington, Dec. 9.—Senator Frye's ship subsidy bill will be introduced in the house to-morrow by Representative Grosvenor, chairman of the committee on merchant marine and fisheries. Several weeks will elapse before western members who, in the last congress, opposed the old Hanna-Frye bill, will be able to announce definitely their attitude towards the new bill. They recognize that it makes important concessions to the west, but whether these will be sufficient to outweigh the features in the bill which are still opposed to western interests only careful investigation can determine.

Criticized by Mr. Stevens.

Representative Stevens of St. Paul who, in the last congress, stood at the head of a small coterie on the merchant marine and fisheries committee in opposition to the Hanna-Frye bill, and whose opposition was so powerful as to bring about the concessions in the new bill, said to The Journal man to-day:

"The new bill doesn't meet our views in the cargo clause. Senator Frye says a specific requirement for export cargo is not required. Senator Davis thought differently, and I stand by the Davis opinion. It was not Senator Davis' belief that such a requirement would violate any treaties. We also thought that tank steamers, such as are employed by the Standard Oil company, American Sugar Refining company, and other concerns which carry only the goods of these concerns should not receive a subsidy. The new bill is silent as to this class of steamers. It also omits the antitrust provision on which we insisted in the last congress against trusts in the ownership, management and building of ships.

Concessions to the West.

"On the other hand, however, the bill makes important concessions to the western interests. For instance, Senator Frye has abandoned the speed-and-size clause of the old bill to which we objected, and insists instead on a reclassification; and of the postal subsidy act. We cannot tell yet how this proposition will work out. He leaves out all limitations of the aggregate subsidy to be paid. In the old bill the aggregate was \$9,000,000 per annum. We thought last year that the speed-and-size clause was the bulk of the aggregate \$9,000,000 to the fast ships, leaving the freighters out; but this objection the new bill removes. The new bill provides that vessels must carry a certain percentage of American apprentices and seamen. There was no such provision in the old bill."

A new feature of the bill is the construction bounty which Senator Frye provides shall remain in force for five years.

In a general way, I will say that the new bill does not meet all of the objections which the west urged against the

TARIFF OF PHILIPPINES

Chairman Payne Submits a Bill to His Colleagues.

APPLIES DINGLEY LAW

Philippine Exports to United States Thus to Be Treated.

ARRANGEMENT TO BE PERMANENT

Commission Schedule Governs Imports—The Two Houses Have Friction.

Washington, Dec. 9.—Chairman Payne of the ways and means committee to-day presented to his republican colleagues of the committee a revenue tariff bill for the Philippines, which he had drawn to meet the conditions of the recent supreme court decision. The republican members of the committee met to continue the discussion of the general subject. The meeting was preliminary to a full meeting of the committee to-morrow morning, when a Philippine tariff measure will be submitted to the democratic members and be voted upon.

The Payne measure is brief, with two main features, viz: Applying the Dingley law as against Philippine exports to this country and applying the Philippine commission's tariff schedule to goods entering the Philippines. One section grants a rebate of customs tax on goods which have paid an internal revenue tax in this country. There is no provision in the measure that it shall be temporary, so that the rates, if imposed, would be applicable until congress otherwise acted.

BAD FEELING

Senator Lodge Thought to Have Overstepped Proper Limits.

From The Journal Bureau, Room 45, Post Building, Washington.

Washington, Dec. 9.—Feeling between the house and the senate over Philippine legislation is running quite high. Senator Lodge, who has been an unjudicious observer, overstepped proper limits when he introduced his Philippine tariff bill. Under the constitution all revenue legislation must originate in the house, and while the senate, through amendments to house bills, frequently usurps this right, it is not often that a senator ventures to introduce a straight-away revenue bill. Just what the house will do cannot be known at present, but the ways and means committee, which met this morning, will probably report a bill this week.

Back of Senator Lodge's bill is the thought, in the minds of a good many people, that the administration is in favor of continuing the military and commission rule in the Philippines for an indefinite period. The Lodge bill is believed by these people to be a reflection of administration views. The ways and means committee will endeavor to draw up a bill which will be unlike the Lodge bill. The house will not want to appear to adopt the Lodge suggestions; but since Lodge has submitted what seems to be a proper solution of the problem, at least for the present, the house may find its task a difficult one.

Following the introduction of the Lodge bill the Boston and other New England newspapers advertised the fact, under the heading of "Lodge's bill," that a man who was to control the Philippine situation, and his bill was pointed to as outlining the policy which congress would be compelled to adopt. New England is close to New York, and a reflection of this glorification of Lodge no doubt reached the ears of Mr. Payne of New York, chairman of the ways and means committee, and he will not want to appear to otherwise he might have been. The house will endorse whatever the ways and means committee may do, and so there is a remote possibility that Lodge has done something which may bring friction between the two houses.

PLANT IN ASHES

Wabash Screen Door Co. Loses \$220,000 at Rhinelander.

Special to The Journal. Rhinelander, Wis., Dec. 9.—The screen door plant of the Wabash Screen Door company in this city burned last night and is a total loss. The plant was worth \$100,000 and the stock in the warehouse finished and unfinished amounted to about \$130,000. They were fully insured.

The origin of the fire is unknown. It started in the paint shop and was discovered that it was beyond control. The plant was fully equipped with an automatic fire extinguishing system, but the naphtha and oils in which the fire originated made a fire that the sprinkler system could not extinguish.

The Wabash Screen Door company has been located here for ten years and has another plant at Memphis, Tenn. It employed 225 hands here. It was doing a large and profitable business, putting out half a million dollars a year.

The general offices of the company are in Chicago and it is not known here what the company's plans are, but it is supposed it will rebuild at once. The output of the factory for next year is already sold. The company is the largest manufacturer of screen doors in the world.

ONCE LIVED AT RED WING

Red Wing, Minn., Dec. 9.—News has been received here that Charles Lindquist, formerly of Red Wing, shot a woman named Julia Postvere near Helena, Mont., and then killed himself. The woman may recover. Jealousy was the cause. Lindquist has two brothers living here.

Boom for University Extension

Washington, Dec. 9.—Andrew Carnegie is to give \$10,000,000 to the cause of university extension in the United States. Announcement of this great gift to education will be made at the White House Tuesday. Mr. Carnegie has thought best to create a national board to handle this munificent benefaction. President Roosevelt probably will name such a board for Mr. Carnegie, or at least set in motion the machinery which shall lead to national organization. The national organization is to have its headquarters in Washington, but its operations are to extend throughout the United States and its work is to be carried on with universities everywhere.

WILL FIGHT TO A FINISH

A Plucky Declaration From Thomas W. Lawson.

HIS LOSSES IN COPPER

Due to Attacks Upon All His Interests, He Says.

ASKS FRIENDS TO STAND BY HIM

Declares He Neither Expects Nor Will Receive Quarter Nor Will He Give Quarter.

New York Sun Special Service.

Boston, Dec. 9.—Thomas W. Lawson gave out a statement last night in which he reiterates his intention of remaining in the copper fight to the finish. He says: "No one regrets more than I the bad break in the price of the stock of the Trinity Copper company, which occurred last week. I own 100,000 shares, a short time ago worth at market prices \$8,000,000, and at Saturday's price only \$2,000,000; but as none of it is carried in margin or borrowed on, and as I believe it is worth much more than it has ever sold for and will sell higher than it has ever sold, I will not sell it, and it therefore can in no way be a menace to the market. As I believe there is little Trinity carried on margin outside that carried by my house, which will carry its liabilities to a finish on it, I see no reason for holders to be scared into selling.

MEXICO OURS

Civil Engineer's Startling Prophecy in Connection With Diazland.

New York Sun Special Service.

St. Louis, Dec. 9.—Henry Jameson, a civil engineer, formerly of this city, but now engaged in railroad work in Mexico, is here on a visit and expresses startling opinions as to the political future of that country. He declares that with the death of President Diaz, who is now practically dictator, a serious crisis will arise. The intense bitterness between the political parties that is now kept smoldering like a volcano before violent eruption by the powerful influence of Diaz will then break out with extreme violence.

ROBBER KILLED

Shots Exchanged in the Hills by a Gang and Sheriff's Deputy.

SLUMP IN COPPER

Wall Street Has Never Before Witnessed Such Losses.

New York Sun Special Service.

New York, Dec. 9.—The great event of the week in Wall street was the decline in Amalgamated Copper. The length to which it proceeded certainly seems to foreshadow a further reduction in the company's dividend rate, if indeed it does not indicate that at the meeting of the directors to be held next week, Thursday, the dividends will be stopped altogether. Wall street has at last awakened to the importance of this Amalgamated Copper affair. As was recently stated here, the registered shareholders of the company are said to number 16,000, showing that the stock has attained a degree of distribution rivaled by that of few other corporations. It has been largely bought by southern investors of small means, who have chiefly relied upon the connection with the property of a very prominent banking institution in this city, of

\$600,000 DEAL

1902 Cut of Lumber and Lath Bought by Chicago Men.

Special to The Journal.

Menominee, Mich., Dec. 9.—The Francis Beidler Lumber company of Chicago has bought of the Hamilton, Merrill company its cut for 1902, amounting to 35,000 feet of lumber and 13,000,000 to 15,000,000 lath. The consideration was \$600,000.

DEATH ON LAKES

Unprecedented Loss of Life During the Season Just Past.

Special to The Journal.

Chicago, Dec. 9.—Not since the introduction of modern boats to lake service has there been such a loss of life as in the season just passed. This record is established, despite the fact that during the year there have been but few storms of historical interest.

The figures of fatalities on the inland seas are 132 persons lost, as compared with 110 last year, 100 in 1899, 95 in 1898, 68 in 1897 and 66 in 1896. In the past six years the loss of life has steadily grown, notwithstanding the improvement in the United States life saving service and the betterment in the seaworthiness of lake vessels. The only explanation of this growth, vesselmen say, is that there are far more boats now in service than there were in 1896. The cause to which the greater part of the loss of life is due was foundering.

WITHIN A WEEK

State's Action Against Railway Merger Soon to Be Begun.

Now that Governor Van Sant has heard

from all the governors of northwestern states on the question of the railway merger, some are expecting him to call a conference at once. It can be safely said, however, that the governor is not going to indulge in any side issues or jaunts at present. He has set the machinery going and within the week Attorney General Douglas will have the railroads in court. There is no occasion for the governor to move in other directions until the legal remedy is exhausted. He will correspond further with the governors, but will not call any conference at present.

The governor has not decided when the

extra session will be called, all reports to the contrary notwithstanding. That is a bridge that does not have to be crossed yet.

Senator E. T. Young of Appleton, one

of the leading members of the legislature, is in St. Paul to-day. He heartily favors a republican caucus prior to the opening of the session, but has a new idea about what that caucus should do. He said this morning:

"The first thing the caucus should do is to decide the time when we will adjourn. The session should be limited to about three weeks. That will be ample time. We should then fix a time limiting the introduction of bills. I would not exclude all other legislation, but have the caucus agree on a resolution binding both houses to work on the tax commission's report until that is finished. If there is any time remaining, we can take up such other matters as are deemed important. I would select such measures in a later caucus. This is not like a regular session. We must have some way of holding the houses down to important business.

Nelle L. Fisher asks the district court

to release her from all obligations assumed by her when she married Elbert L. Fisher. Elbert has deserted her, she says, and has thus waived all claims.