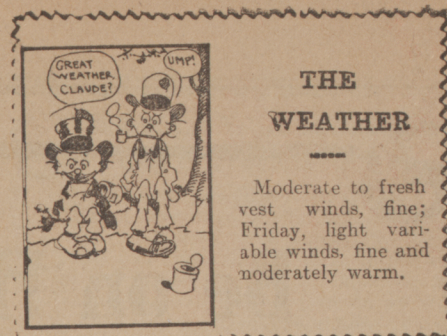




The Evening Times.



VOL. V. No. 264

ST. JOHN, N. B., THURSDAY, AUGUST 12, 1909

EIGHT PAGES—ONE CENT

THAW IS INSANE; BACK TO ASYLUM

Judge Mills Gives Judgment—Traces Insanity in Family—Refers to Thaw's Wife as a Mistress of Stanford White.

White Plains, N. Y., Aug. 12.—Justice Mills handed down a decision this morning declaring that Harry K. Thaw is in-



Harry K. Thaw

sane. He dismisses the writ of habeas corpus under which Thaw endeavored to secure his release from the lunatic asylum, and orders that he be committed to the custody of the state authorities of that institution.

Justice Mills draws the following conclusion:—"The insanity with which Harry K. Thaw was afflicted on June 25, 1906, at the time he committed the homicide, was of the kind known as chronic, delusory insanity, or paranoia. There was in his ancestral stock a substantial but not very strong trace of insanity. By 'not very strong,' is meant the fact that no one of his direct ancestors was ever insane. Upon the maternal side two uncles were of unsound mind, each at least for a portion of his life, and on his father's side an aunt was at least an epileptic and perhaps insane and some more remote re-

latives were undoubtedly insane, though as to them the evidence is not clear, but there had been insanity in one of their ancestral lines not common to the prisoner's own.

"As a child he was physically weak and puny, exceedingly nervous and abnormally watchful. Older, he was subject to violent spells amounting almost to paroxysms, without any natural adequate cause. He attended various schools for different periods from the age of six years upwards, but made little progress in study.

"While at school, especially in his earlier years, he had frequent outbreaks of uncontrollable excitement, in which his facial appearance was wild and staring.

"Continuing his history of Thaw's life, Justice Mills says:—"About 1891 he became enamored of a young woman, Miss Nesbitt, whom he afterwards married, she was then, by common reputation well known to him, the mistress, or a mistress of Stanford White."

"The judge speaks of Thaw's credence of tales told by Miss Nesbitt about White and of information obtained as to White's former position with White, told him various wild and grossly exaggerated, improbable stories of the inception of that relation, although he (Thaw) evidently was himself far from a moral man, and was then engaged, or soon thereafter became, in a scheme of unusual character, as revealed by the testimony of the Merrill woman."

"The judge speaks of Thaw's credence of tales told by Miss Nesbitt about White and of information obtained as to White's former position with White, told him various wild and grossly exaggerated, improbable stories of the inception of that relation, although he (Thaw) evidently was himself far from a moral man, and was then engaged, or soon thereafter became, in a scheme of unusual character, as revealed by the testimony of the Merrill woman."

GEORGE S. CUSHING ON WITNESS STAND TODAY

St. John River Commission Resumes Sittings Here—He Tells About the Conducting of His Business—Mr. Fellows Takes Spirited Part—Stetson, Cutler & Co. and Their Nationality.

The sitting of the St. John River Commission was resumed at 10 o'clock this morning.

Fred Goodspeed, C. E., was the first witness. Questioned by Mr. Fellows he told of measurements of the river at Grand Falls and of figures of depth. The width of the river at the point where the sheer boom was fastened to the Canadian shore is 680 feet.

Mr. Cushing Called

George S. Cushing, lumber manufacturer was next called. He said that he had been twenty-one years in the lumber business. He acquired most of his knowledge of the business from his father who had had a mill at Union Point. It was a two gang mill cutting from 100,000 to 120,000 feet a day which would mean approximately 30,000,000 feet a year. The lumber was taken mostly from Maine, the Alleghash river, and floated from the Fredrickton boom down the St. John river in practically the same manner as today.

The object of there being one corporation in driving logs from Grand Falls to Fredrickton was to reduce the cost of driving. Mr. Jones asked if the American citizens were agreeable to this system but the question was objected to by Mr. Fellows and was not allowed.

From Edmundston up the river ordinary bateaux could be floated easily all the way to the head waters and also towed up by horses. There had never been a steamer above Grand Falls to his recollection.

Mr. Cushing said that his father had had American logs principally and shipped the lumber free of duty to the United States about the same quantity every year.

After his father's death in 1888 a band mill was added to the place.

Since the witness took charge of the mill he got his logs from Seven Islands, Presque Isle, the Aroostook and the Alleghash. He had been manufacturing shingles for ten years. His mill usually runs nine or ten months in the year.

His company had no lumber limits in Maine at present.

During the last year his company received their supply from the upper branches of the main St. John river and from Seven Islands.

As to Stetson Cutler & Co.

A question asked by Mr. Jones as to whether the firm of Stetson Cutler & Co. were American citizens or not, evoked considerable discussion. It was claimed by Mr. Fellows that the men in question were the only ones who should answer such a query, so the form of interrogating was changed slightly. The question as finally asked was: "Do you know what country the members of Stetson Cutler & Co. are citizens of?"

This question was withdrawn.

Q.—"Do you know what these gentlemen claim to be?"

A.—"I do not know what they claim to be, but I know what they are."

This answer caused general laughter.

Mr. Jones withdrew the question in order not to detain the session.

Mr. Cushing said that Stetson Cutler & Co. obtained their supply of lumber from the State of Maine, and above Van Buren on the main St. John, and on the Alleghash. Geo. and Fred Cutler have resided in Boston for a number of years, and John Cutler has lived in New York for fourteen years. They carry on a commission lumber business in both of these States are greater than in St. John.

Mr. Jones—"Did you take any steps to place a man at the head waters of the St. John to look after the logs for the down-river manufacturers?"

A.—"Yes, we placed Geo. Colwell there about five years ago."

The witness said he had written in 1908 respecting operations in connection with the log drive on the St. John. The letter was addressed to the St. John Lumber Company at Van Buren. No reply was received to this letter, so a second was sent, and a response received apologizing for not answering the first letter. He did not recollect the name of the man who wrote the letter, but he recalled that the letter was addressed to the St. John Lumber Company at Van Buren by the St. John Lumber Company.

"Have you received any account or statement from the St. John Lumber Co. as to any logs manufactured by them?"

This was objected to by Mr. Fellows, but allowed to stand. The answer given was "No."

Mr. Cushing said he sent John McAllister to look after the interests of the company at the sorting place, and he had submitted a written report as to what had been done there. It was produced as evidence by Mr. Jones, but on Mr. Fellows' objection was not received.

With regard to the possibility of building storage dams on the St. John the witness said an improvement could be made and they, if built, might be used for some months of the year when the river was open.

At this point Mr. Fellows in strong terms objected to the witness answering questions after an objection is made. "He is not a fair witness," he said.

Mr. Cushing was admonished by the chairman to be more careful in answering questions objected to.

The query as objected to was one by Mr. Jones:—"Do you know where the delay of logs took place in 1906?"

Mr. Fellows—"I object—wait a minute."

Mr. Cushing—"At Van Buren."

After a few minutes the commission allowed the witness to state the sources of his information.

He replied that it was from his agent there—John McAllister, but he could not remember the dates. Logs coming over Grand Falls in the latter part of the summer did not reach the boom at Fredrickton in 1906. He received several communications from his agents relating to his logs during that summer.

Mr. Jones here stated that his witness was in close touch with the situation at Van Buren.

(Continued on page 3).

CASTRO'S MILLIONS WIPED OUT

Ex-Dictator's Fortune Reduced to Nothing By Systematic Spoilation.

Caracas, Aug. 11.—The much heralded appeal of Cipriano Castro to the Venezuelan Congress, which, after being read in joint session, was referred by Castro's friends in that body to a special committee for report, has died a natural death in the committee room, and instead of the desired report, the curious ex-presidential message has been archived.

Thus a last spasmodic effort of the few friends of the late dictator to awaken some sentiment for their fallen idol has failed.



Ex-President Castro

failed, and the ex-patriate in Santander has not even had the satisfaction of having his words reproduced in the Venezuelan newspapers, as must have been his wish.

Castro's Fortune Vanishes

The systematic spoilation of the fortune which Castro left behind him in Venezuela has proceeded with such gigantic strides, that after the first six months of the five million dollars of known assets have been almost totally wiped out. The remainder of the fortune, which was estimated by which one million dollars of Castro's property was reduced to fifty thousand dollars and the paltry remainder then taken away from him, will probably be a revelation even to Castro himself, who is now having a taste of the same medicine which he administered to the Venezuelan people for so many years.

Castro owned one million dollars of cigarette shares which had been given to him as his share in the promotion of the cigarette trust. A few weeks ago the directors of the cigarette company sold the five million dollar concern to a private individual, Senor Garcia Guerra, for \$250,000, or just 5 per cent of its capitalized value, and notwithstanding that on the same day of the sale the shares were quoted on the Exchange at 25 per cent premium.

The next step was the formation of a new company which took in all of the old stockholders except Castro. Then there was issued an order by the Commercial Court to have the \$50,000, which corresponded to the 5 per cent, purchased from the Castro stock deposited in the Bank of Venezuela to the order of whoever might be the holder of this block of stock.

So in one day one million dollars of good money became fifty thousand, but the worst was yet to come. This \$50,000 awakened the cupidity of more than one lawyer, so it was immediately attached by individuals who have lawsuits pending against Castro for the recovery of properties and damages.

The sequel of this story of "high finance" was the sudden arrival a few days ago of a German citizen named Theodore Hauser with the million dollars of cigarette shares in his pocket and he claims that these belong to him by virtue of purchase from General Castro. He has engaged the counsel and will bring action against the perpetrators of the alleged illegal reorganization which "froze out" these shares of his.

Orinoco Shares Gone

What has been done with Castro's cigarette stock is an exact repetition of the process used to oust him from the company which controls the monopoly of navigation of the Orinoco River and by which his large block of stock was made worthless.

The revival of Castro's match monopoly has brought down a storm of protest on the head of President Gomez. It is generally believed to be the first really serious mistake made by the new government. The strength of President Gomez's government so far has consisted in its doing everything the exact opposite from the Castro way. This first step in reviving an old monopoly which even Castro himself had abolished is a straw which, it is fervently hoped in Caracas, does not point to the way the wind blows.

The steamer Sincennes, which was slightly damaged on Tuesday at Cole's Island, is again on the route.

ACCUSED ITALIAN IN JAIL NOW

Alleged Murderer of Nicholas Laguy is Identified

HEARING TOMORROW

Capture in Carleton County Murder Case Effected Late Last Night—Witness Says Manralie is the Man Wanted.

Woodstock, N. B., Aug. 12.—(Special)—Sandy Mannalrie, the alleged murderer of Nicholas Laguy, was captured at 11.15 last night at Brown's Siding, six miles above Beechwood. He was brought to Bath and arrived here at eight o'clock this morning in the custody of Sheriff Tompkins, Winslow Dyer and Charles Boyer. The examination will probably take place tomorrow before Stipendiary Magistrate Holyoke, as Magistrate Dibblee is away at Skiff Lake.

Your correspondent visited him at the jail this morning and was informed by Dugrigard, a witness who is held and is in the corridor of the jail with the prisoner, that he was the man wanted. He is twenty years of age, rather a good-looking fellow, not quite as dark as the average Italian.

Among the officers present when the capture took place were Sheriff Tompkins, Chief Kelly, Officers Green, Herbert Lindsay, W. W. Melville, Winslow Dyer and Charles Boyer.

It appears that the prisoner on Tuesday night slept in the Italian's car at Brown's Siding. Before he left he made an engagement with Dominic, an Italian boss, to return at 11 o'clock on Wednesday night for food and some money to enable him to leave the country. Dominic notified the officers, who previous to the arrest, looked up the other Italians in their living rooms in the cars at Brown's Siding. Herbert Lindsay and W. W. Melville secreted themselves in the car while the other officers remained in the field. Promptly at 11 o'clock Mannalrie came into the car and was arrested without much difficulty.

GREAT WRONG DONE SISTER, SAYS SCOTT

Trial of Mrs. Castle to Bring Out Story, Says Her Brother

New York, Aug. 12.—Mrs. Mary Scott Castle must stand trial for having shot William B. Craig in a corridor of the Waldorf-Astoria last week. Her brother, Captain Henry H. Scott, of the Coast Artillery, makes it known that there will be an unusual story told before she is sentenced or freed.

When Mrs. Castle appeared before the magistrate last night her brother, Mr. Philip Fuchs, waived examination. Magistrate Butts, in announcing that he held her for trial, said:

"There have been intimations that there was to be a condemnation of this case; that Mrs. Castle had agreed to such a condemnation, and that that defendant would not have to go to trial. I wish to go on record as declaring that there is to be no such condemnation. There is no law for defendants in high society who are not in high society. The law is the same for all. Mrs. Castle in \$3,000 bail which was furnished.

Later in the day Captain Scott visited Acting District Attorney Nott and requested that the prosecutor's office make a most thorough investigation into the circumstances of his sister's relations with Craig before she goes on trial. Mr. Nott assured him that this would be done.

"A great wrong has been done my sister," said the officer, "and my only fear is that it may not be shown. We wish to have it brought out as an explanation of her action in the Waldorf."

MONTREAL STOCKS

Montreal, Que., Aug. 12.—(Special)—Stocks showed some improvement in prices today, and the volume of trading was better distributed. Detroit rallied to 69 1/8 on franchise outlook, and Scotia went back to 1 on dividend prospects. Other features were Eco 145 3/8, Pacific 137, Mexican 71, Twin City 194 3/4, Convertibles 48, Dom. Steel 45, Pfd. 122 1/2, Power 124 1/2, Dom. Coal 76.

The English mails on the steamer Adriatic, via New York, will arrive here tomorrow on the C. P. R. express about noon.

W. S. HOOPER IS NEW HEAD OF I. O. O. F.

Officers Chosen This Morning
Dr. A. D. Smith of St. John Deputy.

At the session of the grand lodge of Oddfellows this morning W. S. Hooper, of Fredericton, was elected grand master and A. D. Smith of this city was chosen to fill the vice chair. The election of officers occupied most of the time and great interest was taken in the contest, some of the ballots being very close.



The New Grand Master.

There was quite a lengthy discussion on the report of the finance committee concerning the estimates for the year's work. The new officers elected are:

Grand Master—W. S. Hooper, Fredericton.

Deputy Grand Master—Dr. A. D. Smith, St. John.

Grand Warden—J. A. Craig, Yarmouth.

Grand Secretary—J. J. MacKinnon, Charlottetown, (re-elected).

Grand Treasurer—J. H. Balcom, Halifax, (re-elected).

Grand Representative—L. R. Robinson, St. Stephen.

Grand Chaplain—Rev. G. W. Whitman, Granville Ferry, N. S.

Grand Marshal—J. E. Wyatt, Summerside, P. E. I.

Grand Conductor—L. B. McMurdo, Newcastle.

Grand Herald—A. J. Coppen, North Sydney.

Grand Guardian—John D. McDonald, Sherbrooke, N. S.

There was no reconsideration of the resolution adopted last evening in the matter of representatives to grand lodge. Adjournment was made at 1.15 until 3 o'clock this afternoon.

A pleasant feature of the proceedings this morning was the escorting of the grand lodge officers from the Dufferin Hotel to the convention hall by a detachment of the Patriarchs Militant, in which both the local canton and the visiting cantons were represented. The bright white uniforms of the members brought forth many favorable comments.

The final meeting in connection with the Rebekah Assembly, was held this morning, when the Rebekah District Deputy President's Association held their annual meeting. The meeting was held in honor of the president of the Rebekah Assembly, Mrs. Margaret S. Peters.

Encouraging reports were received and papers read as follows:—Our Watchwords, Mary Matheson; Our Emblems, Mabel Lyons, and Our Orphans, Grace Hebb. Additional interest attached to the meeting owing to the presence of two visitors from Worcester (Mass.), Mrs. Emma A. Savels and Mrs. Kingston, who gave helpful and instructive addresses. Past presidents Robinson, Peters, Hebb and Boyer were present.

The following officers were elected:—Olive E. Lindow, St. Stephen, president. Mary A. Matheson, Springfield, vice-president.

Mary A. Baker, Woodstock, secretary. Jessie Henry, St. Stephen, treasurer.

FUNERAL OF MRS. HANNAY

Fredericton, N. B., Aug. 12.—(Special)—The funeral of Mrs. James Hannay took place this afternoon with large attendance. Rev. Dr. Smith conducted services at the home, and hymns were sung by the choir of St. Paul's church. Interment was made in the rural cemetery. The mourners included Robert Ross, of Hamstead C. H. Climo, of Halifax; John A. Bowes and Samuel Girvan, of St. John, and W. A. Sealey, of Oak Point.

St. Mary's livery stable keeper was in the police court this morning charged with fast driving on this highway, president, and also with assaulting caretaker Jonah. He pleaded guilty, and fines and costs aggregating twenty-six dollars were imposed.

WANTS NO THRONE, BOY SEEKS TO DIE

Young Shah of Persia Attempts Suicide and Also Tries to Run Away—Complications Face the New Government.



The Deposed Shah

St. Petersburg, Aug. 12.—A special dispatch received here from Teheran says that Mohammed Ali, the deposed Shah, who is in Persia, will leave the country on Aug. 15, and that the young Shah, who is his favorite son, is downcast at the prospect of a separation from his parents.

According to reports current in Teheran, the youthful ruler recently made an unsuccessful attempt at flight, and when he was frustrated in this he tried to commit suicide. The government is considering the possibility of his abdication in favor of someone else.

Many complications face the new government of Persia. Several of the nomad tribes, as well as the cities of Shiraz and Kashgar, have refused to recognize it. A brother of the deposed Shah, Salar Ed Dowlat, is marching on Teheran at the head of a Kurdish tribe from Luristan Province.

Zill Es Sultan, an uncle of the deposed Shah, who has been banished, has been successful in his efforts to purchase permission to visit Teheran before leaving the country.

THE GRAND FALLS POWER

Evidence at This Morning's Hearing—The Value of the Site and the Power That Might Be Developed.

The hearing in the matter of the Grand Falls Power Company was resumed this morning in the admiralty court room before Commissioner J. N. W. Winslow. Col. McLean recalled Wm. A. C. Rice, who said he found there was no estimate made for the grist mill property other than the general estimate for 1,000 horse power.

The commissioner asked what value the witness placed on that property, to which he replied \$200,000.

To Mr. Powell the witness said the valuation was on a basis of a maximum horse power of 24,500 provided the company owned the land they claimed. He would advise anybody to take the property at \$200,000 as worth that amount as a manufacturing proposition. It would be worth that amount if a dam was erected across the river at the place he had plotted.

In replying to a question from Mr. Powell regarding the cost of power at Niagara Falls, the witness said that power purchased from the Grand Falls at \$5 a horse power would be cheaper than Niagara power at no cost whatever.

Col. McLean said it was his intention to call W. T. Whitehead, of Fredericton, to testify about the amount of timber available at Grand Falls.

After some argument about delay, it was agreed that Mr. Powell should open his case, and Mr. Whitehead would be called as soon as convenient.

Question of Title

Col. McLean said there might be some title deeds to submit later on.

Mr. Powell contended that all these title deeds should be put in now.

Col. McLean stated that he had not understood that their title was disputed. It was agreed that the papers would be produced before the hearing ended.

Mr. Powell said in outlining his case, they were simply expropriating lands in the Hayes estates, which would not interfere with any lands held by the Grand Falls Water Power Co. He put in evidence several documents bearing on the case.

D. W. Jamieson, engineer, of Ottawa, was called as the first witness. He had been with the Grand Falls Power Co. since January, 1908. He was assistant to F. W. Anderson, resident engineer, but latterly was resident engineer in charge of the work. J. B. MacRae, of Ottawa, was chief engineer. He had made soundings in the river and taken the elevation and daily gauge of the water, showing the quantity of flow.

On September 20, 1908, the quantity of water flowing was 2,200 cubic feet a second. The flow continued at about that quantity until March 2, 1909, with slight variations. The lowest flow reached during that time was 1,800 cubic feet a second. In March 1909 the flow was 2,600 cubic feet. The difference in the two elevations was 117 feet.

The plans and surveys prepared by the witness, and to which he had referred, were initiated by the commissioner for identification.

At the site of the dam he had driven a six-inch pipe through fifty feet of gravel, which was thirteen feet below the deepest part of the centre of the river. He did not strike rock at that depth. He continued soundings down river to the government wing dam, shown on the plan. He found rock where he sounded below the island. Soundings were made through the ice with iron pipe driven down. In

sounding he cross-sectioned the river and sounded every 25 feet apart.

John B. McLean, mechanical and hydraulic engineer, said he had had experience in engineering works for the Montreal, Toronto and Ottawa street railway companies, and with various mining and water concerns. He undertook the work for the Grand Falls Power Company in the spring of 1907, when he designed a dam. He did not personally look after the taking of soundings.

Mr. Powell—Taking Mr. Jamieson's estimate of a flow of 2,200 feet, how much horse power could be developed from a drop of 84 feet?

Witness—"About 9,400 horse power."

Power Development

The elevation of the crest of the proposed dam was 232 feet. Without the dam, 6,600 horse power could be secured. In March with the flow at 2,600 feet, 11,000 horse power could be developed with the dam, or 7,800 horse power without it.

Assuming that the company whose lands are sought to be expropriated had not the rights to the bed of the stream or water rights, the value of their lands would be of no practical utility for developing power. He had no idea of the value of land in that vicinity. It depended on location and market whether the power was worth \$5 a horse power, as had been stated by Mr. Rice.

Mr. Taylor for the opposing company, cross-examined the witness endeavoring to get an explanation as to how Mr. McLean expected to get 80,000 horse power, where he claimed the opposing company could get only 9,000 horse power.

Adjournment was made at 1 o'clock until 2.30 this afternoon.

COMISKEY WILL HOT HOLD STAKES

Head of Chicago Americans Declines Office in Big Fight

Chicago, Aug. 12.—President Comiskey, of the Chicago Americans, said last night that business affairs would prevent his holding forfeits in the Jeffries-Johnson match.

"I see I was named as stakeholder," he said, "and, while I appreciate being selected, I will have to pass the matter up. I will be too busy to give it attention."

WASHOUTS TIE UP RAILROADS

Monterey, Mex., Aug. 12.—The railroad lines are tied up on account of washouts north and south of this city, and no trains have arrived here since Tuesday. Telegraphic service with Laredo, over railroad wires, is cut off, and the damage to that section cannot be ascertained. A number of bridges have been washed away and washouts are numerous.

Miss Augusta Wade, of St. Andrews, is visiting Mr. and Mrs. John P. Cogle, in Carleton.

Miss Lillie M. Shewen, of Montreal, is visiting her sister, Miss Smith, of Douglas Avenue.

THE TIMES NEW REPORTER

MOMENTOUS CONFERENCE

The Times new reporter had an interesting interview last evening with Sir William Van Horne.

"I have always felt," said Sir William, "that a talk with an intelligent newspaper man was time well spent."

Sir William places a very high value on time and the significance of this remark was not lost, therefore, on the new reporter. He lit one of Sir William's cigars, and casually observed that the pleasure was mutual and the brand excellent.

"For my personal friends," said Sir William, "I have given the cigar; and the new reporter put another one in his pocket."

Then ensued a long and interesting conversation in which Sir William pointed out the new Brunswick was on the eve of great development, and St. John about to become the Liverpool and Hamburg of America.

"If I had discovered your province first," said Sir William, "it would have rejoiced me greatly to be identified with its development, and to have had a larger stake in it than I have at present."

"May I say," said the new reporter, "that, greatly impressed by unvarnished advantages and splendid possibilities of this magnificent province, you have decided to throw yourself into the work of developing its resources, and attracting foreign capital to be invested in great productive industries?"

Sir William Pressed Another Cigar Upon the New Reporter

"Well," he said, "I hardly think I would say that. You might fairly say, however, that I anticipate a great future for the province, and especially for the port of St. John. With regard to your harbor, I believe the citizens would do well to keep it this side of Partridge Island. I would not at present extend it out into the bay. So far as the C. P. R. is concerned, I am convinced that it will continue in the transportation business. Going so soon? Well, you have given me some valuable information. I hope to have the pleasure of meeting you again. You newspaper men are the brightest lot of fellows in the country—this door, please."