

CONVINCED THAT HE IS INSANE

Jerome Says His Trial is an Outrage, That He Should be In an Asylum.

THAW'S COUNSEL SURPRISED.

Judge Fitzgerald Will Hear Arguments For and Against Appointing of Lunacy Commission.

New York, March 21.—That Justice Fitzgerald will appoint a commission in lunacy to inquire into the present mental condition of Harry Thaw, seems a foregone conclusion. This afternoon, he will hear arguments of counsel on both sides of the famous case and he will appoint a commission. That this commission will find that Thaw is now insane, is the opinion of most of those who have closely followed the trial.

Dr. Allan McLane Hamilton, one of the country's most famous alienists, has openly expressed the opinion that Thaw is now insane, and that he is incapable of conducting his own defense.

Dr. Charles MacDonald, an Austin, Tex., physician, also noted alienist, has expressed the same opinion, and affidavits are expected from all three, as well as from the doctors who are familiar with the history of the Thaw case, and with the insanity which is said to have been present in both sides of his ancestry.

LIKE A BOMBHELL.

The appearance of Dr. Allan McLane Hamilton in court yesterday afternoon, when Dr. Hamilton's appeal to the "conscience of the court" came like a bombshell. It was expected that the testimony would be the same yesterday, and that this morning's summing up would begin. It was the general expectation that the case would go to the jury not later than Saturday, but when Dr. Hamilton's appeal came, the trial was adjourned until Monday. The shadow of the famous alienist has loomed large in the background ever since the case began. It was known that he had been in the city for some time, and neither side was anxious to call him. The defense apparently did not want him because of his belief in Thaw's insanity. The prosecution, however, called him because his relation to Thaw was that of a physician to a patient, and he could not be compelled to testify without a specific waiver of the privilege created by their relation. For days Dr. Hamilton has been in the courtroom under subpoena from both sides, but no one expected he would be called until this afternoon, when he made his appearance. His production was a daring move on the part of the defense, but it was fated from the first to be disastrous. If Harry K. Thaw goes to the hospital for the criminally insane at Matteawan, it will be this move more than anything else that sends him there.

A HARD FIGHT.

That the attorneys for the defense will make a hard fight to prevent the judge from appointing the commission when court sits this afternoon, is probable. From the first the fight has been to secure an acquittal and it is not probable that it will be given up so long as there is the slightest chance of success. On the other hand, Mr. Jerome is convinced that Thaw is now insane, and he will fight just as hard for the appointment of the commission. The present session being informal, the rules of law and evidence will not be enforced and either side may place before the court any evidence that it desires about the mental condition of the defendant.

THE CLIMAX.

The climax of the nine weeks' trial was precipitated by the action of the defense in calling to the stand Dr. Allan McLane Hamilton, the alienist, who was first called into the case by Thaw's original lawyers, Black, Olcott, Gruber & Bonying, but who was dismissed, together with them, when he reported that Thaw was suffering from a form of paranoia which might never be cured. It was the intention of Mr. Delmas to interrogate Dr. Hamilton only with reference to the facts which he made known in June and July. Mr. Jerome promptly objected, saying that if Dr. Hamilton was to testify at all he must first have been examined in connection with the case, including the defendant's family history. The argument which ensued became so pertinent to the question of the present sanity of the defendant that Justice Fitzgerald directed the jury to retire from the room. Then the discussion took on a broader range, the result being a further determination, before proceeding further, to have presented to him the facts which the district attorney asserted had been withheld from the jury by the defense and which he had been unable to give to the court in strictly legal form.

IF FACTS WERE KNOWN.

"If the real facts were known," declared Mr. Jerome, "I have no right to be here trying this man for his life. But I know that the facts cannot be put in legal form before the jury. It is mostly hearsay. But if I could get the facts before you they would shock and horrify the conscience of the court and instantly this case would be stopped. So deeply have I been impressed with this that I have served notice on counsel of record that if when this trial is concluded I find that they were in possession of facts which I believe to be in their possession, I shall call the matter to the attention of the appellate division of the supreme court. I feel very bitterly about this matter. There is not a man who has watched this defendant sitting here at this table that does not know that, as he sits there, he is incapable of advising counsel. Thus, under the statutes, it becomes the duty of the court to stop the proceedings."

FACTS GIVEN ALIENISTS.

"I submitted to the alienists summoned by the state all the facts in my possession," said Mr. Jerome, "and they are all informed me that the defendant is suffering from a disease called paranoia, the chief characteristics of which are delusions; that acting under these insane delusions he killed Stanford White, but that within the legal definition of insanity he knew the nature and quality of his act and knew the act to be wrong."

Justice Fitzgerald wanted to know if the alienists had informed the district attorney of their opinion before answering the long list of questions put in court. Mr. Jerome admitted that they had. The evidence he submitted to them had not been introduced in court, however, and he could not put it in the hypothetical question. "Now that they have put Dr. Hamilton on the stand, explained Mr. Jerome, "I have my first opportunity for laying before the court sworn testimony of a character which may demand the attention of the court. For the first time in this trial, I am going to lay before you, and I want it all to go in. Your honor will support me in the claim that ever since the trial began I have struggled to have the facts brought out. But I have been met with objections and legal restrictions everywhere."

DELMAS VIEW.

Mr. Delmas replied that it was strange, if the district attorney had so long possessed the facts, why he was stating to the court, that he had persisted so long in prosecuting to his death a man, who he believed was insane in the eyes of the law; because he had not communicate intelligently with counsel. As to the charge of unprofessional conduct, he had heard it for the first time today. Mr. Delmas continued: "I have said that the defendant had called to the stand Dr. Hamilton, the man whom the district attorney believed to know more about the facts than any other man. It was a process that I am now interrogating him when the district attorney objected."

\$100 Reward, \$100.

The readers of this paper will be pleased to learn that there is at least one dreaded disease that science has been able to cure in all its stages, and that is Catarrh of the Bladder. It is the only positive cure now known to the medical fraternity. Catarrh being a constitutional disease, requires a constitutional treatment. Hall's Catarrh Cure is taken internally, acting directly upon the blood and mucous surfaces of the system, by destroying the foundation of the disease, and giving the patient strength by building up the constitution and assimilating nature in doing its work. The proprietors have so much faith in its curative powers that they offer One Hundred Dollars for any case that it fails to cure. Send for list of testimonials.

October, and not one word of the testimony regarding his mental condition since that time has been put in evidence.

THE BLOW THAW DREADED.

New York, March 21.—The blow which Harry Kendall Thaw has been in terror of ever since his trial for the murder of Stanford White began fell to-day. Atty. Jerome did not make formal application in lunacy, but in a commission in lunacy, but in an impassioned speech he appealed to the conscience of the court, declaring that as Thaw sits at the table, he is incapable of advising his counsel and is believed by everyone who has watched him in contact with him to be insane.

Mr. Jerome asserted that his own alienists were convinced when they had considered all the facts in connection with the case, that Thaw was of unsound mind. Mr. Jerome drags Jerome accused the counsel for the defense of concealing testimony which, if presented, would make the prosecution the continuance of the trial a crime.

So earnestly did Jerome plead that Justice Fitzgerald dismissed the jury until 2 o'clock tomorrow afternoon, when he will consider the evidence which either side has to offer and to decide whether the trial shall go on, or whether a commission shall be appointed to pass upon Thaw's mental condition today.

DRAMATIC SCENES.

The scenes attending the adjournment of court shortly after 1 o'clock were dramatic and exciting. Thaw, who was seated at the table, was in a state of great excitement. This was expected, for the last day of the trial except for the summing up before the jury. Soon after 1 o'clock, Mr. Jerome, Mr. Delmas and Mr. Delmas's attorneys gathered one by one, around the judge's table. For a time seemed to be in a state of great excitement, and then the charges of unprofessional conduct brought against them by the prosecuting officer.

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torney's assertion that Thaw was unable to advise his counsel and declared it was the duty of the court to submit that question to the jury.

JUDGE WANTS EVIDENCE.

Justice Fitzgerald demanded that counsel on both sides submit to him tomorrow all the evidence they possessed touching upon the sanity of the defendant. If the defendant did not desire to do this, he said, he could not compel it and would have proceeded without such evidence from them to combat that to be offered by the district attorney.

Justice Fitzgerald even went so far as to discuss the personnel of a possible commission in lunacy. He said he did not wish to appoint any alienist who had been consulted in the case by either side, and desired to be given the names of all those who had been consulted. It was agreed that both sides should submit affidavits tomorrow.

When the court adjourned Messrs. Hartridge and O'Reilly, of Thaw's counsel, professed the greatest pleasure over the turn of affairs.

The district attorney has acknowledged himself beaten," said Mr. Hartridge. "We can combat the insanity commission. In the meantime the district attorney has acknowledged that he believes Thaw was insane when he shot Stanford White. That ought to give us an acquittal."

Dist. Atty. Jerome was manifestly pleased with the idea of a commission. He immediately set to work preparing affidavits. Justice Fitzgerald tomorrow all the testimony he has been unable to get before the jury.

SAVED HER SON'S LIFE.

The happiest mother in the little town of Ava, Mo., is Mrs. S. Ruppel. She writes: "One year ago my son was taken down with a fever which was very serious. My physician was unable to help him; when, by our druggist's advice I began giving him Dr. King's New Discovery, and I soon noticed improvement. I kept this treatment up for a few weeks, when he was perfectly well. He has worked steadily since at carpenter work at St. Paul, Santa Fe, very saved his life." Guaranteed best cough and cold remedy by Z. C. M. I. Drug Dept. 56c and \$1.00. Trial bottle free.

HUMORS.

Come to the surface in the spring as in no other season. It's a pity they don't run themselves all off that way; but in spite of plimbers and other eruptions, they mostly remain in the system. That's bad. Hood's Sarsaparilla removes them and cures all the painful and disgusting troubles they cause. Nothing else cleanses the system and clears the complexion like Hood's.

CASE OF MOYER ET AL.

Judge Wood Listens to Arguments for a Change of Venue.

Boise, Ida., March 20.—In the case of the State against Moyer, Haywood and Pettibone, officials of the Western Federation of Miners, who are charged with complicity in the murder of former Gov. Steiensen, Judge Wood at Caldwell, listened all forenoon to the reading of extracts from newspapers in support of the motion of the defense for a change of venue. The three prisoners and their counsel were present. The extracts read to Judge Wood consisted of editorials and news items hostile to the defendants. Articles purporting to give the main features of Harry Orchard's confession were held by the defense to be so prejudicial to the prisoners that a fair trial could not be had where the paper that printed the articles had a general circulation. The defense submitted arguments this afternoon, and was followed by the state with 21 affidavits in support of the state's contention that a change of venue is not warranted.

Tonight arguments on the motion for a change of venue were made by John F. Nugent for the defense and A. H. Hawley for the state. Mr. Hawley claimed all affidavits presented in support of the motion were defective, failing to identify the parties making them.

AN OREGON SHOOTING.

A Timber Buyer Tried to Kill a Night-watcherman and Was Killed.

Bandon, Or., March 20.—Nightwatchman W. D. Clark, shortly after midnight, shot and killed C. F. Allen of San Francisco, a well known timber buyer and black and expert. The shooting occurred in the office of the Tupper hotel, where Allen, who had been drinking, threatened the life of the proprietor. He shot twice at the officer before the latter killed him. Early yesterday Allen arrived with two other men from Curry county. They came up the coast and had been making investigations regarding the black snags in that part of the country.

HOW TO REMAIN YOUNG.

To continue young in health and strength, do as Mrs. N. F. Rowan, McDonough, Ga., did. She says: "Three bottles of Electric Bitters cured me of chronic liver and stomach trouble, complicated with such an unhealthy condition of the blood that my skin turned red as flame, and now practically 20 years younger than before I took Electric Bitters. I can now do all my work with ease and assist in my husband's store." Guaranteed at Z. C. M. I. Drug Store. Price 50c.

A Skin of Beauty is a Joy Forever. D. R. T. Felix Gouraud's Oriental Cream of Magical Beautifier. Removes Tan, Freckles, Redness, Sore Throat, Itchy Skin, and all Skin Disorders. Accepts no imitations. Dr. L. A. Noyes, of the East, writes: "As you have heard me say, I have used your Oriental Cream for several years, and I can testify to its efficacy in removing all skin blemishes, and in restoring the complexion to its natural beauty. It is the best of all the creams I have used." Sold by all druggists.

ROADS VIOLATE STOCK LAW.

Washington, March 20.—Secy. Wilson of the department of agriculture today forwarded to the department of justice proof in 29 new cases against various railroads of the country for violation of the so-called 28-hour law, which requires that livestock shall not be kept on cars without food and water and rest for longer than 28 hours. The number of cases and the roads against which they are to be brought, follow:

Chicago, Burlington & Quincy, 3; Baltimore & Ohio, 6; New York Central, 4; Salt Lake, Los Angeles & San Pedro, 2; Great Northern, 3; Cincinnati, New Orleans and Texas and Pacific, Union Pacific, Northern Pacific, Chicago, Milwaukee & St. Paul, Santa Fe, New York Central, Chicago & St. Louis each 1.

WANTED FOR MURDER.

Columbus, O., March 20.—Word was received at the Ohio penitentiary today from Phoenix, Ariz., inquiring about Louis E. Butlers, who was arrested here recently with American securities worth \$42,000 in his possession for which he could not account satisfactorily. Butlers is believed to be an accomplice of the thieves, and to have been attempting to negotiate the proceeds of the robbery.

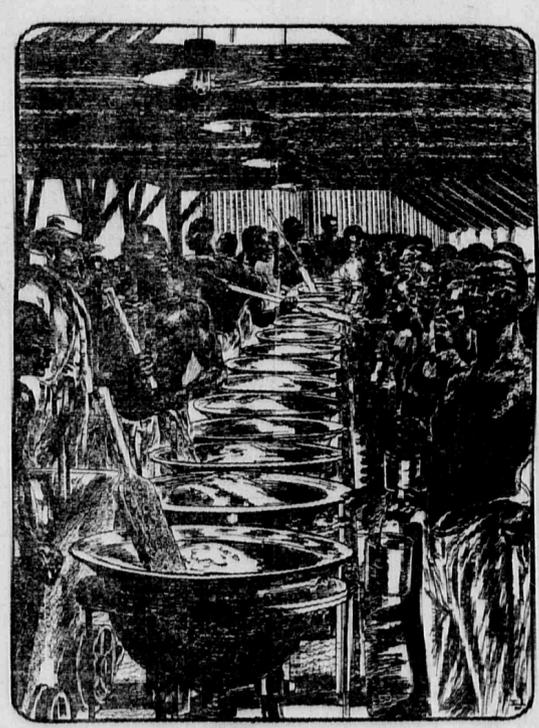
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BUTTE DEMOCRATIC NOMINEE.

Butte, Mont., March 20.—Jeremiah Mahoney, president of the Butte Stationary Engineers' union, was nominated for mayor by the Democrats of Butte in convention late yesterday. Aleck McGowan, former assistant attorney-general of Nevada, was named for police judge.

IN AN AFRICAN MINING CAMP.



The scene illustrated herewith represents the serving of dinner to the men employed in a South African diamond mine. These men are Kafirs, natives of the country, and the rice, which forms the principal article of their food, is served out with wooden shovels from the pans in which it has been cooked by steam. The men march into the boiler house in regular order, and each receives in due turn the portion of rice to which he is entitled. Owing to their well known propensity for thieving, these native diamond miners are kept under almost constant surveillance. Even then it is realized by the mine operators that many a valuable find is secreted in ways known only to the acute Kafir.

WOMEN'S WOES

Salt Lake City Women Are Finding Relief at Last. It does seem that women have more than a fair share of the aches and pains that afflict humanity; they must keep up, must attend to duties in spite of constantly aching backs, or headaches, dizzy spells, bearing down pains; they must stoop over, when to stoop means torture. They must walk and bend and work with aching pains and many aches from kidney ills. Kidneys cause more suffering than any other organ of the body. Keep the kidneys well and health is easily maintained. Read of a remedy for kidneys only that helps and cures the kidneys and is endorsed by people you know. Mrs. Sarah Pearson of 242 Elizabeth St., Salt Lake City, Utah, says: "I had suffered from kidney trouble for years. I do not know what caused it, but I think I inherited the trouble. There was persistent pain across the kidneys and it hurt me when I stooped or lifted anything. Then I started on Doan's Kidney Pills and the secretions from the kidneys were irregular, scalded and contained a sediment like brick dust. Oftentimes I finally saw Doan's Kidney Pills advertised and got a box at the F. J. Hill Drug Co.'s store. I found that Doan's Kidney Pills are all that they are claimed to be. They cleared up the kidneys and got rid of all the aches and pains I have described. I found such great relief through the use of this remedy that I am, indeed, glad to recommend it to others who are afflicted with it." For sale by all dealers. Price 50 cents. Foster-McMillan Co., Buffalo, New York, sole agents for the United States. Remember the name—Doan's—and take no other.

Remember the name—Doan's—and take no other. Ely's Cream Balm. Ely's Cream Balm is placed into the nostrils, spreads over the membrane and is absorbed. Relief is immediate and a cure follows. It is not drying—does not produce sneezing. Large Size, 50 cents at Drug-gists or by mail; Trial Size, 10 cents. ELY BROTHERS, 56 Warren Street, New York.

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WANTED! Watches, Clocks and Jewelry to Repair. Guaranteed Work. Lowest prices in the city. Cleaning ..... \$1.00 Main Spring ..... \$1.00

SHORT TALKS BY L. T. COOPER.

RHEUMATISM. Old Mr. Rheumatism hangs on tight and bites and pinches when he takes hold. It's quite a job to shake him off. It's hard to believe that all the pain and trouble he causes comes from such a little thing. But it is. It is acid in the blood. The kidneys haven't taken care of it. But the kidneys aren't to blame. I used to think they were. Now I know better. It's that over worked and crowded stomach pinning the kidneys part of its work and the kidneys can't do it. I found this out with Cooper's New Discovery. It puts the stomach at rest and the kidneys at work. I have seen thousands of people get rid of rheumatism by taking it. That is why I am positive that rheumatism is caused by stomach trouble. Here is a sample of letters I get every day on the subject:

"For a long time I have been a victim of sciatica and inflammatory rheumatism, and my suffering has been too great to describe. For weeks I lay helpless with every joint in my body so tender and sore that I could not bear to move. The slightest touch would cause me the greatest agony. Several doctors treated me, but they failed entirely. I tried many remedies but nothing seemed to reach my case, so I continued to lay helpless. My kidneys and stomach were affected also. I could eat but little, digest less and gradually my strength left. I lost flesh rapidly. "I began the use of the famous Cooper medicines of which I heard so much. The first suppository I used and I improved immediately, and after using several bottles I felt like another person. My strength and appetite returned. The pain and soreness left me and now I feel better than I have for months." Lawrence Tuscany, 1122 Al-drich Ave., North Minneapolis, Minn.

WANTED!

Wanted! Watches, Clocks and Jewelry to Repair. Guaranteed Work. Lowest prices in the city. Cleaning ..... \$1.00 Main Spring ..... \$1.00

GARTER JEWELRY CO.,

124 Main Street.

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How costly are delays in neglecting eye-sight, you would have your eyes tested immediately and proper glasses made. If you consider us we can tell you just the kind of glasses that will help you.

RUSHMER,

MANUFACTURING OPTICIAN. 27 West Grand Street, St. Louis. Phone: Ind. 378; Bell 198-K.

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If not it's the wrong place. Phone 65 for the correct time.

Complexions Look Clear and Refined

When Touched By TOWNSEND'S ENAMEL CREAM Superior to Face Powders. Instantly Imparts Clearness, Brilliance, Freshness and a Pearl-Like Tint. PRICE 50 CENTS. A free sample to each lady requesting the same at

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Values won't be any better months from now, and surely selection will be far easier and far more satisfactory with stock at its present high-tide of completeness.

You will be impatient for the change yourself when you have made a try-on of the new Spring Suits that are made by and labelled:

Alfred Benjamin & Co., New York.

Better cloth, better finish, better fit couldn't be demanded.

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111, 113 Main St. Where the Clothes Fit.

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