



INSANITY THE PLEA

Physicians From Insane Institutions Testify.

WAIVER FROM PRISONER

Evelyn Nesbitt Thaw Will With- out Doubt be Called to the Witness Stand.

LITTLETON SURE OF HIS PLEA

District Attorney Jerome by Unexpect- edly Invoking Sacred Privilege of Phy- sician and Patient, Blocked Much of Testimony in the Thaw Family.

NEW YORK, Jan. 14.—The direct case of the people of the State of New York against Harry K. Thaw, accused of the wilful murder of Stanford White, is finished and today the defense will begin its effort to show that Thaw was not mentally responsible for his act when he shot down the architect on the roof of Madison Square Garden on the night of June 25, 1906. That insanity pure and simple is the defense on which Thaw's attorneys will rest their case, was made plain in the opening address of Martin W. Littleton, Thaw's chief counsel yesterday. The attorney promised to show the jury that Thaw had been insane since a boy, that the burden of insanity came to him from both the paternal and maternal line and that in the very nature of thing she could not have been mentally responsible for his actions on the night of the tragedy. How Mr. Littleton expects to show that Thaw is now sane, and he does intend to show, he does say. Mr. Littleton at a late hour last night said he had not decided what witnesses he would call this morning, but it is expected his first witnesses will be medical authorities probably those who attended Thaw during his youth, or those who are prepared to testify to the mental condition of other members of the Thaw family. Dr. Deemar and Dr. Bingman, both of whom were called at the first trial, will again be witnesses, although Dr. Bingman is at present ill and unable to be in the court room. It is expected, however, that he will be ready to testify before the defense closes its case.

Evelyn Nesbitt Thaw will, without doubt, be called to the stand, but District Attorney Jerome will make a hard fight to keep her story out of the record of the case. This was plainly stated when Jerome yesterday objected to certain statements made by Mr. Littleton in his opening address, stating that they dealt with matters which he believed would be excluded from the evidence.

NEW YORK, Jan. 14.—Attorneys for Harry Thaw today began relentlessly to build up a case of legal insanity which they have interposed in his behalf as defense for killing Stanford White. Two principal witnesses of the day were Charles H. Koehler, Winona, Minn., who had acted as instructor to Thaw in Wooster, Ohio, University in 1886, and Mrs. Amy Grossette of San Mateo, Cal., who attended Thaw as a trained nurse at Monte Carlo in 1897. They both told of the young man's eccentricity and declared his manner always irrational. Dr. Deemar, of Kittanning, Pa., one of the Thaw family physicians also testified as did the attendant physicians of three institutions for insane where members of the Thaw family on both maternal and paternal sides were confined. The district attorney by unexpectedly invoking the sacred privilege of physician and patient blocked much of the testimony as to unsoundness of mind in the Thaw family, but calling of wit-

nesses and the questions they were allowed to answer by the court left the desired impression upon the jury. Jerome explained the law compelled him to object to such testimony without an express waiver from the patient. Even the nurse who attended Thaw was not allowed to testify until Thaw personally made waiver a confidential privilege in open court.

DEARTH OF TEACHERS.

Schools in Chicago Have to Close for Lack of Them.

CHICAGO, Jan. 14.—The situation caused by scarcity of teachers in the Chicago public schools reached a climax yesterday. In 73 rooms, chiefly in elementary schools, the officials found it impossible to provide teachers and had to dismiss the pupils for the day. More than 3000 school children spent the day at their homes or on the streets. Altogether more than 140 vacancies were reported. Almost half of these were filled through the assignment of substitutes or by school principals who took charge of the "disabled" rooms.

CRISIS IN JAPAN.

Cabinet Has Differences Over Budget and Resign.

TOKIO, Jan. 14.—A cabinet crisis is imminent. After a conference of the cabinet ministers this morning Marquis Saionji, the prime minister, visited the emperor at the palace this afternoon and was quickly followed by Prince Ito. An important member of the cabinet who has just been seen by the Associated Press correspondent declined to deny the rumor of the resignation of two members and possibly of the entire cabinet.

It is understood that differences exist over the budget which are irreconcilable. Premier Saionji is still at the palace.

Later.

TOKIO, Jan. 14.—Yoshiro Sakatani, minister of finance and Isaburo Yamagata, minister of communications, have resigned from the cabinet. Their resignations have been accepted. The resignation of Marquis Saionji, the prime minister, has been refused.

BURNED TO DEATH

Wealthy Insane Patient's Clothes Catch Fire.

PASSING A WOOD STOVE

Tears Herself Loose From a Physician and Rushes Into the Open Air, Eluding Nursing and Attendants Until a Mass of Flames—Then Caught.

CHICAGO, Jan. 14.—A despatch to the Record Herald from Peoria, Ill., says:

Mrs. Lucy Anderson, for three years an inmate of the Bartonville insane asylum, died last night in the asylum hospital of burns received four hours before. She was burned from her feet to her shoulders and all the aid the physicians could give was futile. Miss Anderson was passing the wood stove which furnished heat for the inmates of the tuberculosis tent colony when her clothes took fire. A physician rushed to the woman's aid, and threw a blanket around her. In pain and fright she tore loose from him and ran from the tent to the open air. The burning woman frantically ran among the cottages, eluding all the nurses and attendants who attempted to stop her.

A fire alarm was turned in by another doctor, who caught the woman who by this time was enveloped in flames, rolled her in the snow, and, with the aid of his overcoat, succeeded in extinguishing the fire. Miss Anderson was taken to the asylum hospital, where her burns were dressed, but the efforts of the physicians were without avail.

Miss Anderson comes from a wealthy family in Champagne county and was the owner of a large amount of property.

DISOBEDIENCE DISASTROUS

Sorrowing Mother Follows Her Child.

MARRIES A BAR-KEEPER

Her Infatuation for Him Prevail- ed Over the Opposition of Her Parents.

SUICIDE THEORY ACCEPTED

She Spent Her Last Night on Earth in Mad Frivolity, and Then Turned on the Gas Jets in Her Room and Was Asphyxiated.

SALT LAKE, Jan. 14.—Beginning with a secret marriage, the wrecking of a young girl's life, moved quickly to its tragic end in a gas-filled room of a State street resort today. Surrounded by pictures of herself taken in childhood, Bessie Conley, formerly of Reno, Nev., died from asphyxiation and the theory of suicide is generally accepted. Until two months ago Bessie Hammond was one of the brightest, handsomest and most popular girls in Nevada. Her parents idolized her and she was engaged to marry a prosperous business man. She met Joseph Conley, a saloon-keeper at Cobre, Nevada. Her infatuation for him prevailed over the opposition of parents and she left home taking a position as a stenographer in Ogden. Her mother followed her to Ogden and was preparing to take her to California when the girl slipped away, met Conley and was married to him. That was two months ago. A month later Conley assaulted her and beat her in the streets of Ogden. In another week the hapless bride was living with a drug clerk in Salt Lake. He lack the means to support her and she was forced to the last downward step ten days ago. Her 18 years of life closed with a night of mad frivolity and turning on of the gas jet.

TOO HANDY WITH GUN

Brakeman With Borrowed Gun Kills a Hobo.

HARRIS HELD BY CORONOR

Became Frightened and Fired Without Realizing What He Was Doing as He Was Unable to State When Questioned by the Coroner's Jury.

BERKELEY, Jan. 14.—The Globe Trotting adventure undertaken by three Berkeley youths who left this city on the first of the year has ended in swift disaster as a result of the shooting of one of the boys by Arthur M. Harris, a brakeman near Soledad, about 30 miles south of Salinas. The man killed was Edward W. Danne, a native of New York about 25 years of age. The three comrades left Berkeley, dressed in khaki, booted, belted and wearing sombreros, on their attempt to girdle the globe in 119 weeks. Danne, who became separated from his comrades at San Jose, fell in with a number of vagrants and was riding with them in a freight car when they were discovered by the brakeman, Arthur M. Harris, a boy 18 years, who had borrowed a revolver to protect himself when he ordered the men from the car.

Harris evidently became frightened and fired without realizing what he was doing, as he was unable to state, when questioned by the coroner's jury, how many times he had fired. The coroner's jury disagreed as to whether his action was justifiable and Harris is now being held for further investigation.

IMPLEMENT DEALERS IN SESSION.

KANSAS CITY, Jan. 14.—Western Retail Implement and Vehicle Dealers' Association convened here today.

WORK STOPS ON BREWERY.

CHICAGO, Jan. 14.—All work was stopped yesterday on the buildings of the Independent Brewery Company, when the non-union mechanics were told to leave the job. A strike originated because non-union pipe was being placed by steam fitters, not in accordance with the trades rules of the Associated Building Trades. All the plasterers, sheet metal workers, machinists and boiler-makers left the job because they could not sanction the pipe in the brewery for union beer with non-union pipe. Two hundred men are affected.

GIRL USHERS MAKE HIT.

CHICAGO, Jan. 14.—Girls as theatre ushers made their initial bow to Chicago last night. The innovation was inaugurated at the International Theatre, and the audience seemed well pleased. Eight comely maidens showed the patrons to their seats, and the management declared, performed the work as well as male ushers could do it.

FORAKER AND DICK.

Postoffice Nominations—Foraker's Sally Caused Merriment.

WASHINGTON, Jan. 14.—During the executive session of the Senate today the nominations of four Ohio postmasters were defeated at the instance of Senators Foraker and Dick. Dick reported the nominations unfavorably from the postoffice committee. There were no votes taken, the names being acted on in the usual manner.

The Vice-President putting the question and assuming silence as affirmative, Foraker broke the silence after the names were rejected by moving that the President be immediately notified of the Senate's action. His sally caused considerable merriment. Tonight Foraker said:

"There will be no further prostitution of federal patronage in order to carry out the political bargains without its being resented. There will be more objections to the nominations wherever it is found that appointments were made in pursuance of political compact."

BOND ISSUE INQUIRY.

WASHINGTON, Jan. 14.—The recent bond issue was again the subject of discussion today in the Senate being brought forward by a resolution offered by Culberson calling upon Secretary of the Treasury for additional information concerning the reasons that induced him to award bonds to national banks instead of individuals who he declared had offered a higher price than the banks. Allrich insisted that the resolution would not be adopted until Cortelyou's reply to the resolution formerly adopted by the Senate was received and the resolution went over. Tillman offered a resolution for a new series of inquiries concerning the financial situation.

CODE BILL BEING CONSIDERED.

WASHINGTON, Jan. 14.—The discussion of the penal code bill occupied the attention of the House today and when adjournment was had 86 of a total of 342 sections had been disposed of.

BOYERTOWN HORROR

Darkness Delays Recover- ing the Dead.

SLOW IDENTIFICATION

Whole Families Were Wiped Out as Completely as if They Never Existed.

FLAMES BURNED ALL NIGHT

The Ratio of Women and Girls to Men and Boys About Nine to One—Nearly Everyone in the Place Lost Some Relative.

JAPS COMMITTED FOR TRIAL.

VANCOUVER, B. C., Jan. 14.—F. Murato, one of the Japanese charged with stabbing three city firemen New Year's morning was committed for trial in the magistrate's court today. The other three accused men were remanded until tomorrow. Japanese witnesses told of a confession made by Murato that he had done the stabbing. The trend of evidence by the Japanese was to throw the responsibility for the affray upon Murato and relieve the other accused men.

LEWIS DEFEATS WILSON.

WHEELING, W. Va., Jan. 14.—A private telegram received here today from Indianapolis, which is said to be authoritative, says that T. L. Lewis of Bridgeport, O., vice-president of the United Mineworkers of America, has been elected president over W. B. Wilson by a majority of 80,000 in a vote of 300,000.

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BOYERTOWN, Jan. 14.—When night-fall put an end to the work of recovering the dead from the ruins of Rhoades opera house, where last night's holocaust occurred, the official roll of victims numbered 167. Whether any more bodies are buried beneath the ruins cannot be positively stated but it is the belief of those who had charge of the gruesome work that all dead had been removed and that the total victims did not exceed 170. The ratio of women and girls to men and boys about nine to one. Work of identification will not be begun until tomorrow as most of the bodies are still lying in a confused state at four improvised morgues. The population of the place is about 2500, and such a disaster paralyzed the town and the people are going about dazed. It is safe to say that everybody in the place either lost one or more relatives or was intimately acquainted with those who died in the fire. In several cases whole families were wiped out. It was almost daylight this morning when the flames were extinguished and rescuers able to enter the ruins to remove the dead. The morning was bitter cold and by the time the beumbed and exhausted firemen began the task of disentangling the mass of burned beams and twisted iron the entire ruins were coated with ice and there was danger of the walls falling. Work was slow at first and it was 7 o'clock before the first body was removed. Coroner Stasser, of Reading, reached here shortly after midnight last night, and had detailed several men to tag the bodies and keep record of every corpse removed. The bodies are so badly burned however, that there was little to describe, and not half of the victims will ever be identified.

The Philadelphia and Reading railroad offered help and soon had wt carloads of laborers and carpenters on the ground. Work of recovering the bodies then moved rapidly, the victims being taken from the ruins at the rate of two every five minutes.

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RATE LAW BEING CONTESTED.

MONTGOMERY, Ala., Jan. 14.—The contest between the state and the railroads over the new rate laws did not advance further yesterday in the United States court than the fixing of hours and dates for the hearing of arguments, which will begin today.

It was agreed that the opening argument this morning would be delivered by Former Congressman Sidney J. Bowie. Former Senator John C. Spooner will deliver his argument well down the line of speakers possibly on the last day.

The state's attorneys ask in their motion that a temporary injunction or restraining order be dismissed pending an investigation on the merits of the case.

NEVADA LEGISLATURE BUSY.

GOLDFIELD, Jan. 14.—A special to the Chronicle from Goldfield says that the indications are favorable for immediate action by the legislature providing for the establishment of a state police on the lines of the military, or extending enlarged powers to the civil authorities. President Roosevelt will be petitioned to retain the troops in Goldfield for the present and a recommendation is to be made for the establishment of a military post in Nevada.

CARSON, Nev., Jan. 14.—A conference

of the members of the Senate is being held to consider a bill for the relief of the Goldfield situation. It is proposed to frame a bill similar to the Pennsylvania constabulary law. The measure will call for the appointment of a state warden with power to appoint deputies in time of need. The warden is to be appointed by the Governor.

THE ASTORS AGAIN IN SOCIETY.

NEW YORK, Jan. 14.—For the first time in three seasons the ball room in the residence of Mr. and Mrs. John Jacob Astor on Fifth avenue was thrown open last night, a theatrical entertainment being given there to about 500 guests. Previously there has been a dinner at which fifty persons were present. Arnold Daly and his company furnished the theatrical part of the entertainment presenting the two one act plays, the "Van Dyke", and "The Shirkers". For two years Mrs. John Jacobs Astor has been in mourning following the death of her father, Edward S. Willard and has entertained but little.

FRIENDS PROFESS CONFIDENCE.

FRANKFORT, Jan. 14.—Despite the results of today's balloting, Beckam's friends profess confidence that he will be returned State's Senator on the next ballot.

The Republicans practically concede non-Republican can win, but predict an anti-Beckam Democrat will be ultimately chosen. From the neutral point the view looks as if a deadlock exists which cannot be broken for several weeks.

BUCONIC PLAGUE STAMPED OUT.

SAN FRANCISCO, Jan. 14.—The campaign for the eradication of the bubonic plague in San Francisco is almost over. Only one case of plague has occurred since December 28, and it was a Japanese who was taken ill after arriving from Contra Costa, where he is believed to have contracted the disease. The local health authorities announce no further daily plague bulletins will be issued.

SENATOR AND FRIEND IN JAIL.

COLUMBUS, O., Jan. 14.—The supreme court today sentenced former Supreme Court Clerk Lawson E. Herson to 10 days in jail and State Senator Austin, of Toledo, to 10 days in jail and \$100 fine in connection with the charge of securing the later's certificate to practice law in this state without proper examination.

UNIFORM DEMURRAGE RATES.

HELENA, Mont., Jan. 14.—The State Board of Railroad Commissioners today adopted uniform demurrage regulations for the entire state, effective February 8. On ordinary shipments, two days are allowed, but on coal, lumber and precipitates, three days are given. The penalty is graduated from \$1 to \$2 a day after the first five days.