NEVER WANTED TO SHOOT CREATURE

(Continued from First Page.)

he felt all right, and slept well. He then told us the same story of the perse-cution he had related to me on the occa-

sion of my first visit.
"He referred to 'this man, this creature, this dead man, this beast, the blackguard, and said the man had sought to take the virtue of every pure-minded woman who came within his sphere of abservation. I tried to save them, Mr. Thaw said to us. I did all in my power. I never wanted to shoot the creature; I never wanted to kill him, I knew he was a foul creature, destroying all the mothers and daughters in America, but I wanted through legal means to bring him to trial. I wanted to get him in court so he would be brought to justice."

Says Providence Caused Shooting.

"I then asked him why he, under such circumstances, had shot Mr. White. 'Providence took charge of it.' he re plied: 'that was an act of Providence. For my part I would rather have had him suffer in court the humiliation the revelation of his acts would have caused." "Did he tell you what he had done, if anything, to bring Stanford White into

court?" asked Mr. Delmas. "He said he had gone to see Anthony Comstock, District Attorney Jerome and a private detective agency. He said Mr. Jerome had told him he had better let the matter drop, that there was nothing to it. The detectives told him they would take the matter up, but they had not submitted a proper report. As to Mr. Comstock, he said he discovered that Delancey Nicoll, the attorney, was acting as legal adviser both to Stanford White and to Mr. Comstock. He regarded this as a conspira-

cy against him.

'I asked him why he had carried a pistel and he said Roger O'Mara, a Pittsburg detective, had advised him to do so after detective, had advised him to do so after he had told O'Mara that on several oc-casions thugs had jostled him in an at-tempt to get him into a quarrel. He said Stanford White had hired the Monke Eastman gang to get him into a quarrel and heat or kick him to death."

Explosive Mental Make-Up.

The witness next went into a descrip tion of his third visit on September 19. Thaw came into the room carrying the box full of papers, Mr. Hartridge had tried to induce him to give up the papers. He turned abruptly and left the room,

'Go away, Doctor, I am very sorry.' "I told him the papers had nothing to do with his examination, but he left the room and the visit ended."

As a result of the visit, did you draw any scientific deductions from Mr. Thaw's

Yes. He displayed a highly explosive mental make-up, in that, without ade-quate cause, he dismissed his counsel and physicians after he had agreed in ad-vance that we should come there for the purpose indicated. He displayed defective reason in putting aside professional men who, he had been assured, were there through no unfriendly part."
"Did he mention to you the names of

any of the young women who he said any of the young women who he said had suffered wrongs at the hands of Mr. White" asked Mr. Delmas.

Before the witness could answer, Mr. Delmas withdrew the question and asked Dr. Evans if he had read the codicil to Harry Thaw's will.

The witness said he had read it in part

The witness said he had read it in part.

'Did he tell you the names that appear the codicil?" Mr. Jerome objected to the question and it was withdrawn. 'Did Mr. Thaw say to you that he was

non thing for persons suffering from unsound mind to protest that they are not insane. It is very common." Dr. Evans said Thaw declared that perhaps 200 or 300 persons might be found who would say he was incane, but he did not think they could prove it.

Great Idea of Own Importance,

Relating to Thaw's act of self-im-ortance, Dr. Evans said: 'He wanted me to understand that he was Harry Kendall Thaw, of Pitts-burg; that he was the one and only Harry Kendall Thaw, and there were

"What conclusion did you reach as Thaw's declaration that his act had

been an act of Providence?"
"That it was an insane delusion."
"Are not repentance, remorse and fear of punishment the normal condi-tions of a same man after as has com-mitted an set of homicide, and the ab-sence of these elements an evidence of unsoundness of mind?"

"As a rule, remorse and repentance are found in the same mind." This ended the direct examination of Evans, and Dr. Wagner was re-

"As a result of your visits to Mr. Thaw on August 21 and September 19 last, did you reach a conclusion as to the mental condition of the defendant?" asked Mr. Delmas.

"Yes," replied Dr. Wagner, "in my opinion he was insane at that time." Doctors Filnn, McDonald and Mabon also asked permission to examine Thaw, but he had refused to allow them to do so. The three physicians mentioned are the alienists employed by

state in this case, Lawyers and Doctors in Collusion.

Mr. Thaw said Dr. Daniel had also been called, but he had refused to let him conduct an examination, although he was sent by his own attorneys. He said the lawyers and doctors were in collusion with the District Attorney's an epithet, such as "the blackguard" or "the dead man." but never by his right name.

Dr. Wagner then repeated the same tory of the interview as was related by Did Thaw protest that he was sane?" asked Mr. Delmas.

"Did Thaw ascribe to himself any par-ticular function in dealing with the sub-ject that was on his mind?"

"Yes. He said it was his province to look after the welfare of young girls and lead them along moral lines." Before Dr. Wagner was excused, Mr. Delmas said:

"We now come to the matter of the will of the defendant."

Will Offered in Evidence.

Justice Fitzgerald said he would like to have a copy of the will to read before passing on any of the points as to its admissibility. I would like to keep out of the record

that is not material," added Justice Fitzgerald. "So would we," assented Mr. Delmas, "If the will is offered," Mr. Jerome interposed, "it will have to all go in. There

elements as to handwriting, etc.,

examined it in silence for some time. Doctor, are the names mentioned in

have testified Mr. Thaw gave you as victims of Stanford White's practices?" asked Mr. Delmas. Mr. Jerome objected on the ground

that it was an attempt to get into evidence the contents of a paper for the introduction of which me foundation

"I object to this scandalous talk." began Mr. Jerome, but he was inter-rupted by Mr. Delmas, who objected and took exception to the statement and asked that it be noted that the exception was due to the misconduct of the District Attorney

"I am not talking to the jury," said
Mr. Jerome. "I am talking to the
court. We have twelve intelligent
men here and they are not going to
decide this case upon talk of counsel." "I object," repeated Mr. Delmas, "to the learned District Attorney's referring to this codicil or this will as containing scandal."
"Whether they are true or not, his

will contains statements of scandal, will contains statements of scandal," again asserted Mr. Jerome.
"I object," replied Mr. Delmas.
"I think we had better get back to the question," suggested Justice Fitzgerald in a conciliatory tone.

gerald in a conciliatory tone.

"I am laying a foundation for the ultimate purpose of offering this will in avidence," said Mr. Delmas, "My object now is to identify these names without making them public. If the District Attorney insists, I will have Dr. Evans state the names, but it is not my disposition to do so."

"I see a way out of all this," said Mr. Jerome, in a voice which displayed irritability. "Let them ask this witness if Thaw was crazy when he made the will, and then let them put the will in if the court shall hold it to be cumulative evidence and therefore ad-

Delmas Retorts in Kind.

"I intend following that course," replied Mr. Delmas.

Dr. Evans was excused, and Dr. Hammond, another of the defendant's alienists, was called. Before he was sworn, however, Mr. Delmas changed his mind and had Dr. Evans once more recalled. Dr. Evans was shown the will and asked if he had ever seen it before. He said he had not. Mr. Delmas asked Mr. Jerome to con-

cede that the copy made in the Dis-trict Attorney's office was correct. "I don't concede anything," said Mr.

"It is your privilege not to concede anything, not even common courtesy," was Mr. Delmas' reply,
"I am exercising my privilege," snapped

Dr. Evans proceeded to read the volu-minous will. When he had read it, Mr. Delmas asked:

"Can you state whether Mr. Thaw at the time of executing the will and the codecil was of sound or unsound mind, taking all you know of the case into consideration?"

"Can you state whether Mr. Thaw at saults by Stanford Whit redress for the victims.

Will Is Finally A Dr. Evans answered: "It is my opinlor

Jerome Badgers the Doctor.

Mr. Jerome began cross-examining the witness and had Dr. Evans repeat the latter statement

"What form of insanity is it known a?" snapped Mr. Jerome. "I would call it developmental insan-

"Were the delusions which you observed during your first three visits to Thaw systematized or not systematized?" They were not altogether systema-'In what respect were the delusions not

"He shifted from one delusive idea to "Can you state one delusion that was

not connected with what might be termed the parent delusion about Stanford White and his relations with women?"
"There was his delusion that reputable

lawyers and physicians were in a con-spiracy to railroad him off to an asylum." "Yes, but was that connected with the parent delusion?" asked Mr. Jerome. "I would consider it as largely inde-pendent. I could see no reason why he should connect me with any conspiracy

"What kind of insanity is indicated by systematized delusions?" Do the will and codicil show sys-

matized delusions?" What delusions?"

was the subject of persecution

'A delusion which showed he believed will or codicil regarding Stanford White?

Question Often Repeated.

Dr. Evans picked up the will.
"Wait," called out Mr. Jerome, "I ob-ject to your looking at the documents.
You have seen them and have testified Mr. Delmas said Dr. Evans had the

right to look over the papers and was sus-tained. He handed the will to Dr. Evans. "Now I withdraw my question," said Mr. Jero

"Doctor, without re-reading these papers, can you state whether or not there is apparent delusion regarding White?" cor

ued Mr. Jerome n't say that there is, but there is a delusion both in the will and the codi-

That is not an answer. Mr. Jerome asked the question over and over again. Mr. Deimas objected to Mr. Jerome's course. "I don't think he has the right to continue this system because the witness does not answer what the District Attorney wants him to," he

"He answered as I wanted," said Mr. lo you keep repeating it then?

asked Mr. Delmas "Because I don't want him to fall into a hole without seeing the hole."

There was general laughter.

Mr. Jerome then asked again if the will reddell showed apparent delusion. "I cannot subscribe to it as apparent delusion; there is apparent delusion-a

'Can you tell whether it is apparent 'I can't say whether it is or not."

"Why did you not say so before?"
"The witness answered half a dozen mes," interrupted Mr. Delmas. Justice Fitzgerald ordered the original juestion read and then ruled that the witness had the right to read from the

will in replying to the question. Dr. Evans then read what he called paragraph 8. It provided in part: Where Will Shows Delusions.

"In case other than a natural death or if any suspicion attaches to my taking off or if I should be made away with, I direct that my executors shall immediate set aside the sum of \$50,000 for an investigation of the circumstances and for the prosecution of the guilty persons."
If additional sums were needed, the executors were directed to use them. 'Is that an unsystematized delusion?"

ild Mr. Jerome.
"One statement does not make a system." retorted Dr. Evans. "What are you able to say as to un-systematized delusions?" The provision in the will which I read

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rations.

Trustee under Corporate Mortgages or Deeds of Trust.

Trustee to hold title to real estate or personal property of any description.

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The Title Guarantee & Trust Co.

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"that this paper was in existence long

before June 25."
Mr. Delmas read the codicil. queathed \$7500 to Rodney P. Marshall, of Pittsburg, to be used, all or in part, in obtaining legal redress from Stanford White and one other person whose name was not mentioned, in favor of four young women, who, the codicil declared, had been rulined by Stanford White in a "house in New York furnished and used for orgies by Stanford White and other

separate circumstance of the alleged degrading assaults upon the four young women were mentioned in the codicil. One of the young women was declared to be acting at Lew Fields' Theater at the time. The codicil also left to the Rev. Charles H. Parkhurst. Fred W. Longfellow and Anthony Com-stock sums of \$2500 each for the same surpose of securing evidence of any as saults by Stanford White and obtaining

Will Is Finally Admitted.

Mr. Delmas next offered the entire will and there was no objection by Mr. Jerome. The instrument was read in full by Mr. Delmas, but the recipients of

ordinary bequests were not mentioned by name by the attorneys. After disposing of various personal effects and trinkets, the will in its fifth section leaves to Mrs. Evelyn Thaw \$5000 in lieu of dower and establishes a trust fund of \$50,000 for her. It also provides an annuity of \$500 for Howard Neshit. The will leaves various sums to servants and friends and the residue goes into a trust fund, from the income of which shall be paid to his wife \$12,000 a year. Should she re-marry, however, this in-come is to be reduced to \$4000 a year. The item of the will which provides a

fund of \$50,000 for an investigation and prosecution in case the testator died other than a natural death, or in case other than a natural death, or in case there were any suspicious circumstances pointing to such a conclusion, which had already been read on the stand by Dr. Evans, was re-read by Mr. Delmas.

At the conclusion of the reading of the will there was a delay in sending to the office of one of the attorneys for a document of the conclusion. ment. Finally it was decided at 4:20 P. M. to adjourn until tomorrow morning.

MAY REPAIR SHIPS NORTH

Government Believes Bay City Yards

SAN FRANCISCO, Feb. 18.-That there vards of San Francisco to exact exorbitant charges from the Government is charged in a letter from Senator George C. Perkins, received by the Chamber of

Senator Perkins' letter contained the The War Department has the opinion that the private shipyards of San Fran cisco have combined to exact exorbitant prices from the Government at Washington. The Navy Department thinks the circumstances point to a combination to hold up the Government and is not inclined to submit to what it deems extortion. The department desires to have the "Then we withdraw our papers," said tepairs on the transports made in the Mr. Delmas. desire to send them north to Puget Sound. whose private yards seem to be the only ones on the Coast that will bid for the

SCORES FOREST SERVICE

letter has been prepared.

A formal rejoinder to Senator Perkins'

(Continued from First Page.)

mean that no Judge will be appointed inless Senator Borah is consulted. Had the charges not been made Mr. Heyburn' could have absolutely controlled the appointment. Mr. Heyburn today talked with the President about various candidates. Later Mr. Borah went over the ground with the President, but made no recommendations.

Last night in the presence of witnesses Mr. Heyburn assured Mr. Borah he would make no recommendation without consulting him and advising him of his choice, Republican State Chairman Brady is unequivocally committed to Mr. Dietrich and believes him almost sure of the appointment if Judge Ailshie fails.

RAISES PINCHOT'S SALARY.

Senate Devotes Day to Flerce Criti-

cism of Forest Service. WASHINGTON, Feb. 18.-After more than five hours' consideration of the agricultural appropriation bill, the Senate increased from \$2500 to \$5000 the salary of Gifford Pinchot, Chief Forester. The debate was devoted mostly to the methods of administration and general policy of the Porest Service, and at times broadened to include the public land question generally. Practically no progress was made on the agricultural bill.

Speaker Davey Saves Day.

SALEM, Or., Feb. 18.—(Special.)— But for an effective address by Speaker Davey, who called Simmons to the This statement of Mr. Jerome was taken to indicate that he will no longer oppose the admission of the will as evidence. At this point luncheon recess until 2 o'clock was ordered.

Mr. Delmas, when Mr. Jerome finished his examination, offered the codicil in evidence, Mr. Jerome objected.

Mr. Jerome objected.

Mr. Jerome objected.

Mr. Jerome objected.

There is in this will a reference. ered.

diately after recess. Dr. Evans diately after recess. Dr. Evans replacing Dr. Wagner. The was shown Thaw's will and was shown Thaw's will and edit in silence for some time.

or, are the names mentioned in of the appropriation to \$10,000, but this amendment was defeated after to the same application to the consideration of the appropriation to \$10,000, but this amendment was defeated after this amendment

WE MUST HAVE ROOM



Three Good Reasons Why We Must Sell New Spring Garments at Prices Never Heard of Before:

First Reason: Delay of completion of our new store.

Second Reason: New Spring goods bought for our new store piling in on us. Third Reason: Must make room for our new Millinery Department.

\$35.00 Broadcloth Suits, new and up-to-date, in wine, mauve, \$17.75 A few Fall Suits, \$7.75

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Values up to \$5.00; as \$1.98 long as they last.... Every Skirt Reduced to Sell.

SILK PETTICOATS Every Petticoat Reduced to Sell.

COATS About 50 Coats, Values up to \$17.50, \$2.35

25 Coats, \$4.95

Preliminary Opening of Our

MILLINERY DEPARTMENT

Owing to the delay of the completion of our new store, we are compelled to make way in our present location for the new Spring Millinery now arriving daily. Monday we made our initial display: about a thousand of the season's newest and best ideas in artistic, fashionable Hats for immediate wear, from New York's foremost makers. All personally selected by Mr. F. M. Hamburger in his recent Eastern trip. This showing is only a forerunner of the grand display we will make in our formal opening.



ma, Voiles; also mix-

The Merchants' Tailoring Department's Temporary Location at 132 Fifth Street

THE J. M. ACHESON CO. 131 FIFTH STREET

BRIX BILL IS DEAD

Spartan Father Requests the Lower House to Use Ax.

TOO MANY AMENDMENTS

Bases Action on Ground That Changes Had Destroyed Original Purpose of Law to Regulate Logging Streams.

SALEM, Or., Feb. 18.-(Special.)-Brix's is own motion in the House tonight by a vote of 36 to 19. The author of the original bill explained that it had been so extremely amended as to destroy its original purpose, and for that reason he

the bill before the House on its merits Vawter, Freeman and Dye urged that he bill had merit and was entitled to a in the bill as originally preented had been eliminated and the measire had been made to conform to the cially in the interest of the lumber in-

dustry. Newell and Purdy spoke against further consideration of the bill, claiming that all ogging on streams should be done durng the high water season in the Winter The employment of flash dams authorized in the measure, they com-plained, would have the effect of overflowing agricultural lands along these streams to the great damage of the land itself and to growing crops.

The vote for indefinite postponement

was successful, with 38 aves and 19 oes, as follows: Ayes—Barrett of Washington, Bayer, Belknap, Beutgen, Bones, Brix, Brown, Carter, Chapin, Chase, Coffey, Connell, Crawford, Donnelly, Driscoll, Eaton, Farrell, Gray, Hendrick, Jackson, Jew-ell, Jones of Clackamas, King, Kubli, McCallon, Merryman, Moore, Newell, Northup, Pike, Purdy, Reynolds, Roth-child, Settlemier, Simmons, Slusher, Washburne, Davey-38.

Beals. Beveridge Noes-Adams. Burns, Campbell, Dobbin, Dye. Edwards, Freeman, Holt, Huntley, Knowles, McCue, Rackleff, Rodgers, Steen, Upmeyer, Vawter, Wilson—19. Absent—Barrett of Umatilla, Jones of Lincoln and Polk and Perkins-3.

SATURDAY NOON.

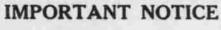
Both Houses at Salem Agree on Date, Effects of Action. SALEM, Or., Feb. 18 .- (Special.)-The

Oregon Legislature will adjourn at noon Saturday, February 23. This was assured tonight, when the House concurred in a Senate resolution calling for final adjournment at that hour. The Senate has its business well in hand, less than a dozen bills originating in that house being in committee on adjournment to-night. Probably 150 Senate bills are in the House awaiting consideration during the closing days of the session. Other than appropriation bills, there are not over a dozen House bills that

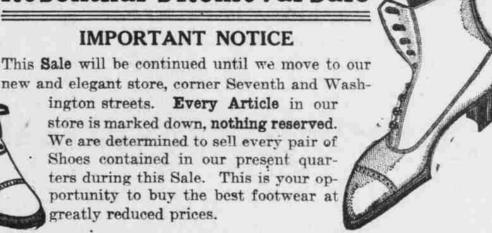
were not disposed of in regular form in

the House before adjournment tonight. Under the terms of joint rule 11, governing proceedings of both houses, no Senate bill can be received in the House during the last five days of the session, or beginning with this morning, except by con-sent of two-thirds of the members. Speaker Davey construes this rule as not applying to forwarding House bills from the House to the Senate during the same period and this will enable the House to send to the Senate such bills as have not yet been finally acted on by that body, any time prior to final adjournment. President Haines contends that

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greatly reduced prices.

the House other than appropriation bills due time to effect final adjournment Sat- 1 resolution proposing an amendment to furing the remaining days of the session At the rate with which both houses dis patched business today, each will be able during the concluding five days of the session to dispose of all of the bills that are now pending from the other house is

MUSICALE AT TAYLOR-STREET M. E. CHURCH

Mr. C. Arthur Longwell of New York Will Be Heard.

By a happy combination of circum stances Mr. Phil T. Clay of San Francisco, vice-president of the Sherman, Clay Co., and Mr. C. Arthur Longwell with the A. B. Chase Co., of New York, are in the city together, and this (Tuesday) evening, under the auspices of Sherman, Clay Co. a concert will be given at the Taylor-street M. E. Church, at which Mr. Longwell will demonstrate very entertainingly the delicacy as well as the precision of the noted A. B. Chase player-planes. Mr. Longwell is a musician of ability, and has made a long and careful study of player-planes. He has amazed the leading musical critics of New York with the exquisite music he has produced, demonstrating beyond all question that as an accompaniment for the voice its work is simply marvelous. As Mr. Longwell, himself an accomplished musician, says, ten fingers can not do what the intricate and delicate mechanism of the player makes possible. Mr. Dom Zan, the baritone, will laso

be heard, which of itself assures the audience of a rare treat.

After the concert, Mr. Clay and Mr. Longwell, accomparied by General Manager G. F. Johnson of the Sher-man. Clay Co., will leave for a visit to several of the northwest cities where this company has an establish-ment, notably Tacoma, Seattle and Spokane, concerts being given at each place. Mr. Longwell has given con certs from the Atlantic to the Pacific leaving a sentiment of appreciation in his wake. There will be no admittance fee, as the recital is given under the auspices of Sherman, Clay & Co. The

programme follows: Programme. Papillons D'ArmourSchi Walther's Prize Song (Die Meister-Sarcarolle, Shepherds All. and Maldens Fair (from "In Arca-Coombs Calm as the Night, Mr. Dom J. . Bohm Lubeswalzes, Op. 57 Moszkowski

Limit Life of Franchises.

the constitution limiting to 25 years the life of all franchises except as the right of eminent domain SALEM, Or., Feb. 18.—(Special.)— The House tonight adopted Northup's

Oxygen is now used to open closed tap-holes in smelting furnaces.

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STRICTURE NERVOUS DECLINE VARICOCELE GONORRHOEA BLOOD POISON SKIN DISEASES ULCERS GLEET KIDNEY AND PROSTATE

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WEAKNESS

To those men who are weak and alling, we state that the loss of power, destroying your life, happiness and health, causing loss of sleep, no vitality, pains in your back, vertigo, dizziness, denote one thing-and that you must consider amounts to nothing less than destroying your life. You can't keep up very much longer under that continual strain. There is one way out of it. Consult a specialist who does nothing else but cures these diseases. We will gladly consult with you free of charge and give you our candid and honest opinion FREE and cure you, charging you a very low fee. Delays are dangerous, so don't waste any time, but call at once.

VARICOCELE

Not only causes that constant hearing down feeling, but it causes reflex conditions injuring many reflex conditions injuring not only the parts, but the whole system. The worm-like velus in the scrotum often cause very serious complications that necessitate an operation. If taken in time there is no need of an operation, as our methods have proven from time to time.

Rupture and Piles were formerly believed incurable without the use of the knife, but recent discoveries have proven the facts that it is an unnecessary procedure. kuife, no chloroform, no detention from business by our methods, and every case is cured. Call and see for yourself.

Call and consult us free of charge, and you will be given our honest and candid opinion, and by the aid of a thorough scientific examination we will be able to correctly diagnose your case and treat you to cure you permanently, and by these means we have the everlasting gratitude of hundreds of people.

WRITE IF YOU CANNOT CALL. Office hours, 8 A. M. to 8:30 P. M. Sunday, 9 to 12 M.

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