

HALT IN THAW TRIAL

Lunacy Commission Will Determine Mental State of White's Slayer.

MOVE A SURPRISE TO THE DEFENSE

Prisoner Says He is Confident He Will Prove His Sanity.

JURY WILL BE EXCUSED INDEFINITELY

If Thaw is Declared Inane He Will Be Sent to Asylum.

MEN WHO COMPOSE THE COMMISSION

It Consists of Former Justice Morgan J. O'Brien, Peter B. Olney, Former District Attorney, and Dr. Leopold Putek.

NEW YORK, March 26.—Harry K. Thaw may never again face the jury empaneled more than nine weeks ago to try him on the charge of murder in the first degree.

Justice Fitzgerald today unexpectedly ordered a commission in lunacy to inquire into the present state of mind of Stanford White's slayer.

Justice Fitzgerald announced the appointment of the commission, private in its chambers, Evelyn Nesbit, Thaw was there with the lawyers and it became her task to break the news to her husband in the Tombs.

Members of Commission. The commission appointed by Justice Fitzgerald consists of Morgan J. O'Brien, a former justice of the appellate division of the supreme court.

Before being elected district attorney for New York county in 1883, Mr. Olney had been a member, with W. C. Whitney, of the committee appointed in 1882 to revise the laws of the state affecting public libraries in New York.

Dr. Putek is a graduate of Bellevue hospital medical school and has had a long experience in that institution. He is qualified before the state medical board as an assessor in lunacy.

Justice Fitzgerald said it would rest with the commission as to whether or not its hearings shall be public. In the last case of this sort in this jurisdiction, the inquiry into the mental condition of Josefa Terranova, who killed her aunt and uncle, the commissioner's inquiry was secret.

The Thaw lunacy commission will be attended by District Attorney Jerome, the lawyers for the defendant will be present and the commission may direct and compel the attendance of any witnesses it may desire.

In announcing his decision today to appoint a commission Justice Fitzgerald read a written memorandum. He based his opinion on the conflict of affidavits from the opposing sides, saying they were too diametrically at odds to permit a decision other than in favor of an impartial inquiry.

After citing the suggestion made in court by District Attorney Jerome and the various affidavits presented on both sides, Justice Fitzgerald's memorandum reads: "I do, therefore, in pursuance of the statute in such cases made and provided, hereby appoint a commission."

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SUMMARY OF THE BEE

Table with columns for dates (1907 MARCH) and numbers (3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30).

FORECAST FOR NEBRASKA.—Rain or snow and much colder Wednesday. Thursday fair and warmer in northwest portion.

THE WEATHER. In the house at Lincoln the conference report on the terminal tax bill was adopted, despite efforts of Cone, the fusion leader.

NEBRASKA. Motion to quash charge of murder against Ernest S. Kennison for killing of Summ D. Cox is overruled at Scott's Bluff.

DOBBETIC. Justice Fitzgerald appoints a lunacy commission to determine the mental condition of Harry K. Thaw and jury will be excused indefinitely.

SPORTS. Buck Franks, new captain and shortstop for Omaha, gets in from California after nine days' wandering through floods.

MOVEMENTS OF OCEAN STEAMERS. Port. Arrived. Sailed. NEW YORK ... Omaha ...

BONILLA ORDERS SURRENDER. President of Honduras from Amalgam Tells Tegucigalpa to Admit Nicaraguan Army.

MANAGUA, Nicaragua, March 26.—It is stated on the highest authority here that President Bonilla of Honduras, after his retreat to Amalgam following the defeat of the Honduran-Salvadoran forces at Choluteca.

PARIS, March 26.—The Nicaraguan legation today received the following dispatch from the Nicaraguan foreign minister: "Tegucigalpa has surrendered and has been occupied by our troops."

WASHINGTON, March 26.—Mr. Creel, the Mexican ambassador, today had a conference with Assistant Secretary Bacon concerning the situation in Central America.

LOS ANGELES, March 26.—Charged with manslaughter, Engineer Kelly and Conductor Humble of the Santa Fe, who were in charge of the Overland which collided with the students' excursion train on the bridge spanning the Los Angeles river Saturday night.

WASHINGTON, March 26.—The Navy department has approved the readjustment of wages of the employees at the League Island navy yard.

STOCK MARKET IS HIGHER

Reversal of Sentiment Marks of Trade in Wall Street.

FORCED TO COVER CONTRACTS

Begin Buying on Announcement of Relief from Government and Prices Advance Rapidly.

NEW YORK, March 26.—A complete reversal of sentiment from the depression of yesterday marked today's trading in the stock market. Although London prices were lower this morning, the New York exchange soon after the opening showed a much stronger tone than for some time past.

While nothing official was given out, it was stated by those in authority that no definite basis for a settlement was reached at the meeting. Another conference has been arranged for tomorrow.

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DEADLOCK ON WAGE SCALE

Trainmen and General Managers Have Fruitless Conference in Chicago.

CHICAGO, March 26.—No progress was made today toward reaching a settlement of the controversy between the western railroads and their employees who voted to strike unless certain demands were complied with by the general managers.

While both opposing interests on the surface appear to be determined not to concede anything, it is the general belief that the trouble will be settled without a strike.

For several weeks the men belonging to the two organizations have been voting on the question of striking if their demands are not granted, and, although the vote was not announced today prior to the commencement of the conference, it is understood to be overwhelmingly in favor of a strike if that step should become necessary.

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NEW POLICE BOARD WANTED

Governor Has Named No One as Yet to Succeed Lee Spratlan.

RESIGNATIONS OF TWO OTHERS ARE IN

Has Been Hoping the Third One Would Follow Suit and Permit Him to Name an Entire New Board.

LINCOLN, Neb., March 26.—(Special Telegram.)—Governor Sheldon did not make the expected appointment today of a police commission for Omaha to succeed Commissioner Spratlan, whose term has expired.

The exact amount of damage is not known. Conflicting reports have been made to have perished, but this morning it was announced that all stock had been taken out another way from below.

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FIRE IN HOMESTEAKE MINE

Men All Out of the Shaft Except the Force Engaged in Fighting the Flames.

LEAD, S. D., March 26.—(Special Telegram.)—Yesterday a fire was started in the stables of the Homestake Mining company between the five and six hundred foot levels by the burning fuse from an exploded black dynamite.

The plucky miners worked all night in relief shifts trying to get to the seat of the trouble. Pipes were laid, men were sent down with another shift, directly following their in case of accident.

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TERMINAL TAX GOES

House Adopts Conference Report and Sends Bill to Governor.

CONE FIGHTS MEASURE TO VERY END

Railroad Strength Wanes When Final Vote Comes on the Report.

LEE ANNEXATION BILL IS PASSED

Senate Adopts the House Roll and It Now Awaits Signature.

BUSY DAY SPENT IN BOTH BRANCHES

Many Important Measures Sent Through to Final Stages of Legislation Which is Working Under Pressure.

LINCOLN, March 26.—(Special.)—The house today concurred in the conference committee amendments to the terminal taxation bill, defeated an attempt by Mr. Mullon of Gage to recall the direct primary bill in order to amend it, and recommended for passage the King anti-pass bill as amended by the railroad committee.

The last stand of the railroads against the terminal tax bill was made this morning, and like the first stand, it was unsuccessful. The last night came over the motion to adopt the amendments to the bill reported by the conference committee, but by a vote of 58 to 35 the house adopted the reported amendments and the bill will shortly be ready for the signature of the governor, which is already assured.

One of Saunders, the fusion leader, made the last fight for the railroads. As soon as Clarke had moved to concur in the senate amendments, Cone moved as a substitute that the bill be amended so that all railroad property not located on the right-of-way of the railroads should be distributed for county and school district assessment purposes.

Harrison of Otoe, while arguing for the house to concur in the committee amendments, took occasion to tell a few truths regarding Cone's tactics during the session, and the great amount of the people's money he had spent in talking so much, while his only object could be to secure the defeat of the republican platform pledges.

VALUABLE ORE IS STOLEN. Said to Have Been Shipped to Omaha to Be Disposed Of.

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