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GREAT BATTLE FOR THAW'S LIFE

NEW YORK, Jan. 13.—The Thaw trial moved with a rush today. After the state had presented its direct case and Assistant District Attorney Garvan had characterized the killing of Stanford White as a "premeditated, deliberate and cowardly murder, Martin W. Littleton for the defense made the opening plea for the prisoner. His promise of new evidence was sensational and held the supreme attention of all in the courtroom. District Attorney Jerome, seemingly taken by surprise, seated himself in the witness chair, the better to hear the outline of the new defense.

MARTIN W. LITTLETON.

Littleton promised to forge a chain of circumstances and to produce a line of testimony which will prove Harry K. Thaw undeniably insane at the time of the homicide. Evidence of hereditary insanity and of strange, unusual acts of Thaw not even hinted at during the first trial was related by Littleton, who said that physicians and nurses who had attended Thaw were hurrying here from Europe, and that teachers of the defendant in childhood would be on hand to give their impressions of the "wide eyed, distant boy." the girl's story as she told it to Thaw, but, careful as he was on this point, he again drew an objection from the prosecuting officer, who said:

"Mr. Littleton is now straying into a field of stuff which in my opinion will be excluded.

Again Justice Dowling sustained the objection. It was reported at the beginning of the trial that Jerome would fight this in order to exclude the testimony of young Mrs. Thaw. During Littleton's speech Thaw sat wide eyed and pallid, looking fixedly at his counsel. Toward the close he seemed rather displeased with something that was said, and, leaning forward, scribbled off a note.

Describing the killing of White, Littleton said:

"Thaw's madness, born and bred in him, had been acted on by the stories he had heard. He had gone to the district attorney with them and to Anthony Comstock. They ran in his head until, staggering among the chairs of Madison Square garden—yet not drunk—his eyes burning like two great coals of fire, unable intelligently to answer questions put to him, maniacal in the last degree, lost—lost as he was in Rome, in Monte Carlo and in London—the blind confusion of insanity overcame him and he fired. The result was not a murder, but the act of a madman, who afterward, wild eyed and irrational, cried out in his cell that he heard the voices of little children calling and proclaimed that he had but acted as an agent of providence."

DISTRICT ATTORNEY JEROME.

Thaw was called to the bar promptly at 10 a. m. Within the next few minutes Assistant District Attorney Garvan had begun to outline the case.

"The defense in this case," said Garvan, "is insanity. The material facts are admitted. Insanity, let me assur you, is not to be defined as what you or I might think. It is not what physicians or metaphysicians may tell us, or what scientists or pseudo-scientists may describe. Insanity, as we have to deal with it, has been defined by the legislature of New York. The law is wiser than we are. We must obey it and live under the law. The law says that the only person excused from criminal responsibility is he who is so deficient of reason that he does not know the nature or quality of his act; that the act is wrong. With this definition, and this definition alone, of the law I ask you to judge of all the acts of this defendant the night of June 25, 1906, which is the night on which he killed Stanford White."

Mrs. Evelyn Thaw listened to the assistant prosecutor's discussion of the actual details of the tragedy with tense drawn features. Josiah Thaw, a brother, and Mrs. George Carnegie the sister, completed the usual family group. Thaw sat with eyes fixed upon the prosecutor, his head rested upon his right hand. After describing the killing of White, Garvan declared in conclusion that, judged by any court, the prosecution believed the homicide could be explained as a "premeditated, deliberate and cowardly murder."

Littleton said there would be no attempt to invent any kind of extraordinary mania, despite the fact that District Attorney Jerome had intimated in his questioning of jurors that some such thing would be tried. He then sketched Thaw's life from the time of his birth.

On the father's side of the family, he said, a relative became insane at five years. A cousin of the father died insane in an asylum in Virginia. Harriet Alice Thaw, still on the father's side, is in an asylum in Pittsburg, suffering with delusions of persecution. Harry Thaw, a cousin, also is insane. From the father Thaw inherited his nervousness.

Saying he would like to be spared the recital of the delicate details, Mr. Littleton next told of the insanity which he said existed in the mother's family. Mrs. Thaw would come in, sick though she is, to tell her story. The attorney dwelt at length on the subject of hereditary insanity and of small chances of the boy to escape the destiny forged for him from his birth.

"His mother," continued Littleton, will tell you of the strange vagaries of the boy, whose mind at times flashed with the brilliance of a star, but at other times was wholly deficient. Her entry in the diary the day Harry Thaw came to school will tell you a 'quiet, distant, wild eyed boy came today who could not speak a word that any of us could understand.'

Littleton followed Thaw's career through other schools and said he would produce the boy's teachers, who would tell of his strange actions. As a boy Thaw traveled abroad with his parents and at Rome and Monte Carlo was under the care of physicians. The doctor who attended him at Rome and the nurse who watched by his bedside at Monte Carlo, Littleton said, would be produced as witnesses.

In Monte Carlo, with a temperature 104 degrees, Thaw got up and dressed himself while the nurse was out of the room. In London in 1899 Thaw again was under the care of a physician who is now upon the ocean to appear as a witness in the case. Thaw raved and complained of fever, wanted tons of ice placed in the room each day, but when examined had not a degree of temperature above normal. This physician declared Thaw undoubtedly insane.

Littleton was frequently interrupted by District Attorney Jerome. After his speech Littleton was asked in what manner he would attempt to prove Thaw sane at the present time if he offered such an accumulation of evidence as to progressive insanity up to the time of the killing.

"I can only say that I will cross my bridges as I come to them. A man can't ride two horses going in opposite directions at the same time," he replied.

PANAMA'S PRESIDENT LEAVES FOR HOME

WASHINGTON, D. C., December 31. President Manuel Amador of Panama, left for his home today.

President Amador has been abroad on a four-months tour of Italy and France, and was much pleased at the reception given him everywhere. On his return to America he was received by relatives at New York and Washington and dined with President Roosevelt.

President Amador is seventy-four years old and declares he does not intend to let the younger people take up the work.

FOREIGN NEWS BY CABLE

PARIS, January 21.—The statement that the Brazilian submarines were warned from Paris of a plot against the American fleet, and that the story of the plot is true, is regarded here as fantastic.

RIO JANEIRO, January 12.—Police here have been informed by the police of Paris that French anarchists have come to Rio Janeiro with the intention of destroying the American battleships. Strict precautionary measures have been adopted by local authorities.

Swinging lazily at their anchors, the American battleships early this morning seemed as though they were enjoying a well-earned rest after their run of 3000 miles and more from Trinidad. They lay under the green hills of Rio, in the shadow of Mount Corcovada, that looks right down into the city.

Soon the streets took on a lively appearance as thousands made their way down by the edge of the water, where they could watch the ships and the launches dashing in and out. A warm welcome awaited the fleet from the very moment the signal flags went up announcing its appearance, and from the first landing of the "liberty" men until anchor is weighed again Rio has much in store for those who wish to view its beauties and enjoy its bounty. Entertainments have been arranged for almost every hour of the day and some of the hours of the night as well, but the fact that Rear-Admiral Evans, commander of the fleet, is ill, is cause for the deepest regret.

The Brazilian officials deplore this the more, as they wished to make this visit the occasion of marked attention to the Americans, but Admiral Evans is suffering from rheumatism and it is feared he will not be able to appear at the festivities.

Today Admirals Emery, Thomas and Sperry, accompanied by the Captains of all the battleships, paid a visit to the Minister of Marine, Admiral Alencar, who returned the visit on board Admiral Evans' flagship Connecticut.

BANK TO CLOSE VOLUNTARILY.

CHICAGO, January 21.—The Commonwealth Trust, Savings and Union Labor Bank will soon close voluntarily. The stockholders will lose.

BANQUET TO THE OFFICERS.

RIO DE JANEIRO, January 21.—The officers of the fleet were banqueted at the palace last evening by Admiral Blanco.

NEW IMMIGRATION STATION.

WASHINGTON, January 21.—The House has passed the bill for an immigration station at Philadelphia.

TREADWELL AT LARGE.

SAN FRANCISCO, January 21.—Treadwell, the indicted banker, has been released on bail.

BLAMES TRANSPORTATION MEN.

OTTAWA, January 21.—The report of Commissioner King of the official inquiry into Oriental immigration was presented to Parliament yesterday. It blames the Canadian railways and steamship companies.

HAMILTON BANK RESUMES.

NEW YORK, January 21—The Hamilton bank with six branches, has resumed business.

THE STORK AT MADRID.

MADRID, January 21—The Queen is in expectation of an heir.

ACCUSED OF FORGERY.

HILO, January 20.—Moses Lono, accused of forging a postoffice money order, has been held to appear at the April term of the Federal Court. During his examination he accused Sam Luhiau, another pupil at the Hilo Boarding School, of having suggested the crime to him and of changing the money order. Instructions have been sent for the arrest of Luhiau, who is expected to be brought here on Wednesday from Kawaihae. Breckons and Hendry have been consequently detained here.

Realty Transactions

Harvey to Hound January 20, 1908, Hawailand and wf to T Brandt .....Ag
Akiona Vasconcellos to Maria Fernandes and hsb .....Rel
Yiu Quon and wf to any to J Alfred Magoon .....D
John Pulsa and wf to Hawn Island & Imp Co Ltd .....D
Bishop & Co to Yee Chin .....Rel
First Bk of Hilo Ld to C S Smith tr.D
C S Smith tr to First Bk of Hilo Ld.M
Carl S Smith, tr, to G J Richardson.D
First Bk of Hilo Ld to George J Richardson .....Rel
A J Lewis to W J Forbes.....Rev P A
A J Lewis to W W Chamberlain...PA
Emily Perry and hsb to Trs of Est of James Wright .....D
Fanny Strauch and hsb to Haleakala Hart .....D
Chas Shee (wi) by atty to Yim Lim Chong .....Sub P A
Annie T K Parker by gdn to Honokaa Sugar Co L
J K Sumner et al to C F Hart .....AM
Emily R Conrad and hsb to Ponahawai Coffee Co Ltd .....D
Mrs Wailua Kuhaulii to D Waiau..D
Antonia Pereo and wf to Hilo S Co.M
John H Est Ltd to Umi Kahoa....Rel
John L Blaisdell et al to Trent Tr Co Ltd .....Tr s

DIED.

KETCHAM—At Wappinger's Falls, N. Y., Jan. 6th, Mrs. Fanny Deacon Ketcham, sister of Mr. William Deacon, Mr. Henry Deacon and Mrs. J. C. Axtell.

SANTOS—In Honolulu, T. H., January 21, 1908, at 3 a. m., John E. Santos, a well known barber and formerly proprietor of the Union Barber Shop. The deceased was a member of the Lusitana Society. The funeral will take place this afternoon at 5 o'clock.

BORN.

COCKETT—In San Francisco, January 19, 1908, to Mr. and Mrs. J. C. Cockett, a daughter.

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