



## WANTS TIME MAY GET IT

### Ruef Has Difficulty in Securing Counsel.

### CALHOUN ASKS TRIAL

### Langdon Declared to Associated Press That He Had Been Misquoted.

### RUSH RUEF CASE TO TRIAL

### Patrick Calhoun Returned From the East Today and is Insistent for an Immediate Trial—Langdon Says he Has Been Misquoted.

SAN FRANCISCO, Jan. 28.—Abe Ruef will plead for more time when his case is called tomorrow, it being stated that he is experiencing some difficulty in securing counsel of character, ability and the reputation he desires to conduct his defense.

Patrick Calhoun returned from the east today and is insistent in his demand for an immediate trial. When the Ford trial ended, Heney announced he intended to put Calhoun on trial next. When the prosecution and Ruef broke off their relations, Langdon decided to rush the Ruef case to trial ahead of Calhoun, but the later said today he would insist on the prosecution keeping its agreement.

Langdon declared to the Associated Press that he had been misquoted regarding Heney's future plans. Langdon did not say that Heney would resign as special assistant attorney-general. What he said was that when the Hall-Mays case at Portland was finished, Heney will devote his entire time to the bribery graft cases until all are disposed of.

### JAPAN'S FOREIGN POLICY.

TOKIO, Jan. 28.—Replying to interpellations in the lower house of the diet this evening Foreign Minister Viscount Hayashi spoke at length on the foreign policy of the government, including the negotiations with America and Canada.

He announced that the Canadian question had been definitely settled and read the correspondence with Rodolphe Lemieux, the Canadian minister of labor, wherein Japan has agreed to restrict emigration to Canada within reasonable limits. He said that a memorandum attached thereto defined what was considered reasonable limits but insisted that Japan had not conceded any of her treaty rights.

He said the negotiations with America were continuing and he was unable to give any details but was able to announce that a satisfactory settlement was within sight.

Viscount Hayashi said further that certain negotiations with China were unsettled, pertaining to the Simum-tun-Fakuoin railroad regarding which a protest had been presented by China.

Regarding the Kanko boundary dispute in Korea, he said that Japan occupied the position of arbitrator and would decide according to the merits of the evidence.

Viscount Hayashi, said that it was the duty of the central govern-

ment to conserve the interests of Japanese subjects resident in other countries by preventing a further exodus of their countrymen which might be prejudicial to those already residing abroad, and the restrictions therefore would be extremely rigid.

One speaker in reply said that if China refused to listen to reason Japan should send a military force and compel her to do so.

Viscount Hayashi laughingly turned the tables upon the speaker by asking him if he would guarantee the result of the expedition.

Good humored throughout, Viscount Hayashi raised considerable laughter by his ready responses to the opposition which did not develop any special antagonism to the government's policy concerning emigration.

### DURBARROW IMPROVING.

CHICAGO, Jan. 28.—Allen C. Durbarrow, former Illinois Congressman, is suffering from a nervous breakdown under the care of special nurses at the Robert Burns Hospital. His condition last night was said by his brother to be much improved. He gave up his insurance business about a year ago on account of ill health. Mr. Durbarrow was born in Philadelphia in 1857. He was elected to Congress in 1891 and again in 1893. He became widely known because of his advocacy of a deep Chicago river as the beginning of a deep water way to the Gulf.

## CONGRESS AT WORK

### Edward's Resolution Checks the August Assembly.

### CAN PLAY BALL ON SUNDAY

### Republican Mix-up in Ohio Attracting Considerable Attention—Philadelphians Complain of Sailors Playing Ball Sunday.

Washington, Jan. 28.—Of all the surprises and startling propositions sprung upon Congress, it is doubtful if that august assembly of the nation's lawmaker ever was so inexplicably shocked as it was by the introduction of Representative Edwards' resolution requiring a full day's work from the men who, in the service of the country, receive approximately \$24 therefore. Each day's session to convene at the unearthly hour of 9 o'clock in the morning? Horrible! And work straight through until 6 o'clock with only one hour for luncheon? (Note that it's "Luncheon", not "lunch") Impossible! Of course, it was voted down just as fast as the legislative wheels could grind, after the members had recovered their senses. Mr. Edwards, a Congressional infant in that this is his first term, is greatly exercised over what he considers the waste of time in the house in discussing a revision of the laws, when there are so many matters pending that will benefit the "plain people", and with his conscience hurting him because he and the other representatives of the people have accomplished practically nothing in the six weeks they have been in convention, he framed the resolution in question. It's a hard matter to say just which clause of the resolution gave the members the hardest jolt; that naming nine as the hour for beginning work, that restricting the time for the midday meal to one twenty-fourth of a day, or the clause which directed that the House remain in session until "six o'clock in the afternoon, or later, if necessary, in order that we may get down to work, do something for the country, and adjourn before hot weather comes."

Is the muddle in the Republican affairs in Ohio entirely hopeless? are the Taft-Forsaker fractions of the

(Continued on Page 8.)

## MISQUOTED HIS HIGH OFFICE

### Heney's Charge Against Senator Fulton.

### DOCUMENTAL EVIDENCE

### Pays His Respects to the Railroads. Accuses Them of Monopolizing Industries.

### GRAFT VS. GOOD CITIZENSHIP

### San Francisco Graft Cases Explained by Controlling the Board of Supervisors the Public Service Corporations Could Charge High Rates.

PORTLAND, Jan. 28.—In a speech tonight on "Graft vs. Good Citizenship," Francis J. Heney delivered a terrible grilling to United States Senator Charles W. Fulton. The speaker also alluded to the railroads which he accused of undertaking to monopolize the industries of the country and which, unless curbed, would finally accomplish their ends, and to the San Francisco graft cases, in connection with the latter matter explaining that by controlling the board of supervisors the public service corporations of that city were enabled to charge exorbitant rates for their services and to increase their dividends proportionately.

Heney's main object of attack however was Senator Fulton and his acceptance of the latter's recent challenge that Heney either present some evidence to substantiate his charges or discontinue his attacks against the Senator. The speaker presented his evidence in much the same way as he does in trying a case, reading what he declared were statements, public documents and sworn affidavits, in substantiation of his accusation that Senator Fulton has misused his high office.

### GETS NEW TRIAL.

CHICAGO, Jan. 28.—Mrs. Angelina Anselone, the young Italian woman who was sentenced to 20 years imprisonment by a jury in Judge Kersten's court for the murder of Phillip Ferreo, and was granted a new trial, was placed on trial for the second time before Judge Windes yesterday. Mrs. Anselone aroused much sympathy in her previous trial by the story which she told, of the reasons for the killing. She claimed that Ferreo, who had been a boarder and had sought to pay her attentions, had inflamed the mind of her husband against her by false stories and that for this reason her husband had left her. Then Ferreo, she claimed, renewed his advances. She shot him on August 18 in the alley behind her home.

### SENATORS WORKING.

WASHINGTON, Jan. 28.—The Senate today disposed of a large number of minor bills on the calendar and resumed the consideration of the bill to revise the constitution of the United States. Senator Heyburn was anxious to continue the consideration of the code bill, but it went over.

### WALLACE GOES TO N. Y.

SAN FRANCISCO, Jan. 28.—Dillon Wallace, the explorer and writer, the man who carried the dead body of the leader of the Hubbard expedition in Labrador 400 miles on his shoulders, has just returned from a journey through Mexico. He left last night for New York and it is his intention to return to the coast next spring to explore further the Northern and Southern parts of Mexico.

### KILLED HIMSELF.

OAKLAND, Cal., Jan. 28.—Theodore M. Hall, whose parents live in New Haven, Conn., an employe of the Pacific States Telephone Company, was found dead yesterday on the summit of the Piedmont Hills, a revolver lying at his feet and two wounds in his head. He had placed the pistol in his mouth and fired both shots, death resulting instantaneously. He was about 25 years of age.

### HAD DINED WELL.

SANTA ROSA, Cal., Jan. 28.—In the stomach of a coyote, whose pelt was brought to the county clerk yesterday 42 chickens heads were found. It explained the disappearance of that number of fowls at least which farmers have been recently missing hereabouts.

### YOUTHFUL OUTBURSTS, THE PROSECUTOR ASSERTED, WERE FITS OF TEMPER, WHICH DESERVED SPANKING—LATER OUTBURSTS RESULT OF DRINK.

NEW YORK, Jan. 28.—After spending nineteen months in the Tombs, Harry K. Thaw may today have an opportunity to take more of a trip than the one across the "Bridge of Sighs" leading to the criminal court's building, the longest trip he has made since he was locked into the famous prison. If he does leave the Tombs his destination will be another prison, the penitentiary on Blackwells Island. District Attorney Jerome has asked for a commission to take the testimony of Abraham Hummel, the lawyer who is serving a term on Blackwells Island and Justice Dowling has announced that if necessary, accompanied by lawyers for both sides and the prisoner, he will go to the island tonight and personally take the testimony required. Mr. Jerome stated in court that Hummel was too ill to admit of his removal to the court room. The lawyers for the defense objected to the appointment of a commission to take his testimony and Justice Dowling, after intimating that he would take it himself if necessary, let the matter rest until this morning, when, on the opening of court, Mr. Jerome will renew his motion. Mr. Littleton will oppose it and Justice Dowling will render his decision. Hummel is the man who drew the famous affidavit which has played an important part in the case. In it Evelyn Nesbitt is said to have accused Harry Thaw of abusing her during their long sojourn in Europe before they were married. On the stand she had denied that she ever made the statements that were contained in the affidavit.

### ABE HUMMEL'S TESTIMONY

At the former trial Hummel testified that the affidavit was practically a stenographic transcript of the statements she made to him at his office. Hummel is serving a term on the island following conviction on a charge of subornation of perjury. His testimony will be included in the rebuttal testimony which Mr. Jerome will offer on behalf of the people. The district attorney has not stated what witnesses he will call in rebuttal but it is expected that the taking of testimony will be completed today and that the case will go to the jury tomorrow. It may be necessary to continue the final arguments in the case over tomorrow but there seems to be of little question that by noon Thursday at least the case will be in the hands of the jury.

### WAS UP FOR CONSIDERATION BUT WAS IGNORED.

WASHINGTON, Jan. 28.—National politics, international marriages and government expenditures formed the themes of discussion in the House today. Incidentally it was the longest sitting of the House this session. The urgent deficiency bill was up for consideration but in several instances it was ignored under the license of general debate. The presence of Bryan in the lobby of the House furnished an inspiration to Walker, of Arkansas—The longest session of the House.

### DEFICIENCY BILL

WASHINGTON, Jan. 28.—National politics, international marriages and government expenditures formed the themes of discussion in the House today. Incidentally it was the longest sitting of the House this session. The urgent deficiency bill was up for consideration but in several instances it was ignored under the license of general debate. The presence of Bryan in the lobby of the House furnished an inspiration to Walker, of Arkansas—The longest session of the House.

### INTERNATIONAL MARRIAGES

WASHINGTON, Jan. 28.—National politics, international marriages and government expenditures formed the themes of discussion in the House today. Incidentally it was the longest sitting of the House this session. The urgent deficiency bill was up for consideration but in several instances it was ignored under the license of general debate. The presence of Bryan in the lobby of the House furnished an inspiration to Walker, of Arkansas—The longest session of the House.

### HIC LABOR, HOC OPUS EST.

NEW YORK, Jan. 28.—"The Toilers", is the name of a club launched last night at a meeting of 80 of the city's hotel clerks, the membership to be composed entirely of the men behind the desks of the various hotels here. The organizers expect to secure a membership of 200 within a few months' time.

### BIG FIRE IN CHICAGO.

CHICAGO, Jan. 28.—Fire in the business district tonight caused a loss estimated at more than \$1,000,000 and resulted in the almost complete destruction of the building at 144 Wabash avenue, occupied by Alfred Peats & Company dealers in wallpaper, the building on the south occupied by the millinery firm of Edgson, Keith & Co. Several buildings were damaged to a greater or less extent.

### FORT BARRY READY.

SAN FRANCISCO, Jan. 28.—Fort Barry is to be occupied at once by United States troops. Major George McK. Williamson, the new constructing quartermaster, at Fort Mason, advised General Funston yesterday that the quarters at Fort Barry are ready for occupancy.

### PAYS BIG DIVIDEND

NEW YORK, Jan. 28.—An extra dividend of approximately 65 per cent will be made to the employes of the United States Steel Corporation who under the profit sharing plan of the company, took preferred stock in the company five years ago and still hold it. The stock was sold to employees in 1903 at \$82.50 per share and they were allowed to pay for it in installments. In addition to this it was announced that an additional five per cent per year would be paid to each employe who kept his stock for five years. In case any employe sold or otherwise disposed of his stock his bonus was to go into a fund for the benefit of the employes who retained their stock. It is said including this bonus each share of stock will have paid its owner during the seven years \$125.30, or \$42.90 more than the original cost.

### A PERSISTENT ENEMY.

SEATTLE, Jan. 28.—Charged with attempting by means of dynamite, infernal machines, fire, poison and bullets to kill George M. Roberts and family, John Hurst, a miner and business partner, was arrested today. His latest attempt on Roberts' life occurred yesterday morning and only the presence of two detectives prevented the Roberts' family from being blown up. This is alleged to have been the 14th attempt on Roberts' life. Hurst denies that he is implicated in the crimes.

## THAW TRIAL FINISHED

### Arguments By Council Comes Next.

### JURY CHARGE FRIDAY

### Elimination of Expert Testimony from Rebuttal Case Occasioned Much Talk.

### ABE HUMMEL'S TESTIMONY

### Youthful Outbursts, the Prosecutor Asserted, Were Fits of Temper, Which Deserved Spanking—Later Outbreaks Result of Drink.

NEW YORK, Jan. 28.—After spending nineteen months in the Tombs, Harry K. Thaw may today have an opportunity to take more of a trip than the one across the "Bridge of Sighs" leading to the criminal court's building, the longest trip he has made since he was locked into the famous prison. If he does leave the Tombs his destination will be another prison, the penitentiary on Blackwells Island. District Attorney Jerome has asked for a commission to take the testimony of Abraham Hummel, the lawyer who is serving a term on Blackwells Island and Justice Dowling has announced that if necessary, accompanied by lawyers for both sides and the prisoner, he will go to the island tonight and personally take the testimony required. Mr. Jerome stated in court that Hummel was too ill to admit of his removal to the court room. The lawyers for the defense objected to the appointment of a commission to take his testimony and Justice Dowling, after intimating that he would take it himself if necessary, let the matter rest until this morning, when, on the opening of court, Mr. Jerome will renew his motion. Mr. Littleton will oppose it and Justice Dowling will render his decision. Hummel is the man who drew the famous affidavit which has played an important part in the case. In it Evelyn Nesbitt is said to have accused Harry Thaw of abusing her during their long sojourn in Europe before they were married. On the stand she had denied that she ever made the statements that were contained in the affidavit.

At the former trial Hummel testified that the affidavit was practically a stenographic transcript of the statements she made to him at his office. Hummel is serving a term on the island following conviction on a charge of subornation of perjury. His testimony will be included in the rebuttal testimony which Mr. Jerome will offer on behalf of the people. The district attorney has not stated what witnesses he will call in rebuttal but it is expected that the taking of testimony will be completed today and that the case will go to the jury tomorrow. It may be necessary to continue the final arguments in the case over tomorrow but there seems to be of little question that by noon Thursday at least the case will be in the hands of the jury.

### WAS UP FOR CONSIDERATION BUT WAS IGNORED.

WASHINGTON, Jan. 28.—National politics, international marriages and government expenditures formed the themes of discussion in the House today. Incidentally it was the longest sitting of the House this session. The urgent deficiency bill was up for consideration but in several instances it was ignored under the license of general debate. The presence of Bryan in the lobby of the House furnished an inspiration to Walker, of Arkansas—The longest session of the House.

### DEFICIENCY BILL

WASHINGTON, Jan. 28.—National politics, international marriages and government expenditures formed the themes of discussion in the House today. Incidentally it was the longest sitting of the House this session. The urgent deficiency bill was up for consideration but in several instances it was ignored under the license of general debate. The presence of Bryan in the lobby of the House furnished an inspiration to Walker, of Arkansas—The longest session of the House.

### INTERNATIONAL MARRIAGES

WASHINGTON, Jan. 28.—National politics, international marriages and government expenditures formed the themes of discussion in the House today. Incidentally it was the longest sitting of the House this session. The urgent deficiency bill was up for consideration but in several instances it was ignored under the license of general debate. The presence of Bryan in the lobby of the House furnished an inspiration to Walker, of Arkansas—The longest session of the House.

### HIC LABOR, HOC OPUS EST.

NEW YORK, Jan. 28.—"The Toilers", is the name of a club launched last night at a meeting of 80 of the city's hotel clerks, the membership to be composed entirely of the men behind the desks of the various hotels here. The organizers expect to secure a membership of 200 within a few months' time.

### BIG FIRE IN CHICAGO.

CHICAGO, Jan. 28.—Fire in the business district tonight caused a loss estimated at more than \$1,000,000 and resulted in the almost complete destruction of the building at 144 Wabash avenue, occupied by Alfred Peats & Company dealers in wallpaper, the building on the south occupied by the millinery firm of Edgson, Keith & Co. Several buildings were damaged to a greater or less extent.

the morning session, Judge Dowling will, hand the case over to the jury

Thursday afternoon. The court announced however, he probably would not deliver the charge until Friday. Contrary to his policy of last year, Jerome this time utterly ignored the scientific phases of the rebuttal case.

He produced several eye witnesses of the tragedy and several police officers who handled Thaw the night of the homicide and placed on record their opinion that the defendant's acts and manner were rational. Under an agreement of counsel the testimony given by Abe Hummel at the last trial was read to the jury and the Thaw will was admitted in evidence without further proof as to its custody during the six months following the shooting.

An affidavit alleged to have been made by Evelyn Nesbit in Hummel's office, charging Thaw with cruelty and attempting to falsely place the blame for the Nesbit girl's downfall upon White was also admitted. Jerome's elimination of the expert testimony from the rebuttal case occasioned much talk. Based upon the assertions of last year that Thaw was an incurable paranoiac, rumor had it that the prosecutor might not be displeased with a verdict of not guilty on the ground of insanity, with an ensuing committal of Harry Thaw to the asylum for the criminal insane at Matteawan. Throughout the trial however,

(Continued on Page 8.)