

TERRIBLE ORDEAL OF EVELYN THAW

Darkest Secrets of Life See the Light.

FLOOD OF TEARS BURSTS OUT

Relations With White Continued for Months.

HE ALWAYS USED FORCE

Forsook Him One Christmas Night to Join Thaw—Lived at Hotel and Traveled With Husband Before Their Marriage.

NEW YORK, Feb. 21.—Under the stress of cross-examination, in which District Attorney Jerome gave no quarter, Mrs. Evelyn Nesbit Thaw broke down upon the witness stand today. With blinding tears burning their way down cheeks which from ashen white had flushed crimson, she admitted that after her first experience with Stanford White her relations with the architect continued several months.

There were other confessions also, which, while damaging to her character, accentuated all the more the terrible personal sacrifice she is making in the effort to save her husband from the electric chair. The case has progressed to the point where the defendant has been all but lost sight of. His girl-like wifeliness, the figure about whom the storm lashes, she it is whose life is being searched out and who is being held up to scorn by the prosecution.

Thaw Sinks Into Background.

Thaw, his face buried in his hands, might easily have been out of the courtroom picture today and none would have missed him. All eyes were upon the witness chair and the slight figure in blue which occupied it during the day and at all times heretofore Mrs. Thaw has had to sit on the edge of the chair in order that her feet might reach the floor. To make her more comfortable for the long ordeal, a footstool and a back cushion were provided during the afternoon.

At the close of the most eventful day of the trial, Mr. Jerome announced that he probably would keep Mrs. Thaw under fire for two more days. Adjournment was taken until Monday morning, although at one time Justice Fitzgerald said that to accommodate out-of-town witnesses he would hold court tomorrow and Saturday.

Inmost Secrets Brought to Light.

There was no subject affecting the witness of so intimate a nature that the District Attorney hesitated to haul it from its hiding place and hold it before the gaze of the world, all the while requiring that she should recognize and own the fault in her own words.

When Mr. Jerome was flaying Mrs. Thaw with questions as to her relations with White, demanding to know every detail, and while bitter tears were welling to her eyes, two newspaper women, accustomed to harsh scenes of life, hastily left the courtroom and made a hasty retreat out of the big portals. At last the prosecutor himself relented somewhat and suggested that the proceedings should be suspended. Mr. Delmas thought he detected an unfavorable move in this and protested that the witness would be able to proceed. Mrs. Thaw wiped her eyes, stiffened up a bit and nodded to Mr. Jerome to proceed.

First Intimacy With Thaw.

After bringing out that her relations with White continued for some time, Mr. Jerome went deeper. Mrs. Thaw admitted that in 1902, after the return from Europe, she spent a night in Thaw's apartments in New York and that for three weeks he and she occupied connecting apartments at the Grand Hotel here.

Mrs. Thaw admitted that the champagne which she had declared had tasted bitter the night she lost consciousness in the mirrored bedroom was no more bitter than any other champagne she had drunk. In fact, she declared it tasted like all the rest and denied that she had intended the jury to assume otherwise.

Used White to Quiet Mother.

Mrs. Thaw made what was considered her most damaging statement to the defendant when she admitted he had shown her copies of cablegrams sent to Stanford White from Europe asking him to use his influence with a certain man in London to prevent Mrs. Nesbit from interfering with Evelyn's continuing in Thaw's company. Mrs. Thaw also was forced to admit that, when she and her mother went abroad with Thaw in 1903, they were still drawing upon the bounty of Stanford White. Mrs. Thaw declared that she had a letter of credit for \$500 or \$600 which was given to her by White and which she later turned over to Thaw. There was still a balance in the Mercantile Trust Company to her order.

"But mamma got all of that," said the witness. Mr. Jerome dwelt for a long while upon the cablegrams which Thaw is said to have sent White. He brought out that the cablegrams were sent after Thaw knew of the relations which had existed between Miss Nesbit and White. Mrs. Thaw would not admit that she knew

positively who sent the cablegrams or whether her name was signed to them. "Surely," remarked Mr. Jerome, "you don't mean to say that he signed his own name?" "No," she replied, "I don't mean that at all."

Gets Whole History From Mother.

A letter written by Mrs. Thaw in 1904 and telling of her gay life in Paris with Harry Thaw and a "bunch from the tenderloin" was read to the jury by Mr. Jerome. This brought out more testimony as to the "Dead Rat," a Parisian cafe. There seemed to be nothing in the witness' past life about which the prosecutor was not informed. He seemed to have been able to trace her every step, largely due, doubtless, to the typewritten statement of the mother, which Mr. Jerome nearly always holds in his hand while hurling questions at the daughter.

In single-spaced typewriting the statement seems to cover fully 75 pages. The springing of sensations did not rest all with the District Attorney, Mr. Delmas sent a genuine thrill through the courtroom by declaring that he had been informed it was the purpose of the District Attorney to indict Mrs. Thaw. Mr. Jerome denied that any such statement had been made, but did not deny the purpose.

Struggle for White's Letters.

This incident came about near the close of the afternoon session, when Mr. Jerome, in an effort to make the defendant produce certain letters from Stanford White, which Mrs. Thaw had declared were in the possession of Clifford Hartridge, one of her husband's attorneys, called Mr. Hartridge to the witness stand. The lawyer declined to answer all the questions relating to the letters and, when it became necessary for him to give some better reason than the mere fact that he was attorney for the defendant, Mr. Delmas said Mr. Hartridge had been retained by Mrs. Thaw to protect her interests when she had heard that she was to be indicted.

During the afternoon Mrs. Thaw had declared that she was perfectly willing that the letters should be produced. "They are your property, are they not?" asked Mr. Jerome.

"No, I gave them to Mr. Thaw," Mr. Jerome directed his assistant, Mr. Garvan, to have a subpoena issued for Mr. Hartridge. When this was done, Mr. Jerome again demanded the letters. Mr. Hartridge said he had no intention of complying, as he had received the letters from the hands of the defendant. Mr. Jerome appealed to Justice Fitzgerald, but he had neglected to have an affidavit made as to the service of the subpoena, and Justice Fitzgerald said there was nothing upon which he could act. Mr. Garvan was directed by his chief to draw up the affidavit. There the matter rested.

Forced to Finish With Mrs. Thaw.

Just after luncheon recess, the District Attorney wanted permission to discontinue the cross-examination of Mrs. Thaw long enough to take the testimony of Doctors Deonar, of Kittanning, and Bingham, of Pittsburgh, both of whom are to testify as to traces of insanity in both branches of the defendant's family. Mr. Jerome said he was informed the physicians were about to leave the jurisdiction of the court.

"They are returning to Pittsburgh tonight," said Mr. Hartridge, "but they will be back at any time they are wanted. Mrs. Thaw is under a most severe strain and her cross-examination should be concluded at once."

Doctors Bingham and Deonar were called to the stand and said they would stay if necessary. Mr. Jerome insisted that their testimony be taken and Thaw's counsel insisted that the cross-examination proceed. Just before adjournment Mr. Jerome said he felt that the physicians would be available when wanted and asked that the recess over the holiday and until Monday be taken. Counsel for the defense consented. Mrs. Thaw will again be on the stand all of Monday and possibly all of Tuesday.

SEARCHES DEEP INTO PAST

Jerome Forces Mrs. Thaw to Tell Shameful Secrets.

NEW YORK, Feb. 21.—Thaw entered the courtroom immediately after the (Concluded on Page 12.)

PASSAGE BLOCKED BY GAS OCTOPUS

Corfe Bill Held Back by Enemies.

ATTACKS PERPETUAL GRANTS

Four Multnomah Senators Are Among Obstructionists.

HODSON IS THEIR LEADER

Portland Corporation Sends Its Lobbyists to Aid Him in Smothering Effort to Revoke Unlimited Franchises.

SALEM, Or., Feb. 21.—(Special.)—Eager to defeat the Coffey bill, which would repeal the two state franchises of the Portland Gas Company, as granted by the Oregon Legislature in 1880 and 1875, the majority of the members of the Multnomah Senate delegation—Beach, Hodson, Bailey and Siegel—have kept possession of the bill 12 days without reporting it back, or even considering it, and today filibustered over the bill for the purpose of putting off reporting it until so late it cannot pass the Senate.

These four Senators from Multnomah are aided here tonight by a lobby of the Portland Gas Company, headed by J. N. Teal, C. F. Swigert and John C. Lewis, who are putting forth strenuous efforts to block the bill, which they realize will be in great danger of passing if it shall escape from the clutches of the Multnomah Senators who have held it captive for nearly two weeks.

The Gas Company is calling to its aid all the forces and influences at its command, and has invaded the Capitol with them. Its lobbyists have been in conference with the four friendly Senators tonight, devising means to keep the bill from going before the Senate, or of amending it in such a way as to defeat its purpose, or of delaying it until it cannot pass. Teal and Swigert hurried here today when notified of a movement to drag the bill out of the hands of the Multnomah Senators.

Tricked to Drag Out Bill.

This morning friends of the bill, led by Senators Nottingham and Malarkey of Multnomah and Representatives Coffey and Driscoll of Multnomah, had planned to drag the bill out of the hands of the Multnomah Senators successfully put this off with the promise to hold a meeting of the Multnomah Senators at 1 o'clock for consideration of the measure. Malarkey and Nottingham consented to wait until after the meeting. Beach and Hodson wanted to hold the meeting later in the day, but were forced to the earlier hour by threats of taking the bill out of their hands.

At the conference Hodson, Beach, Bailey and Siegel declared their hostility to the bill on the ground that it would confiscate vested interests of the gas company.

In an endeavor to meet their objections Malarkey proposed amendment to the bill. The four opposing Senators were hostile even to amendment, whereupon Malarkey and Nottingham announced that they would submit a minority report to the Senate carrying the amendment and let the others put in their majority report. Perceiving that this would bring out the bill at once, the others replied

that they would wait until they could see the amendment in writing.

What Delay Would Mean.

After the meeting they declared that they would not consider it until tomorrow morning. As the Legislature will adjourn the next day, one minute after the noon hour, it will be seen that the delay is very valuable to the gas company.

The Malarkey amendment provides that the act shall not become effective until after the city shall have granted, or tendered, the gas company a new charter for not less than 15 years, nor more than 25 years.

Tonight the opposing Senators say that they are dissatisfied with the amendment and will present another. They do not know what it will be, because, they say, they have not yet prepared it. But Hodson reveals his implacable hostility to the measure by declaring it innately unconstitutional.

This is in line with Hodson's entire course in the Legislature. He was the candidate of the corporations and the gas company for the presidency of the Senate. He made known before coming to the Legislature that he would oppose any effort to pass a bill that would compel the gas company to exchange its old perpetual franchise for a new limited one. Had he been elected President, the Coffey bill would have had a poor show in the Senate, and he could have done it more damage than by merely holding possession of it as a member of the Multnomah delegation.

Checked by Beach.

It is evident that tomorrow the four hostile Senators will keep up their endeavors to block the efforts of Malarkey and Nottingham to bring out the bill. Nottingham arose, late this afternoon, to move that the bill be taken from the Multnomah delegation and referred to the committee on revision of laws, but Beach, who was aware of the plan, checked him by moving adjournment.

RAILWAY MEN MAY STRIKE

WESTERN ROADS REFUSE TO GRANT WAGE INCREASE.

Meeting Will Be Held Today, When Final Effort for Settlement of Issue Will Be Made.

CHICAGO, Feb. 21.—An acute stage was reached tonight in wage negotiations between Western railroads and 50,000 conductors and train service employes, which tomorrow may develop into a general severance of relations. Negotiations have been going on for nearly a month. The men are asking for an eight-hour day, and an increase of wages of 15 per cent. Today the railroad officials issued a statement saying they were willing to grant an increase of 9 per cent in pay and that this was their final answer. The union officials' reply to this announcement was that if such was the case it would be useless to continue the negotiations looking to a settlement and that unless the railroads were willing to grant further concessions the question of a strike would be voted on at once. Late tonight arrangements were made for another meeting tomorrow when a final effort will be made to come to a peaceable understanding.

SHEA AND GANG ACQUITTED

Leaders of Teamsters' Strike Not Guilty of Conspiracy.

CHICAGO, Feb. 21.—President Cornelius P. Shea, of the International Brotherhood of Teamsters, and his fellow-defendants, who have been on trial on a charge of conspiracy committed in the course of the teamsters' strike against the department stores in Chicago two years ago, were found not guilty by a jury in the Criminal Court tonight.

Five Babies at One Birth.

MIDDLEBORO, Ky., Feb. 21.—Mrs. Zabolowski, wife of a Polish miner at Fork Ridge, gave birth to five children, three girls and two boys. All of the children are doing well.

MOVE TO DISMISS HERMANN CHARGE

Judge Shows Disposition to Grant It.

NO PROOF BOOKS WERE OFFICIAL

Lack of Evidence Hermann Was in Conspiracy.

REASON FOR DESTRUCTION

Prosecution Offers to Prove Conspiracy and Destroyed Books to Hide Guilt—Court Takes Time to Consider.

OREGONIAN NEWS BUREAU. Washington, Feb. 21.—Counsel for Representative Hermann sprang a surprise today by submitting a motion in court asking that the letter-book case be taken from the jury and that the charges against the defendant be dismissed, maintaining that there was a fatal variance between the indictment and the evidence offered. After argument the court announced that it would take the motion under consideration and adjournment was taken until Monday. Prior to the argument the jury was dismissed for the day.

Mr. Worthington, in offering the motion, declared that neither the District Attorney nor the grand jury had shown due diligence in securing evidence upon which to base a valid indictment, and that the Government's proof so far submitted did not prove the contention of the prosecution that the destroyed letter-books were of official character.

The District Attorney and his assistant defended the indictment, Mr. Baker declaring: "You cannot take a technicality to get the defendant off."

After hearing argument Justice Stafford said this tentative announcement to the District Attorney:

Court States Difficulty.

"The letters were destroyed. Can you show that the letters, if not destroyed, would have proven a conspiracy? If it comes to that question, you say you cannot. The letters need explanation to show criminality. When letters are of a criminal nature they would show a motive. I think you must find from some other source evidence that there was a conspiracy between Hermann and the parties mentioned in the letters, or to whom they were written. I cannot see how the jury is to infer that the letters were criminal, no such letters being shown, from the fact that an alleged conspiracy existed and that some letters were written to men accused of this crime. Would you have the jury infer that some incriminating letters were in the destroyed books, other letters apparently innocent being shown here? I think not. However, I will not now decide the point."

Say Purpose Was Fraud.

In opposing Mr. Worthington's motion, Assistant District Attorney Adkins said the prosecution would show that the books were public records, written to persons charged with defrauding the Government. "We desire to produce evidence to show that Hermann was guilty of entering into a conspiracy and that the books were destroyed to hide his guilt," he said. "We expect to show that in the Spring of 1902, Joost H.

Schneider wrote him that he would give information unfolding gigantic land frauds perpetrated by the Benson-Hyde ring and that Hermann wrote letters discouraging the giving of this information and that he sent a special agent to see what Schneider would tell. Hermann was interested with Loomis and Ormsby in similar schemes in Oregon, the Butte Creek fence case, where 25,000 acres were involved, and the Blue Mountain forest reserve case."

Must Prove Criminality.

Mr. Adkins declared that the Government can show that there were letters in the destroyed books addressed to all the conspirators which dealt with the conspiracies.

Justice Stafford here suggested that the District Attorney should get evidence to satisfy the jury that there was something criminal or incriminating in the books and questioned the right of the prosecution to argue that there was something wrong in the books, because the

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WASHINGTON MAN OF UNDYING FAME

Birthday Observed Ever Since 1784.

RICHEST AMERICAN AT DEATH

Had Great Estates East and West of Alleghenies.

CAREFUL BUSINESS MAN

Letter Written in Simple, Dignified Style—Treated Mother With Reverence—Evidence Cherry-Tree Story Is True.

BY FREDERIC J. HASKIN.

WASHINGTON, Feb. 15.—(Special Correspondence.)—George Washington was born 175 years ago today. His name will live through all the ages as the liberator and founder of the greatest country the world has ever known. Washington was, and is, America incarnate. The United States has outgrown the fondest hopes which he entertained for the nation fledgling he nursed into life, but with that growth has grown the name and fame and honor of him who is in truth "First in war, first in peace and first in the hearts of his countrymen."

The first recorded observance of Washington's birthday appeared in the Pennsylvania Packet on Tuesday, February 17, 1784 (Old Style). It was sent by a correspondent in New York, and read: "Wednesday last being the birthday of His Excellency, General Washington, the same was celebrated here by all the true friends of American Independence and Constitutional Liberty with that hilarity and manly decorum ever attendant on the sons of freedom. To the evening an entertainment was given on board the East India ship in the harbor to a very brilliant and respectable company, and a discharge of 15 cannon was fired on the joyful occasion."

Richest Man of His Time.

What a difference between conditions then and now. At that time there were barely 3,000,000 people in the United States. There was really no great American city, New York having only 32,000, Philadelphia 30,000, Boston 18,000 and Charleston 15,000 inhabitants. Washington died in December, 1799, and the progress of news was so slow at that time that some of the settlers beyond the Alleghenies did not learn of his demise until February and March of the next year.

At the time of his death Washington was probably the richest man in the United States. He had vast holdings of real estate and more than half of his wealth lay west of the Alleghenies. Some idea of his extensive holdings may be had from an advertisement which appeared in the Alexandria (Virginia) Gazette of the time, which contained several columns describing land that he wished to lease or sell. He offered to "lease 8300 acres of Mount Vernon land, the properties known as the River Farm, the Union Farm, the Dogue Run Farm and the Muddy Hole Farm, respectively." The land for sale was "8744 acres on the southeast side of the Ohio River; 23,266 acres on the Great Kanawha, 2942 acres on the Little Miami, within a mile of the Ohio; and 5000 acres in the Green River country of Kentucky."

Great Estates in West.

When he married the pretty Widow Custis, Washington received into his hands one-third of the famous Custis fortune, amounting to about \$75,000 in money. He purchased, among other places, the famous meadows, the scene of the battle in the French and Indian War, where he fought his first fight and "signed the first and only capitulation of his life." At Washington's Run in the Alleghenies there is still an old water-mill in operation, which stands on the site of one that he built in 1775.

His diary, carefully kept almost without a break from 1769 until the close of his eventful life, shows his careful methodical habits and gives much information about his extensive business affairs. Among the products of his place were a yearly manufacture of 1000 barrels of meal, 200 barrels of good whiskey and frequent sales of hogs, sheep, etc. From 1728 to 1784 Washington was his own exporter, sending out the produce from his great farms to Bristol and Liverpool. Large quantities of tobacco were handled in his name during this time, and his agents in England were instructed to keep their eyes open for any improved agricultural implements and send them to him.

Sage Advice on Farming.

That Washington was a careful manager is shown by a letter which he wrote to one of his overseers. "Economy in all things is beneficial and desirable on a farm. It shows itself in nothing more evidently or more essentially than in not suffering the provender to be wasted, but on the contrary in taking care that every atom of it be used to best advantage; and likewise in not permitting the

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