

COURT IS CROWDED TO HEAR LAST OF THE ARGUMENT

Jerome Began Speech This Morning and Described Crime and Verdicts That Might Be Returned.

SENSATION AS HE DEPICTED SHOOTING.

Waved Revolver Aloft and Declared Thaw Was Responsible on Night of Shooting and There Was But One Verdict.

New York, Jan. 30.—The court was crowded with people who wished to hear Jerome begin his closing statement in the Thaw trial this morning. He complimented the jury on the attention it had given the case. He claimed the great question is, was Thaw insane on the night of the crime. Murder, he said, in the first degree must be premeditated. If the evidence shows a design to kill, but lacks deliberation, then it is murder in the second degree. He said the jury could not return a verdict of manslaughter because a revolver was used. Jerome declared that the motive for the crime was the story that White had wronged Evelyn and had threatened to kill Thaw. With jealousy and hate and a revolver in his pocket, no other motive for the sensational shooting was needed.

Jerome reacted the scene of the tragedy by snapping a revolver and holding it aloft, declared Thaw was responsible on the night of the shooting and said there can be but one verdict.

For almost four hours yesterday Martin W. Littleton stood in the forum of the Criminal Court defending Harry Thaw for the murder of Stanford White.

Seldom has a summing up been so masterful or forceful when the materials of its construction are considered. Mr. Littleton fastened upon the minds of the jury the facts of the murder as seen from his standpoint. Link by link he broke the chain of testimony hanging about the neck of the defendant. Witness after witness was trussed upon the lance of the speaker's oratory, riddled and cast aside. It was the one great day for the defense.

The aged Mrs. Thaw listened, and a faint smile came into her bloodless features. Later on she wept. Her daughter, Mrs. George Lauder Carnegie, seemed upborne on the wings of hope. Josiah Thaw's sallow face took on a look that was almost bright. Harry Thaw seemed to inhale the odors of the big cafes along Broadway, to feel the power of his bottomless purse, and to soar aloft on the worn wings of his life's despair.

Young Mrs. Thaw sat in her old seat with the family and heard it all. It would have been interesting to know the thoughts that filtered through her small, alert mind as she listened to the sledgehammer blows delivered in her behalf by her husband's counsel. She alone knew whether or not they were gymnastics of intellect, or whether the hot metal on the anvil, so prodigiously hammered by Littleton, was pure gold or base alloy. She gave no sign.

Mr. Littleton said that he would show that the plea of insanity was not invented—that it was hereditary on Thaw's part. He said:

"His brain was affected with a fever at 8 months, and to the age of 39 years he has been passing on and out of the sunlight and shadow of this life until he finds himself before this jury."

Pleads for Thaw.

Mr. Littleton said he asked nothing more than that the jury should observe, in reaching its verdict, the ordinary rules of any ordinary trial in an ordinary court of an American community. He cautioned the jurors to keep clearly before them the fact that the presumption of innocence is always with the defendant until he is proved guilty.

At some length Mr. Littleton explained the doctrine of reasonable doubt.

"In a case of this kind," he said, "where insanity is the plea, it is not incumbent upon counsel for the defense to establish the defendant's insanity beyond a reasonable doubt, although I think I can point out to you that we have done all of that. The law places the burden on the prosecution to prove to you beyond all reasonable doubt that the defendant was sane."

With impressive strength of presentation Mr. Littleton reviewed Harry Thaw's history from the time of the pre-natal incident, when his mother, in the middle of the night, put out her hand in bed to feel the cold features of a child who had suddenly died, down to the day of the tragedy.

"This boy," he said, "tried on the treading, the very melancholy which came to the mother that fearful night, I may be blinded by partisanship, but, gentlemen, can't you see with me that this defense is no thing born of an exigency, to see that injustice is done or that a murder may be covered, but born instead of the very history of this boy."

Reviewing the evidence in detail and picturing the devotion of the old

MARS CELEBRATION

When Young Married Couple Were Entertaining Friends House Took Fire.

WAS BURNED TO GROUND.

Centerville, Jan. 30.—The home of Henry Petty, a short distance from Centerville burned to the ground last evening. The blaze started from a defective flue. This fire interrupted the celebration of the wedding of young Mr. Petty and Miss Mollie Burris, who were married yesterday noon. The fire started on the roof and rapidly spread to all parts of the house. There was absolutely no way for the people in the house to fight the blaze, so all their efforts were confined to saving the household effects. Nearly all these goods were rescued from the flames. The house was a frame structure of eleven rooms. Mr. Petty states that he had \$2,000 insurance on the building and the barn. The blaze did not spread to the barn.

ELECTION BETS CAN NOT BE POSTED IN THIS CITY NOW

For the First Time in Richmond's History Cigar Stores Are Forbidden to Operate Betting Boards.

IS IT THE ACTION OF CENTRAL COMMITTEE?

Although Its Members Deny The Truth of the Assertion It Is Generally Conceded the Committee Is Responsible.

"The lid is on. Nothing doing." This sign on a betting board in a local cigar store greets the eye of everyone who enters the place. It is a concise, if somewhat slangy statement of the extremity of the "pure election" movement has reached.

Yesterday Chief Bailey and Prosecutor Jossup decided that election betting should not be permitted, a thing unheard of even in Richmond. Police officers were notified of the edict and as a result they visited every cigar store in the city yesterday afternoon and warned the proprietors that they would not be permitted to post election bets.

There have been but few bets on the result of the republican primary election posted up to the present time so that the cigar store men did not have much trouble in returning all money posted.

It was the impression that the police suppressed election betting at the request of the republican county central committee. The committee, however, had nothing to do with the order, but it is pleased over the action taken by the authorities.

The various candidates are also pleased over the anti-betting edict. This method is regarded as unfair. People taking short ends of bets are influenced to work and resort to prohibited methods in securing votes for the candidates they have placed their money on.

nurses and schoolteachers who had come from afar to give their testimony Mr. Littleton said: "Gentlemen, you who look and listen in sincerity, may read in the footprints of the boy the course which led him through London, Rome, Monte Carlo and New York in after life."

A Venerable Witness.

Mr. Littleton dwelt at length upon the testimony of Abraham Beck, the old school-teacher from Pennsylvania. "That testimony would mean something to me if I were sitting on a jury," declared the attorney. "There is no more honorable man in all Pennsylvania than old man Beck. His testimony was all his own—given in his own language—it was no rehearsal when he told you what he did. No power on earth could have induced that honorable old gentleman, now tottering near the other side, to aid in deception, to have a hand in a murder. Can such evidence as this be answered to the satisfaction of you, gentlemen, by the sneers of the District Attorney? Let the prosecution, if they have no testimony, say so and forever silence their sneers and insinuations."

Mr. Littleton also laid great stress upon the letter Mr. Beck received from Mrs. William Thaw in 1881 when she said she feared the boy's mind was affected and begged the old teacher to bear with him a little longer, for she did not know what to suggest.

"When the mother had appeared here before you and had left the witness stand," Mr. Littleton proceeded, "the district attorney read the affidavit she made in a certain proceeding at the last trial. Mr. Jerome sought

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ATTORNEYS IN THE VAUGHAN - SMITH CASE HAVE TILT

A Glimpse at the Testimony Which Will Be Offered by Both Defense and Prosecution Was Gained Today.

MRS. SMITH WANTED TO PUNISH MR. VAUGHAN.

According to Testimony Taken in Deposition She Asked the Return of Her Love Letters As a Blow at Him.

Henry U. Johnson and John F. Robbins, attorneys for the plaintiff in the case of Susan J. Smith against John D. Vaughan, intimated this morning to T. J. Study, attorney for the defendant, that they would ask that the case be taken from this county on a change of venue. Mr. Study insisted that the case be heard in the Wayne circuit court and it is probable that the attorneys for Mrs. Smith will consent to this arrangement. Mr. Study wants the case to be tried the first of March.

While the attorneys were disputing where the case should be tried, a sharp but good-natured exchange of words took place. Mr. Study violently defending himself against the cuts and thrusts of his two clever opponents.

In the course of this "huddling match," interested reporters gained some insight into the testimony that will be introduced in the case. Mr. Johnson sarcastically described the discomfort of Mr. Study when Mrs. Vaughan testified at the time his deposition was taken that he had never made love to Mrs. Smith, kissed her, called her endearing names or had asked her to marry him. "We can prove in a hundred ways that he did all of these things," jeered Mr. Robbins.

"When Mrs. Smith gave her testimony I don't think it was the temperature of the room that gave you the cold feet," shot back Mr. Study to Mr. Johnson. "I think your feet became chilled when Mrs. Smith stated that she had asked Mr. Vaughan to return all her letters. You remember she said that she did this because she wished to punish him."

Mr. Study referred to the fact that Mrs. Smith, when her deposition was taken, stated that she and Vaughan were to have been married October 6, 1906. Mr. Study stated that he could prove the woman never came to Richmond, where the ceremony was to have been performed, on that date and that Vaughan had never seen her again until last fall when she went to his home to demand payment to recompense her for alleged breach of promise. It will be alleged in the trial by the defense, that Mrs. Smith frequently entertained men at her home. The defense will also place Mrs. Smith's two daughters on the stand to testify what took place at the home when they and their mother lived in Richmond.

FARMERS NOW WORRIED OVER WHEAT

Winter Has Been So Mild That Plants Have Advanced.

Farmers in Wayne county are worried over their wheat crops.

They say that the winter has been so mild this year and the plants have advanced to such a state that severe cold weather unless accompanied with a good snow, will greatly damage the growing crop.

MINERS' CONFERENCE OPENED TODAY

Question of Wages Involved in Discussion.

Indianapolis, Ind., Jan. 30.—A conference of the coal miners' committee and operators representing competitive fields was opened here this morning and it is thought the question of wages was involved, although leaders deny this. Ohio and Indiana operators favor the old scale and it is believed the miners will not attempt to force an increase now.

RUN ON BANK.

New York, Jan. 30.—A run was started on the Oriental bank this morning. Officials say the demands will be promptly met.

WINDOW GLASS FACTORY BURNS

Gas City, Ind., Has \$100,000 Fire Loss.

Marion, Ind., Jan. 30.—Fire today destroyed the Diamond Glass Window factory at Gas City. The loss will reach a hundred thousand.

FOUR MEN ARE HELD FOR MURDER

Crime Was Committed Three Years Ago.

Ft. Wayne, Ind., Jan. 30.—Early this morning Herman Miller, John Stout and John Baker were arrested in their homes in Woodburn, charged with complicity in the murder of Town Marshal John Levy near the city on June 7, 1905. Fred Sadget similarly charged, was caught today at Cadillac, Mich.

CRIMINAL NEGLIGENCE CHARGED BY JURY

Has Been Investigating Boyertown Fire.

Rogertown, Pa., Jan. 30.—The jury investigating the fire at the Rhoades opera house, in which 169 lives were lost, reported this morning. It was of the opinion that Deputy Factory Inspector Harry Bechtel and Mrs. Monroe, owner of the stereopticon should be prosecuted for criminal negligence.

WAR THREATENED BY THE CHINESE

Rushing Munitions of War to Middle Island.

Pekin, China, Jan. 30.—The Chinese government is rushing munitions of war to Middle Island, which is openly claimed by Japan. China is determined not to yield and grave complications are feared.

COLD WAVE IS PROVING FATAL

Two Are Dead and Many Dying In New York.

New York, Jan. 30.—The cold wave reigning here is spreading death and intense suffering. Two are dead and several persons are reported dying as a direct result. A cold blizzard is scheduled for Friday, following by warmer weather. The cold spell has caught the whole country. Up at Minnesota, Manitoba it is thirty-six degrees below zero.

VANDERBILT BUYS HISTORIC FLAG

American Banner in Engagement of 1813.

London, Eng., Jan. 30.—Flag of the American warship Chesapeake, captured in the fight with the British ship Shannon in 1813, was bought at public auction today for Cornelius Vanderbilt. He paid \$4,250.

REV. DANIELS NEAR DEATH'S DOOR

Former Richmond Pastor's Demise Expected.

Decatur, Ind., Jan. 30.—Rev. W. H. Daniels, one of the best known and most widely beloved men of this city and state, is lying at the point of death and the end may come at any moment. He has been ill for many months, but seemed to be holding his own until last Saturday, when the turn for the worse came. Since then he has been unconscious a greater portion of the time and loved ones have practically given up hope. He suffers from a lack of vitality, his condition being similar to that of a person ninety years old.

The Rev. Mr. Daniels was at one time pastor of the First Methodist church, this city.

THE WEATHER PROPHET.

INDIANA.—Not so cold tonight in north and central portion; Friday, snow and warmer.

COLORED MAN MAY KEEP VOTERS FROM CASTING BALLOTS

Asserted That Hundreds Will Refuse to Vote for Candidates for Township Trustee Because of Dennis.

IS IN THE RACE TO THE FINISH, HIS STATEMENT

Under No Circumstances Will He Withdraw to Relieve Situation—Democrats Hopeful of Electing a Man.

The greatest interest that is being taken in the present campaign, revolves about the fight for trustee of Wayne township. This interest reached the boiling point last Saturday when Walter Dennis, a well known colored man, announced his candidacy.

On the streets today politicians were stating that many people had said that they would not cast a ballot for township trustee to avoid supporting Dennis in case of his nomination. Democratic leaders are freely predicting the nomination of Dennis, in which event, they state a white democratic candidate will be placed in the field against him.

Dennis said today that there was positively no ground for the report that he would withdraw from the race under pressure. "I am in the fight from start to finish," he remarked. He has the colored vote of the township well organized although two or three of the colored party leaders are fighting against him because they were not consulted by him before announcing his candidacy.

RATLIFF DIVORCE HEARING SOON

To Be Tried in Circuit Court, February 12.

The divorce case of Ruth Anne Hunt Ratliff against Joseph Ratliff will be heard in the circuit court Wednesday, February 12. The principals are prominent members of the local Hick-site Friends meeting.

TO PENITENTIARY FOR AUTO ACCIDENT

Man Killed Another and Gets Punishment.

Newark, N. J., Jan. 30.—Dr. Walter H. Morris, a young dentist, whose automobile ran over and killed Marcellus Jacobs, a theatrical manager, here, last September, was today sentenced to serve 19 months in the penitentiary.

RAILROADS TO DEFY TWO-CENT LAW

Say Requirements Are Confiscatory.

Pittsburg, Pa., Jan. 30.—Railroads centering in Pittsburg, including the Pennsylvania Lines west, which are not affected by the recent Pennsylvania Railroad supreme court decision, are preparing to defy the two-cent fare law on the principle that its requirements are confiscatory.

MRS. PENNY BETTER.

Mrs. Robert L. Penny of East Germantown, who has been very ill with grip and congestion of the lungs, at the home of her son, Harry E. Penny is slowly improving.

When You Want What You Want--Get It!

Do you ever say to yourself, "I want such and such a thing?" If you never do you are hardly human for there are mighty few who do not make use of that expression many times each day. Next time you want something, get it—and the way to get it is to make use of the Classified Advertising columns of the Palladium. Put a Want Ad in the Palladium expressing concisely what you want, and it is a ten to one shot you will get it. Just for instance, Mrs. X wanted to sell a set of furs and on last Friday inserted a For Sale advertisement in the Palladium to that effect. Result, she sold the furs on Saturday, or in less than twenty-four hours from the time she first made known her want through this paper. Practically anything you can want can be supplied in the shortest possible time by the use of a Palladium Classified Advertisement. Just turn to page seven of this paper and glance over today's Classified Advertisements. They are interesting reading.

KUHN ENTHUSIASTIC

Richmond's Candidate for Governor Is Making Active Canvass of State.

GAINING IN STRENGTH.

The Rev. Mr. T. H. Kuhn, Richmond's candidate for the democratic nomination for governor, was in the city today for a brief respite from the hard campaign he has been making. Mr. Kuhn is enthusiastic over the outlook and states that he is confident that he will be the gubernatorial nominee of his party. He says that he receives letters daily from all parts of the state assuring him of support from prominent democratic leaders. Mr. Kuhn has been well over the state, but has not yet completed his canvass. Everywhere he goes he is given an enthusiastic reception and receives pledges of support.

ALL ORDINANCES PASSED BY COUNCIL MAY BE INVALID

Not a Single Measure Passed Since 1905, Is Considered Legal by Prosecutor Jessup Owing to Signatures.

WILL MEAN MUCH TO THE CITY IN TRACTION CASE.

The One Prohibiting the Operation of Freight Cars on Main Street in Danger—Fifty Others Threatened.

Are all ordinances passed by the Richmond city council since 1905 invalid?

This interesting question now confronts the city officers. If Wilfred Jessup, attorney for C. B. Hunt, has the point raised by him in the meat inspection ordinance case sustained by the superior courts it will mean that all local ordinances in effect since 1905 are null and void.

Like the meat inspection ordinance, they have been spread on the city record book but have not been signed on this book by the mayor. The signature of the mayor on all ordinances contained in the record book is in typewriting, made by the city clerk. Mr. Jessup contends that the act of 1905 requires the mayor to sign all ordinances in the record book in his own handwriting.

The most important ordinance threatened by the contention made by Mr. Jessup, is the one which prohibits the operation of freight cars on Main street. From this ordinance has sprung all the trouble and litigation between the city and the T. H. L. & E. traction company are now involved. Over fifty other ordinances are threatened and to legalize them council would be called upon to consider them again so that they could once more be placed on the record book and properly signed by the mayor. City officers are confident that the question raised by Mr. Jessup will not be sustained.

ODD FELLOWS TO GO TO ECONOMY

Local Whitewater Lodge Degree Team to Give Work.

Saturday night the degree team of the Whitewater lodge, I. O. O. F., will go to Economy, where it will work on a large class. Many local Odd Fellows will accompany the team. A special train will leave Richmond on the C. & E. at 6:30 o'clock and will return at midnight. Delegations from Webster and Williamsburg will attend this meeting.

WEBSTER WITNESSES FIRST SHIPMENT

Residents Turned Out En Masse for Event.

The completion of the C. C. & L. switch at Webster, was observed yesterday by the residents of the little town, who turned out en masse to witness the loading of the first freight shipment ever made from Webster. This shipment was a car load of logs, unspectacular. They will be shipped east on an untimely end.

WOOD TO SPEAK.

John W. Wood of New York City, who will deliver an address at the English Opera House in Indianapolis Sunday night, will also speak here Sunday morning at St. Paul's Episcopal church. Mr. Wood is a prominent member of that church.

ATTORNEYS AGAIN URGE A DECISION IN IMPORTANT CASE

Judge Converse Still Has the Question of the Validity of The Meat Inspection Ordinance Under Advisement.

CITY ATTORNEY STUDY PLAYED GROCER HUNT.

Said That Men Who Thought More of a Few Dollars Than General Public Health Could Always Be Found.

"You will always find a few penny-whistlers who think more of making two or three dollars than they do of the general health of the community."

This is the way City Attorney T. J. Study characterized C. B. Hunt, the Main street grocer, in his argument on the validity of the meat inspection ordinance made yesterday afternoon before Judge Converse in the city court. Mr. Hunt was recently arrested for selling uninspected sausages and at that time he stated that he intended to test the validity of the meat inspection ordinance.

Wilfred Jessup, attorney for Mr. Hunt, argued that the ordinance had become invalidated because the ordinance had not been properly attested to by the city clerk or signed by the mayor on the record books, as provided in the acts of 1905.

Mr. Jessup said that the point in controversy had never been raised before and that all the authorities cited by Mr. Study had been made prior to 1905. He held that this ordinance was a sample of the slipshod methods in which the city council and the city officers transacted business. Mr. Jessup said that prior to 1905, the law had never required the mayor of a city to sign an ordinance after it had been spread on the record's but now this procedure was necessary to make the ordinance valid.

Mr. Study in his argument, contended that as soon as an ordinance had been passed and signed by the mayor it became effective. "The city clerk cannot record the ordinance until it is properly signed by the mayor," he said. Mr. Study then quoted several authorities on the question, among them being the Indiana supreme court which ruled in a Muncie case similar to the one in question. This decision was to the effect that if an ordinance had been properly passed it was effective even though it was not signed by the mayor or attested to by the clerk on the city records. Mr. Study contended that the record book was a mere directory.

Mr. Study severely attacked dealers who were opposed to the meat inspection ordinance. He stated that they little cared whether or not the public ate meat affected with tubercular germs. Mr. Study and Jessup both begged the court to rule immediately on the case, stating that no matter what his decision was, it would be appealed to the circuit court. Judge Converse refused to make a ruling until he had considered the case.

One amusing incident occurred during the argument. Mr. Study, in illustrating a point asked the court to "suppose" he studied was the mayor. "That's what I thought you are," said Attorney Jessup. Mayor Schillinger, who was an interested spectator, turned rosy red and the big crowd laughed merrily.

During the argument made by Mr. Jessup he was constantly interrupted by Mr. Study. Mr. Hunt became provoked at these tactics and finally, jumping to his feet, demanded to know if the city attorney had a right to do this. "Sit down, Mr. Hunt. That is a point for the two attorneys to settle among themselves," thundered the court. Judge Converse will make his ruling on the case next Monday.

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