JEROME BLOCKS DEFENSE!

mid it was intended to show a collineral condition of Thaw's relatives—the relatives descended from a common ancestry. Alfred Lee Thaw is a man of piercing dark eyes. His borehead is contracted in a continual frown. His black moustache is closely trimmed and black hair brushed. well back from the forehead. Mr. Gleason said he wanted to prove the hereditary phase of Thaw's insanity and could trace it back to a common incestry with the witness' father. It was not necessary or contemplated by the law that it should be proved a man's father or grandfather were insane to establish hereditary insan-

District Attorney Jerome argued in reply that the witness was not a competent person to testify as to insanity in the family of the defendant. It was necessary, he said, to go back to the great grandfather land mother of the witness and the defendant to reach common blood. On the two collateral branches of the family four separate stocks had been blended with the birth of the witness and the defendant.

AT DR. WILEY'S EXPENSE.

"I infer from the opening address of the defense," said Mr. Jerome, "that they expect to prove by this witness that his father died in an asylum or some retreat for the insane. The fact that a man dies in an asylum is not proof of his insanity. The law does not recognize it. The fact that a man dies in an asylum like time." that conducted by the eminent Dr. Wiley, who was on the stand to-day, for instance, does not prove he was insane.

Justice Fitzgerald said he felt constrained to adhere to his decision sustaining the district attorney's objection for the present. He would take the authorities cited by Thaw's counsel under consideration. He thought a closer relative than the witness should be offered as a witness, "Did you see your father in an

asylum for the insane?" asked Mr. Gleason, Mr. Jerome again objected to the question.

WITNESSES RULED OUT. "In the present condition of the record and at this stage of the trial, and his reply was: I sustain the objection," ruled Justice Fitzgerald. The witness was excused the present. The defense next introduced as a witness Benjamin b)man, who testified that in January, 1904, he had a conversation with the defendant. He was about to tell Jerome interrupted, declaring a con-versation so far back was not relevant or material. Justice Fitzgerald again called upon Thaw's attorneys

character proposed. "We did not expect to reach this witness to-day," explained Mr. Gleason, "and I have not my authorities

the introduction of testimony of the

Justice Fitzgerald sustained Mr. stepped aside.

FAMILY PHYSICIAN'S TESTIMONY Dr. C. H. Bingaman, of Pittsburg, who has been a family physician of Harry Thaw ever since his infancy. He had treated him once for St. Vitus dance. He seemed to be a lad of a highly nervous temperament and mient badly at night, said the witness Mr. Jerome's cros-examination was brief

"How old was the defendant when he had St. Vitus dance?" he asked. "Seven.

"That is all, doctor." Dr. John F. Demar, of Kittanning, Pa., the family physician of the Copleys, Mrs. William Thaw, the prisoner's mother, having been a Miss Copley, was the last witness of the day. He was called to testify as to the mental condition of John Ross, a cousin of Harry Thaw, when Mr. Jerome objected Justice Fitzgerald held that until the defense's authorities on the introduction of testimony as to collateral insanity were presented, he thought it best to rule out all such testimony for the time heins. It was at this point that the adjournment until to-morrow was ordered

The order for the exclusion of all witnesses which on yesterday drave Mrs. arry Thaw and Mrs William Thaw from the court room remained in force to-day with the result that the second row of four chairs just back of tthe prisoner's, which heretofore have been reserved for his family, have been turned over to those whose business gave them the privilege of attending the trial.

ALL WITNESSES EXCLUDED

Josiah Thaw was the only member of the defendant's family in court, Harry Thaw on entering seemed to miss the smile of welcome which each morning in the past his wife

had bestowed upon him. It is apparent that the defendant pends on his wife to turn the tide for him. It will be her wrongs, if there were any, which will impress the jury Thaw believes she will show that any man placed in the circumstances where he found himself might have lost his menta' baisince, and acted as he did. Upon the effect of her story, baring the whole large measure rets though the picture of his white haired, iderly mother taking the witness stand to able mother can appreclate.

ATTORNEYS NOT PLEASED.

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came known that certain of the at-torneys were not pleased with the day's developments. Delphin M. Delmas on leaving the court room declared flatly that he was dissatisfied with the day's proceedings and intimated that he was surprised that the conduct of the defense for the dary had been entrusted to John B. Gleason rather than to himself.

Dr. Charles C. Wiley, the Pitts-burg physician who testified for the defense and was so sharply cross-examined by District Attorney Jerome, should not have been put on the stand to-day, Mr. Delmas, said, and perhaps should not have been put on the stand at all.

"I expected to go on and conduct the case to-day," Mr. Delmas added. "I was surprised that Mr. Gleason should have done it."

It had been rumored in the court room that Thaw was pleased with Mr. Gleason's address to the jury Monday and that he directed that Mr. Gleason should take charge of the case to-day.

Thaw's attorneys were closeted at Attorney McPike's office well into the evening and when the conference let. broke up nothing definite as to what transpired was made public. MR. DELMAS SILENT.

When Mr. Delmas was asked what had been done at the conference, he replied: "I can say nothing at the present

Mr. O'Reilly's reply was: "There was a conference, that's all .. Nothing of importance happened."

Messrs. Hartridge and Gleason re-fused to discuss the matter. After the lawyers had left, Mr. Mc-Pike remained for some time in his office. He said:

"The lawyers for the defense held a conference, at which the plans were gone over. There was really nothing of importance done."

After the trial had adjourned Lawyer McPike visited Thaw in the Tombs. He talked with the prisoner for about 15 minutes and when he left he refused to make any statement. Later a note was sent to the prisoner asking him if the report that his lawyers had disagreed was true

REPORT ALL NONSENSE. "No, there is no truth in the re-

port. It is all nonsense." Thaw did not appear worn from his tedious day in court. If he was disappointed in the proceedings what the conversation was when Mr. did not give evidence of the fact. He was taken from the court room by a deputy sheriff and when he reached the Tombs he asked permission to walk up and down the prison yard for citations of authorities covering for a few minutes. The request was granted and after five minutes of tramping in the cold air, Thaw announced that he was satisfied and felt benefited by the brisk walk. He then mounted the prison steps three at a jump. Asked what he thought Jerome's objections and the witness of the day in court, he replied that the day had been "apparently satisfactory.

Mrs. Montrose Davidson Kenney and son, left yesterday for Raleigh the Thaws for 30 years, took the where they will visit Lieut. Gov. and stand and testified that he had known Mrs. F. D. Winston. Mrs. F. D. Winston,

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