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CLOSING THE THAW CASE

Attorney Delmas Making His Arguments to the Jury.

His Plea Not Based on "Unwritten Law" Nor Had Subject of Insanity Been Touched Upon.

New York. — The trial of Harry K. Thaw, charged with the murder of Stanford White is nearing the end. Attorney Delphin M. Delmas, the California advocate Monday afternoon began his closing address to the jury and after he had spoken for more than two hours and a half an adjournment was taken until Tuesday morning. Mr. Delmas expects to conclude before the luncheon hour is reached. District Attorney Jerome will make the closing address on Wednesday and Thaw's fate should be in the hands of the jury by Wednesday evening. Justice Fitzgerald Monday ordered the jury locked up until the end of the trial. The judge's charge to the jury undoubtedly will be delivered immediately after the district attorney concludes. The latter says his speech will occupy not more than three or four hours.

Deckering he would not base his plea upon the "unwritten law," because his client found ample protection in the written statutes of the state of New York, Mr. Delmas made a striking appeal to the sympathies of the jurors and so far as he progressed the subject of Thaw's insanity at the time he committed the homicide was not even hinted at.

An Accomodating Court.

Coffeyville, Kansas, April 9.—Yesterday, Otto D. Stallard, the defaulting cashier of the People's National bank of that place, was granted a continuance until the September term of court at which time he has agreed to plead guilty and be sentenced without a trial. The reason given for erasting a continuance is that Stallard wants to raise a crop this summer on his home place. He has deeded over all his property to the bank and has given a mortgage on the home place to satisfy the shortage. His family is also placed in want, and it was this feature of the case that caused the court to grant the continuance.

He Sold Harriman Letter.

New York. — Frank W. Hill a stenographer, was arrested Thursday night charged with having sold to a newspaper a personal letter of E. H. Harriman. The warrant was sworn to by Alexander Millar, secretary of the Union Pacific railroad company of which Mr. Harriman is president. The letter in question was addressed by Mr. Harriman to Sidney Webster and was published here by the World last Tuesday morning. Statements therein contained called forth a reply from President Roosevelt Tuesday afternoon.

Harriman Hearing Ends.

Washington. — After two days of argument the Interstate Commerce commission Friday concluded its hearings in the investigation of the transactions of E. H. Harriman [illegible] securities, and took the case under advisement. There were three addresses Friday, one by Attorney John C. Milburn in defense of Mr. Harriman's course, and the each by Special Attorneys C. A. Severance and Frank B. Kellogg in criticism of it.

Six Dogs Bite a Woman.

Tulsa, Ind., Ter.—Mrs. Chauncey Owens, a prominent society woman, was dangerously injured here Sunday by bites from six ravenous dogs which were fighting on a business street. Mrs. Owens was attempting to pass the dogs when a quick turn of the yelping aggregation caught her in its midst. She was bitten in a dozen places.

Terrorized a Territory Town.

Seminole, I. T. — While three armed men patrolled the main street of the town Sunday night, shouting warnings and shooting at citizens who dared appear, two others blew open the safe of the First State bank and decamped with $1,000. Fifty shots were fired and many had narrow escapes from injury.

Puerto Cortez Surrendered.

New Orleans, La. — That Puerto Cortez has surrendered without fighting and that about 1,500 Honduran soldiers abandoned the port two days before the Nicaraguan troops appeared was the information brought here Monday night by the steamer Anslem.

Exposure Killed Alleged Embezzler.

Terre Haute, Ind. — J. H. Kennedy, ex-secretary-treasurer of the Indiana Mine Workers died Sunday night as the result of a nervous collapse following disclosures which led to his removal on a charge of embezzling funds of the organization.

QUARANTINE LINE CHANGED

DISEASE STAMPED OUT IN NORTHERN COUNTIES

New Inspection Rules Designed to Prevent Spread of Texas Fever — Description of Boundary Lines Set Forth in Bureau's Report

WASHINGTON. The bureau of animal industry has issued new quarantine regulations to prevent the spread of Texas fever. The quarantine line for Oklahoma has been changed somewhat, due to the stamping out of the disease in some of the northern counties.

The line beginning in Red river at the northwest corner of Wichita county, Texas, thence northwesterly along the course of said river to the southwest corner of Greer county, thence north along the western boundary of Greer county to the northwestern corner thereof, thence easterly and southerly along the southern boundary of Roger Mills county to the southeast corner of said county, thence east along the southern boundary of Washita county to the southeast corner of said county, thence north along the eastern boundaries of Washita and Custer counties, to the Canadian river, thence in a southeasterly direction along the course of said river to the southeast corner of Canadian county, thence north along the eastern boundary of Canadian county to the northwest corner of Cleveland county, thence east along the northern boundary of Cleveland county to the middle of the right of way of the Atchison, Topeka & Santa Fe railway, thence northwardly following the middle of said right of way through Oklahoma, Logan, Noble and Pawnee counties and the Otoe and Missouri and Ponca Indian reservations to the northern boundary of the Ponca Indian reservation, thence east along the northern boundary of the Ponca Indian reservation to the Arkansas river, thence in a northerly direction following the course of the said river to its intersection with the thirty-seventh parallel of north latitude at the southern boundary of Kansas.

During the months of January, November and December of each year cattle of the modified quarantined area of any state or territory shall not be moved interstate therefrom for purposes other than immediate slaughter into the states of Missouri and Kansas, until inspected and found free of infection, and a written permit for the movement issued by an inspector of the bureau of animal industry, or by a duly authorized inspector of state or territory to which the cattle are destined, nor until permission shall have been obtained from the proper official of the said state or territory.

GROWING BIGGER THERE

Court Business is on Increase in Indian Territory

TULSA. A report just submitted by United States Commissioner Hyams shows an increase in business of one hundred per cent over the preceding quarter. The increase is in all branches of the work, particularly in criminal business, which is exceedingly heavy in this district owing to the large number of whisky cases in this jurisdiction. Commissioner Hyams hears twice as many whisky cases as any other official in the Indian Territory.

The El Reno Gun club has purchased Tibbet's lake near that city and will erect one of the finest club houses in the territory.

INDIAN DIVORCE LEGAL?

Suit at Perry Affects Many Other Cases, Involving $50,000

PERRY: In the probate court here a decision is pending in a case which is being tested the Indian divorce granted to Mrs. Sam Plummer-Black, an Otoe Indian woman, from Joe Plummer, her first husband.

Following her marriage to Plummer, in 1897, one child was born and was allotted a tract of land, after which the child died. After the child's birth, Plummer abandoned the woman and married another squaw, his first wife securing an Indian divorce and marrying Sam Black, another Otoe. The mother had the custody of the child until its death, but Plummer is now demanding all the child's property under the Indian law of descent and inheritance. The mother, however, is resisting his demand, claiming that as she cared for the child, the land belongs to her.

If the Indian divorce is upheld, then Mrs. Black wins the verdict.

After hearing all the evidence the judge took the matter under advisement until this week.

A NEW MEMBER

EIGHT YEARS SAYS STEVENS.

Retiring Chief Engineer Thinks the Canal May Be Opened in 1915.

In a Speech He Gives Wallace Credit For Laying Plans Upon Which He Predicts Success.

Colon. — John F. Stevens, former chief engineer of the Panama canal was given a splendid send off Saturday night previous to his departure Sunday for the United States. The reception was held on Pier H. Cristobal. W. G. Bierd, general manager of the Panama railroad, acted as chairman. Mr. Stevens in a speech modestly gave John F. Wallace, whom he succeeded as chief engineer, the credit for the organization of the work. This, Mr. Stevens declared, he had modified only when necessary. He said the preparations deemed necessary two years ago were under estimated and, though the working forces have since been doubled, they still were inadequate. But now, he declared, homes had been provided for 20,000 persons; there were railroad facilities for handling over a million yards of earth monthly and the organization was so advanced that it was possible to carry on the work in both wet and dry seasons. He said he firmly believed the canal would be opened in January, 1915. He did not seek the position and was leaving it of his own volition.

Mr. Stevens asked his loyal friends not to take their complaints to Washington, but to make them to Major Goethals, the new chairman of the canal commission, for whom he asked the same loyalty he had shown for him.

His Plea is Insanity.

Springfield, Mo. — When the case of Garland D. Moore, a young mail carrier, charged with the murder of his sweetheart, Clara West, was called in the criminal court Monday, counsel for the defense asked for the appointment of a commission in lunacy to examine into the sanity of Moore. The defense said its plea would be emotional insanity. Judge Lincoln took the motion under advisement. The murder was committed at the young woman's home in Bois D'Arc last November.

Taft and Cubans in Council.

Havana. — The members of the committees of the insurgents, with whom Secretary Taft arranged for peace in Cuba September last, had a conference with the secretary Monday, lasting from 10 o'clock until 1:30. Secretary Taft refused to give his visitors the date of the withdrawal of the American troops from Cuba. There is a general impression, gathered by what Secretary Taft said Monday, that the American occupation of Cuba will last for another year at least.

Missouri's Special Session.

Jefferson City, Mo. — The special session of the legislature called by Governor Folk will convene at noon Tuesday and it is expected will continue about 30 days. Governor Folk has prepared a special message which will be sent to the legislature as soon as it convenes, dealing with dramshop and race track matters. The organization of the regular session will be retained and the legislature will proceed to business at once.

MRS. MYERS WILL NOT HANG.

Gov. Folk Has Commuted Her Sentence to Life Imprisonment—Nottman Gets Same Sentence.

Jefferson City, Mo. — The sentences of death imposed upon Mrs. Augie Myers of Kansas City, and Frank Hottman of Higginsville, Mo., who were convicted of having murdered the Woman's husband, Clarence Myers, in 1904, were Monday commuted by Governor Folk to imprisonment for life. They will at once be brought to the state penitentiary here. Mrs. Myers is confined in the Clay county jail at Liberty, and Hottman is confined in the Kansas City jail.

The appeal of the case of Mrs. Myers to the supreme court of the United States will now be dismissed by her attorneys. In a message to the secretary of state relative to the action in commuting the sentences Governor Folk states that he believes that public morals will be better conserved by commuting the sentence of Mrs. Myers to life imprisonment than by hanging her. In the case of her accomplice, Frank Hottman, he said, similar facts to those in the Myers case exist and for that reason he also commuted Hottman's sentence to life imprisonment.

Court Martial for Fremont.

New York. — Major General F. D. Grant Friday appointed a court-martial to try Major Francis P. Fremont of the Fifth United States infantry on charges growing out of his petition in bankruptcy last year. Major Fremont is the son of the late General John C. Fremont and has lately returned from Cuba to meet the charges against him. The court-martial will be composed of [illegible] of the fifth cavalry will act as judge advocate.

Then Swettenham Resigned.

London. — The Standard Friday declares it is able to publish for the first time the circumstances leading to the resignation of Sir Alexander Swettenham as governor of Jamaica. The paper says that according to Sir Alexander's own statement in a letter to an intimate friend, he resigned in consequence of a peremptory demand from the colonial office to apologize to Rear Admiral Davis.

Enjoins Oklahoma Election Board.

Guthrie, Okla. — Chief Justice Burford of the supreme court Monday night issued a temporary injunction against the election board created by the constitutional convention. He holds that the matter of conducting the election for the ratification of the constitution cannot be taken from the commission delegated by the enabling act.

Buddhists Welcome Christians.

Tokio. — At a meeting Sunday of 2,000 Buddhists a committee was appointed to convey the respects of the Buddhists to the delegates of the World's Students Christian Federation, who are in session here. The delegates are being warmly welcomed with fetes and receptions. Marquis Ito has contributed $5,000 toward the expenses of the federation.

Made the "Dirt Fly" in March.

Washington. — The Isthmian canal commission officers received a dispatch Thursday from Colon showing that the total number of cubic yards of earth removed from Culebra cut in March was 815,270.

COMMENTS ON CONSTITUTION.

Oklahoma's Constitution.

Oklahoma has started in as a state with a remarkable constitution. It has many features entirely novel, but the plan throughout is the control of all matters by the people.

One of the principle points of attraction is to be found in the regulation of corporations. The article covering this special feature states very clearly that corporations selling watered stock will not be able to unload any of their product on the citizens of that state. Another interesting article deals with the prohibition of ownership of land by corporations, other than that really essential to the conduct of the business. Railways are forbidden to own any enterprise of a productive nature, and the two-cent passenger fare obtains. In addition, there will be an oil, gas and mines commission, and the sale of all state mineral lands will be guarded by a separate commission.

Oklahoma is starting along right lines. The most difficult to carry out will be that prohibiting the sale of watered stock. Just what is really surplus and what is not be capitalization, is an open question. Most corporations capitalize their anticipations, and some of them live up to their hopes. This was the case in United States steel. When the combine was organized, it had to deal with conditions as yet to be formed. They were consummated, and the huge company has weathered perhaps half a billion dollars of "water" very nicely. Those articles referring to the regulation of state mineral lands by a commission, are especially desirable, as is that article prohibiting railways from owning productive enterprises of other classes.

There is always the element of danger in living up to the good resolutions made at the start of any proposition, as a state, not excepted. But a good start is always more desirable than the other kind, and there are Western states today that might well wish they had safeguarded their oil and coal lands from the wiles and ways of railways.

Oklahoma is getting back to the starting point of our own federal constitution. It proposes to make the people rule and if the people could widely keep away from political machines, they might rule in reality as well as in fancy.

The new state in the sisterhood does not seem to mind the threats of various roads to cut down contemplated improvements. Perhaps, after all, other states may begin to see, some time or other, that politic corporations are much like fractious boys, and that impartial rules and laws tend to make corporations safer and better. Capital can scarcely ask license with consistency. Laws that are lax enough to grant them unreasonable privileges, must be lax enough to take other privileges from them. Oklahoma has wisely segregated business from speculation. Most states condemn speculation, and feel that the demands of the gambling element in high finance should be the thing.

The organization of subsidiary companies for the operation of coal lands, and the discrimination in freight rates and car shortages, may be more difficult to subdue than the state now anticipates. The car shortage dodge is by far the easiest to work; and we may only hope that Oklahoma will look toward the safeguarding of its interests in this way. We cannot help admiring the new state for its start, and we should be delighted to be reminded of a safe course from the beginning. If the distributions might have been better for all the states, but the conditions covered in the Oklahoma constitution were introduced long after most of the states of the Union had made into the statehood. Denver (Col.) Mining Record.

A Political Marvel.

In any up-to-date collection of political marvels Oklahoma's 100,000 word constitution must take rank with Pennsylvania's $13,000,000 Capital.—New York Tribune.

Made No Complaint.

Oklahoma made no complaint the other day when the thermometer registered 102. The constitutional convention had been in session all winter.—Ohama Bee.

Rabid Dogs Bite Society Woman.

Tulsa, I. T.—Mrs. Chauncey Owens, a prominent society woman, was dangerously injured here yesterday by bites from six ravenous dogs, which were fighting on a business street. Mrs. Owens was attempting to pass the dogs when a quick turn of the yelping aggregation caught her in its midst. She was bitten in a dozen places.

Chief of Police W. J. Baker and son Herbert are now in the Pasteur institute, Chicago, taking treatment to prevent hydrophobia from dog bites suffered two weeks ago.

Bank & Trust Company Organized.

Sallisaw, I. T.—The Sallisaw Bank and Trust company has been organized in this city, which will do a general banking business. I. H. Nakdimen was elected president of the new concern, and Judge W. H. Browne was elected vice president. J. F. Hamilton, clerk of the United State court at Sallisaw, was elected secretary. J. W. Dean, division superintendent of the Missouri Pacific, and J. H. Baker, together with the officers, form the board of directors.

DARK PLOT UNEARTHED

HEARST-HARRIMAN-ROCKEFELLER COMBINE IS ALLEGED

Roosevelt Hears of Scheme to Expend Five Million Dollars to Destroy His Influence in Congress and In Future National Politics

WASHINGTON: It is said on authority at the White House that there is ample evidence at hand for the claim the president holds that there is a movement to defeat his policies in the next congress and in the next national convention.

It is declared that the "Hearst-Harriman-Rockefeller combination" has already a fund of $5,000,000 with which to carry on its campaign in opposition to the president. It was further authoritatively said:

"They are gathering up the loose ends but the movement will flatten out. It is apparent in Ohio and Pennsylvania; in fact, it extends across the entire continent. The scheme was thoroughly divulged at a recent dinner and reached the White House through a friend of the president. The scheme of the people behind the movement is to buy newspapers, public men and others who may assist the opponents of the president in their work."

URGED TO MAKE PROOF

U. S. Commissioners' Terms Will Expire With Coming of Statehood

GUTHRIE: For the reason that all United States commissioners and United States court commissioners' terms of office expire with statehood, the homesteaders throughout western Oklahoma, in particular, are being urged to make final proofs on their land as rapidly as possible, else otherwise it will then be necessary for the homesteaders to visit either the United States land office or the county seat wherein the land is located, in order to make final proof. As it is, however, a United States commissioner is located in practically every town in western Oklahoma and they are authorized to receive final proofs.

In rescinding his former order which called for a special inspector in cases of final proof President Roosevelt has now made it possible for any homesteader, who contemplates proving up, to do so without waiting for the arrival from Washington of a special inspector. This does not, however relieve the order as first made, demanding that the residence be twelve months instead of six before final proof can be made.

An interesting decision has been made by the government land office at Lawton, in the case of Herbert Manzale, of Oklahoma City. Although not yet twenty years old, Manzale has been married two years, and made the claim therefor, that although not of age, yet he was the head of a family, and therefore could legally homestead a claim. He was allowed to file.

In another instance of similar nature Mrs. Mary M. Ashurst of Chattanooga, was allowed to file on a claim as the head of a family. She showed that she had been doing the manual work of the family family for several years.

BURNED TO DEATH.

Five Year Old Child Burned in Its Mother's Absence

VINITA: Little Lila Wicked, aged five years, was so painfully burned here that she died in six hours. Her mother, Nancy Wicked, was away from home at the time. The supposition is that the child's clothes caught fire from the stove.

AND NOW MAJOR PENROSE

He Also Changes Mind In Regard to Guilt of Soldiers

WASHINGTON: Testimony of unusual interest was given in the Brownsville investigation before the senate committee on military affairs, the chief witnesses being Major Charles W. Penrose, who commanded the former soldiers who are charged with having "shot up" the Texas city, and Lieutenant H. C. Lockie, who was sent to Brownsville by General McCaskey, commander of the department of Texas, to investigate facts connected with the shooting.

Lieutenant Lockie traced the course taken by bullets that penetrated houses in Brownsville and came to the conclusion that the bullets could not have been fired by soldiers in the barracks. Major Penrose has been acquitted by court martial on charges of neglect of duty, while the same court martial found that the men of the Twenty-fifth infantry were guilty. Notwithstanding this, Major Penrose asserted his confidence now in the innocence of the men, although at first he thought them guilty.