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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 AT-
TRACTING 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 precedent 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, and many of his closest friends would not be surprised if he should consent 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.

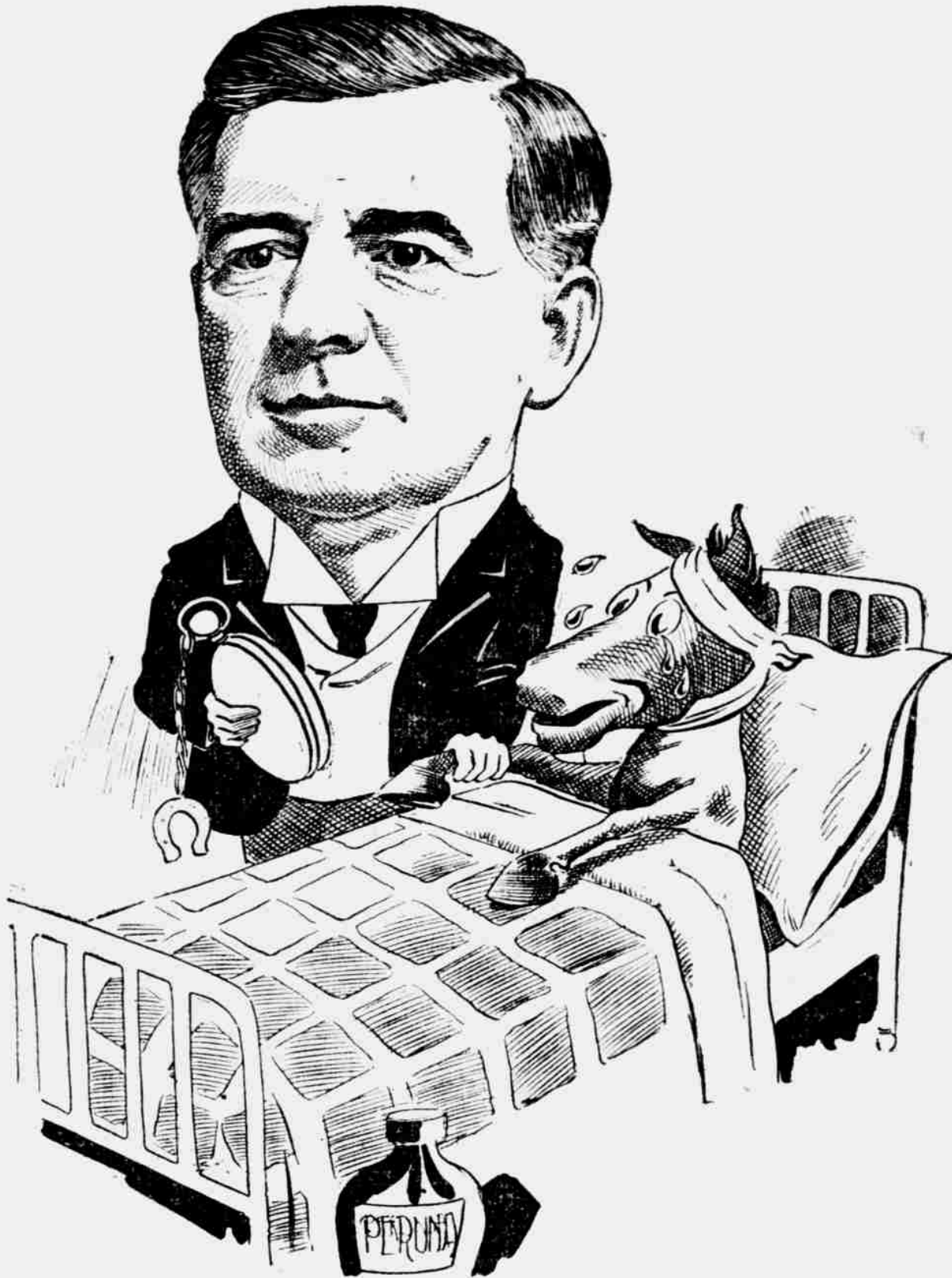
Refuses to Talk.

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 paranoic, whose malady is incurable. In view of this he was willing at the first trial that Thaw should be adjudged demented and sent to Matteawan asylum for the criminal insane, although he felt and urged before the jury that upon a

MEN OF AFFAIRS IN RICHMOND



L. C. HOOVER.
Veterinary Surgeon.

WALKED IN STREETS GIVING THE DARE

One Woman Rights the Entire
Neighborhood in Which
She Lives.

IS ARRAIGNED ON CHARGE.

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

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 provoke. 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 provoke was sworn out. A long list of witnesses has been summoned by the state to appear against Mrs. Graham.

PRESIDING ELDER COMPLETES CIRCUIT

The Rev. Guild Finds Affairs
Up to Normal.

Presiding Elder Thomas H. Guild, of the Richmond district of the North Indiana conference of the Methodist Episcopal church, has just completed his third quarterly circuit of the district and reports that the interests of the church are receiving the best of attention. He states that the status of affairs throughout the conference is up to normal.

COTTAGE PRAYER MEETING.

A cottage prayer meeting will be held at the home of J. W. Mount, Richmond avenue, Tuesday evening.

SON WILL FIGHT AGAINST FATHER

Does Not Want the Real Es-
tate of His Mother Sold
To Satisfy Claim.

HIS FIGHT IS ACTIVE.

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

The petition of A. L. Hebble to have the real estate in the estate of his wife, the late Stella Hebble, sold, was presented to Judge Fox this morning in the circuit court. Recently the court allowed the claim of A. L. Hebble for \$6,000 against the estate. The claim was contested by two of the children, Mrs. Roy Rush and Clifford Hebble, who is a minor. They are also contesting the petition for the sale of real estate.

Young Hebble is making a most active fight against his father and his contentions involve a case of law which Judge Fox says he has never before been called upon to decide. The young man's father, A. L. Hebble, is his guardian. Young Hebble has filed proceedings to have his father removed from the guardianship and to have a guardian ad litem appointed. There is a doubt in the mind of the court as to whether such action would be legal. Clifford Hebble also asks to have a hearing of the petition to sell real estate taken elsewhere on a change of venue, because of the decision made by Judge Fox in regards to the claim for \$6,000 made by A. L. Hebble. Judge Fox has taken the petition for the sale of real estate and the contentions advanced by Clifford, under advisement. The estate of Mrs. Hebble consists of a farm near East Germantown, which is valued at about \$12,000.

WEEK OF PRAYER.

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 on and touching the 13th to 15th, generally 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 period.

FIRST GUN FIRED IN BATTLE BETWEEN CITY AND COMPANY

Motorman Arnett Fined in
The City Court Today for
Violating the City Speed Or-
dinance.

HELD THAT SCHEDULE IS
ABSOLUTELY NECESSARY.

Supt. Gordon Has Appealed to
Higher Officials for Change.
But They Have Turned a
Deaf Ear to His Demands.

Luther Arnett, a motorman on an Eighth street car, was fined \$5 and costs this morning in the city court for running his car in excess of the speed limit, which is twelve miles per hour. Arnett entered a plea of guilty and his fine was paid by the street car company. Jacob Chapman, conductor of the car which Arnett was motorman, was also arraigned in the city court on a similar charge, but because he had nothing to do with the operation of the car he was released.

City Attorney T. J. Study, who prosecuted the case against Arnett, said that the cause for running cars on North Eighth street in excess of the speed limit, was the schedule which has been in operation for the past four years. "There is no excuse for running street cars at a rate of 21 miles per hour," said Mr. Study, "but street car motormen say that it is necessary to run at a high rate of speed on North Eighth street to meet the requirements of the schedule."

A South Eighth street car leaves Main street every fifteen minutes to make the return trip to Main street. North Eighth street cars, which have nine more blocks to run than South Eighth street cars, must leave Main street and return in the same length of time. Superintendent Gordon of the street car company, said that he had asked his superiors to reduce the length of the North Eighth street route, making it necessary for cars to run east as far as Seventeenth street, instead of Nineteenth street, but this plan was not acted upon.

Mr. Study held that the arrest of Arnett was not "spite work" but only the first step taken to protect the public from the dangerous practice of running cars at high rate of speed. "I recommend that the present schedule be changed," said Mr. Study, "for every time a street car is found running in excess of the speed limit, the motorman will be placed under arrest."

TELEPHONE RATES HAVE ADVANCED

Officials of the Home Company
Claim That New Rates Are
Not Out of Reason.

SOME DISSATISFACTION.

AUTOMATIC SYSTEM IS BEING
PERFECTED AS FAST AS POS-
SIBLE AND SOON WILL BE IN
GOOD WORKING ORDER.

Beginning with the first of the year, the Home telephone rates were advanced to \$18 for residence phones and \$36 for business houses. While it is thought by some to be high, yet it is argued by representatives of the company, that when it is taken into consideration that \$200,000 was invested in the new automatic system and that little or nothing was realized on the disposition of the old appliances, the new rates are not unreasonable.

The new system is so satisfactory that but few people complain of the advance in rates. The new system is being perfected as fast as possible. It will not be long until practically all of the irregularities will be eliminated.

COMMUNION SERVICE ON NEXT SUNDAY

Rev. Lyons to Deliver First
Sermon Wednesday.

Dr. S. R. Lyons will deliver a sermon Wednesday evening at the week night meeting at 7:30 o'clock at the Reid Memorial church. Services will also be held on Thursday and Friday nights at 7:30 o'clock and Saturday afternoon at 3 o'clock. These services will lead up to the communion which will be observed Sabbath next, at 10:30 o'clock a. m.

AGED GERMANTOWN RESIDENT PASSES AWAY

Funeral Held This Afternoon
At That Place.

East Germantown, Ind., Jan. 6.—Mrs. Harriet Markley died at the home of her daughter, Louis, at the advanced age of 82 years. The funeral was held this afternoon at the Evangelical church at Germantown. She leaves seven children, four sons and three daughters, John of Richmond, Martin of Germantown, Elmer of Indianapolis, Joseph of California, Mrs. Richardson of New York, Mrs. Reed and Mrs. Waggoner of St. Louis, Mo.

MANY CATTLE WERE KILLED THROUGH ELECTROCUTION

Seventy-five Per Cent. of the
Cattle and Live Stock Killed
The Past Year, Met Death
By Contact With Wire Fence

CONDITION IS UNUSUAL
AND DECIDEDLY NEW.

Statistics by Fire Insurance
Companies Prove That the
Lightning Rod Is a Protec-
tion to Property.

The ever increasing use of wire fences on the farms throughout this section of the country, is becoming a serious menace to live stock was proven during the past year by the various livestock insurance companies. The recent auditing of the books of the German Baptist Mutual Protective association, revealed the fact that 75 per cent of the cattle killed on the farms in Wayne, Union and Fayette counties, met death from electrical shocks received from the wire fences enclosing the pastures. In other words, that per cent of the stock killed during the year of 1907 were electrocuted. During the frequent electrical storms in this section, the surplus electricity in the atmosphere is collected by the wire fences and not infrequently the fences become so charged as to deal instant death to any stock that comes in contact with them. Many miles of wire strands are used on a single farm, this representing a large amount of metal. A farmer in speaking of the matter the other day said, "A law should be passed compelling all builders of wire fence to place a grounding wire every other post and in this way the electrical charge could be carried off."

In this connection another interesting discovery was made by a pursuit of the books of this association. It was discovered that of all the fires caused by lightning, in every instance it was shown that the houses were either without, or improperly provided with lightning rods. When lightning rods were first introduced they were generally accepted as a protection, but only a few years ago scientists reversed their views and denounced the lightning rod, as a "big fake." Time has, however, vindicated the lightning rod, while statistics compiled by the fire insurance companies prove them indispensable.

FELL DOWN STAIRS AND BROKE FINGER

Aged Man Gets Severe Fall at
His Home.

Warren Shumard, aged 77 years, fell down stairs Saturday night at his home, 504 North I street and severely bruised his right side and broke a finger. It is not thought that the injuries will prove of a serious nature despite his advanced age.

MINSTREL MAN HAS TYPHOID FEVER

Frank Buckingham Forced to
Leave Theatricals.

Frank Buckingham of North Nineteenth street, who has been with the Donnelly and Hatfield Minstrels since last fall, has returned home owing to illness of typhoid fever. He was compelled to leave the company at Shreveport, La. He has been stage carpenter and electrician for the company.

ENOUGH DYNAMITE STOLEN TO BLOW MUNCIE TO ATOMS

Citizens Now Fear to Ride on
The Street Cars Thinking
That Strikers May Use High
Explosives in Their Fight.

COMPLETE RESTORATION
OF SERVICE MADE TODAY.

With the City Under Martial
Law and Police in Control,
All Was Quiet in the Strike-
Ridden Town Today.

THERE WAS NO VIOLENCE.

IT WAS FEARED THAT WHEN
SCHEDULES RESUMED THERE
WOULD BE BLOODSHED—AT-
TEMPT AT ARBITRATION.

Muncie, Ind., Jan. 6.—With this city under martial law, all local street cars and interurbans were running today. The state troops and the police are in complete control. There was no violence up to noon today.

The greatest apprehension is from the stolen dynamite, and men with brooms have been patrolling in front of the cars, sweeping all the debris from the rails. It is felt that a spoonful of the explosive stolen from the magazine near Muncie Thursday, if spread on the rail and covered with dirt, would blow a car to atoms. A streak the size of a match, a foot long, would do the work. Not a half dozen people patronized all the cars run yesterday or today.

One of the first cars run out yesterday on the West Side line was attacked, and smashed to pieces. Another car was shot at by two men on the Whiteley line in Riverdale, but no one was injured. Several bullets penetrated the car. Out in Industry, the factory district, another car was stoned, but the service continued uninterrupted after deputy sheriffs were stationed along the lines in the suburban parts of the city.

For two days past it has been charged that the professional strikebreakers have been jesting with people and making remarks along the lines to inflame them into attack, in order to aid the company in securing the martial law they have begged for. The deputy sheriffs were ordered to watch the men closely. As a result one car was run to the police station from Avoirdale, by deputy sheriffs, and the train crew was taken off and placed in jail.

In several churches in the city yesterday there was not the regular minister in the pulpit, for the reason that they were on the street corners doing deputy sheriff duty. Bankers and men of all professions are being sworn in for day and all-night service.

Soldiers on the Alert.

The soldiers today were marched over the city and into suburbs in squads for exercise in the beautiful sunshine, but none have yet done one moment's service for the city other than by their presence. Muncie is making a desperate effort to prevent calling on them for aid, other than knowledge of their presence in case of emergency. The change of living has developed some sickness among the soldiers and the hospital corps is getting busy tonight seeking quarters.

The mob spirit was principally engendered by the shooting and stoning of citizens last Wednesday by the strikebreakers, the hoodlum element taking the cue for destruction of property from the universal condemnation expressed by the masses for the men and company because of this unprovoked act. The saloons remained closed Monday, but no other regular business was disturbed, except that people were not allowed to stop and converse on the streets. Three big factories—the nut and bolt works, the Kitzelman Bros., wire fence factory and the Broderick & Quinlan boiler works—resumed operations today, giving employment to 1,000 idle men. The strikers made the peculiar proposition to the company to arbitrate the proposition whether there is anything to arbitrate or not.

ATTEMPT TO ARBITRATE.

The Big Strike Made at Anderson—
Results Kept Secret.

Anderson, Ind., Jan. 6.—At the general offices of the Indiana Union Traction company here yesterday, President Brady, General Manager Nicholl and Board Chairman George F. McCullough, received Banker Carroll K. McCullough, City Controller Hardie, Mayor Terhune and others of a Citizens' committee with a proposition for arbitration of the strike of motormen and conductors on the city car lines. After the conference of three hours the Citizens' committee declined to make a statement until this afternoon, when it will report to a mass meeting of citizens at the Grand opera house.