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THAW TRIAL NOT A GREAT DRAWING CARD

Few People Attend the First Session of the Week—Evelyn Thaw and All Other Witnesses are Excluded From the Court Room—James C. Smith the First Witness—Thaw's Mother Will Testify.

New York, Jan. 13.—There was no delay in the getaway, once the curtain was rung up today on the Thaw trial. Assistant District Attorney Garvin made the opening address for the state. Garvin's remarks were devoid of oratorical flash, and consisted of a plain statement of the killing of Stanford White, as they appeared to the state. In concluding his address Garvin said:

"We contend that the killing of Stanford White, was deliberate and premeditated murder. The responsibility under the law is absolutely apparent, that he fired three times to make dastardly deed trebly sure, and when the evidence is all in, we shall ask you for a verdict of murder in the first degree."

Thaw was plainly affected as Garvin ended and conferred nervously with Attorney Peabody.

Judge Dowling directed that the room be cleared of all witnesses,

except medical experts. Evelyn Thaw went with the others.

James Clinch Smith, a brother-in-law of Stanford White, was called. He was in the garden theatre on the night of the tragedy. He repeated his story of his conversation with Thaw just before the tragedy, substantiated as told at the first trial. He was on the stand when the court recessed for luncheon. Littleton was then conducting his cross-examination, but had not shaken his story.

"Mrs. William Thaw will testify in her son's behalf," said Attorney Peabody today. "Acting at the urgent request of Harry Thaw, she, against the advice of her physicians has decided to come to New York. She will leave Pittsburg Thursday and may be called as a witness, Friday morning."

In direct contrast to the first Thaw trial, few people, except those directly interested, were in court today.



NATIONAL COMMITTEE SUSTAINS FORAKER

Delegates to the National Convention From Ohio Districts Must be Named by Conventions, Not at Primaries—Another Knot Put Into the Ohio Political Tangle.

Washington, Jan. 13.—Ohio's district delegates to Chicago must be selected by conventions. District primaries are barred. A decision to the effect was issued Sunday from Republican national headquarters further tangles the knotted web of Ohio politics.

It will disappoint the Taft managers who have struggled everywhere for primaries and correspondingly elate the Foraker men, who have been running away from all popular vote tests.

Of course this decision has no bearing on the selection of the "big four" by a primary elected state convention, nor on the general state primary to be held Feb. 11 to select the state convention delegates. It will mean, though, that district conventions will be necessary in Cleveland for the twentieth and twenty-first districts, in addition to the Cuyahoga county primary, the mass conventions and the numerous other big tent and small side shows now being featured there.

While the decision announced yesterday is the verdict of but two members on a committee of three on call the circumstances make it seem unlikely that there will be an appeal by the Taft people to the full membership of the national Republican committee. The question passed upon

was raised by Foraker men from the eighteenth district.

The Republican convention call permits the selection of district delegates by primaries where state laws either compel or authorize this method. The Foraker contention is that the Bronson primary law does not authorize congressional district primaries. The old Baber law, passed in the '70s, authorized primaries "when any voluntary political association or party in any district, county, township or municipal corporation, etc." The language of the Bronson law is identical except that the word "district" is omitted.

Frank S. Streeter and John W. Yerkes, two members of the subcommittee on call, and the omission of "district" in the Bronson act significant of a legislative intention to deprive congressional districts of the right to hold primaries. Streeter is a strong Taft man, while Yerkes is not. The decision of Frank B. Kellogg, third member of the committee has not been received. But both Streeter and Yerkes are lawyers of standing and they, with Kellogg, framed the call and will undoubtedly be held by their colleagues on the national committee to know just what it means. A statement issued last night by Elmer Dover, secretary of the national Republican committee, announces the result as explained above.

NORTHWEST IS SWEEPED BY HEAVY SNOW STORM

Chicago and Milwaukee Suffer Heavily and Detroit is Covered to a Depth of Eighteen Inches—Wires are Down and Traffic is Delayed—Philadelphia Visited by a Thunderstorm.

Chicago, Jan. 13.—Chicago and its environs were cut off for several hours yesterday from wire communications from other points by a snow and wind storm which began before dawn and raged without a break all day. Snow continued to fall. A northeast gale drove blinding masses of wet snow before it. The warmth of the atmosphere caused the heavy flakes partly to melt and stick to whatever they touched. As a consequence, overburdened wires and poles were put out of commission in all directions,

and wire communication was at a standstill for hours.

Electric car lines to suburbs were blocked, and even the downtown quarter transportation was slow and uncertain.

The fire alarm telegraph service of Chicago was so much crippled that half the alarms received at the central station could not be communicated to the engine companies by the usual means and many delays in sending apparatus to a burning building were recorded. None of the fires resulted

seriously, however. Toward evening the system was restored and improvement was also made in the general telegraph and telephone service.

Milwaukee, Wis., Jan. 13.—A fierce blizzard swooped down on Milwaukee early Sunday and last night and continued without abatement. Telegraph and telephone wires are down in all directions and street railway traffic is paralyzed. Steam railroads report trains only slightly delayed. The weather bureau reported a fall of 16 inches of snow up to 7 o'clock last night.

Detroit, Jan. 13.—Trolley, train and telegraphic service was seriously interrupted yesterday by a blizzard that swept a large portion of Michigan.

At Bay City 18 inches of snow was reported and all the churches abandoned their Sunday services because of the obstructed roads.

In the "Thumb" district, many miles of railroad tracks are covered by enormous drifts that will likely hinder the operation of trains for several days.

Philadelphia, Jan. 13.—A heavy thunder storm passed over the city Sunday evening, bringing to a close a day marked for its warmth. The storm was accompanied by high winds and lasted nearly two hours, during which time there were several heavy peals of thunder and brilliant flashes of lightning.

According to the government weather bureau official only one such a storm has occurred in this region in any January since 1871. The single exception was on Jan. 4, 1899.

LOCAL OPTION

Will not be Affected by the Initiative and Referendum.

Columbus, O., Jan. 13.—Senator Atwell said Monday that he was satisfied the initiative and referendum bill would not interfere with the county local option bill. Both will be presented in the senate, Monday. Atwell says he is satisfied there is no truth to report that the brewers are trying to kill county local option by the initiative and referendum.

As the latter bill now stands there is no appeal from the vote of the people, the veto power being taken from the governor.

STEEL AND IRON CO. IN BANKRUPTCY COURT

Toledo, O., Jan. 13.—Involuntary bankruptcy proceedings were brought in the Federal court today, against the Norwalk Steel and Iron company. Fraudulent transfers of assets to Maine and New York companies to defraud creditors is alleged by petitioners who say the company has \$700,000

FINANCIAL BILL WILL BE AMENDED SOME

Democrats and Some Republican Senators Say the Value of Railroad First Mortgage Bonds Fluctuates too Much to be Accepted as Security for Emergency Money.

Washington, Jan. 13.—It is apparent that the Aldrich financial bill will be amended in some particulars before it passes the senate. Democrats especially, as well as some republican senators, object to the proposed acceptance of first mortgage railroad bonds as security for emergency circulation. They say that these bonds fluctuate in value too much to make them desirable as a basis of any part of the money of the country.

WILL SHOOT TO KILL

German Police Will Not be Lenient With Demonstrators.

Berlin, Jan. 13.—Fully aroused by the violence of yesterday's disorders, in which they found it necessary to fight with sabers and clubs against thousands of determined socialists and nearly as many more sympathizers, the police today served notice that further attempts at demonstrations will be met with the severest repressive measures.

Orders have been issued to the police to be prepared to fire on the crowds of demonstrators if they refuse to disperse.

DEMAND FOR WORK

Will be Made Upon New York City by the Army of Unemployed.

New York, Jan. 13.—With 125,000 men out of work and the charitable societies of the city utterly unable to extend the absolutely needed relief, the Central Federation of Labor insists that the situation among the unemployed is most desperate, and claims many people will starve to death, if something is not done at once. It will hold a mass meeting of the men out of work tomorrow night and will demand that the city at once give the men work on its public improvements.

HENRY FARNAMA WINS DEUTSCH-ARCEDEACON PRIZE

Paris, Jan. 13.—Henry Farnama, today won the Deutsch-Arcedeacon prize of 50,000 francs for completing the circular kilometre at an average height of twenty feet. His aeroplane turned with the ease of an automobile and came back to its starting place. It then arose again, took a great sweep, and landed in the aeroplane's shed.

DEPOT ABLAZE

Large Quantities of Mail are Burned at Kansas City.

Kansas City, Mo., Jan. 13.—Fire, which caused a loss of \$300,000, destroyed the annex to the union station today. The station proper was saved. The burned building contained the depot offices of the express companies, the Pullman company and the railroad Y. M. C. A. Crossed wires are believed to have been the cause.

Three hundred sacks of ordinary mail and twenty-five sacks of registered mail were consumed.

ANOTHER FAILURE IS ANNOUNCED IN NEW YORK

New York, Jan. 13.—The suspension of Robert Mac Lay and company was announced on the New York stock exchange today.

ENGINE ON THE ERIE EXPLODES; ONE MAN KILLED

Hackensack, N. J., Jan. 13.—An engine on the Erie railroad blew up early today, killing fireman O. Wagner and injuring three other men.

In one year the International Bible Reading association has grown from 8,081 to 21,341 members.

WILL TURN CUBA BACK TO CUBANS

Secretary Taft Makes His Report to President Roosevelt and Recommends That the Government of the Island be Handed Back to the Cubans in March or April of Next Year.

Washington, Jan. 13.—The United States will turn Cuba back to the Cubans in March or April of 1909, if the recommendations made by Secretary of War Taft to the president, today, are adopted. In his letter, transmitting to the president the official report of Provisional Governor Magoon on the conditions in the island, the reports show the conditions now to be "very encouraging."

BIG FLEET ANCHORS OFF COBRA ISLAND

Elaborate Entertainments Provided for Admiral Evans' Jackies and Officers—Men Given Shore Leave and will be Held Strictly Accountable for Their Conduct—Brazilians are Greatly Interested.

Rio Janeiro, Jan. 13.—The big Liberty parties were allowed on shore today, but were warned by officers that they would be held strictly accountable for their conduct. Each day until Jan. 22 when the fleet is scheduled to leave, there will be elaborate entertainments for both Jackies and officers.

WILL WITHDRAW THE TROOPS FROM GOLDFIELD

Special Commission, Appointed to Investigate Conditions Makes Its Report and President Roosevelt Decides to Throw the Responsibility Upon Nevada—Governor Sparks is Severely Censured.

Washington, Jan. 13.—President Roosevelt has determined to withdraw the federal troops from Goldfield, Nev., shortly after the legislature begins its special session, Tuesday. This intention was made known at the White House today, when the report of the special investigating commission was made public, together with a letter from the president to Governor Sparks, dated Jan. 4. The president says he shall be governed by the recommendations in the report unless the governor can show that the statements of the report are not in accordance with the facts. The report says:

"The conditions did not support the general allegation in the governor's request for troops, nor were his specific statements established to any such extent as to justify his use of these statements for the purpose of getting federal troops."

It concludes with this recommendation:

"But we also most firmly believe that upon the assembling of the legislature, or within a few days thereafter, the troops should be removed, regardless of any request for their retention that may be made by either the legislature or the governor of Nevada. It being essential that the state of Nevada shall understand this situation completely, shall recognize the fact that there will, at that date, be thrown upon it, and it alone, the primary responsibility of keeping order, and that, recognizing this responsibility, it may take such action as is the duty of the state and as will be sufficient in the premises."

In his letter to Governor Sparks, after reviewing the steps so far taken in the Goldfield mining troubles, the president continues:

"I have just received the report of these three gentlemen (Murray, Smith and Neill), which sets forth in the most emphatic language their belief, after a careful investigation on the ground, that there was no warrant whatever for calling upon the president for troops, and that the troops should be kept indefinitely at Goldfield."

The report further states that there was no insurrection against the power of the state at the time the troops were called for, that nobody supposed

then there was such an insurrection, and that none of the conditions described in sections 5297, 6298 and 6299 of the Revised Statutes as warranting interference by the federal government existed and that the effort was, and is, plainly an effort made by the state of Nevada to secure the performance by the United States of the ordinary police duties which should, as a matter of course, be performed by Nevada herself.

"The report further says:

"There is absolutely no question that if the state of Nevada and the county of Esmeralda exercised the powers at their disposal they can maintain satisfactory order in Goldfield; that so far these authorities have done nothing, but are relying upon federal aid, and their attitude now is expressly that of refusing to do anything and desiring to throw their own burdens upon the federal government for the maintenance of those elementary conditions of order for which they, and they only, are responsible."

"The signers of the report express their convictions that the troops should remain in Nevada until the assembling of the legislature, so as to preserve the status quo, in order that the legislature may deal with the situation as it exists, but that shortly thereafter the troops should be removed."

"I agree with the recommendation of this report of which I enclose a copy, and shall act accordingly. Unless it can be shown that the statements of the report are not in accordance with the facts, it will be incumbent upon the legislature of Nevada, when it convenes itself to provide for enforcing the laws of the state. The state of Nevada must itself make a resolute effort in good faith to perform the police duties incident to the existence of a state."

MARTIAL LAW IN MUNCIE IS ENDED

Indianapolis, Ind., Jan. 13.—Gov. Hanley today issued a proclamation declaring martial law at an end at Muncie. General McKee is directed to keep such troops there as he thinks are necessary to aid the civil authorities in maintaining order.