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THAW TRIAL BEGINS IN NEW YORK COURT EARLY THIS MORNING

One Hundred Jurymen Dismissed Because Their Names Were Published in Papers Through Error.

TRIAL WAS DELAYED UP UNTIL NOON TODAY.

Evelyn Thaw's Harrowing Recital May Not Be Given at The Second Trial as It Is Claimed to Be a Violation.

JEROME IS UNDECIDED.

HAS NOT INDICATED HIS COURSE IN THE MATTER OF ADMITTING THIS TESTIMONY—CASE ATTRACTING OLD TIME INTEREST.

BULLETIN.

New York, Jan. 6.—Harry K. Thaw was called to the bar at 11:40 o'clock. After a formal opening, Martin W. Littleton, read an affidavit signed by A. Russell Peabody, to the effect that the defense would be insanity, at the time of the shooting. Justice Dowling fined forty members of the special panel, who failed to answer, \$250 each. It was agreed that peremptory challenges could be exercised after the jury was filled.

New York, Jan. 6.—The first venire of one hundred jurymen for the Thaw case was dismissed at the opening of court this morning, because the names, through error, were published Friday. A second list was summoned. It delayed the trial until noon today.

District Attorney Jerome may attempt this time to bar the testimony of Mrs. Evelyn Nesbit-Thaw, wife of the accused man. At the first trial this testimony was allowed to go before the jury with the consent of the district attorney, who said the pre-emptive set in the case of the State against Wood seemed to cover the matter. Several criminal lawyers of prominence in their profession have argued the point with Mr. Jerome since the close of the first hearing and have urged him to oppose this line of testimony at the trial about to begin. These attorneys declare a vital principle of law is involved and that it should go to the highest courts for determination.

Mr. Jerome has given no definite answer to his fellow members of the bar and may feel impelled to consent to another recital of Mrs. Thaw's story to prevent an appearance of inconsistency with his course a year ago. But the representations made to him as to the importance to the community at large of testing the legality of such testimony have been unusually strong, now many of his closest friends would not be surprised if he should contest against the admissibility of her testimony.

Truth Not Tested.

Young Mrs. Thaw was allowed to testify at the first trial upon the theory that it was her story, told to Thaw in Paris, in 1903, two years before their marriage, that planted the seeds of temporary insanity in his brain. The prosecution was not allowed to test the truth or falsity of the story, the court rule being that, regardless of its truth, the issue had to do solely with the effect upon the defendant's mind. Mr. Jerome offered witnesses who, he declared, would contradict certain of the wife's statements, but they were not allowed to be heard. The prosecution had its only recourse in a severe cross-examination, but even this was allowed on the ground of testing the credibility of the witness in a general way.

Refuses to Talk.

District Attorney Jerome has consistently declined to discuss the Thaw case for publication. His course as regards the all important testimony of young Mrs. Thaw will be watched, however, with the keenest interest. If her story is deemed admissible by Judge Dowling, it is declared that the cross examination to which she will be subjected will be far more searching even than the first one. Assistant District Attorney Garvan spent several months abroad last summer and covered much of the ground included in the travels of Harry Thaw and Evelyn Nesbit during the two trips abroad which preceded their marriage. The district attorney seemed last year to have every detail of the young woman's life at command, but it is said that this year he will be able to confront her with incidents of the European trips not hinted at during the first hearing.

Believes Him Insane.

There is every reason to believe the district attorney still is convinced that Thaw is medically insane—a paranoid, whose malady is incurable. In view of this he was willing at the first trial that Thaw should be adjudged incompetent and sent to Mattewan asylum for the criminal insane, although he felt and urged before the jury that upon a

MEN OF AFFAIRS IN RICHMOND



WALKED IN STREETS SON WILL FIGHT GIVING THE DARE AGAINST FATHER

One Woman Rights the Entire Neighborhood in Which She Lives. Does Not Want the Real Estate of His Mother Sold To Satisfy Claim.

IS ARRAIGNED ON CHARGE. HIS FIGHT IS ACTIVE.

POLICE ASSERT THAT RESIDENTS NEAR HER HOME GREW TIRED OF THE CUTTING ABUSE HEAPED UPON THEM.

IT ALSO INVOLVES A POINT OF LAW WHICH JUDGE FOX SAYS, IS ONE OF THE HARDEST HE EVER HAD TO DECIDE.

On the complaint of her neighbors, who it appears are up in arms against her, Mrs. Ida Graham, living on the New Paris pike near the city limits, has been arrested on a charge of provocation. The woman has retained Attorney Henry U. Johnson to defend her. The case was to have been tried this morning in the city court but as Mr. Johnson had to leave the city the hearing was postponed until Thursday.

The police said that Mrs. Graham was formerly on friendly relations with her neighbors but of late, for some reason the police are not acquainted with, she has been given the "icy shoulder."

To retaliate with her neighbors for their actions she has, according to the police, adopted every measure to show her contempt for them. If any neighbor passed her house she would curse them and make cutting remarks. At nights she would pass by a house and dare the sleeping occupants into the street. This condition of affairs lasted until the patience of the neighbors was exhausted, consequently a warrant charging Mrs. Graham with provocation was sworn out. A long list of witnesses has been summoned by the state to appear against Mrs. Graham.

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The First United Brethren church will continue services this week. Services will begin at 7:30 p.m. All are cordially invited.

THE WEATHER PROPHET.

INDIANA—Rain by Monday night; rain or snow and colder Tuesday.

OHIO—Fair Monday; rain or snow and colder, Tuesday.

HICKS—Behind the storms central and touching the 13th to 15th, naturally we are to expect a wave of high barometric pressure, westerly gales and much colder. This condition will pass eastward and touch most parts of the country in progressive order before the next storm per-

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