KILLING NO MURDER

Doctor Admits He Drugged Hopeless Sufferer.

DEFENDS OHIO MEASURE

Gave Fatal Dose of Morphine to Woman Roasted Alive and Priest Approved Act-He Suggests Safeguards for Law.

MILWAUKEE, Wis. Jan. 3.—(Special.)

Dr. Walter Kempstock of Milwankee, not only advocates the Ohto bill providsusery by administering drugs, but admits that he has followed the plan in his practice. Today he gave full details of the case. Dr. Kempstock is prominent in his profession, he was an expect with that Tewn Topics printed notices about the case. his profession, he was an expert witness in the trials of Czolgolz and Guiteau, assassins of Presidents, and was sent by the United States Government to all parts world as a special commissioner

On one occasion during my practice as a physician I took upon myself the re-sponsibility of putting a patient out of her misery, and I believe that God will justify the act," said Dr. Kempstock to the Publishers Press correspondent, "The case was that of a woman who had at-tempted saicide. The was the wife of a Colonel in the Army. The woman had taken all the woollen blankets and slowburning material off her bed and, lying a heavy straw mattress, had set fire

Killed Women Roasted Alive.

"I was called in consultation and she was a horrible sight to behold; she was literally rousted alive.

"What are you going to do?" I asked of the attending physician.

"I think we had better inject mor-

ne," he replied.
"How much?" I asked,

"About ten drops?"
"My God, man, fill the syringe?"
"I don't like to take the responsibility,"

"Give it to me, then!" He gave me the syringe and the drug and I relieved her of her intense suffering. The woman was a aCtholic, and the priest, who had called to see her, when I told him what I had remarked: "Doctor, you did right."

Proper Safeguards Needed.

a law, properly safeguarded, said Dr. Kempstock, "would, in my judg-ment, be a good thing. The Ohio meas-ure, however, is umsafe. It provides that a person of sound mind, who is sick unto and who is suffering unbearable can ask a physician to end his life. Before carrying out this provision the physician must consult three other physicians. Now, the question is, who are the physicians competent to pass judgment in cases of this kind? A man may have the wind colic and suffer untold agony, and your group of physicians may decide that he is suffering from an in-curable disease and, at the patient's re-quest, which is one of the provisions of

the Ohio, proceed to put him to death.

"There are others to whom such a law might be applied with henefit; there are needs who are a burden to themselves the state, and who can never hope." e anything else so long as they live such a measure is contemplated, it should include in its provisions such members of the community as are suffer-ing from incurable disease, for whom there is no hope, and it should include lunatics and idlers."

TRAIL OF TOWN TOPICS

(Continued From Page L)

either Colonel Mann or Justice Deuel's being responsible for what Ahle said to Mr. Post, because the connection is not

The Society Editors' Association was the reputed publisher of America's Smart Set. Justice Fitzgerald ruled that Mr. Post's evidence was not admissible and all of it was ordered stricken from the record.

Mr. Post then left the witness-stand and Charles S. Wayne, formerly managing editor of Town Topics, was recalled. He identified some anonymous paragraphs published in that paper in 1902 and 1903, and said they had reference to Dr. Seward Webb, E. J. Berwind and James W. Girard, Jr., and to the President's daughter. He said there was a key system by which one paragraph referred to another and that it had been in use three or four years.

Cause of Travers' Suicide.

Mr. Jerome cross-examined Mr. Wayne. wrote the article that caused

Billy Travers to commit suicide? "Rowe, the Newport correspondent," The witness said that "Mr. Gould was one of the correspondents at Bar Har-

Among the contributors of club news, he said, was James B. Townsend, a member of the Calumet Club and a daily newspaper writer. Mr. Allen had belped to get club and society news, he said Others who had belped were W. I. Robason, William Bininger and Mr. Fech-

"Did Mrs. Wade Hampton contribute?" Yes, articles about Southern people in

New York." Some of the Contributors,

O'Nell Sevier, Belmont Purdy, Harry Smith, Mrs. H. L. Robbins, Edward Zeigler, Acton Davies, James Huneker, the musical critic, and Oscar Colton were writers for Town Topics, continued Mr. Wayne. He also gave the names of a number of out-of-town commonders. number of out-of-town correspondents, many of them connected with newspa-

"How about Harry Lehr,?"
"He never wrote anything for the paer, but contributed information."

"How do you know that?"
"Rowe told me that Lehr gave him so-

information, and Colonel Manistated that Lehr promised him informa-

Wayne said that Burton Harrison wrote an article for the Christmas number of Town Topics; that Abraham Hummel, the lawyer, contributed social matter; Mrs. Simbons was a contributor, Mrs. Goelet's servants furnished informatios through

for the printer at the office of Town Top-ics, because the persons referred to were subscribers to 'Fads and Fancles'?" asked

In reply to other questions by Mr. Shep-ard. Mr. Wayne identified an article which appeared in Town Topics in 1986 as having referred to Harry Lebr. The wit-ness said he composed the article except four lines of it, which were dictated by Justice Pound when the witness had con-Justice Deuel, whom the witness had con-suited about it. The witness said that he told Justice Deuel that the publication of the item might prevent a lady's mar-riage, and he consented on that ground. He said that Justice Deuel never objected to the publication of any article on the ground that it was brutal or indecent, but on legal grounds, from fear of libel.

Harry Lehr's Troubles.

Harry F. Lehr was the next witness. It was stated that he testified at his own equest. He said that Town Topics had been printing articles about him ever since he came to New York eight years ago. Subsequently to his nutriage in 1901. Lehr said he went to see Colonel Mann at his office and ask him to leave his name out of Town Topics, explaining that the attacks in the paper were ex-tremely distasteful to bimself and his

"He promised to do so," said the wit-ness, "snying he had no ill feeling toward.

Mr. Lehr said the following Summer he subscribed to "Fads and Fancies." "After Colonel Mann promised to let up on you, did he do it?"

"He did." "And at the time you subscribed for 'Fads and Fancies,' it was understood that the request came from Colonel

"It was "In 1902, did you have a talk with Colo nel Mann?" Yes, a long one. He asked for a full-

sized photograph of myself, a description of my town house and of my fads. I then told him I objected to being ridiculed in putting me in the same book with such prominent men. He answered that I was right and said he would leave me out of

Why Did He Not Thrash Mann?

"Did you ever see Rowe, the Newport orrespondent of Town Topics?"

"Did you ever give him information on ocial matters?"
"No, and I was never asked to do so."
"When you saw Colonel Mann, what did

ou say to him?" asked Mr. Jerome, on ross-examination.
"I told the Colonel that after those at

tacks on me in Town Topics I felt very badly about them and was ashamed to go among my friends." "Why did you not sue him?"
"They were not serious enough fo

"Why did you not thrash him?"

"It never occurred to me to thrash colonel Mann." Here Mr. Osborne said he was aston-ished to hear the District Attorney advo-cating the thrashing of a man. He said it was criminal to thrush anybody. Mr. Jerome, turning with a smile to Mr. Os-

borne, said; "And you are from the South?"

Mr. Jerome then called George Creighton Webb. In answer to questions put to him, Mr. Webb said he had never been blackmalled by Town Topics, and had never paid any consideration for any articles appearing in it.

Mr. Osborne asked: "Did you not go to see Colonel Mann because you had been badly treated?" "I did."

"Did you make any physical threats against the Colonel?" asked Mr. Jerome. "I told him I would take measures." Operator Stole Secrets.

Here Mr. Webb was excused and Robert Rowe was called to the stand. He gave his occupation as the Newport correspondent of Town Topics. "You were a-telegraph operator while

"Yes." Mr. Osborne asked if the information

he obtained through being an operator was given to Town Topics. The witness admitted the fact to be true. "Did you not go to a function at New-

port disguised as a violin player' "What was it?"

"The Duchess of Marlborough ball."
"Did you report it to Town Topics?"

school disguised as a professor of mathematics and had reported the school to Town Topics.

The witness said he had resigned as an perator, though he was not the only person in Newport giving the telegraph com-pany's news to Town Topics.

EXECUTIONERS KEPT BUSY

REVOLUTIONISTS SLAUGHTERE

BY WHOLESALE.

Russian Soldiers Take Bloody Revenge for Uprisings in Moscow and Livonia.

ST. PETERSBURG, Jan. 25.-A lively storm of protest is flowing in against the summary execution of revolutionists, even if caught with arms in their hands, such actions being declared contrary to all forms of Russian law,

those to the left for the bastinado, while the third group, in which were those willing to denounce their associates, was set

A dispatch just received reports the execution of 5 revolutionists in one viliage in the Province of Livonia on Sunday last, under what the dispatch calls th ent fiction that they were shot while trying to escape.

DRIVING OUT CAUCASIANS.

Russian Armies Advance Steadily Into Rebellious Country.

TIPLIS, Jan. 31 .- On account of the re-

HE HAS DONE RIGHT

Lodge's View of President's Course on Morocco.

PROTECTS OUR INTERESTS

Those Who Call Roosevelt Usurper Informed They Got Answer at Polls-Action Necessary in Santo Domingo.

WASHINGTON, Jan. M.-Mr. Lodge to day presented in the Senate the policy of the administration in the matter of the Algecirus conference over Morocco and also with reference to Santo Do-mingo. He defended the course of the President in both instances, contending that our representation at the Morocean conference was essential to the protection of American commercial interests and that only by the course pursued in Santo Domingo could foreign nations be prevented from seizing the Custom-Houses of that country and securing a position there which might threaten the approaches to the Panama Canal. In closing, Lodge

said:

These attacks, Mr. President, are aimed at the President of the United States with the idea, apparently, of creating an impression that he is a usurper seeking to break through the constitutional limitations which have been drawn about his great office.

This same charge was made during the campaign when he was a candidate for election to the Presidency. It was made the main issue that he was a dangerous man, disposed to break down and disregard the constitution of the United States. The question was fought out before the people of the then was fought out before the people of the United States and those who made the Charge got their answer at the polls.

Every step the President has taken has been in the interests of peace, our own peace and that of the world.

Teller followed Lodge in defense of the privileges of the Senate in the matter of treaties. He complained of what he charged was a tendency to refer to opposition to a treaty as an attack upon the President. He contended that in Santo Domingo the President had attempted to do what only an act of Congress could

The Senate at 3 P. M. went into execu tive session. At 3:15 P. M. the doors were reopened and the Senate took up the pri-vate pension calendar and at 4:12 P. M.

ANARCHIST PLOT IS FOUND

Italians in Pennsylvania Combine to Slay. Pennypacker and Others.

WASHINGTON, Pa., Jan. 34.-In hunt ing for the murderers of Michael Car-razols, a wealthy Italian, who was shot at Dunlevy last week, Washington County authorities have unearthed a plot to assassinate some of the leading men of the country. They have secured evidence that among those marked for death was Governor Pennypacker, of Pennsylvania. Letters and papers are also in the hands

of the authorities which decree the death of other leading men. The existence of this band of anarchists was unearthed when Coroner Schee and Chief of Police Logan, of Monongahela, discovered to a squalld shanty near the mining village of Baird, three miles from Monongahela City, papers and docu-ments pointing to a wholesale assassination scheme. Anarchists in many parts of the country are implicated, and arreats in many sections are looked for. John Spida, the alleged president of the society, has been arrested.

STAND TOGETHER ON RATES

All Members of House Committee

Will Oppose Amendment. WASHINGTON, Jan. 24.-Final plans for the presentation of the Hepburn rail-road rate bill to the House were unani-

oustly agreed on today at a meeting of e offuse committee on interstate and foreign commerce. The committee's unan-imous opinion is that the bill will be considered not later than Tuesday.

A rule to limit debate will be sought by the committee, unless there be objection to the consideration of the bill by unanlmous consent. If, after the bill has been discussed for a day or two, the members feel a five-minute rule is desirable, all will join in asking it. It was agreed that all the members of the committee will oppose any amendments to the bill which the

committee is unwilling to accept.

Hephurn re-introduced the bill today as amended by the committee, and his report probably will be submitted tomorrow,

Thanks Bonaparte for Sympathy. WASHINGTON, Jan. 34.-Secretary of the Navy Bonaparte has received the foliowing cablegram from Vice-Admiral Julie de Noronba, Brazilian Minister of Ma-

In the name of the Brazilian navy and in my own, I thank your excellency for your feeling of sympathy expressed for the loss of the ironclad Aquidaban. Please accept and extend to the American Navy the most grateful thanks of the Brazilia navy."

Getting Money to Pay Canal Men.

WASHINGTON, Jan. 24.-Secretary Taft In the Molva (formerly the Russ), a student describes the proceedings at Moscow. The suspects there, he says, after being forced to ru nithe gauntlet of the soldiers' clubs and whips and being badly beaten, weer brought before an informal tribunal, where they were rapidly separated into three groups. Those sent to the right were destined for execution, those to the left for the bastinado, while relieves the commission of the necessity of shipping currency from New York Theof shipping currency from New York. The

THE LITTLE WIDOW A Mighty Good Sort of Neighbor to Have

"A little widow, a neighbor of mine, per suaded me to try Grape-Nuts when my stomach was so weak that it would not retain food of any other kind," writes a retain food of any other kind," writes a grateful woman, from San Bernardino Co., Cal.

"I had been ill and confined to my bed with fever and nervous prostration for three long months after the birth of my second boy. We were in despair until the

little widow's advice brought relief.
"I liked Grape-Nuts food from the be-Stubons was a contributed social matter; Mrs. Geolet's servants furnished information through Rachael Techman; Mrs. George Kemp furnished information about herself; Rev. C. De Lyon Nichols was a Newport contributor of social news about Newport society and of anonymous paragraphs under the head of "Saunterings," but the witness said be did not know that Mr. Nichols had a parish.

"Did you ever know that Judge Deuelhad anything to do with blackmalling schemes connected with Town Topics?"

"I did not," replied Mr. Wayne.

Did the Immunes Pay?

Mr. Wayne said he did not know whatther the "Immunes" paid for their immunity from criticism, but that there was plenty of free criticism, but that there was plenty of free criticism regardless of any consideration. Before the article were published, witness said, he tried to ascertain facts.

"You suppressed paragraphs prepared"

TIFLIS, Jan. 3.—On account of the resonant of the resumption of hostilities between the Arman the Province of Elizabethpol, and the attacks of army the peaceful population, a strong military force of all arts with the troops and the peaceful population, a strong military force of all arms has been dispatched to Elizabethpol, means a developed and an an incredibly short time it gave me such strength that I was able to leave my bed and enjoy my three good meals a day. In two menths my weight increased from \$5 to 185 pounds, my nerves had steadled down and I felt revolutionary organizations.

Reports from Kutals Province Causais, where martial law has been destrong the revolutionary organizations.

Reports from Kutals Province Causais, where martial law has been destrong the revolutionary organizations.

Reports from Kutals Province Causais, where martial law has been destrong the revolutionary organizations.

To the revolutionary organizations.

To the revolutionary organizations.

The revolution is steadily fighting its way westward, clearing the revolutions, which has cleared down and I felt form the minus of the results of the participation of the

Secretary said this agreement expired in April, and would not be renewed by the bankers unless a higher rate of exchange is paid, as there was difficulty in securing so much money in a country where there is a tendency to hoard silver.

Want Chance for Their Wine.

WASHINGTON, Jan. 31.-Senator Perkins, of California, accompanied by Percy T. Morgan, president of the California Wine Association, called on the President today to enlist his influence to secure the promulgation of a regulation by the Treasury Department that would be less of a hardship on the wines produced in California than are the present regulations of the Internal Revenue Bureau Mr. Perkins and Mr. Morgan explained that it was not their desire to obtain preferential internal revenue taxes, but merely the adoption by the Treasury Departmut of such regulations as would not embarrass the wine-producers. The President referred his callers to Secretary Shaw and later in the day Mr. Morgan, Senators Perkins and Flint and other members of the California legislative delegation discussed the question with the

Amend Exclusion Law.

WASHINGTON, Jan. 24.-Representative Foster of Vermont introduced a bill to-day modifying the provisions of the Chinese exclusion act so that merchants, students and other classes entitled to enter the United States may do so with-out being subjected to the alleged indignities complained of by the Chinese gov-ernment. The bill provides that after Chinese have been admitted to the United States they are entitled to trial before they can be expelled by immigration of-

Bigelow Given More Time.

WASHINGTON, Jan. 26.-Chief Engi neer John F. Stevens, in charge of the construction of the Panama Canal, to-day concluded his testimony before the Senate committee on interoceanic canals and intends to start for the isthmus to morrow. Poultney Bigelow, the magazine writer, has been excused for a week,

Fruit Cases in Supreme Court.

WASHINGTON, Jan. 24-The citrus fruit cases, involving the right of the railroads of Southern California to say over what lines oranges shall be shipped east of their own terminals, were argued in the Supreme Court of the United States to day.

Meet Again at Indianapolis.

INDIANAPOLIS, Jan. 24.—The conven-tion of the United Mineworkers of America, in its closing session today made several slight changes in the working

card of the union. The convention instructed its delegates to the International Mining Congress to work for definite and practical arrange-

ments regarding working cards, Indianapolis was selected for the next convention of the United Mineworkers of America, one year from now.

The convention adjourned at 2:10 this on, subject to the call of President

Enlarge Powers of Douma ST. PETERSBURG, Jan. 24.—Not-withstanding their victories over the revolution and the apparent oppor-tunity to turn their backs on the re-cently promulgated reforms, the Emperor and his advisers have taken another long step in the direction of constitutionalism by deciding to intrust

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terprise; but, strange as it may seem, there is an element always ready to oppose every needed improvement. Hence we find in this movement suggestions we find in this movement suggestions are only an effort to block the Hill road. Our hats to Jim Hill and say we "bid ou we find in this movement suggestions that are unreasonable in the extreme, such as the first imperial Doums with a large measure of constituent powers.

Bring in the Hill Road.

Bring in the Hill Road.

PORTLAND, Jan. 24.—(To the Editor.)

The question of the Willamette River bridge, as proposed by the North-Bank line, should arouse in every citizen of Portland a spirit favoring this great en-

