THE ACT OF HARRY THAW WAS THAT OF AN INSANE MAN, WAS THE ASSERTION OF DR. WILEY

Jerome Attempts by Oc to Discredit Him as an Expert

WILEY STANDS FIRML BY HIS DECLARATIONS

That Thaw Though Could No More Resist the Homi- the subject." cidal Impulse Than if His Mind Had Not Been 'Capable of Grasping the Terrible Significance of

(By the Associated Press.)

New York, Feb. 5.- Experts on inanity and handwriting witnesses and jurors came to the Thaw trial today muffled to the eyes in great coats and furs. A severe snowstorm which be-gan early last night continued today

Mrs. Harry Thaw and Mrs. William

Mr. Peabody of his counsel. The defindant was paler today than on in force today, with the result that the second row of four chairs just back of the prisoner's which heretofore have been reserved for his family had been turned over to those whose business gave them the privilege of the privilege of the privilege of the was willing to go on the privilege of the was willing to go on the privilege of the was willing to go on the privilege of the was willing to go on the privilege of the was willing to go on the privilege of the was willing to go on the was will preside. The military record of Captain Haight is of absent will be to the was will preside. The military record of Captain Haight is as follows:

Corporal, Troop A, New York cavaldidate of our filtery. July, 1898; first lieutenant be hop four the was willing to go on the was will be was asked by Mr.

rning in the past his wife had estowed upon him.

in reaching court, owing to the storm, of the deed knew that it was wrong, and the opening of the session was the witness replied "Yes,"-and

Thaw family physician, and who is tion and the latter endsavoring to seven Oriental limited passengers connected with the Dixmont insane stop his witness, who had answered stalled and to the east five more stop his witness. asylum, was called as the first wit-ness for the defense. Dr. Wiley, in fense. When the question was again Gleason, of Thaw's counsel, said he had devoted much of his life to a of insanity, and that he had as an expert in a large num-

Dr. Wiley was asked to state his in which Harry K. Thaw was con-

"In the summer of 1905," said the witness, "I was a passenger on a street car of the Fifth avenue line in Fitisburg when Harry Thaw came Without any apparent reason Thaw rushed for one of the blinds and quality of his act, know that it to a window, drew up the blind, is wrong and against the law, and slammed it down again and then yet be swept away by an emotional Thaw rushed for one of the blinds drew it up once more. He had a impulse?" quarrel with the conductor." What was Thaw's manner?"

Dr. Wiley illustrated with his eyes.

"As an expert and from your personal observation can you say "Wait a moment," commanded whether his actions were rational or irrational?"

A Hypothetical Question.

A Hypothetical Question.

DDRIT

over to Mr. Jerome for cross-exami- state of New York. Dr. Wiley then

Jerome Cross-Examines.

Dr. Wiley said that in hereditary insanity the common flood would the form of insanity as laid down by flow through brothers and therefore the law of this state?" asked Mr. a cousin, the son of an uncle of the Gleuson.
defendant, might follow the same "The

"Are you acquainted as you sit

"Not entirely."

"Then your opinion on the hypothetical question you have answered was given as a scientific and a mediwas given as a scientific and a medi-

and discuss?" "Yes, and from my own opplication of the medical knowledge on

Mr. Jerome then asked the wit-ness if he really considered himself an expert. "I feel I have had experience "That is not the point," interrupt-

We don't know whether you are or "I think I am competent—"
"Are you an expert?" shouted Je-

"I am an authority," Dr. Wiley

hack of the prisoner's which heretofore have been reserved for his family
had been turned over to those whose
business gave them the privilege of
attending the trial.

After Dr. Wiley had said he was
an authority he was asked by Mr.

Jerome if he was willing to go on
record before the world in this case
as a scientific man, after merely wit-Josiah Tiny was the saly member of the defendant's family in court as the morning session began.

Harry Thaw, on entering, seemed to miss the smile of welcome which to miss the smile of welcome which

"Yes." Asked by Mr. Gleason if, in his District attorney Jerome was late opinion, the defendant at the time started explanation, which was stopdelayed ten minutes

Wiley Thinks He Was Insane/
Dr. C. U. Wiley, of Pittsburg, the

started explanation, which was stopped by Mr. Jerome and Mr. Gleason,
has passed through Hayre for freight
the former objecting to the explanaeight days. In drifts west of Hayre B. put to him he

"No." Dr. Wiley here explained that person might know what he was do ing and yet be utterly in the control of an irresistible impulse.

recollection of an incident in 1905 Jerome, "we have a sort of volitional insanity?" "That is possible, coupled with

morbid impulse."

"An act is morbid if it is insane? "Yes."

An Emotional Im "And a man may know the nature

"Yes, by an impulse over which he has no control."

"The act was that of an insane

Mr. Jerome led the there with the form of insanity through a long series of questions which the law of this state defines dealing with all manner of subjects as excuses for crime?" asked Mr. on most of these. The district at-

cal man, and you had in mind the Wiley believed in Christian Science. ford White Thaw Was Swept which scientific men meet together rectly but was pinned closely to the question by the district attorney. He

finally replied that he did not.

Asked then if he did not think all Dr. Wiley replied that their clusions may be right, but their premises may be wrong."

ed Jerome. "Are you an expert? MYSTERY IN COURT

(By the Associated Press.)
Sait Lake City, Utah, Feb. 5.—There is much mystery conected with the trial by court martial of Captain Charles Haight of the Fifth Cavalry, which bemany last night continued today with unabated fury.

The order for the exclusion of all witnesses which on yesterday drove Mrs. Harry Thaw and Mrs. William Mr. Peabody of his counsel. The death of the charge against Haight nature of the charge ag

WINTER CHAINS WHEELS ON GREAT NORTHERN.

(By the Associated Press.) Havre, Mont., Feb. 5.—Winter weather throughout northern Mon-tana is more severe than it has been at any time for the last twenty-seven years. Not a wheel is turning on the

"In other words," commented Mr. Vessels That Ply Along Vir- ill his return—at his request made yesginia, Carolina Coast

The Storm Continues but With Less Intensity Than Yesterday-Wrecking Steamer Kept in Hatters Inlet-The Sheppy Allison Safe.

(By the Associated Press.) Norfolk, Va., Feb. 5,-The British "What was Thaw's manner:

"It was defiant, vague, and his "What evidence of delusion was Fia, to Oran, Italy, recently yes finshed from right to left in the hypothetical question put to you by counsel for defense?" the Virginia Capes at 10:15 o'clock to-day. steamship Sheppy Allison, Pensacola.

whether his actions were rational or irrational?"

A Hypothetical Question, are of the hypothetical question on which you based so important at other than a continue to the hypothetical question on which you based so important at other than the nouthined that is thing again. Give us the substance of the hypothetical question on which you based so important at other had a taken into consideration the terrogation as to whather the witness inadvertently admitted that he case inadvertently admitted that he question.

"To seek countited by the person he saw in the Pittisburg streat car." I can," said Dr. Wiley.

"Will you express that opinion." "Not entirely upon the question." "Not entirely upon the question." "Not entirely upon the question." "Not entirely upon the pittisburg and what I know of the case." "I move that the well is swimbound here and at Hampton and answer by siricken out," asid Mr. Jorome, "that is not evidence. You must give an opinion." "I move that the entire question and answer by siricken out," asid Mr. Jorome, "that is not evidence of the law by sirick the man who committed the act described was suffering from linear ity."

The witness was asked to define her witness was suffering from linear ity."

The witness was asked to define that man, who committed the act described was suffering from linear ity."

Attorney Glesson then re-format the witness was the following the proposed of the court sustant of the objection.

Act of linear part of linear the proposed of the court sustant of the witness was turned and the hypothetical question. The string to have the stream of the winters was a sisted to define the court sustant of the fourth and the proposed of the court sustant of the string the case of the hypothetical question. The defense hat it to strike the matter of the court sustant of the proposed of the court s

Northern Investors are Al-Alarmed

the Stubbs B. B. Penalty Bill in the Pares Wives of Lunatics-Pure Food Bill Goes Over-State Sen-

The brickwork showed up bright red this morning around the east side of the bronze statue of the father of this Christian Scientists had reached wrong conclusions, and, suffering from delusion, were therefore insane. The Wiles possible the control of th

replied that their "connay be right, but their nay be wrong."

IN COURT

MARTIAL OF HAIGHT.

The little red trail reminded some of our bucholic statesmen of the swine paths of the piney woods in their townships, and eloquently explained that the "laborers" on the sixty days pay roll were very busy upstairs and conidn't collect the time to shovel sway the enew and ice on both sides of General Washington, for the concept of their legislative creators, martial of Captain Charles the other three ap capitol building, cenators went it blind their snow-shoes and in the law-maker's

ne's fifteen days' leave have gone into imme-t for the sake of a few med lawmakers it is to to of the "laborers" will the weather of yester-nish rives a second per-ment the lame program in

at 11 o'clock by Lieutenant Governor Winston.

Journal of Monday stood approved on the certification of the committee The standing committee made their

daily reports and added a number of bills to the hungry calendar, which, by the way, has been kept on a rather lean diet of late. This, however, is not an uncomplimentary criticism, cause it speaks well for the senate's rapid transit habit of dispatching ss, a fact due in no small measare to the work of its fine presiding er and its most excellent corps of clerks and other officials.

nshine-liquor bill was reported back this morning with an unfavorable report, it having been again re-committed yesterday. Owing was not finally disposed of today and is therefore again on the calendar un-

The lieutenant governor signed to-day the following enrolled bills and they are now the law: New Laws Ratified.

H. B. 566, S. B. 101—Amending the charter of the town of Burlington., H. B. 145, S. B. 249—To protect primary elections, etc., in Union county.

H. B. 145, S. B. 293—Regulating the pay of jurors in Nash county.

H. B. 293, S. B. 292—Amending chap-

ter 65, section 2763 revisal.

H. B. 88, S. B. 178—Regulating pay H. B. 88, S. B. 178—Regulating pay of jurors in Beaufort county. H. B. 63, S. B. 420—Regulating terms of superior court in Columbus county. H. B. 579, S. B. 266—Incorporating the town of Spruce Pines. H. B. 194, S. B. 306—To prevent in-surance companies and prevent diver-sion of funds for political purposes.

H. B. 53, S. B. 180-Repealing chap-

ter 370, private laws 1906. New Bills Introduced. H. B. 306, S. B. 523—Establishing a quor dispensary at Windsor, Bertie

By Mr. Burleson: To re charges in Pullman cars in Carolina. Railroad Committee. By Mr. Burieson: To regulate charges for long distance telephones in North Carolina. Rallroad Commit-

By Mr. Burleson: To protect passengers on reliroads in North Carolina. Raliroad Committee.

By Mr. Seawell: Authorising commissioners of town of Journborn to issue bonds to establish light and water piant. Counties, Cities and Towns

of Methodist Church at Morganton to remove and reinter certain remains of dead people. Proposition and Griev-

school district in Jackson township, Nash county. Committee on Educa-By Mr. Fleming: To fix the salaries of county officers in Pitt county. Sal-aries and Fees Committee.

By Mr. Drewy: To amend section 3374, relating to persons who shall knowingly entice away from others the servants employed by the latter under contract. Judiciary Committee. By Mr. Breese: To amend section

975 of the revisal and increase the authority of Cherokee Indians to trade and barter in their own name and on their own account. Calendar, by reguest.

By Mr. Breese: To allow married women of insane husbands to dispose of the property of their husbands without the signature of the latter. Ju-

diciary.

By Mr. Reid: To punish interference with trade and commerce. (This

galate Pullman Car bill is being printed today.) Petitions were presented in favor of compulsory education and referred. Also a petition relative to a claim of Mrs. M. A. Bledsoe of Raleigh auginst the state of North Carolina. Referred to Committee on Claims,

Calendar-Bills Passed. The pure food, drug and liquor bill of Senator Buxton was passed over at

the request of its author. H. B. 178, S. B. 362-Incorporating the town of Mootimer. Enrolled for ratification. H. B. 619, S. B. 528-To allow register of deeds of Lenoir county to ap-

point a deputy. Enrolled for ratifica-H. B. 517, S. B. 574-Amending chapter 245, acts 1903, relating to charter Pamilco Railroad. Enrolled for ratification

S. B. 464-Amending section 2367 of the revisal relating to terms of courts in Lincoln county. Sent to house. S. B. 422-To extend the jurisdiction of the mayor of Tarboro. Sent to the

house. ard of time in North Carolina, for the guidance of courts and registration of legal paper, etc., 75th meridian, longi-tude west. Sent to house.

S. B. 419-Amending section 1012 of the revisal relating to affixing of seal of cierks of court and registers of seeds to papers. Sent to the house. S. B. 250—To amend section 3733 of the revisal relative to public dru-ness. (Made to apply to entire or North Carolina.) On about

Mr. Buxton the bill was returned to calendar for further examination. Another bill that the senate would not stand for in its present form is S. B. 226 (by Mr. Burton of Onslow) to prohibit sale of toy pistols and fire crackers in North Carolina. Re-committed, and this time it goes to the whole state and makes it unlawful to sell a toy pistol over three inches long

and one-quarter inch in diameteh.) S. B. 342-Validating marriages per formed by unordained ministers of the Gospenl. Sent to house.

S. B. 421-To complete the paving of walks in capitol square. Sent to the

the revisal relative to public roads. Sent to house. (Continued on Page 2.)

Investigation Will Involve stoners of Henderson to place fund from sale of real estate in general Men of Prominence

Criminal Prosecutions Will Follow. Flagrant Offenses Committed in California Unearthed by an Agent Under President's Instructions.

(By the Associated Press.) San Francisco, Cal., Feb. 5.—The Call oday says:

Acting under instructions from President Roosevelt, Thomas B. Neusausen, an inspector of the interior department, co-operating with State Mineralogis Lewis H. Aubury has been investigating land locations in California, and has unearthed gigantic frauds which will be made the bands of criminal proscutions. The investigation, which has been sweeping in its scope, will involve men of wealth, influence and of agriculture and immigration, also high social standing in California.

One of the men against whom pro-

Committee.

By Mr. Thorne: To fix the time for holding terms of superior courts in Nash county. Judicial Districts Committee.

By Mr. Graham: To appoint S. F. Webb a justice of the peace in Binghain township. Orange county. Justices of the Peace Committee.

By Mr. Buxton, (by request:) Anthorizing voters of Wisking and other townships in Forsyth county to ald in construction of electric or other nash and other makes on the fable mountain channel, see filles and Towns.

By Mr. Davis: Permitting trustees

By Mr. Davis: Permitting trustees

Ito twenty persons against whom he has should be taxed, when other interests, and in the farmers alone the fullility and corporations, would benefit from immigration threefold or four-leading trustees.

Frauds have been discovered all the way from Siskiyeu county to Death Valley. Cases have been reported from Milits and corporations, would benefit from immigration threefold or four-leading trustees.

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Milits and corporations, would be taxed, when other Interestic, milits and corporations, would be taxed, when other Interestics, milits an

BILL DEFERRED

ing on Alcoholic Drinks

Mr. Bickett Introduced New Immigra tion Bill by Request-Big Fight Over Mr. Dowd's Measure for Instruction in Schools on Effect of Alcohol and Narcotics-Bill as to Challenges.

For the twenty-third day of actual legislative work the house was called to order at 10:30 o'clock this morning by Speaker Justice. Prayer was offered by Rev. Dr. McNeely DuBose, rector of St. Mary's School, this city. Mr. Julian sent forward a petition from Faith Council, J. O. U. A. M., praying for the enactment of a com-

pulsory educational law. The courtesies of the floor were extended to ex-Representative W. W. Barber of Wilkesboro, on motion of Dr. Bryant of Wilkes.

for examining partition walls in cells of state's prison. Douglass. Amend act of 1905, to allow coun-

ty commissioners of Tyrrell to levy special tax. Leverman. Provide for better working of pub-

lic roads in Yancey. Byrd. Amend act of 1899, that whenever any town alderman elected in any ward shall move, the board shall declare place vacant and elect successor from same vacu Laughinghouse.

Amend act of 1905, so as to substitute Smith Creek for Spring Creek in Pamilico county. Brinson.

Appoint Eugene C. Ross a justice of peace in tow ship No. 2 in Pam- ruary, 1899. More than twelve it lico. Brinson. Amend section 58 of Revisal, applying to Pamlico county. Brinson.

Extend police jurisdiction of city of High Point. Manning. Authorize aldermen of High Point to appropriate \$1.500 for maintenance of a Carnegie library and pro-

vide for site. Manning. Appoint justice of peace in Wilkes.

Amend Revisal, 5361. Winborne. Restore to judges of superior courts compensation for holding special terms, as allowed from 1875 to 1901. Winborne.

Relief of W. J. Davis, ex-chairman of the board of county commissioners of Henderson. Rector.

Authorize county board of commiscounty fund. Rector. Amend Revisal, 3066, making 46

pounds of corn meal a bushel. Wood. The privileges of the house were extended to ex-Representative J. B. Coffield of Martin.

Immigration Bill. At the expiration of the morning hour, the special order for the day, Mr. Preston's immigration bill, was placed before the house. It authorthe cause of immigration and to encourage the coming of immigrants to this state from other parts of the

celtie countries. Mr. Presion addressed the house, calling attention to the fact that under the constitution the department of agriculture was a department that up to 1905 the department had had for thirty years the right to ex-

House Debates School Teach- From New England Down the Storm Prevalls

Snow Had Fallen by the h the Forencon and the Storm Had Not Abated-A Bilggard Sweet

Pennsylvania. (By the Associated Press.) New York, Feb. 5.-For more than

wenty-four hours New York has been fast in the grip of a northeast an storm. Ten inches of snow fell in the twenty-four hours ending 8 a. m., today, equalling but not exceeding amount within any similar period for several years. In Broadway and all the avenues and cross streets contain ing surface car lines the snow was piled six feet high between the car tracks and the sidewalks, but by hard work with snow ploughs and sh most of the surface lines were ke r. Bryant of Wilkes.
Introduction of Bills.

Joint resolution appropriating \$500 tan were run on the usual Sch this morning, but the lines of Brooklyn Rapid Transit Compan the remote sections of Brooklyn badly delayed.

Railroad's roundhouse on the E side of the Harlem river near street was crushed in by the we snow early today, and two me were at work within were in Traffic in the harbor mov-

enutiously.

An army of snow shovelle Authorize county commissioners of Brunswick to subscrib to capital Although the heavy mow fall stock of the Willipsgton Brunswick to subscrib to capital Although the heavy mow fall stock of the Willipsgton Brunswick throat the forences. It is subscribed to the forences to gradually improved in the forences to gradually improved in the forences.

which began in this vicinity carry Monday morning has developed into a genuine blizzard, the worst since Felw has fallen and the hi has drifted it in places to a de the surrounding country the drifted so badly that no attempt we made to run trains on the schedu doned or combined with other Because of the heavy weather navigation on the Delaware river, with the

exception of ferry boats, is pr Reports from eastern Pennsylvania, Delaware and Southern New Jersey are to the effect that the storm is the wcrst in eight years.

In New England.

Chatham, Mass., Feb. 5.—A blinding snewstorm driven by a northeast gale of from fifty to sixty miles an made this morning one of the wildest of the winter on this coast. sioners of Henderson to place fund guards were doubled, but the storm sea beyond the inner line of breakers, little could be learned of the fate of the shipping which left Boston yesterday bound south around the cape.

Highland Light, Mass., Feb. 5.-The worst storm of the winter prevailed here today, a gale of sixty miles an hour with a thick snow tieing up all traffic on land and sea. At dark last night a lumber laden barkentine was sighted off this point southbound. izes the department of agriculture to four-masted schooner inward bound expend \$10,000 annually to promote was believed to have anchored in the bay. The tugs Hoken dauqua and Cheektowaga, with three barges each, were also caught by the storm as they United States and from teutonic and passed out yesterday, but it was lieved they managed to reach an an-chorage under Menomoy Point. On land all highways were blocked.

WAR TALK IGNORED BY TOKIO PRESS

(By the Associated Press.) One of the men against whom proceedings will be begun is well known to San Francisco, and has been rated as a millionaire.

Inspector Neuhausun came to San Francisco a few days ago and has been in the interest of immigration. The bill was based upon the South Carolina statute, and Mr. Preston had visited that state and studied the operation warrant prosecutions. He has forwarded a report to Washington in which it is said, he names from fifteen to twenty persons against whom he has positive evidence.

Frauds have been discovered aif the way from Sisklysu county to Death