

LAWYERS STORM AT THE ANOTHER

(Continued from First Page.)

From one idea to another. These forms and others are characterized by the exaggerated ego. They are well-defined forms about which there can be no difference of opinion.

"Is there any specific name, doctor?" asked Mr. Delmas, "given to that form of insanity wherein one imagines himself omnipotent—the ruler of the world?"

"That is included in the form of insanity to which I have referred. Both adolescent insanity and paranoia insanity are characterized by delusions as to self-importance and exaggerated ego."

"In adolescent insanity the patient exhibits no marked symptoms. But when the stress comes"—Dr. Evans took on a declamatory tone of voice—"the man does not break down as the ordinary or normal man would. There is a complete loss of mental balance, an explosive condition of the mind, the reason becomes destroyed, the will power is lost and the brain is operating as a ship does in the wind without a rudder—the balance wheel is gone."

"The acts of such a person are not the acts of a normal man, but show him to be guided by disease and stress. His mind has left its moorings and yields to diseased conditions."

**Rapid Flow of Words.**  
"On my first visit I also noticed that Mr. Thaw suffered from a rapid flow of words not characteristic of the normal mind. He showed a condition of abnormal excitement—a diseased condition of the brain."

"In the disease you describe, how do the conditions differ from the conditions in a normal man who speaks rapidly?"

"An ordinary normal man speaks more or less deliberately on all matters of grave importance. He takes time to lay his ideas come logically and connectedly. In a man of unbalanced mind, the ideas come rapidly, tumbling over each other, jumping from one subject to another, and one leads a trained observer to suspect unsoundness of mind. To me it means that the mind has either recently come through or is just going into a severe mental storm; in other words, it is either the twilight or dawn of a state of mental unsoundness or explosion. By delusions I mean a condition of the mind which a man cannot be argued by logical and ordinary arguments. Mr. Thaw exhibits what I believe were false ideas that my arguments could not reach."

"When was your next visit to the Tomb?"

"I believe it was September 11."

Later in the session, Dr. Evans explained the report August 19.

**Delusions of Persecution.**  
"On this visit," said Dr. Evans, "I found Thaw still nervous, agitated and he had the peculiar expression of the eye familiar with mental disease. I also observed his suspicion of me and all around him. He still exhibited delusions of persecution, a condition of revolt against these fancied persecutions because they were unfair."

Dr. Evans next described his third visit to Thaw, September 15.

"Mr. Thaw exhibited delusions of suspicion, lack of confidence in his advisers, an explosiveness of mental make-up characteristic of a person of unbalanced mind."

"What did you observe?"

"There were no hallucinations. Mr. Thaw dismissed the physicians and had an argument with his counsel which I shall not narrate."

Mr. Delmas here interrupted the examination to read from a number of authorities to support the contention advanced by him yesterday that statements of Thaw to the physicians tending to shed light on his state of mind were inadmissible.

Justice Fitzgerald said as no question was pending he could not rule.

Mr. Delmas asked Dr. Evans to state his conversation with the defendant on September 13. Mr. Jerome objected.

**Wants Thaw's Statements.**  
Mr. Delmas continued to read from court decisions as a foundation, he said, for introducing statements made by Thaw at the time of the homicide and prior thereto. He wanted to show that the statements of the defendant might be taken into consideration by an expert in determining the mental condition of his subject at the time of an examination. He said that yesterday a witness had not been allowed to give such an opinion.

Mr. Jerome said he did not object to any such opinion.

Mr. Delmas asserted that Mr. Jerome "has reasoned in a circle on this subject."

Justice Fitzgerald said it was a case of "reasoning in a circle" as explained by Mr. Delmas, but he did not understand the facts that way.

Mr. Jerome again declared he would not object to an opinion as to whether the defendant was insane or sane subsequent to the shooting, but wished the questions to be distinctly confined to a given period.

Justice Fitzgerald sustained Mr. Jerome's objections and Mr. Delmas proceeded to question Dr. Evans.

"Were the conversations necessary to enable the jury to form an opinion as to the defendant's mental condition?"

"They were not entirely necessary, but they were highly important."

Dr. Evans resumed the stand after the mid-day recess.

"Doctor," asked Mr. Delmas, "as a result of your eight visits to Mr. Thaw, did you form an opinion as to the then mental condition of Mr. Thaw?"

"Yes."

"Was it based on part of the oral statements of Mr. Thaw during these visits?"

"It was in part."

"Will you now state what that opinion was?"

Mr. Jerome objected.

**Formed Two Opinions.**  
The witness said as the result of his first three visits he formed an opinion and as the result of the last five visits he formed another.

"State those two opinions."

"That is objected to," interrupted Mr. Jerome. "The two questions should be separated."

"If I ask one question, will I be allowed to ask the second?" inquired Mr. Delmas.

"Of course you can ask the questions," remarked the Judge.

"What was your opinion after the first three visits as to the mental condition of the defendant?"

"I was then and now firmly of the opinion that during the first three visits Harry K. Thaw was unbalanced in mind because of a diseased brain."

Dr. Evans was handed observations during the last five visits did you form an opinion as to Mr. Thaw's mental condition?"

"I did."

"Please state it."

**Storm in Deranged Mind.**  
"The stability of his mind was still impaired, but seemed better than upon the three former visits."

"Was the improvement gradual?"

"Yes."

"What in your opinion was the condition of mind at the sequel of?"

"I am of the opinion that he was suffering from a positive disorder or derangement of mind as a result of hereditary predisposition. I am of the opinion that there were additional exciting causes in the order of stress, strain and ordeals of the mind which formed a brain storm or mental explosion which left its traces behind."

Dr. Evans was handed the letters written by Thaw and introduced in evidence. The doctor again began the perusal of the letters, which were laid to form one of the bases of a hypothetical question. Meanwhile a 40-minute recess was taken.

**Same Long Hypothetical Question.**  
After Dr. Evans had been reading for 40 minutes Mr. Jerome suggested a recess for half an hour, while the doctor finished. This was granted at 3:10 o'clock, but when court reconvened Dr. Evans still had two letters to read.

Mr. Jerome suggested another recess for 10 minutes, but Justice Fitzgerald refused it. Dr. Evans thereupon returned to the stand and continued his reading of the letters at 4:16 P. M., having been an hour and three-quarters at the task.

"After reading these letters, have you been able to form an opinion as to the mental condition of the author at the time they were written?" asked Mr. Delmas.

"Then, doctor, listen closely to what I am about to ask you," resumed Mr. Delmas, who then read from the stenographic report of yesterday's proceedings the hypothetical question covering the entire Nesbit-Thaw-White story, as it appears in the evidence and which was asked of Dr. Charles G. Wagner, Dr. Wagner, it will be recalled, gave it as his opinion that Thaw was in such a mental condition at the time of the tragedy that he did not know his acts were wrong."

When the hypothetical question was completed Mr. Delmas asked Dr. Evans:

"I ask you to state on these facts and in the light of the letters you have read, what was the mental condition of the defendant, assuming the defendant is the young man whom I have described?" Mr. Jerome had already risen.

**Jerome Grows Snappish.**  
"The question is objected to," he declared, "because of the statement that a maternal uncle of the defendant was insane. The statement is that the uncle was of unbalanced mind."

"I will amend the question to have it read 'unsound mind,'" said Mr. Delmas.

"I further object," said Mr. Jerome, "on the ground that there is no evidence here that Thaw had 'honorable court to Miss Nesbit,'" said Mr. Delmas, "and make it 'acquainted with her.'"

"I am not splitting hairs," said Mr. Jerome, "I want to know if you are going to let me ask you whether you would be glad to accede to the demand of the District Attorney for the definition of insanity in the statutes of this state. The law is so clear it cannot be improved upon, certainly not for the purpose of this defense," said Mr. Delmas, who then turned to the witness and asked:

**At Last the Answer Comes.**  
"Doctor, after hearing this question and reading these letters bearing in mind all you have heard of this case that has been introduced in evidence and excluding everything else, is it your opinion that the defendant on the night of June 30, 1902, did or did not know his act was wrong?"

"I do not believe that he knew the act was wrong," answered Dr. Evans.

Mr. Jerome objected to the form of the

of the minds of the jury that this operation was what is known as a criminal operation, as that is usually understood."

"Your Honor," said Mr. Delmas, "I take exception to these remarks and wish the exception noted on the record, and I wish it noted on grounds of misconduct of the District Attorney."

"To any normal mind," continued Mr. Jerome, "the impression that would be carried by these statements is that the operation was of a criminal nature. If they will exclude such an operation as this, I am willing to let the question. Their very unwillingness to do this is itself proof that they desire to make that impression on the witness."

"You did not object to this question yesterday," said Mr. Delmas.

"No, yesterday I did not realize what it meant."

"If you will give me the word of the defendant's counsel," continued the District Attorney, "that they do not know the character of this operation, I am willing to let it go."

"I give my word I don't know," replied Mr. Delmas.

"I didn't say you. I said defendant's counsel. I will give you time to consult with your associates."

answer and to conform with the law Dr. Evans repeated:

"It is my opinion he did not know the act was wrong."

"In your opinion did he then know the nature or quality of the act?"

"In my opinion he did not."

"In your opinion was his inability to know the quality of the act or that it was wrong, due to the fact that he was laboring under mental disease?"

"In my opinion it was."

This ended Dr. Evans' examination for the day.

adjoining Justice Fitzgerald suggested to the attorneys the saving of time in every possible way. "Time may be saved," he said, "if these letters, if they are to be examined by any other court, are read out of court. I would also suggest that, if this hypothetical question is again to be asked, a revised copy of it be prepared in accordance with the agreement reached today, that time may be saved in argument."

Court adjourned at 5:07 until tomorrow.

**LAST FOREST WITHDRAWAL**  
Tracts in Southern Oregon Which May Be Added to Reserve.

OREGONIAN NEWS BUREAU, Washington, Feb. 12.—Below is given a complete list of lands recently withdrawn from entry, with a view to enlarging the Cascade Forest reserve on its west and south boundaries, in accordance with recommendation of the Forest Service:

All T. 22 S., R. 1 E., Sec. 1 to 36, both inclusive, and Sec. 12.

All Tps. 14, 15, 22, 24 and 28 S., R. 2 E. All Tps. 14, 15 and 16 S., R. 3 E. In T. 17 S., R. 2 E., Secs. 19 to 36, both inclusive, and Sec. 12.

All Tps. 34, 35, 36, 37 and 38 S., R. 3 E. All Tps. 34 and 35 S., R. 4 E. In T. 17 S., R. 3 W., Secs. 1, 2, 3, Secs. 10 to 15, both inclusive.

All T. 23 S., R. 3 E., Secs. 1 to 6, both inclusive, and Sec. 12.

All Tps. 28 and 29 S., R. 5 E. All T. 28 S., R. 1 W.

All T. 25 S., R. 3 W. All Tps. 27 and 28 S., R. 2 W. All Tps. 28 and 29 S., R. 6 E.

From the force and effect of this withdrawal all lands are excepted which at the date thereof are embraced in any legal entry or covered by any lawful filing or selection duly of record in the proper United States Land Office, or upon which any valid settlement claim has been made pursuant to law, and the statutory period within which to make entry or filing of record has expired; and also excepted all lands which at said date are embraced within any withdrawal or reservation for any use or purpose to which this withdrawal is inconsistent. Provided, that these exceptions shall not continue to apply to any particular tract of land unless the entryman, settler or claimant continues to comply with the law under which the entry, filing or settlement was made, or unless the reservation or withdrawal to which this withdrawal is inconsistent continues in force; not excepting from the force and effect of this withdrawal, however any land within the boundaries herein described which has been withdrawn to protect the coal therein, but this withdrawal does not validate any such withdrawal, and provided that these exceptions shall not validate any selection, entry, or filing, which has been allowed or permitted to remain of record subject to the creation of a permanent reservation.

**FIRST FORMAL RECEPTION**  
Mrs. Ankeny Entertains Leaders of Washington Society.

OREGONIAN NEWS BUREAU, Washington, Feb. 12.—Mrs. Ankeny, the wife of Senator Ankeny, of Washington, gave her first formal reception of the season this afternoon at the parlors of the Highlands. Mrs. Ankeny, the wife of Senator Ankeny, of North Carolina, joined with Mrs. Ankeny in giving the reception, which resulted in a very large attendance, all parts of the United States being represented.

The party was assisted by Mrs. F. W. Harris, sister of Mr. E. D. Crocker, of Tacoma, Wash., and Mrs. Scott, the wife of G. W. Scott, custodian of the law library of the Library of Congress.

In addition to a number of prominent ladies who assisted Mrs. Ankeny, the color scheme was pink. La France roses being extensively utilized. Music was furnished by a string orchestra, and light refreshments were served.

Among those invited were the members and ladies of the Cabinet, the Justices of the Supreme Court, the Senators and Representatives and families, together with the residents of the State of Washington now in this city.

**OREGONIAN NEWS BUREAU.**  
Washington, Feb. 12.—Senator Bourne has changed his name to the Park Hill House. Reed, Field & Tynan were the agents.

Mrs. N. R. Cox sold yesterday to H. S. Savier streets for \$500. The improvements on the property are paying a good interest. The sale was made by Louis Salomon.

The deed was placed on record yesterday for the transfer of 75,000 for the southeast corner of Second and Alder streets, from Libby V. and Clinton Wagner to J. E. Haskin. The property is improved with two-story brick buildings and the sale was made about two weeks ago. The price was \$115,000.

**HALF LOT BRINGS \$32,500**  
Park Hill House Is Bought by Mrs. O. E. Paxton.

A new standard of values in Yamhill street really was set yesterday when a half-lot at the northern corner of Park Hill and Yamhill sold for \$32,500. It was owned by J. M. Porter of Corvallis, and purchased by Mrs. O. E. Paxton. The property has changed hands many times, first for \$12,000 later for \$15,000 and \$17,000, and less than a year ago to Mr. Porter for \$30,000. It is improved with a three-story building known as the Park Hill House. Reed, Field & Tynan were the agents.

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**Skyscrapers and Airships.**  
Baltimore Sun.

The announcement is made that the construction of a 50-story building is about to begin in New York. This structure will be 700 feet in height, about as high as Washington's monument in Washington would be if Washington's monument in Baltimore were placed upon top of it. As a matter of fact, every day, if you give your stomach a rest, and let something else take hold of your food for you and digest it as it comes into the stomach, something that is harmless but that really does the work of digesting, quickly and thoroughly.

This "something" is Stuart's Dyspepsia Tablets, the most effective little tablets in the world for curing anything that may be wrong with your stomach. One ingredient of these precious little workers digest 3000 grains of the coarsest or richest food put into the stomach. Think of it, 3000 grains! They are really an artificial stomach, because they act just like the stomach. They digest your food, just as though you didn't have a stomach at all. It supplies the stomach with the digestive juices which have become weak and scanty.

Then your indigestion, dyspepsia, sour risings, brash, belchings, acidity, fermentation, loss of appetite, aversion to food, bloaty feeling, heartburn and nausea, will be no more. You can eat anything you want, all you want, whenever you want, and your stomach will feel fine before and after your meals. Your appetite will be a thing of pleasure to eat, and your digestion will be thorough and soothing to the whole body. You can't eat anything you want, all you want, whenever you want, and your stomach will feel fine before and after your meals. Your appetite will be a thing of pleasure to eat, and your digestion will be thorough and soothing to the whole body.

Send us your name and address today and get a free sample package of Stuart's Dyspepsia Tablets by return mail. After you have tried the sample, you will be so thoroughly convinced of what they can do for you that you will go to your nearest drug store and buy a box of them.

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THE MEATSHOP ON THE CORNER WITH PRICES "ON THE SQUARE" FIGHTING FILTH—NOT WINDMILLS

Most readers are familiar with that delightful Spanish romance by Cervantes, "Don Quixote," the Spanish country gentleman who became so imbued with the tales of chivalry that he set forth with his squire, Sancho Pancho, in search of knightly adventure, with very amusing results.

Among other feats, he essayed to fight windmills and turn 'em into giants; transform solitary inns into castles, galley-slaves into oppressed gentlemen and other ridiculous stunts. The Knight and his squire suffer a series of ridiculous discomfitures and are finally brot home and confined as madmen. We have our modern "Don Quixotes" in business today. Dealers going around "fighting windmills" and other imaginary foes that do not and never existed. We have no battle with anyone—are at peace with the world and our neighbors.

One thing only we do fight—FILTH!—and it's a fight for the people. Cleanliness, health, sanitary surroundings and

GOVERNMENT INSPECTED MEATS!

Yes We've something better—and more wholesome than rump steak at 10c a pound—and all bearing the GOVERNMENT STAMP

THESE SHARP SAVINGS FOR TODAY'S TRADERS AT PORTLAND'S LEADING MEAT MART

Choice Boiling Meats.....4c Prime Ribs.....10c  
Pot Roast.....7c Mutton Stew.....5c  
Shoulder Steak.....7c Nice Large Porterhouse Steak 12½c  
Mutton Chops.....10c Pork Chops.....12½c

SPECIAL PRICES TO HOTELS AND RESTAURANTS. THE NATIONAL PURE-FOOD LAW, OR ANY STATE OR CITY PURE-FOOD LAW, DOES NOT AFFECT THE GOVERNMENT-INSPECTED MEATS AT

THE HARRY WOOD MARKET FIRST AND ALDER STS.

compelled to condemn their right of way. The roof garden of the 50-story building might possibly be utilized as a union station where passengers from the cross-town airships could be transferred to those plying between the Bronx and the Battery. This remarkable building is to be erected by a life insurance company, and its offices, it is presumed, will occupy a favorable location for exercise in high finance.

**HE SOLD WATERED STOCK**  
President Stickney, of Great Western Makes no Bones of It.

MINNEAPOLIS, Feb. 12.—President A. B. Stickney, of the Chicago Great Western Railroad, admitted to the legislative railroad investigating committee that he sold watered stock; that he sold \$3,000,000 worth of stocks and bonds for \$1,500,000, and was going to put more on the market.

"I think railroads and owners of railroads are entitled to all the interest and dividends they can get, provided reasonable rates are charged by the passenger and freight departments," said Mr. Stickney.

**A CITY BUILT ON MUD.**  
Only an Eighteen-Foot Crust Between It and Destruction.

Irish Packet.  
There is a city which is tossed about many times a year by earthquakes, but which is not terrified or damaged by them.

It is the City of Mexico. Nearly once a month it has severe shocks of earthquake, but none of them does more damage than slopping water out of the fountains in the parks or the soup out of the plates of diners.

In the first place, all but two or three of the buildings of importance are of concrete, with walls from three to six feet in thickness. The ceilings are always of tightly stretched cloth, stiffened with starch and kalsomined to look like plaster. If they were of lath and plaster they would come tumbling down on the heads of the inhabitants at the first blow of the giant under ground.

But the principal reason for the safety of the city is that it rests on a bed of mud. There are no cellars, for the soil is too wet. It is about 15 feet thick, then comes a strata of conglomerate rock (known locally as "tepalcates") about 18 feet thick, and below this is a bed of mud whose bottom has never been fathomed.

When the "trembler" comes the ground heaves like the long swells of the deep seas for 30 seconds or two minutes. A few hours later there is a second, but much milder shock, and then a season of peace for days or weeks.

The Valley of Mexico, in which the City of Mexico is built, was an ancient lake bed. Indeed, now part of it is covered with water and the city is some feet lower than the level of these existing remnants of the former great lakes.

Alexander von Humboldt expressed the opinion when he visited Mexico that earthquakes would never destroy it, but that some day its weight would cause it to break through the crust of "tepalcates" and be engulfed in the unfathomable mud beneath. In those days the city had a population of not more than 75,000. Now its population numbers 500,000 souls, and the weight of the buildings resting on the frail crust has correspondingly increased.

Scientists believe that the Eiffel Tower, Paris, acts as a lightning rod to protect the city.

"Dinner's Coming I Smell It"

Does Your Stomach Feel Happy When Meal-Time Comes?

When you sniffle in the air the appetizing aroma of something cooking, do you feel that you could sit down, open your mouth, pin back your ears and eat with a delicious gusto, everything set before you, and not feel any bad effects from it?

In other words, can your poor stomach take care of everything and anything you put into it? There are thousands and thousands of people who do not know what it is to have a good, strong, healthy stomach, but they realize what it is to have a good appetite.

You can have an all-powerful stomach and a fetching appetite for every meal, and every day, if you give your stomach a rest, and let something else take hold of your food for you and digest it as it comes into the stomach, something that is harmless but that really does the work of digesting, quickly and thoroughly.

This "something" is Stuart's Dyspepsia Tablets, the most effective little tablets in the world for curing anything that may be wrong with your stomach. One ingredient of these precious little workers digest 3000 grains of the coarsest or richest food put into the stomach. Think of it, 3000 grains! They are really an artificial stomach, because they act just like the stomach. They digest your food, just as though you didn't have a stomach at all. It supplies the stomach with the digestive juices which have become weak and scanty.

Then your indigestion, dyspepsia, sour risings, brash, belchings, acidity, fermentation, loss of appetite, aversion to food, bloaty feeling, heartburn and nausea, will be no more. You can eat anything you want, all you want, whenever you want, and your stomach will feel fine before and after your meals. Your appetite will be a thing of pleasure to eat, and your digestion will be thorough and soothing to the whole body.

Send us your name and address today and get a free sample package of Stuart's Dyspepsia Tablets by return mail. After you have tried the sample, you will be so thoroughly convinced of what they can do for you that you will go to your nearest drug store and buy a box of them.



D.M. DELMAS, LAWYER WHO NOW DIRECTS BATTLE FOR THAW'S LIFE.

BROWN-FORMAN CO. DISTILLERS Louisville, Ky.

Old Forester Whisky High in Quality and Price  
Tucker Whisky Best Value on the Coast  
Beech Fork Straight Goods

EMIL WALDMAN, Representative  
Care of Archer, Schanz Co., Portland Distributors  
J. M. CRAIG, Pacific Coast Manager

MEN ONLY

OUR FEE 25 YEARS IN PORTLAND  
\$10 No Pay Unless Cured  
CONSULTATION FREE

ATROPHY: A WASTING AWAY CAUSED BY A DEFECTIVE NUTRITION.

THE ONLY TRUE TREATMENT FOR ITS CURE.

One of our counsel who is a thorough scientist and has studied and practiced in the first colleges and hospitals of America, and who is one of our medical council, says as follows:

The causes for Atrophy in men are: 1st. Man is born so. 2d. Caused by abuse. 3d. Caused by varicocoe. 4th. Caused by excess. 5th. Caused by old age.

There is no one branch of medicine which deserves more careful and conscientious treatment than that of Atrophy.

There is no subject in the whole field of medicine that the general public has been so grossly deceived in as that of Atrophy.

Most all of the mechanical devices so widely advertised that the public has been deceived into buying for the cure of Atrophy or small, weak parts—have proven not only useless but injurious to the system.

The only correct theory to overcome Atrophy is to direct a fresh and active circulation of blood to the parts, thereby supplying them with new foods and tissue builders; then warmth and vigor will follow, numbness and feebleness give way to that of increased circulation and nerve energy.

The theory advanced by us is only common sense. It must be right, judging from the many hundreds of letters we are continuously receiving from grateful patients we have treated successfully.

We cure Nervous Debility, Kidney, Bladder and Chronic Diseases of Men to stay cured. A sure cure for Varicocoe and Hydrocele in shortest reliable time. Our treatment for Blood Poison, Sores, Ulcers, Chronic and Nervous Troubles cures quickly and permanently.

Examination Absolutely Free

When a man seeks relief he does so hesitatingly. Why—for who shall he turn to that is absolutely reliable, professionally, morally and financially?

We recognize the fact that the majority of advertising doctors or medical institutions are looked upon as unreliable.

The St. Louis Dispensary is an exception to this rule.

It is an association of trained medical specialists.

Our offices are thoroughly equipped for scientific treatment.