

WROTE TO WHITE
AFTER PROPOSALJerome Brings Out Interesting
Testimony at Beginning of
Cross Examination.GRUELLING ORDEAL
STARTS FOR MRS. THAWFinishes Her Story Yesterday
Morning and Jerome Begins
on Wife of Defendant—Del-
mas Tries to Protect Her.

By Associated Press.

NEW YORK, February 19.—Mrs. Harry Thaw entered on the ideal of cross examination today and before Jerome had the witness in charge a half hour he had severed from the court a hearing which apparently opens the way for the bringing into the trial of all manner of evidence which may tend to discredit the defendant's wife. It has heretofore been held that the rules of evidence protected Mrs. Thaw and that regardless of whether her story is true or false, the fact that she had told it to her husband was the one essential point.

Mrs. Thaw had been allowed to repeat the story so that the jury might judge as to the effect in unbalancing the mind of the man on trial. Jerome by a simple question opened the way for the introduction of the testimony tending to show the truth or falsity of Mrs. Thaw's story. He asked the witness:

"Was the story you told Thaw true?"

"It was," she replied firmly.

Delmas, Thaw's leading counsel, objected strongly to the question, but the judge held it to be competent as tending to show the credibility of the witness.

Will Continue Fight

Delmas will continue to fight with constant objections the introduction of any testimony as to any events in the young woman's life, but the subject of the credibility of the witness is a wide one and Judge Fitzgerald indicated that he would be liberal in his interpretation of the rules. He allowed Jerome to secure from Mrs. J. J. Cain of Boston, a friend of Mrs. Thaw, who took the witness stand during the morning session, many material points as to the movements of Thaw and Evelyn Nesbit, following their return from Europe, including the published incident of their being ejected from the Hotel Chamberland in this city, the proprietor insisting that they should register as man and wife or leave their suites, which adjourned.

In bringing out these facts Jerome denied that he was attacking Mrs. Thaw and said he was simply testing the credibility of Mrs. Cain.

The district attorney seemed reluctant to begin the cross examination of Mrs. Thaw today, desiring to have the matter postponed until Thursday in order that he might determine whether further examination of the witness was necessary on the issues involved in the case.

Nervous at Opening

Mrs. Thaw nervously awaited Jerome's opening questions. They had to do with her signing of papers, some of which the prosecutor declared were receipts for money which Mrs. Thaw had drawn from the Mercantile Trust company in 1902, 425 a week. Delmas protested and Mrs. Thaw said she was not sure all the signatures were her own.

Who provided the money was not developed.

Mrs. Thaw's confidence grew as the cross examination went on and she was always ready with her answers. Jerome, under the plea of testing her credibility, was allowed to ask many pertinent questions. He wanted to know when she first heard that she had been named as a co-respondent in the George W. Leifer divorce case.

Ready for Jerome

Delmas quickly objected. Mrs. Thaw whispered something in the ear of the attorney, who withdrew the objection.

"I read it in the newspapers," said the witness, cheerily, when Jerome repeated the question. The prosecutor sought to show that Mrs. Thaw had gone to Lawyer Abe Hummel for advice with regard to the divorce proceedings, but was halted by an objection from Delmas, which the court sustained. Justice Fitzgerald said the question had nothing to do with Mrs. Thaw's story to her husband and did not affect her credibility.

Had Written to White

Jerome brought out that Mrs. Thaw had written to Stanford White from Boulogne after Thaw had proposed to her in Paris.

"Did you also cable White?" he asked.

Witness could not remember.

The cross examination had barely gotten into full swing when adjournment for the day was ordered. Mrs. Thaw will resume the stand tomorrow and indications are that she may be kept there throughout the day.

Jerome and Delmas Sore

The district attorney's decision to subject Mrs. Thaw to cross examination against her color to the rumors that Jerome still contemplates moving for an appointment of a commission in the army to test Thaw's present state of mind. Now that he has entered on the cross examination he seems determined to make it a thorough one.

There were evidences during the af-

ternment of ill feeling existing between Jerome and Delmas. The latter intends to protect Mrs. Thaw in every possible way. He moved from his accustomed place at the table to a chair within the rail, where the district attorney sits.

"Pie Girl" Again

In completing her direct testimony Mrs. Thaw told of conversations she and her husband had regarding the fate of young women at the hands of White. One of these was known as the "Pie Girl." She was 15 years of age and wore only a gauze dress when she sprang from a big pie at a stag dinner given by White.

The witness declared that May McKenzie told her that White, when told that she and Thaw were very happy together, had remarked, "Pooh, it won't last. I will get her back."

White's Den Described

Thaw's letter to Anthony Comstock describing the house or study where he declared White or other scoundrels had lured girls, was read. Among the places described was the house at West Twenty-fourth street, where the velvet swing and the mirrored bedroom were located. Mrs. Thaw identified forty-two letters which she said were in the handwriting of White. They were not offered in evidence, but Delmas later will try to get them into the case.

Grilling the Witness

During the cross examination Jerome asked:

"What day did you return from Europe?"

"I don't remember exactly."

"Would it assist your memory if I showed you the hotel register?"

There was no audible answer.

"When you refused Thaw in Paris did you tell your mother?"

"Yes."

"Did you love him enough to have married him had it not been for the event in your life which you related here?"

"Yes."

"There was no other reason for your refusal?"

"No."

"You were not thinking of marrying anybody else?"

"No."

"Your mother was careful of you when in Philadelphia?"

"Yes."

Posed for Men

"You posed only for women artists?"

"There were three men."

"I now show you what purports to be the register of the Hotel Savoy, under date of October 24, 1903. Is that your signature—Evelyn Nesbit and maid, Paris?"

"Yes."

"Does that refresh your mind? Does that remind you that you arrived on that date?"

"Yes."

Jerome here read extensively from Mrs. Thaw's direct testimony, especially with reference to the visits she made with White to the photographer.

"You fixed date of your ravishment by reference to this visit to the photographer, did you not?"

Objection Overruled

Delmas objected. He said the question related to an event which had nothing to do with the story she had told her husband.

Jerome took another tack.

"You were photographed on a polar bear, were you not?"

"Yes."

"Did you pose in a kimono with your chin resting on the head of the polar bear?"

"Yes."

"How many poses were there?"

"I don't remember."

All Modest Poses, Too

"They were all modest, decorous poses, which no one could take objection to?"

"Yes."

"These things you told Thaw as having occurred at the hands of White are true?"

Delmas sprang to his feet with an objection.

"The truth or falsity of her statements go to her credibility as a witness," said Justice Fitzgerald. "She may answer."

"Were those statements true?" repeated Jerome.

"They were," was the firm reply.

CITY BUSTERS IN
HARNESS AGAINSuit Filed in District Court for
Disincorporation of City
of Globe

Quo warranto proceedings were instituted in the district court yesterday for the disincorporation of the city of Globe, suit being filed in the office of the clerk of the court. The suit has been promised for several weeks, as it was known that a subscription was being taken to pay an attorney to effect the disincorporation.

The attorney who will appear for the "busters" is F. C. Jacobs and the principal points in the complaint are that there were nineteen petitions for incorporation tacked together and presented to the board of supervisors instead of one and that the town council in resolving itself into a city did so illegally.

District Attorney Stoneman will appear to defend the action of the board of supervisors when the case comes to trial and City Attorney Hill will defend the legality of the course taken by the council. Both of these attorneys are confident that the city will come out the victor and welcome the contest as one which will settle for all time the legality of the present incorporation.

GLOBE KNOCKERS
ARE IN PHOENIXTry to Prevent Passage of
Hunt's Bill Validating Incorporation
of This City.COUNCIL PASSES
NEW PRISON BILLProvides for Commission of
Five to Select Site—Crenshaw's Railroad Bill Does
not Interfere with Rates.

Special to the Silver Belt.

PHOENIX, Ariz., February 19.—Some malign influence is apparently working against Council Bill No. 46, introduced by Councilman Hunt of Gila county, to validate the proceedings attending the incorporation of the city of Globe. The bill has been in the hands of the judiciary committee for almost the ten-day limit and the committee seems disposed to investigate further the representations made by persons from Globe who are opposed to the incorporation of that city.

Little Business Done

No really new legislation was attempted today and the only bill passed by either house was that of Councilman Scott, compelling railroad trains to stop for at least three minutes at county seats. Both houses had brief sessions today and only two matters of unusual importance transpired.

Contrary to expectations the council took early action on the prison commission bill. The committee on territories reported a substitute for the house bill increasing the membership of the commission from three to five and passed it under a suspension of the rules.

There was little opposition, only four votes against, those of Dickerman, Hunt, Weedon and Roemer, two of whom had been in favor of passing the house bill the day before. There is said to be no doubt that the house will early accept the substitute and the governor will appoint the commission within a few days in order that action may be taken by the present legislature.

Railroad Legislation

Bell's railroad tax exemption bill was overwhelmingly defeated in the house this morning by a vote of 18 to 5, although the real sentiment was 21 to 2.

The new railroad commission bill introduced by Crenshaw does not propose, as a pending bill, to exert any control whatever over the roads or interfere with rates, but to investigate complaints and make reports of its findings to the interstate commerce commission.

JAPANESE FLEET
IS IN HONOLULUTraining Squadron Arrives in
American Waters and Is
Given Welcome

By Associated Press.

HONOLULU, February 19.—The Japanese training squadron, consisting of the cruisers Matsushima, Hashidate and Iwashima, arrived here today. This morning Admiral Tomioka from the flagship Matsushima communicated his approach by means of wireless telegraph. Rear Admiral Avery replied in welcome. Hundreds of sampans went outside the harbor to greet the squadron.

As the Japanese warships entered the harbor a national salute was fired. The admirals then exchanged salutes and the Japanese vessels docked at the naval wharf.

This afternoon official visits were exchanged. All shipping in the harbor is decorated, American and Japanese flags floating everywhere. Five thousand Japanese in holiday attire were on the harbor front awaiting the arrival of the squadron. While their welcome was not demonstrative, it was none the less enthusiastic and hearty. Calls between officers of the squadron and Governor Carter will be exchanged tomorrow. Much entertainment for the officers and men has been provided by Americans and Japanese.

The cruisers have been painted lead color. After remaining a week, they will proceed to Australia.

BANDED TO KILL
CLAIM JUMPERSWitness in Steve Adams Trial
Tells of "Jumper Killers
Association"

By Associated Press.

WALLACE, Idaho, February 19.—A story of crime and conspiracy that rivals the days of the Ku Klux Klan was unfolded today at the trial of Steve Adams, when Archie Phillips,

Fred Tyler's neighbor and friend, told of the "Jumper Killers' Association," a secret society supposed to have been formed by men living in the woods along Marble creek in the spring of 1904. The purpose was supposed to be the killing of later settlers, who jumped the timber claims of some of the earlier arrivals.

Phillips said he left the district after Tyler was killed. It got too hot for him and he was afraid to remain, he said. About a week after Phillips left his cabin was blown up by dynamite, destroying about \$300 worth of supplies.

Asked if he thought Adams and Simpkins had blown up his cabin, Phillips said no, but he said the Jumper Killers' association employed men to do the work. Phillips testified that Tyler stopped at his house for supper the night before he disappeared. He told Phillips that he was afraid to stay in that region as it was getting too hot for him, and he was going to leave.

Cross examination failed to shake Phillips' testimony.

S. P. ENGINEER IS
BLOWN TO PIECES

By Associated Press.

HOUSTON, Texas, February 19.—A freight engine on the Southern Pacific blew up while taking water at Strang today. Engineer George Merchant was blown to pieces and Fireman Elliott seriously injured.

PENNSYLVANIA ROAD
SELLS SIXTY MILLIONS

By Associated Press.

NEW YORK, February 19.—The Pennsylvania Railroad company today announced that it has sold sixty millions in three year, 5 per cent notes. Also that the proposed increase of a hundred millions each in bonds and stock which the stockholders will be asked to subscribe will not be used this year.

INDICTMENT FOR
GREAT NORTHERNFederal Grand Jury Finds Bill
Against Road for Giving
Rebates—More Coming

By Associated Press.

NEW YORK, February 19.—The federal grand jury today indicted the Great Northern railway on charges that in 1904 it paid \$10,000 in rebates on sugar shipments to Lowell M. Palmer, traffic agent for the American Sugar Refining company. The second count charges that \$4,554 additional rebates were paid Palmer by various railroads in conjunction with the Great Northern. The indictment charges that the Great Northern effected a freight combination with the Lehigh Valley, New York Central and New York, New Hampshire & Hartford railroads, the through route of the last named being taken up in combination with the Erie, Great Northern Steamship company and the Great Northern, whereby sugar was transported from New York and Boston to Sioux City, Iowa, at less than the published tariff rate.

Later, the indictment charges, it was 52 cents per 100, but through the agreement alleged to have been made by Alonzo W. Lake and A. W. Steel, agents of the Great Northern, and Lowell M. Palmer, agent of the American Sugar company, it is charged that the sugar company was granted a through rate on sugar between the points named of 33 cents per 100 pounds.

It is understood that the general counsel of the Great Northern have been notified of the indictment and will within a few days present themselves for pleading. It is reported more indictments will follow.

NO DECISION ON CANAL
CONTRACT UNTIL MARCH 1

By Associated Press.

WASHINGTON, February 19.—The president told a number of contractors who are associated with W. J. Oliver in the bid for the construction of the Panama canal that a decision of the matter would not be reached before March 1.

ANTI-CORPORATION
CONVENTION PLANKS

By Associated Press.

GUTHRIE, Okla., February 18.—The constitutional convention today adopted the second report of the committee on corporations providing for the election of a railway commissioner, prohibiting mergers of properties of transportation companies operating parallel lines and limiting the issuance of free passes and franks. The railroad ownership of mines and other agencies of production is another matter which comes under the ban of the legislation.

MEXICAN MINE VICTIMS
ARE MOSTLY JAPANESE

By Associated Press.

LAS ESPERANZAS, Mexico, February 19.—Up to 5 o'clock this afternoon fifty-four bodies had been recovered from Mine No. 3 of the Mexican Coal & Coke company. Eleven of the injured are in the hospital and two of the number are fatally hurt. Of the fifty-four bodies already recovered, thirty were Japanese. The dead, it is estimated, will number between sixty and eighty.

SMOOT SPEAKS
IN OWN DEFENSESupported by Dillingham of
Vermont in Analytical Argu-
ment on Evidence Heard.OVER HUNDRED MILLION
FOR NEXT YEAR BUDGETSeven Million Less than Approp-
riations for the Year 1907
—Hot Debate on Postoffice
Bill in the House.

By Associated Press.

WASHINGTON, February 19.—Senator Smoot's address to the senate today in defense of his position as senator was the feature of the session. He was supported by Senator Dillingham of Vermont in an analytical speech of the evidence which has been submitted to the senate.

The senate spent several hours in further consideration of the forestry provisions in the agricultural appropriation bill with the result that several amendments were agreed to which restrict operations of the bureau in several respects. This section of the bill had not been completed when a recess was taken for the evening session.

The senate held a three-hour session tonight. Three hundred private pension bills and a half hundred private claim bills were passed. Other bills passed, included an act authorizing the incorporation of the National German American Alliance; providing for the completion of the monument to American soldiers who fell in the battle of New Orleans, at Chalmette, La., and one creating a customs district in Arizona.

President Roosevelt sent to the senate tonight the original copy of the new Santo Domingo treaty.

Criticism Forestry Bureau

Discussing the agricultural appropriation bill in the senate today, Aldrich said he had been informed that 1,656 employees had been taken into the government service by the department of agriculture since the present session of congress began.

Senator Proctor admitted that very many employees had been admitted to the force of the department but additions have been necessary to enforce the pure food and meat inspection laws.

Clark made a successful war on the senate amendment, which he declared would permit officials of the forestry bureau to travel from the north pole to the southern cross at the expense of the government. In this connection he gave instances where the chief forester had gone to the far west and "rounded up" two conventions of cattlemen with eighteen forest rangers, whose traveling expenses and hotel bills the government paid. He also charged them with attending political conventions and state legislatures and with general activity of that character at the government expense. He asserts that while his confidence in the chief forester and the secretary of agriculture was unbounded, he believed under the terms of the amendment that the \$2,000,000 proposed to be appropriated for this bureau might be used to pay traveling expenses. The proposed amendment was voted out of the bill.

In the House

Today the house resumed consideration of the postoffice appropriation bill. Shortly after the reading of the post-

office budget begun Mr. Macon of Arkansas made a point of order against the paragraph increasing the pay of clerks in the first and second class post-offices and carriers in the city delivery service. A spirited dispute ensued between Mr. Macon and Mr. Fitzgerald of New York, wherein the latter gave notice that he would see a point of order made against the section providing for an increase for rural carriers. Mr. Macon refused to abandon his position and the chair sustained the points of order.

Many Appropriations

Appropriations aggregating \$104,131,540, carried in the bill providing for a hundred civil expenses for 1908 were reported to the house today by the committee on appropriations. The amount carried by this bill for 1907 was \$111,146,884. The committee failed to include the clause preventing the sale of beer at the national soldiers' home after March 4, and it is believed that the house will add the provision when the measure is taken up on the floor.

The appropriation for isthmian canal construction is \$24,879,000. For this purpose \$25,456,415 was appropriated last year. The next largest item is an appropriation of \$14,254,752 for the construction of public buildings including marine hospitals and quarantine stations.

Where Money Goes

Other large items are: Department of agriculture building, \$250,000; enforcement of anti-trust laws, \$250,000; armories and arsenals, \$636,093; enforcement of Chinese exclusion act, \$500,000; expenses collecting customs, \$3,800,000; engraving and printing, \$3,122,131; fish commissions, \$698,060; homes for disabled volunteers, \$4,476,543; homes for soldiers in states and territories, \$1,175,000; life saving service, \$2,000,000; lighthouse beacons and fog service, \$1,158,400; lighthouse establishments, \$4,340,000; to carry out convention with Mexico, \$1,000,000; artillery and coast defense, \$1,250,000; new building for national museum, \$1,250,000; public health, marine hospital service, \$1,162,750; public printing and binding, \$5,325,000; revenue cutter service, \$2,040,087; river and harbor work authorized by law, \$4,657,656; expenses United States courts, \$6,507,020.

IS KILLED BY MARSHAL
WHILE RESISTING ARREST

By Associated Press.

BERKELEY, Cal., February 19.—Charles Moller, wanted for the shooting of S. H. Jensen of Alameda, was killed tonight by Marshal Vollmer of Berkeley just over the Oakland city line. Moller refused to surrender when the officer called to him and instead drew his revolver, firing one shot. Vollmer opened fire and sent two shots into Moller's body. Death was instantaneous.

No More Race Dope

By Associated Press.

JEFFERSON CITY, Mo., February 19.—The senate today passed a bill prohibiting newspapers of the state from publishing entries or results of any horse race. The publication of this matter in pamphlet or other form is also prohibited.

WASHINGTON LUMBER
TRADE AT STANDSTILL

By Associated Press.

BELLINGHAM, Wash., February 19.—Not a car of lumber has been loaded in northwest Washington for shipment for the east for the past thirty days. Eighty-five per cent of the mills in northwestern Washington are closed down and it will be at least thirty days before the railways can furnish relief.

The Weather

By Associated Press.

WASHINGTON, February 19.—Forecast for Arizona: Fair Wednesday and Thursday.

ALBERT SIEBER
CROSSES DIVIDEMost Famous of Gila County
Citizens Accidentally Killed
at Roosevelt Yesterday.CRUSHED TO DEATH
BY HUGE BOULDERVeteran of Civil War and Most
Noted of All Indian Scouts in
Arizona — Body Will Be
Brought to Globe Today.

By Associated Press.

Al Sieber, Civil war veteran and noted Indian scout, was instantly killed yesterday morning at Roosevelt by being crushed to death by a huge boulder. The news reached Globe shortly after the accident and much regret was expressed among the old timers, especially that this hero of many battles should have finally met his death in such a manner. Sieber, who was in charge of a gang of Indians, had set them to undermining a big rock which weighed several tons, on the Tonto road above the government dam, called the "high line." The rock became loosened and started rolling down hill. The Indians made their escape, but Sieber, who was crippled, could not get out of the path of the boulder in time, and was caught by the big rock and his life crushed out.

Albert Sieber was 63 years of age and a native of Germany. He came to the United States when a boy and at 17 years he enlisted in the First Minnesota Volunteer Infantry, his enlistment dating March 3, 1862. He participated in many of the principal battles of the war and was wounded at Gettysburg, being struck in the head by a piece of shell, and was also shot in the leg. He was mustered out July 15, 1865, after which he returned to Minnesota.

Mr. Sieber came west in 1870 and went into the government service as scout and guide July 1, 1871, and was employed continuously in the government service until the fall of 1891, as guide, Indian interpreter and chief of scouts.

At San Carlos agency on June 1, 1887, Mr. Sieber in an attempt to disarm recalcitrant Indian scouts at the order of Captain F. E. Pierce, the acting Indian agent, was badly wounded. The scouts had left without permission to attend the funeral of an Indian who had died and the agent had ordered their arrest. Sieber, who was chief of scouts, and a posse attempted to arrest the scouts, when they opened fire. Sieber was the only one wounded, being shot through the right leg. The bone was badly shattered and four inches of it was subsequently removed. As a consequence he was permanently crippled and incapacitated for further service of a strenuous nature.

Among the Indian scouts who rebelled that day was one who later became known as the Apache Kid, a notorious Indian outlaw.

In Many Campaigns

Mr. Sieber served in many of the famous Indian campaigns under Generals Crook, Miles, Wilcox, McCook and Grierson and participated in some of the fiercest battles with the Indians who were arrayed under Geronimo, Nathech, Jhu, the Kid and other hostile Apache leaders. He was a man of great bravery and physical endurance; he spoke the language of the several Apache tribes and gained the reputation of being the best chief of scouts who ever served in Arizona.

Since quitting the service of the government the deceased lived almost continuously in this county, engaged for the greater part of the time in mining. He was for years associated with Dan R. Williamson and others in the ownership of the Del Shay property on Tonto and the property now owned by the Arizona National Copper company on Pinto creek, subsequently disposing of his interests. For the last two years Sieber was in the employ of the reclamation service at Roosevelt.

Made Famous by Writers

Al Sieber was made famous as an Indian scout outside of the army records. He was a favorite subject for newspaper men and magazine writers who came to Arizona, and his history, photographs and some of his thrilling experiences have appeared in many of the leading periodicals. He is also mentioned in several of General King's stories of army and frontier life.

Undertaker Fred Jones, accompanied by Al Williamson, left yesterday afternoon for Roosevelt and the body will be embalmed and brought to Globe today to await word from a sister of the deceased as to the disposition of the remains. The address of Mrs. Louise Taylor, who resides in Minneapolis, was obtained from letters in Sieber's trunk yesterday and telephoned to County Treasurer Dan Williamson, who wired the sad news to Mr. Sieber's sister.

REQUISITION FOR
WATERS PIERCE MAGNATE

By Associated Press.

JEFFERSON CITY, Mo., February 18.—Requisition was received here today from the governor of Texas for H. Clay Pierce of St. Louis, president of the Waters, Pierce Oil company, who is wanted in Austin upon the charge of making false affidavits. Governor Folk will have a hearing on the requisition tomorrow.



JOSEPH M. DIXON, MONTANA'S NEW SENATOR.

When Joseph M. Dixon becomes a United States senator March 3, he will be one of the youngest men in that body. Senator Dixon succeeds William A. Clark of Montana, the multimillionaire mine owner. He was born at Snow Camp, N. C., July 31, 1887, and removed to Montana shortly after he became of age, settling at Missoula for the practice of law. Mr. Dixon is now a member of the national house of representatives, serving his second term. Montana having only one congressman, he represents the whole state.