

THAW CASE GOES TO JURY TONIGHT

Delmas Closes with Splendid Oration.

COMPARES THAW TO KNIGHTS

Rescued Evelyn Nesbit From Clutch of White.

APPEAL TO UNWRITTEN LAW

Declares Thaw's Form of Insanity "Dementia Americana," Which Seizes All Americans in Defense of Their Homes.

NEW YORK, April 9.—In an eloquent appeal both to the written and unwritten law, Delphin M. Delmas this afternoon commended Harry K. Thaw's fate to the jury. The California attorney concluded his five hours' summing up speech, declaring his client was justified in killing Stanford White. Tomorrow morning at 11:30 District Attorney Jerome will make his appeal in behalf of the prosecution, Justice Fitzgerald probably will charge the jury and by tomorrow evening at the latest, the famous case will pass to the deliberation of the 12 men who have so carefully attended the uncertain course for weeks past.

Great Oratorical Effort. With the exception of the moments when he was reading from testimony, Mr. Delmas' speech today was one of sustained oratorical effort. He threw about the form of Harry Thaw a cloak of chivalrous and knightly sentiment. "Why," he shouted, "should we, who admire the chivalry of the knights of the Middle Ages, who went about redressing wrongs and rescuing maidens in distress, withhold our sympathy from this brave man?"

Defines Thaw's Insanity. In discussing Thaw's mental state, Mr. Delmas came at last to the "unwritten law." He declared the experts had been at a loss to classify the form of insanity from which Thaw suffered. "I will suggest its name," he declared. "I would call it 'dementia Americana.' It is a species of insanity which has been recognized in every state of this Union. It is that species of insanity which makes the American man believe his home, his wife, his daughters, are sacred, and that whoever stains the virtue of his threshold violates the highest of human laws."

Thaw Believes He Has Won. Thaw seemed to be in the best of spirits and declared to his lawyers in the Tomba to his wife, his case was won. He seemed to have no dread of the assault of the District Attorney tomorrow. There was a report today that Mr. Jerome was ill, but he appeared at his office during the afternoon and said he had been busy for two days preparing his argument.

Many Women in Court. Despite the inclement weather—a snow storm without—the courtroom was besieged an hour before the time for the opening, a large percentage of the spectators being women. With much difficulty the police succeeded in keeping the crowd down to the actual seating capacity, so that, although every available bit of space was occupied, good order prevailed while Mr. Delmas was making his appeal to the jury.

leave them of their onerous duty as speedily as consistent with the responsibilities resting upon him.

"When I am done," said Mr. Delmas, "I shall give the fate of my client into your hands with every confidence."

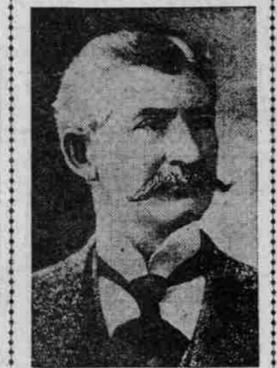
Mr. Delmas said it would be necessary to cast a rapid glance over his remarks of yesterday in order to connect the threads of his argument.

The state, Mr. Delmas said, had attempted to set the scene for the last act in the tragedy upon the flimsy basis of an affidavit dictated by "a felon—a man convicted of perjury."

Mr. Delmas quoted briefly from the speech of Mr. Jerome when Abraham Hummel was up for sentence. At that time Mr. Jerome urged the maximum penalty of the law upon the ground that Hummel had been a menace to the community for 20 years. Of the story of Evelyn Nesbit, told upon the witness-stand, Mr. Delmas said:

"You know, gentlemen of the jury, that no human imagination ever invented such a story. You know that no actor could have stood as she did, unflinchingly, at the tests known to skilled lawyers to elicit the truth, unless she was telling absolute truth."

"I shall now proceed in an effort to de-



Levi Ankeny, United States Senator, of Walla Walla.

pic to you the effect of this story upon the mind of Harry Thaw. I shall prove this to you without using any language of my own. I shall tell you the story in Evelyn's words, the words you heard her use upon the stand.

Mr. Delmas then read dramatically the young woman's story of Thaw's actions when, in Paris in 1882, she told him the story, how he walked the floor, biting his nails and sobbing. He also read that portion of her testimony in which she said she had refused Thaw's offer of marriage because she loved him so much that she would not drag him down. He proceeded:

"Sublime renunciation, says the sneering District Attorney, in an effort to make you believe that this story is not true; that it is impossible. But I shall prove to you that it is true; I shall prove to you beyond the slightest doubt that she did refuse him, and that she did so because she loved him so much that she would not drag him down. He proceeded:

Arguing along this line to further demonstrate Evelyn Thaw's "sublime renunciation," Mr. Delmas referred to and read extracts from the letter which Thaw wrote to Attorney Longfellow in September, 1892. In the letter Thaw wrote that he had proposed marriage to Evelyn, but she had refused because "she said it would shut me out from my relatives."

Mr. Delmas continued:

Lettres Confirm Evidence.

The genuineness of this letter cannot be denied. What then did it mean when Thaw wrote to Mr. Longfellow that Evelyn would not marry him?

It is not true that she had refused him? Thaw wrote that she thought first and then rejected his offer? Yes, she thought. She looked upon the man she loved, she looked upon her own fate, she did not want to bring reproach upon the man who would have married her.

Down in her noble heart she said, Harry, I love you and because I love you, I do not want to let my unfortunate existence to you, so that people would point the finger of scorn at you. I want to leave you free, and the moment you think it is best for you, I will go back and earn my own living and you shall be free and honored, go back to your noble mother and dear sisters and I shall go down, where so many others have gone before me and disappear from the world.

Yes, she thought, the meek of the District Attorney is unjustified. The little girl did sacrifice herself—did rise to the heights of sublime renunciation.

Mr. Delmas read from Mrs. William Thaw's testimony and went on:

Did that venerable gray-haired mother come here to perjure herself? Did she invent this story which she says her son told her? Did he tell an untruth when he confessed to his loved mother and told her that he loved this girl and wanted to devote his life to her? Did he tell all this time that his girl was going along using the talents God had given her to make a living for herself, refusing to marry the wealthy man who loved her and who she loved, because she thought it was best for him? Oh, sublime self-abnegation!

Mr. Delmas read from Evelyn Thaw's testimony, recalling the portions of her

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DOOR IS CLOSED AGAINST BEAUTY

Mrs. Von Claussen Gets No Hearing.

LOEB PROTECTS ROOSEVELT

But Exposes Reporters to Assault of Her Charms.

WHICH FASCINATED OSCAR

Her Gorgeous Turn-Out Produces No Impression at White House and She Must Tell Root of Graves' Sins.

WASHINGTON, April 9.—(Special.)

Mrs. Ida M. von Claussen, who came all the way from Stockholm prepared to upset Uncle Sam's diplomatic corps because Minister Inceves would not present her at King Oscar's court, even when Oscar, whom she had "jollied" at Wiesbaden, was just crazy to see her, got as far as the waiting-room at the White House with her complaint today. She couldn't even get as far as Secretary Loeb, who sent an assistant out to meet her and direct her suavely to the State Department.

Thereupon Mrs. Ida M. von Claussen retired from the White House, after leaving a communication requesting that the President appoint a commission to inquire into her sanity before she proceeds further.

Makes Hearts Flutter.

In previous interviews Mrs. von Claussen has modestly set forth that the comeliness of beauty across the water simply went into a trance when they saw her, and there was considerable fluttering of hearts around the White House when she hove in sight. She was certainly up to advertisement through posters, colored lithographs and small bills for particulars.

Her appearance at the White House created a sensation among the policemen, messengers and assembled multitudes. Impressionable young men "who cover" the White House for the newspapers describe her ecstatically and variously as a "ravishing beauty," of "stunning appearance" and the like. She arrived in a gorgeous turnout—and as she tripped public liveries afford—and as she tripped into the White House anteroom, she swept the air with several hundreds of dollars worth of brown ostrich plumes that surmounted her picture hat. Her "stunning" costume defied the descriptive powers of the masculine pen.

Who Could Blame Oscar?

"Could you blame King Oscar," asked several as they gazed in admiration. "Oh, my friends the reporters," said Mrs. von Claussen, as she espied the group around the pressroom door, and with outstretched arms she swept toward them. A policeman, who was nearly bumped over in her impetuous rush, was almost afraid to go to the bosom of his family tonight because of the "perfumery smell" that clung to his clothes. For some time the visitor unfolded her tale of woe to all who would listen.

The White House authorities have as yet done nothing in the matter of a sanity commission. There is no prospect that Mrs. von Claussen will see President Roosevelt. She expects no consideration from the State Department.

WORLD'S GREATEST RULER

Governor of North Carolina Voices Opinion of Roosevelt.

PINEHURST, N. C., April 9.—Better educational facilities, more schoolhouses and continued war against illiteracy was the slogan of the speakers at the conference for education in the South which convened here today in the tenth annual session. The speakers at tonight's session included President Judson of the University of Chicago. Governor Glenn discussed the attitude

of the South toward the so-called educational movement and, in referring to the loyalty of the South to the Union, remarked that the Southern people today consider President Roosevelt the greatest ruler the world has ever known.

BOTH GUILTY OF MURDER

Nicholas and Leopold Convicted of Killing Mrs. Leslie.

CHICAGO, April 9.—Howard Nicholas and Leonard Leopold were today convicted of the murder of Mrs. Margaret Leslie, an actress. Nicholas was sentenced to life imprisonment and Leopold was given a 14-year term in the penitentiary.

On the morning of October 19, last year, the dead body of Mrs. Leslie was found in her room at the Palace Hotel, with an undergarment tied around her neck. The room was filled with gas from an open jet. A verdict of suicide by gas poisoning was rendered by a coroner's jury. This finding did not meet the approval of the woman's father, Marvin P. Woody, of South Bend, Ind., and he demanded that the case be reopened.

Nicholas, who had been connected with Mrs. Leslie in several theatrical ventures and who also lived at the Palace Hotel, was arrested as a suspect. Under what he alleged later to have been sweatbox methods, he made a confession to the police, implicating Leopold. He admitted having killed Mrs. Leslie in order to rob her of her diamonds. In the confession he laid the burden of the crime on Leopold. Some of the diamonds were found on Nicholas and Leopold.

Six-Story Brick Guttled.

CHICAGO, April 9.—A six-story brick building at 256-258 Market street, occupied by several business concerns, was destroyed by fire tonight, loss \$150,000. Owners are Hollister Bros., printers and engravers; A. J. Carlson & Co., manufacturers of ladder supplies, and E. R. Lovett & Son, dealers in printers' supplies.

Texas to Close Bucket-Shops.

AUSTIN, Texas, April 9.—Both branches of the Texas Legislature today passed a bill prohibiting the operation of bucketshops, cotton exchanges or any dealings in futures in Texas.

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Vancouver will have electric railway system. Page 11.

Admen's League replies to McMinnville Mayor. Page 10.

Commercial Club discusses street improvement. Page 12.

GOES TO PIECES UNDER HOT FIRE

Hermann Trapped in Cross Examination.

CONFOUNDED BY TELEGRAM

Gave Mays Tip About the Blue Mountain Reserve.

IGNORED HIS OWN ORDERS

Violated Law by Buying Land While in Office—Letters From Mays Put Him in Confusion and His Memory Fails Him.

OREGONIAN NEWS BUREAU, Wash-

ington, April 9.—Binger Hermann literally went to pieces this afternoon when subjected to cross-examination by District Attorney Baker. Where previously he had been calm and suave, though sometimes evasive, he today frequently exhibited temper, when pressed with embarrassing questions, and repeatedly avoided giving direct answers to questions put to him by the prosecuting officer. When pinned down he made several reluctant admissions that reflected anything but credit upon him. At other times, though confronted with documentary evidence, shown what the District Attorney styled violations of the law upon his part, Hermann repeatedly denied all guilt and undertook to explain away transactions which involved him in various land deals. The most pitiable feature of Hermann's explanations was that they did not explain.

Altogether Hermann showed up in an extremely bad light. Unless he improves Hermann, his memory was refreshed and he recalled that his son Schiller had made a homestead entry. When his memory was further refreshed Hermann admitted that Schiller also acquired three other 160-acre tracts from settlers in the Roseburg land district and conveyed all three to his father for \$2000 in gold, while he was yet Commissioner, to relieve Schiller's financial embarrassment. Hermann had written a memorandum directing the patents to be mailed to his son.

Hermann insisted that his son did not acquire title from the Government, but from settlers, which he had a perfect right to do, but the record was produced to show that at least one patent was issued by the land office in the name of Schiller Hermann, and not to the original settler.

Violated His Own Order.

The District Attorney further enlivened the proceedings by reading a circular issued by Hermann as Commissioner, calling the attention of all Land Office employees to the fact that they and their families were forbidden by law to acquire public lands. On top of this Hermann admitted that 37 years ago, when he was Receiver of the Roseburg Land Office, he acquired title to "several thousand" acres of public land in Oregon, the amount shown to be slightly in excess of 3000 acres, which cost him an average of 50 cents an acre, he having obtained title mostly through scrip locations.

"Did you know you were violating the law in acquiring that land?" asked the District Attorney.

"I did not," replied the witness.

"Were you not a lawyer?"

"I was." But in spite of all comments Hermann persisted that he acquired the land without the slightest knowledge that he was proceeding unlawfully. The record of the original transfer, which was introduced in evidence, showed that Hermann acquired this land in the name of

"B. Hermann," while in passing upon his own scrip filings he, as Receiver, signed himself "Binger Hermann."

"As a matter of fact," asked Mr. Baker, "were you not removed from the Roseburg Land Office because you had fraudulently acquired this land?"

"I was not," declared Hermann, showing considerable heat. "I was removed, as I previously testified, because of my opposition to Senator Mitchell. I was not removed on account of charges of misconduct in office."

Telegram Contradicts Him.

"The greatest surprise of the day was a telegram dated July 25, 1902, sent by Commissioner Hermann to F. P. Mays informing him of the Strawberry Mountain, or Blue Mountain, forest reserve withdrawal. It read:

Fifteen patents to timber land entries forwarded to Roseburg Land Office. Land Office has recommended withdrawal original Strawberry Mountain and all additions to Secretary, who has approved the same. BINGER HERMANN.

On his direct examination Hermann



E. H. Harriman, when the Interstate Commerce Commission Will Ask the United States Court to Compel to Give Information About Stock Deals.

had testified that he had never had any business relations with Mays, had never written him communications nor had interviewed with him; that Mays had no interest in the Blue Mountain reserve that Hermann knew of and that he wished the jury and court to understand this statement to be as strong as the English language could make it. Mr. Baker read this statement from the record and asked the defendant if when he made it he did not think all traces of this telegram had been destroyed in the destruction of his letter-books. Hermann would not admit this. He said he now remembered the telegram and explained that it must have been sent either in answer to a telegraphic request from Mays or, more likely, because Hermann knew Mays as a leading public man of Oregon and simply wished him informed of the act taken.

Will Not Make Admission.

Hermann at this point emphasized the public service of Mays, saying he had served as United States District Attorney in the State Legislature and was the leader of the bar of the state, and had signed a petition for the creation of the reserve. Under the circumstances, he said, it was likely he had given him the information. Hermann said he did not remember having sent the same information to anyone else in the past. He said he gave it to the public press.

The District Attorney tried by various means to get Hermann to admit that this telegram was meant as a tip to Mays to enable him to get land in the reserve before it was actually created, but Hermann stoutly denied any such motive in writing Mays.

The antedated the actual creation of the reserve by three days and would have enabled Mays to protect his "interests" before the bars were put up.

Considerable time was consumed in an effort to get from Hermann some intelligent explanation of his reason for sending this suspicious telegram (which by the way only came into the possession of the Government within the past few days), but all efforts failed. Hermann said Mays, as a public-spirited citizen, would be interested to know what had been done, but he had no recollection, that Mays had asked for information, either orally or by correspondence. He admitted that Mays was the only person in Oregon whom he had advised of the withdrawal, but he utterly failed to make it clear why he had sent the telegram to Mays.

His Letters Against Him.

Two letters from Mays to Hermann urging the creation of the Blue Mountain reserve were introduced to "discredit the witness," said the District Attorney. He alluded to Hermann's statement on the

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TURKEYS ARRIVE BY THE TRAINLOAD

Great Business During Holiday Season.

FATTENING THEM FOR MARKET

Special Cars Pay by Making Birds Gain Weight.

TURKEY FOR WHITE HOUSE

Grower Whose Gifts to Presidents Made Him Famous—How Egg Production Is Increased by Careful Breeding.

BY FREDERIC J. HASKIN.

WASHINGTON, April 4.—(Special Correspondence.)—The Middle West is the zone of production for that great American bird, the turkey. Chicago is the strategic point in this trade, and during the last holiday rush nearly 700,000 turkeys, valued at upwards of \$1,600,000, were handled in that market. The number of cars required to handle the turkeys shipped to Chicago for the Thanksgiving, Christmas and New Year's trade last year, if put together in a string, would have made a train seven miles long. As many as 25,000 of these proud birds were handled in the market there in a single day.

Twenty years ago a whole carload of live poultry received from one shipper was such an unusual transaction as to call for special mention in the newspapers, but now a single dealer may receive a dozen carloads in one consignment and no attention will be paid to it. One firm recently had an order for four carloads of geese, seven carloads of live turkeys and two carloads of pigeons. The special car for live birds is a great saving to the shipper. A consignment was recently forwarded from San Francisco to New York, a distance of 3245 miles. The tariff for the use of the car for this distance was \$70, a trifle more than one cent a bird. The owner found that his fowls not only gained enough in weight during the trip across the continent to pay for the cost of the car, but netted him an additional profit of \$57. The carload lots of geese come mostly from Wisconsin and Southern Illinois, the big shipments of turkeys from Missouri and Kentucky, and the chickens from the states which comprise the "corn belt."

Armour's Trade in Poultry.

Armour & Co. either own or control a dozen large poultry-fattening establishments near their packing plants in the Middle West. The chickens fattened at these stations are bought when six weeks old and sold when from 8 weeks to 2 months old. The Armour's annually dispose of about 25,000 chickens in this way, and the most of them are sold for export. The total annual value of the poultry transactions of this firm is said to be \$400,000.

There is an enormous consumption of live poultry and eggs in Greater New York. The poultry transactions of that about 2000 carloads of poultry are received and consumed in Manhattan, and that nearly 9000 carloads of eggs are received every year. The Jewish population probably consume 90 per cent of the whole. On an average New York will receive about 40 cars a week, but during the weeks old and sold when from 8 weeks to 2 months old. The Armour's annually dispose of about 25,000 chickens in this way, and the most of them are sold for export. The total annual value of the poultry transactions of this firm is said to be \$400,000.

The professional poultryman has to make a choice of the different varieties of the different markets. The people of Boston and New York prefer dry-picked poultry and will only take the scalded product of a discount. Philadelphia and San Francisco also prefer the dry-picked, while Washington, Baltimore, Chicago and St. Louis prefer the scalded kind, unless it is wanted for storage purposes. Philadelphia and New York will take the scalded product, but they will pay more for eggs having dark brown shells.

Grower of White House Turkeys.

The best known grower of turkeys in the United States is Horace Vose, of Westerly, Long Island. He has become famous on account of the custom of sending a prize turkey to the White House every Thanksgiving. He presented General Grant with a turkey during his first term, and has not missed a year since that time. He has received autograph letters of thank from all the Presidents since Grant, and has become a National character from the publicity given him every year by the newspapers and magazines. Mr. Vose goes to the White House every year to select a prize fowl for the White House table. He not only inspects his own flock a month or so after the season's chicks have been hatched, but makes arrangements for the turkeys to be around in order to secure orders on any promising specimens he may see. By taking this precaution he makes it certain that the fowl which eventually goes to adorn the first table in the land will be the finest of its kind.

Mother Hen the Best Asset.

Few people know that old Mother Hen is the American farmer's greatest asset. Her extraordinary wealth-producing accomplishments were surprisingly demonstrated in a recent compilation of the statistics in Missouri, one of the leading poultry states in the Union. Missouri has had more than 100 million chickens raised and sold since 1880, and a hired man has worked for all it is worth. As he passed on his way to work each morning, he let out the old hen to scratch for her living as a wealth producer this industrious au-

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SENATOR BOURNE'S BUSY DAY AT WASHINGTON



Does a Federalist Stunt With the President.



Reminds the Quartermaster-General That Portland is on the Map.



Tells His Brother Senators of Beanties of Statement No. 1.



Gives a Banquet.



Is Interviewed on Five-Million-Dollar Conspiracy.