

DEAL IN BOYER TOWN THEATER FIRE MAY NUMBER 170

ROBE GUILTY OF MURDER IN FIRST DEGREE JURY CONVICTS ACCOMPLICE OF MESKIL PRISONER RECOMMENDED TO MERCY OF COURT

Verdict Brought in After Four Hours' Deliberation and Time for Sentence Fixed for Saturday Next

As he occupied his little iron-barred cell in the county jail last night Rolla Robe, the accomplice of Daniel F. Meskik, looked into the future and his dark mind there was pictured the grim, forbidding walls of the state prison, where the balance of a life which has passed but twenty-two years on this earth must be spent, far from the loving wife and child who have sat with him day by day in the crowded court room endeavoring to aid him in his trial or cheering the last few hours of comparative liberty.

Both Sides Argue The day in court was taken up with argument for and against the prisoner. Deputy District Attorney Edward J. Fleming addressed the jury first. He told the twelve men they must weigh the evidence brought forth regarding the movements of the defendant on the night of November 29, and explained to them that he and they were acting as servants of the county. Referring to the prisoner's wife and baby, he declared that if the jury did not enforce the law because of a childish sentimentality and liberty would not be safe in the community.

Mr. Fleming gave statistics to show that there were more murders committed in Chicago in 1906 than in either London or Paris, with the largest populations, and said the reason was because the law is enforced in the British isles and in France.

There has been interjected in this case an incident, declared Mr. Fleming, "for the purpose of arousing sentiment. This little child that has been toddling around the room was brought here for that purpose, and the child is not the offspring of Rolla Robe."

Mr. Fleming declared a look over the audiences in all great cases would show faces of men who are murderers at heart, who are there to learn whether the accused are in their largest majority. He said the police are easy or whether the jury is influenced by mawkish sentiment.

It is no defense for a person engaged with another in robbery to say that he did not intend to kill. The defendant is either guilty of murder in the first degree or he should be given his freedom."

Mr. Fleming reviewed the evidence in detail and rebuked the idea that Robe could not find employment after living nineteen years in Los Angeles if he had lived an upright life. He declared the evidence proved that Robe had engineered the robbery of the Garleman grocery.

COUNT BONI ADMITS HE SPAT IN PRINCE DE SAGAN'S FACE Castellane and His Brother Appear in Court to Answer Charge of Assault Preferred by Cousin

By Associated Press. PARIS, Jan. 14.—Count Boni de Castellane and Count Jean de Castellane, his brother, appeared in court today to answer the charge of assault brought by Prince Helle de Sagan, their cousin.

Count Boni admitted that he had spat in his cousin's face, but only after provocation. Owing to the absence of the count's attorney further hearing was postponed until February 4.

RAILROAD COMMISSION WILL ACT REBATING TO BE CONSIDERED BY BOARD Action of Southern Pacific and Santa Fe, Which Have Confessed to Favoring Certain Shippers, Will Be Considered

By Associated Press. SAN FRANCISCO, Jan. 14.—Members of the state railroad commission met here today for the purpose of taking up the matter of rebating by the railroad companies on shipments that are confined to the state.

The Southern Pacific and Santa Fe companies, through their traffic officials, have confessed to the interstate commerce commission that they have been in the habit of granting rebates on continuous shipments inside the state lines, and the interstate commerce commission has been unable to put a stop to the practice.

The California railroad commission sees no way to punish the companies for these acts and has asked Attorney General Webb for an opinion as to the way to proceed to put a stop to the practice.

The attorney general will prepare an opinion to be presented to the commission later. The matter of allowing shippers the right to argue against any contemplated change in rates, and the matter of demurrage on cars held by shippers, will also be considered by the commission.

Summary of the News FORECAST For Los Angeles and vicinity: Clearing, colder Wednesday; brisk west winds. Maximum temperature yesterday, 61 degrees; minimum, 49 degrees.

LOCAL Marian K. Marvin loses her suit for \$75,000 in slander case. Is awarded \$1. Legal battle for possession of baby ends in favor of father. Rolla Robe convicted by jury of murder in first degree. Must serve life term. Maie Bennett, fiancée of George Bennett, faces rival on witness stand. Three Mexicans charged with libel arrested and held in city jail. Frightened team is stopped by patrolman. Long Beach man invents process to reclaim arid lands. Maniac at receiving hospital attacks attendant but is overpowered after terrific fight. Wife applies for complaint charging husband threatened life. Harbor needs discussed by government engineers during meeting at San Pedro. Inquest held by coroner's jury over body of street car robber, and men who killed highwayman are commended.

WITNESSES TERM THAW A MANIAC TEACHER AND NURSE SAY LAD WAS IRRATIONAL

INSANITY HEREDITARY IS ASSERTION Jerome Has Portion of the Evidence Barred on Ground That Knowledge Was Gained in Professional Capacity

By Associated Press. NEW YORK, Jan. 14.—The attorneys for Harry K. Thaw at his trial today began relentlessly to build up the case of legal insanity which they have interposed in his behalf as a defense for the killing of Stanford White.

The two principal witnesses of the day were Prof. Charles H. Koehler of Winona, Minn., who acted as instructor to Thaw in the Woodstock, Ohio, university in 1888, and Mrs. Amy Grossette of San Mateo, Cal., who attended Thaw as a trained nurse at Monte Carlo in 1897.

Both told of the young man's eccentricities and declared that his manner always was irrational. Dr. John T. Deemar of Kiltanning, Pa., one of the Thaw family physicians, also was heard, as were the attendant physicians of three institutions for the insane, where members of the Thaw family, of both the paternal and maternal sides, were confined.

Jerome Scores Point District Attorney Jerome, by unexpectedly invoking the sacred privilege of physicians and patients, blocked much of the testimony as to the insanity of Thaw in the Thaw family, but the calling of witnesses and the questions they were allowed by the court to answer, left the desired impression upon the jury.

Mr. Jerome explained that 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 the doctor had made a waiver of the confidential privileges in open court.

Dr. Deemar was the first witness called to the stand today. Dr. Deemar testified that he treated Harry K. Thaw for St. Vitus' dance and mania. He repeated this testimony and told also of attending members of the Copley family, the mother's branch of the defendant's antecedents. Dr. Deemar said a brother of the elder Mrs. Thaw became an imbecile.

Allienists Present Dr. C. G. Wagner of Binghamton, N. Y., and Smithy Jelliffe, two alienists of the defense, were present. Dr. Deemar was asked as to the present mental condition and whereabouts of John Ross, a paternal cousin of the defendant, but District Attorney Jerome objected on the ground that the doctor obtained his information while acting in a professional capacity and it would require a waiver from his client before he could testify.

Justice Dowling sustained the objection over the protest of Mr. Littleton. On cross examination District Attorney Jerome drew out the fact that Henry Copley, while incapacitated for legal work, was never confined in an asylum.

MYSTERIOUS LOAN MADE BY OIL TRUST William G. Rockefeller Examined by Government Regarding Millions Obtained by Barnsdale, Supposed Secret Buyer

By Associated Press. NEW YORK, Jan. 14.—More than 99 per cent of the oil business in Colorado, Wyoming, Utah and New Mexico is controlled by the Standard Oil company, according to testimony adduced today at the hearing of the government's suit to dissolve the corporation.

Wife Hears Thaw Branded as Madman



MRS. EVELYN NESBIT THAW. Posing for picture painted by Stanford White, who later was killed by Harry Thaw. This painting, in part, caused the jealousy of Thaw which later led to the killing of the noted architect

800 MEN, THINLY CLAD, MARCH THROUGH NOW SEARCHING FOR WORK Army of Unemployed Call on Mayor of St. Louis and Ask Him to Relieve Their Suffering

By Associated Press. ST. LOUIS, Jan. 14.—Hungry and out of work, 800 thinly clad men marched through the snow and cold to the city hall today seeking Mayor Wells in order to make application for his assistance in securing employment.

Mayor Wells assured the men that he would do all in his power to give them employment and after their departure instructed Street Commissioner Travilla to prepare an ordinance calling for an appropriation of \$10,000 for street work.

U. S. MAIL WAGON LOOTED BY ROBBERS Driver Beaten on the Head Until Unconscious—Registered Sacks Cut and Contents Taken

By Associated Press. MARYSVILLE, Cal., Jan. 14.—The United States mail wagon carrying the mail between the Marysville postoffice and the Southern Pacific depot was held up this morning at 3:30 o'clock, the driver, R. W. Harwood, beaten until insensible, and the registered mail stolen, the sacks being cut.

Over \$500 in money was taken. Harwood drove out in the street, the main thoroughfare of the city, and when at the corner of Sixth street, opposite the county courthouse a man stopped him and asked for a ride. Harwood thought he wanted to ride to the depot and let him get on the wagon. After going half a block, the man said: "Let me look into your eyes."

Harwood looked into his face and was confronted with a revolver. At the same time another man grabbed hold of the reins, turned the horse up an alley back of the courthouse, stopped directly in the rear of the city marshal's building, pulled Harwood from the seat, and beat him over the head with a revolver.

Continuation until next Monday was granted, at the request of the prosecution, of the bribery cases against Patrick Callahan and other officials of the United Railroads, which came up before Judge Lawlor this morning.

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TOWN DAZED BY TERRIBLE CATASTROPHE



ENTIRE FAMILIES LOST IN DISASTER BODIES OF THE DEAD BURNED BEYOND RECOGNITION

Hardly a Person in Village Who Has Not Lost a Relative—Deeds of Heroism Seen During Progress of Blaze

By Associated Press. BOYERTOWN, Pa., Jan. 14.—When nightfall put a stop to the work of recovering the dead from the ruins of the Rhoades opera house, where last night's holocaust occurred, the official roll of victims numbered 176. Whether any more bodies are buried beneath the ruins cannot be positively stated, but it is the belief of those who have charge of the gruesome work that all of the dead have been removed and that the total list of victims will not go over 170.

The ratio of women and girls to men and boys is about equal. Work of identification will not begin until tomorrow, as most of the bodies are still lying in a confused state at the four improvised morgues.

Town Paralyzed The population of the place is about 2500 and the 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.

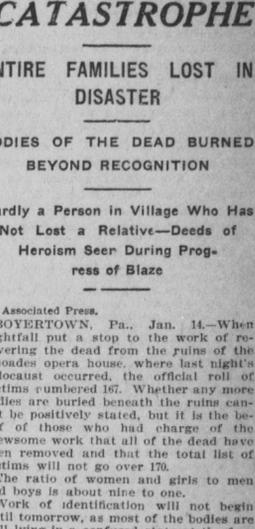
It was almost daylight this morning before the flames were extinguished and rescuers were able to enter the ruins to remove the dead.

The morning was bitter cold and by the first light 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.

The work was slow at first and it was 7 o'clock before the first body was removed. Coroner Strasser of Reading, who reached the scene shortly after midnight last night, had a detail of men ready to tag the bodies and keep a record of the description of every corpse removed. The bodies were so badly burned, however, that there was little to distinguish them by, and half of the victims will never be identified.

Railroad Sends Aid The Philadelphia and Reading railroad offered men to help and soon had two carloads of laborers and carpenters on the ground.

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