

NEVER WANTED TO SHOOT CREATURE

Thaw's Explanation of Killing to Doctor.

BUT PROVIDENCE TOOK CHARGE

Evans Relates Interview With Prisoner in Jail.

WILL IS PUT IN EVIDENCE

Funds Provided to Prosecute Own Murderers and "Inhuman Scoundrels" Who Betray Jerome's Spat With Delmas.

NEW YORK, Feb. 18.—"I never wanted to shoot the creature. I never wanted to kill. I knew he was a foul creature, destroying the mothers of America, but I wanted through the legal means to bring him to trial. I wanted to get him into court—to bring him to justice, but Providence took charge of it; it was an act of Providence."

This is Harry K. Thaw's own story of the killing of Stanford White. It was told by him to Dr. Britton D. Evans, the alienist, last August in the Tombs. Dr. Evans today repeated the prisoner's words to the jury that is trying Thaw for his life. District Attorney Jerome fought hard last week against the introduction of this evidence, which the defense believes is conclusive proof that Thaw did not know his act was wrong. Only the testifying physicians had declared that in their opinion Thaw was insane at the time he made the statements. However, the rules of evidence permitted the introduction of the prisoner's words.

some and that the latter had told him to let the matter drop, that there was nothing to it. He also complained to Anthony Comstock and to a detective agency.

Dr. Evans was corroborated as to most of Thaw's statements by Dr. Charles T. Wagner, of Birmingham, who first figured as a witness early last week.

Jerome and Delmas Spat.

Mr. Jerome cross-examined Dr. Evans briefly on his opinion that Thaw was of unsound mind at the time of executing his will. Mr. Delmas was on his feet during the cross-examination. He interposed many objections and generally was sustained. He looked sharply to Dr. Evans' interest, but the latter appeared to be well aware of his privileges.

Mr. Jerome in protesting against admitting the codicil as evidence referred to "these scandalous statements." Mr. Delmas objected and had his objection noted as being due to the District Attorney's misconduct. A word conflict



Clyde B. Aitchison, Portland, appointed on the State Railroad Commission.

ensued, which ended by Mr. Jerome declaring that in future he would concede nothing.

Judge Henry A. Melvin, of the Superior Court of California, was an interested spectator at the trial today. Judge Melvin is grand exalted ruler of the Order of Elks, and a personal friend of Mr. Delmas.

PROOFS OF THAW'S INSANITY

Evans Tells of Delusions and Will Put in Evidence.

NEW YORK, Feb. 18.—Dr. Britton D. Evans, superintendent of the Jersey State Hospital for the Insane, was the first witness in the Thaw trial today.

Dr. Evans was asked to relate the conversations he had with Thaw during his first three visits to the defendant in the Tombs. The witness has heretofore testified that as the result of the first three visits he had reached the conclusion that Thaw was of unsound mind.

District Attorney Jerome submitted to the court the contention that the witness should produce any notes he may have taken at the time of the interviews.

"That is a matter for general cross-examination," ruled Justice Fitzgerald.

"Although I am not compelled to do so," said Mr. Delmas, "I will examine the witness upon the point so as to satisfy the learned District Attorney."

Dr. Evans said he did take some notes of one visit, but they were meager and had been lost after he had returned over to his stenographer. He took his notes, Dr. C. Belling, along to take notes for the third visit, but they were dismissed by the physicians and counsel on that occasion.

Thaw Thought Doctor Insane.

"That ended the note-taking," said the witness. "I may omit essential details, but I will have to depend entirely on my memory."

Mr. Jerome objected. "This witness," he declared, "says he must omit essential facts."

"What can he do," replied Justice Fitzgerald, "but give his best memory? That is all that is required by the rules of evidence."

The objection was overruled, and Dr. Evans began to relate the incidents of his first visit to Thaw on August 4.

"I took a letter of introduction to Mr. Thaw from Mr. Hartridge, and was conducted to his cell, and he gave me his hand and looked at me with a staring and twitching of the eye. With a nervousness such as we seldom see and in an agitated manner he asked me to have a seat beside him on his cot. He looked at me a long time, and then said: 'You have different eyes from Dr. Hamilton. Your eyes look as if you were a sane man. His eyes suggested insanity.'"

"I asked him how he was. I told him I had been sent by Mr. Hartridge to talk matters over. He said it was all right if I came from Hartridge, and in response to my question as to how he felt, he said: 'Oh, I am all right.'"

White's Crimes Against Women.

"The words were nervously uttered, and were piled together. He concluded: 'Lew Deland, a lawyer of the firm of Black, Olcott, Gruber & Boyce, is in a conspiracy with Jerome so as to close this matter and railroad me off to an asylum. They want to have me declared insane. It is all rot. There's nothing to it. They don't want me to come to trial, where I may be vindicated, and where I can tell the court and the jury all there is in this matter.'"

Dr. Evans said the arrival of the prisoner's wife and mother interrupted the interview.

He offered to withdraw, but Thaw told him to remain, and after kissing his wife and mother and introducing the physician, he asked them to excuse him until he had finished with his calling. "I told me," continued Dr. Evans, "of Stanford White, and at great length spoke of the alleged wrongs the man had done to innocent girls. He never referred to himself, and did not seem to feel in any danger from his position as a prisoner charged with murder. He declared that he drugged and ruined a great number of young women who had not been inclined to crime—women whose minds as well as bodies had been pure."

Dr. Evans then told of his second visit. "Thaw came into the examining-room of the Tombs with a large pasteboard box in his arms. It was filled with papers. He was nervous and agitated. He said

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NAMES RAILROAD COMMISSIONERS

State Board Acts Under Chapin Bill.

EASTERN OREGON SHUT OUT

Appoints Oswald West, C. B. Aitchison, T. K. Campbell

ALL ARE WEST SIDE MEN

First Now State Land Agent, Second Portland Lawyer and Third Cottage Grove Lumberman—C. V. Galloway Succeeds West.

SALEM, Or., Feb. 18.—(Special.)—Oregon's three Railroad Commissioners will be Oswald West, of Salem, now State Land Agent; Clyde B. Aitchison, of Portland, now attorney for the Title Guarantee & Trust Company, and Thomas K. Campbell, of Cottage Grove, a lumberman of the firm of Campbell & Alexander.

These selections were decided upon today by the State Board, which is given the appointment under the Chapin law.

West is a Democrat, and the choice of Governor Chamberlain. He will hold office until after the state election in 1910. Aitchison is a Republican and is the choice of State Treasurer Steel. Campbell is a Republican and is the choice of Secretary of State Benson. Aitchison represents the Second Congressional District and Campbell represents the First District. The present tenure of each will last until after the state election of 1908.

The commission law will go into effect Thursday, unless sooner approved by Governor Chamberlain, that day being the fifth, excepting Sunday, since it was presented to him. Within 30 days thereafter the law is to become operative.

West will be succeeded as State Land Agent by Charles V. Galloway, of McMinnville, a young Democrat who was a member of the House of Representatives in 1902, and was the Democratic nominee for Congress last year.

West is 33 years of age, Aitchison is 32 and Campbell is 50. West's vocation is

that of banking. Aitchison is a lawyer and Campbell is a lumberman, of the firm of Campbell & Alexander, of Cottage Grove, which has been put out of business practically by lack of cars on the Southern Pacific.

Each Commissioner must give bond in the sum of \$10,000. By the terms of the law he shall not hold any other office, or position of profit, or pursue any other business or vocation, or serve on or under any committee of any political party during his term in office, but shall devote his entire time to the duties of his office. As there are two Republicans on the commission, it is to be expected that one of them, either Campbell or Aitchison, will be chairman. The salary of each member is to be \$1000 a year. They will appoint a secretary at \$2000 a year, and may appoint an expert stenographer at \$1200.

East Side Unrepresented.

Eastern Oregon does not have a member on the board, and this is understood to be due to the determination of Governor Chamberlain to appoint West of Salem. One of the members naturally must be a Portland man, and Benson picked out a man from his part of the state. Benson and Steel called on Governor Chamberlain to name a resident of Eastern Oregon, but the Governor wanted West.

Oswald West was born in Ontario, Canada, 23 years ago. At the age of 4 years his family came to Salem. Young West was educated in the schools of the capital city. At the age of 16 he entered the Ladd & Bush bank, where he was employed 11 years, eight of them as paying teller. In 1901 he became paying teller of the First National Bank of Astoria and in 1903 was appointed State Land Agent by Governor Chamberlain.

Clyde B. Aitchison is a native of Iowa, 22 years of age. He graduated from Hastings College, Hastings, Neb., in 1902 and read law in the office of Tibbits, Morey & Ferris, attorneys, at that place for about two years. They were the local attorneys for the Burlington at that point.

Has Railroad Experience.

Subsequently he studied law with Finley Burke at Council Bluffs, Ia., for two years and was admitted to practice by the Supreme Court of Iowa at the age of 21, standing second in a class of 25. Mr. Burke was district attorney for the Chicago & Northwestern and Mr. Aitchison was associated with him for about nine years as student and practitioner. He also assisted the general officers of the Postal Telegraph Cable Company in procuring a right of way for the Omaha-Des Moines line.

While a resident of Iowa in 1902 he prepared for the Lawyers' Co-Operative Publishing Company annotations to Iowa decisions, covering all the references to Iowa cases as authorized in every court of the country. The work had a wide sale. He was also lecturer in the Omaha Law School at that time.

Mr. Aitchison came to Oregon in the early part of 1903, and became associated with the trust department of the Title Guarantee & Trust Company

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FULTON SCORES FOREST SERVICE

Arraigns Hitchcock for Helping Fraud.

GIVES BEVERIDGE TRONCING

Indiana Senator Gets No Mercy When Interrupts.

TOO FOND OF OWN VOICE

Vigorous Criticism of Pinchot Wins Applause of Senate—Lieu Land Law Perverted to Favor Land-Grant Railroads.

OREGONIAN NEWS BUREAU, Washington, Feb. 18.—Senator Fulton made a most effective 40-minute speech in the Senate today, in which he criticized and condemned the manner in which forest reserves are being created and administered. Admitting the honest intention of Forester Pinchot, he censured his official methods and scathingly arraigned Secretary Hitchcock for his forestry work.

Fulton declared that more actual fraud had been committed against the Government under the forest reserve system than under all the land laws combined. The chief fraud, he declared, was committed by the Secretary of the Interior in permitting land grant railroads to exchange worthless land in reserves for the best timber and agricultural land of Oregon and neighboring states. He said the lieu land law was passed and intended to afford relief solely to homesteaders, but that the Secretary of the Interior had overruled the Land Office and explicitly directed that railroads also enjoy this privilege. He said this ruling was contrary to the spirit of the law. In this he was substantiated by Senator Carter.

Fulton also charged that there has been recklessness in the creation of reserves and usurpation of authority in their administration.

Half a dozen times during Fulton's

address, Beveridge interrupted and attempted to inject speeches of his own, showing his absolute lack of knowledge of Western conditions, particularly those under discussion. Fulton bore with Beveridge patiently until Beveridge made himself particularly obnoxious, and then the Oregon Senator turned in and administered a trouncing to the young man from Indiana, which aroused the latter's wrath, but which met with the hearty approval of the whole Senate, which has lately had too much Beveridge.

Heaps Ridicule on Indianian.

Fulton seemed to break Beveridge's heart when he ridiculed the latter because of his fondness for hearing his own voice, and when he attributed to this cause the frequency with which Mr. Beveridge was "butting into" all Senate speeches.

After the Senate adjourned Beveridge accused Fulton of being brutal and insulting, but Fulton, disclaiming such motives, told Beveridge he had brought upon himself the rebuke which he, Fulton, had been compelled to ad-



Oswald West, of Astoria, appointed Member State Railroad Commission.

minister in order that he might complete his speech.

It was far and away Fulton's best speech since he entered the Senate, and was heartily commended by many older Senators. His squashing of Beveridge made a great hit.

DIETRICH IS THE NEW MAN

Strong Rival of Ailsbire for Federal Judgeship in Idaho.

OREGONIAN NEWS BUREAU, Washington, Feb. 18.—If the President refuses to appoint Judge Ailsbire (Senator Heyburn's choice) as successor to Judge Beatty in Idaho, F. S. Dietrich, of Pocatello, is most likely to be appointed.

Judge Ailsbire is expected here Thursday to personally answer the serious charges pending against him. Meanwhile the President is making an investigation. It seems improbable that the matter can be cleared up before March 4. That will

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STORIES ABOUT THE LEGISLATORS

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MOUNTAINEER AND ORATOR

Irishman's Retort to Grafters in Wisconsin.

LONGWORTH CHOKES BILL

Legislator's Eloquence on Boon to Blind Cooks—How Rural Senator Turned Laugh on Great Corporation Lawyer.

BY FREDERICK J. HASKIN.

WASHINGTON, Feb. 13.—(Special Correspondence.)—Forty State Legislatures are now in session in the United States, and although each of them is made up of men of every kind, the composite state legislator is a most distinctive American type. His home paper calls him "Hon." and refers to him as a "solon." The city papers decline to take him seriously unless he is holding up the election of a United States Senator or is to be scolded or cajoled into supporting a favorite measure. Because most legislators are from rural districts the mind instantly pictures a "solon" with chin whiskers. As a matter of fact, lawyers are in a large majority in all Legislatures.

In Kentucky several years ago an eminent lawyer of more than state-wide reputation was sent to the Legislature for the special purpose of advocating much-needed reforms. He prepared an elaborate statement filled with citations of authority and replete with reviews of cases. It was an important document, he thought, and to prevent any mistake he read it from manuscript. When he had finished a two hours' reading an old man from the mountains whose family name has been connected with a famous feud arose and said: "Mr. Speaker, the county what sent that feller here thought as well have writ a letter."

Easier to Beat One.

The same mountaineer owed his seat in the legislative hall to the fact that the opposition party in his county had split into factions and divided its vote among three candidates. Once it was suggested that he was the creature of circumstances, the old man looked at it in a different way and in a speech in the House shouted: "I beat three on 'em last election, and the man is a liar who says I can't beat 'em just one."

In the Minnesota State Senate in the days of violent free-silver agitation there was a German who believed firmly in the gold standard and was alarmed by the 16-to-1 propaganda. He thought to end it all by a speech. He said: "If I goes down by der lake and I say, 'Hello, vat comes back?' 'Hello.' When there is free silver and I goes down by der lake and say, 'Von dollar, vat comes back?' Only fifty cents."

The grafters of the Wisconsin Legislature had a great scheme some years ago to pass a bill authorizing each county to issue funds for the extension of the telephone system. It was a great thing for the telephone companies, great for those legislators who were on the inside, and the taxpayer was being told it was great for him because he would get the telephone in his house. One tearful statesman arose and bewailed at great length the condition of the poor farmer, who could not get the doctor for his sick child for hours and hours because there was no telephone, all due to a parsimonious state that would not give him a telephone. He harangued for an hour and sat down amid the sobs of all the tender-hearted "solons" who were in the graft. Then a little red-headed Irishman jumped up and said: "Mr. Speaker, don't yez think it would be cheaper for the gentleman to spin twenty-five cents for the book, 'Phat to Do 'Till the Doctor Comes?'"

Put Quietus on Oratory.

In the Indiana Legislature there was a very tall man, a giant, who was much given to oratory. There was also a very small man, a nidget, much given to speech-making. The giant delivered himself of a Fourth-of-July oration one day on nothing in particular. When the nidget arose to reply he began: "The mountain has been in labor." Just then a third person broke in with: "And a ridiculously small mouse will now be heard to squeak!" There was no more oratory that day.

Nicholas Longworth, when a member of the Senate in Ohio, employed a unique method of killing a bill to prohibit the sale of cigarettes in that state. This measure had been introduced in the House merely for the purpose of holding up the telephone franchise. Even those from its clever author and it got away from the House. In the Senate it was referred to the committee of which Longworth was chairman. A day for the hearing was set and the disgraced author of the bill was asked to come over and speak for his uncut melon. Longworth had the windows and doors closed, then passed around Turkish cigarettes. Even those who had never smoked one took a "corn-lick" and lit it. The air was thick in few moments. Then came the author of the reform measure, who did not smoke. He tried to speak, but there were so many interruptions that he could not make any headway. Three or

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MR. DELMAS PLACING MRS. THAW'S NOTE IN EVIDENCE AT THE TRIAL



LEADING COUNSEL FOR HARRY THAW, AFTER MANY EFFORTS, HAD MR. JEROME PRODUCE A NOTE SAID TO HAVE BEEN WRITTEN BY MRS. THAW TO HER HUSBAND IN THE CAFE MARTIN. THE PORTRAIT IN THE CORNER IS THAT OF DR. WAGNER, ALIENIST FOR THE DEFENSE.