HUMMEL'S STORY PUT IN EVIDENCE

Contradicts Mrs. Thaw on Vital Point.

DELMAS FIGHTS EVERY STEP

She Read and Swore to Affidavit Clearing White.

HUMMEL EAGER TO TELL

Forced to Admit Criminal Record and Disbarment Thirty Years Ago-Jerome's Allenists All Say Thaw Was Sanc.

NEW YORK, March 15.-With D. M. Delmas fighting him every luch of the way. District Attorney Jerome today secured from A. Hummel his complete story as to the affidavit which it is alleged Evelyn Neshit Thuw made in the lawyer's office in 1908, charging Harry K. Thaw with beating her when she had told him that the statement that Stanford White had drugged and rulned her was not true, Mr. Delmas first objected to all Hummel's testimony and offered a specific objection to each question put by the prose cution Justice Fitzgerald overruled every objection and Mr. Delmas made exceptions. Evelyn Nesbit Thaw was called to the stand in the effort of the defense to keep Hummel slient.

Has Waived Her Privilege.

Justice Fitzgerald declared that, admitting the proposition of counsel and client, Mrs. Thaw herself had waived the professional privilege by taking the stand early in the case and giving her version of what transpired at Hummel's office. The bond of secrecy once removed, it could not be re-established.

Unsuccessful in blocking Hummel's testimony. Delmas on cross-examination brought from the witness the fact that he had been convicted in December, 1965. on a charge of conspiracy in the same courtroom in which Thaw is being tried. He further admitted that two indictments for subornation of perjury are pending against him and that one of these indictments charges him with having caused a false affidavit to be made. Mr. Jerome protested against the witness being dragged through the humiliating detalls" of his trial, but Justice Fitzgerald

Hummel's Story of Affidavit.

Hummel's testimony in brief was to the effect that Evelyn Nesbit told him among other things that Thaw had beaten her when she refused to sign papers be had prepared, charging Stanford White with her betrayal; that be, had dictated a statement to a stenographer in the pr ence of Miss Nesblt and Stanford White; that he gave the affidavit to two of his clerks to take to Miss Nesbit in the Madison Square Garden tower and that the next day the paper was returned to ilm with Evelyn Nesbit's signature atached. He kept the affidavit until Miss Nesbit called one day and demanded it. He refused to give it to her and turned over to Stanford White, advising him to have a photographic copy made. Hummel first said he himself arranged

for photographing the affidavit and that the photographer came to his office. A few contradicted himself on this point, saying he did not make the arrangements, that the photographer did not come to his office, and that he had not so testified After Stanford White had the copy made he returned the original of the affidavit. the photographic negatives and the prints made from the negatives to Hummel, who swore today that he subsequently delivered the original affidavit to Miss Nesbit and has not seen it since. She Read and Signed Affidavit.

Abraham Sneideker, one of Hummel's clerks, was called and said he took the affidavit to Mr. White's rooms in the tower and handed it to the woman pointed out to him as Miss Nesbit. She kept the affidavit for five minutes and lened, saying she had read it through At the conclusion of this testimony, Mr. Jerome asked permission to introduce the carbon and photographic copy of the affidavit in evidence. It was near the clos ing hour and Mr. Delmas asked that adjournment be taken before arguing as to the admissibility of the affidavit.

Medical Evidence Is In.

Mr. Jerome completed his medical tes timony in the morning, Mr. Delmas, for the defense, declining to cross-examine any of the experts. Dr. Flint, who testifled yesterday, was excused and then five other allenists were called, one after another. Each said he was familiar with the hypothetical questions framed by the defense and by the prosecution. Basing on these questions, they all declared that Thaw, on the night he shot and killed Stanford White, knew the na-

the act was wrong. Mr. Jerome announced that, when the natter of the admissibility of the Humel affidavit is disposed of, the prosecu on will rest. "The defense, however ill not," said Mr. Delmas, and he fur-

ther intimated that more experts will be called in rebuttal. Adajournment was taken until Monday

ALL AGREE THAW WAS SANE

State's Experts Testify-Hummel Contradicts Mrs. Thaw's Story.

NEW YORK, Murch 15.—At the opening of the Thaw trial today Mr. Jerome consented to a request from Mr. Delmas, of the defense, that he be allowed to deter the cross-examination of Dr. Austin Flint, who, in answer to two hypothetical questions yesterday, declared the printer that Thaw at the time he should opinion that Thaw, at the time he shot and killed Stanford White, was sane and knew the nature and quality of his act. Dr. Flint was excused, and Dr. William Hirsch, of the Cornell Medical School, was called as the second of the six ex-perts called to testify for the state. After Dr. Hirsch had qualified by statng what his medical education and experience has been, District Attorney Je

rome asked him:
"Was the person described in the hypothetical question of the defense suffering from such mental derangement that he did not know the nature of his act or that

the act was wrong?"
"He certainly was not," was the reply.
"Now, doctor," said Mr. Jerome, "what
is a brain storm?"

No Such Thing as Brain Storm. "There is no such thing as a brain storm known among scientific men," came

When Dr. Wagner was upon the wit-ness stand he cited to Mr. Jerome a case of brain storm described in a recognized textbook on insanity. Mr. Jerome called Dr. Hirsch's attention to this case Delmas objected on the ground that it was a collateral issue. Justice Fitzgerak overruled the objection, and Dr. Hirsch said the case cited was no more similar to the Thaw affair than a case of small

ox resembles a broken leg. "That is all," said Mr. Jerome questions, doctor; you may step said Mr. Delmas. Dr. William Pritchard followed Dr. Hirsch upon the stand. His responses to the two hypothetical questions were identical with those of Dr. Hirsch.

Mr. Delmas waved Dr. Pritchard aside when he was turned over by the District Attorney for cross-examination. It was then announced from the defend

ant's counsel table that there would be no cross-examination of the experts for the state. Dr. Albert W. Ferris, the next ex-pert, was upon the stand but a few moments. He answered the two questions as the others had done and was dismis

Dr. A. R. Diefendorf, of the State Hos-pital at Middletown, Conn., was the fifth expert to testify, and his opinion was that the prisoner was sane when he killed Mr. Delmas started to ask Dr. Diefen

dorf a question as to certain statements made in one of his works. Mr. Jerome objected and Mr. Delmas withdrew the question. Dr. Mabon, the last of the six experts,

was called. Dr. Mabon was of the same mind as the five doctors who preceded him upon the stand. When Mr. Jerome had concluded his di-rect examination of Dr. Mabon, who is Superintendent of the State Hospital for the Insane on Ward's Island, Mr. Hart-

ridge, of Thaw's counsel, said he had a few questions to put to him.

"Is it not true," he asked, "that physi-cians ofen differ as to the form of insan-ity from which a patient may be suffer-

Mr. Jerome objected, but was over

ruled.
"They do," admitted Dr. Mabon.
Mr. Hartridge said that many things
which are in evidence were left out of the

which are in evidence were left out of the hypothetical question framed by the Dis-trict Attorney and undertook to supply some of the details.

Mr. Jerome objected, especially to the reference to the "Monk" Eastman gans, and said there was not a fact correctly stated by Mr. Hartridge which is not contained in one or the other of the two hypothetical questions put to the witness. pothetical questions put to the wi Mr. Jerome objected to Mr. Hartridge's

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POKES THE TINES INTO ROOSEVELT

Tillman Says Third Term Will Be Issue.

POLICY ALL SOUND AND FURY

Opposes Government Ownership of Railroads.

NOT ISSUE IN CAMPAIGN

Senator Prefers Energetic Application of Law and More Law-Believes Wreckers Like Harriman Try to Bear Stock Market,

RICHMOND, Va., March 15 .- (Special.) Senator Benjamin R. Tillman, of South Carolina, who delivered a lecture at the Young Men's Christian Association to night on the question, "Trusts and Monopolies." granted an interview prior to the lecture. When asked:

What do you think will be the leading sue in the presidential campaign next year?" the Senator replied:

"I believe Roosevelt's third term will cut as much figure in that issue as any other question. All signs now point that way. Rooseveit's recent policy apparently has been to adopt Democratic methods. "This has been evident in his attacks and investigations over all parts of the country. He has, however, invariably fallen down just at the moment when the copie expected results. His policy has been one of fuss and feathers-full of und and fury, but signifying nothing. As to Government ownership of rail-

roads, Mr. Tillman said: "I myself am opposed to Government ownership. I would attempt a reforma on of conditions threatening Govern mental ownership by an energetic application of the law and by the adoption of such further statutes as would appear necessary to control or to rectify condi-tions. I don't believe any considerable portion of the Democratic party at Wash ington favors Governmental ownership I do not believe it will be a live issue the next Democratic platform."

Being asked the question, "What, to your mind, is the cause of the downstocks?" Mr. Tillman replied:

"It appears that wreckers of the Harriman type have been getting in their work and that, after inflating the prices for a few years, they are now trying to bear the market and buy back at enormous profits utterly regardless of consequences. I also believe the present situation to be agitation for a flat 2-cent passenger rate."

Plan Farming Experiments.

capacity as president of the Association of American Agricultural Colleges and Experiment Stations, a commission to inquire into the organization and polley which should prevail as to the expenditure of public moneys provided for agricultural experiments. The commission is as follows: Chairman, David Starr Jordan, president of Stanford University: Carroll D. Wright, president of Clark College; H. P. Armsby, director of the Pennsylvania State College, and Gifford D. Pinchot, chief forester of the Department of Agriculture.

RELEASE FROM BIGGY.

Ruef's Appeal to Supreme Court Is Taken Under Advisement.

SAN FRANCISCO, March 15.-The State Supreme Court today heard arguments by the attorneys for Abrahan Ruef, who pleaded for an order removing

him from the custody of Elisor Biggy and

placing him in charge of the Sheriff



This request was opposed by Assistant District Attorney Heney. The court took the matter under advisement, leaving Ruef in the cusfody of Elisor Biggy. The four guards detailed to assist Elisor Biggy in guarding Abraham Ruef have been given quarters in the room adjoining that which the prisoner occupies. Heretofore the management of the hotel has found it impossible to concentrate Biggy's forces. This morning the room res vacated and Biggy's men at once took it. This will permit all four being within calling distance. Two are on watch all the time besides the elisor, who sleeps in the same room with his charge.

TROOPS CLASH IN HAVANA

American Soldiers Get Into Row With Members of Rural Guard.

HAVANA, March 15 .- A dispatch to the Havana Post, from Santa Clara, says a fight occurred there today between some members of the rural guards and American soldiers. Five sustained serious in-juries. The altercation began in a circus and grew into a riot.

Shoot Into Watson Home.

AUGUSTA, Ga., March 15 .- Severa shots were fired into the bedroom of J. D. Watson, son of Thomas E. Watson, the ex-Presidential candidate on the Populist ficket, at their home at Thomson, Ga., early today. It was claimed later that ITHACA, N. Y., March 15.—Dean the investigation indicated a plot against Thomas Watson or his family, but no definite clew was obtained.

U. S.: "YOU CAN'T BLUFF ME, YOUNG FELLOW, I'M DEAD ONTO YOUR LITTLE GAME"

TAKEN FROM HIM

Wall Street Obeys Roosevelt's Demand.

ULTIMATUM GIVEN

"Harriman Is Lawless; He Must Go," Said President.

WILL SHOW NO QUARTER

Morgan Assured Him the Railroads Would Obey Law, but He Demanded Harriman's Scalp and Wall Street Gave It.

NEW YORK, March 16 .- (Special.)-The Press this morning says; "In the innermost sanctuaries of th great bankers, the private rooms of the trusted operators who act for them in the stock market, there were whispered rumors today after noon that E. H. Harriman had lost, or would lose, control of the Union Pacific, the Central Pacific the Southern Pacific-the whole Union Pacific system, together with Reading and all his other selzures of high finance. Here is the extraordinary story

"Some weeks ago Mr. Morgan, senting the alarm of the railroad heads and their banking affiliations, sent an emissary to the White House to find out if the President were implacably hostile to the railroads of the country as such, or if he were disposed to differ entiate between the good management and the bad. Mr. Roosevelt's return message was that he was not making war on railroads as industrial institutions that he was fighting railroads which per sistently and brazenly broke the law.

Railreads Willing to Obey.

On the understanding that the Presiden was not unappeasedly in conflict with all the railroads, but only with those which defied the authority of the Government Mr. Morgan then requested a personal interview. At this meeting he assured the President that the wiser presidents of the roads were sansible of the fact that they were the creatures, not the masters, of the Government. He declared were amenable to reason and would be glad to come to an understanding by which they could seek to satisfy the Pres ident and the country of their purpos to obey the law and fulfill other conditions of good citizens. Mr. Roosevelt answered that this was not enough. "What is the matter, then?" asked Mr. Morgan.

Harriman's Lawless Nature.

"Harriman," answered Mr. Roosevelt is lawful and what is unlawful. He has a lawless nature. He has no moral sense. He is a menace to this country. He is a disgrace to the institution of railways

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and help him.

within the law; he has got to go. The Government proposes to follow him up and expose his dealings and practices against public morality and busines until it will be impossible for him decency until it will be impossible to stand up longer against the storm of public opinion that will overwhelm him.

His Power Taken Away.

Thereupon Mr. Morgan asked for time in which to consult with Stillman, of tional Bank and other financial leaders Out of this conferring grew a plan for the appearing of the President, to ge rid of Harriman as the dominant railway factor in the United States, taking away his vast Union Pacific system, or, at least to weaken his control so largely that he would be at the mercy of other railway interests rather than they at his,

. With the execution of the programm-came the sudden break in the stock mar ket, with Harriman's Union Pacific sys tem and Reading leading all the other in the downward plunge. Everybody was selling those stocks and Harriman's peo ple could not take them, because the grea lenders, playing their part, had no mone to lend on Harriman securities as col lateral. The call money rates were brought way up. All this threw floods of old Harriman holdings into the market. They carried down the list still further until the bottom literally was knocke out of Harriman stocks.

WILL NOT VISIT ROOSEVELT

Four Railroad Presidents Conclude They Have No Mandate.

NEW YORK, March 15 .- Messrs, Mc rea, Mellen, Hughitt and Newman, the four railroad presidents for whose visit to the White House, J. P. Morgan arranged before his departure for Europe, held a conference here today. The whole situation was canvassed with great care and it was finally decided not to go to Washington.

It is understood the reason for this deision is that the railroad men had no roper mandate from the railroad cororations to represent them. They felt they could not assume the position of a self-constituted commission to formulate or present the views of the hundreds of railroad companies, which in turn are owned by thousands of shareholders. They ognized that the railroad managers of the United States are not themselves in perfect accord and that until some method could be adopted for securing a consensus of opinion a visit to the President would be idle. At the conclusion of the conference the four presidents left for

heir homes Thomas F. Ryan, when asked his opinn about the proposed meeting of the President and the heads of the great rail-

mds, unid: "I think the sooner the business interests of the country conclude to go to work to aid the President in solving the different problems that confront him every day, the sooner confidence will be restored and the business of the country ove on without interruption."

NOT INVITE, GLAD TO SEE THEM

President's Attitude to Railroad Men-Will Discuss Alton Deal.

Europe as conferees to discuss with the President the rallroad situation and to urge Mr. Roosevelt to take some action to "allay the public anxiety" as to the Administration; artificial and a hospital, and laid to his credit more individual charities than any Administration's attitude. The President will not invite Messrs. McCrea, Hughitt, Newman and Mellen to the White House, but if they ask for an appointment the President will be glad to receive them. genuine apostle of strenuosity. Governor Deneen and Attorney-General Stead of Illinois, who were invited to Washington by the President, arrived tonight and will call at the White House tomorrow. While Mr. Deneen refuses to discuss the object of his conference with the President it can be stated on read President, it can be stated on good authority that the Chicago & Alton deal and other disclosures brought out at the recent Harriman investigation will be dis-cussed and the situation in general will

Interstate Board on Trail of Indiana and Illinois Lines.

WASHINGTON. March 15.—An important conference which is likely to have far-reaching results was held late this afternoon between members of the Interstate Commerce Commission and representatives of the coal operators and

coal miners' organization in In addition to a complaint which, as a result of the conference, is to be filed formally with the Commission it is prob-able that the Attorney-General will be urged to institute prosecutions against officials of the coal-carrying railroads in Indiana and Illinois for alleged violation of the Sherman antigtrust law.

MAY REDUCE SPEED OF TRAINS

Railroad Officials Agree on Plan for Safety and Economy.

CHICAGO, March 15.—Passenger traffic managers of all the Western lines met in the committee rooms of the Western Pas-senger Association yesterday to discuss senger Association yesteroay to discuss plans to reduce the speed of passenger trains. Their conclusions will be present-ed to the officers of the operating depart-ments, and a definite plan for concerted action will be taken up at a future meet-ing. It is probable that some of the acnodation trains which have been opcommodation trains which have been op-erated at a loss will be discontinued.

The operating officials are a unit in the contention that the move is not so much an economic measure as one of safety. Lengthening of the time of pas-

earnings is imposed by the Government for a delay of 30 minutes or more. Under this rule, which went into effect on July 1. 1996, some of the roads operating fast mail trains are short about \$3000 for fines imposed, some of which will be contested. It is believed a lengthening of the schedules will enable the roads to escape fines. Another reason given for lengthening

(Concluded on Page 4.)

THREE DAUGHTERS ARE STILL ALIVE

Only One Generation From Washington.

CONWELL'S DIVERSE ACTIVITY

Philadelphia Pastor Has Done Many Things Well.

IS A GENIUS IN MANY WAYS

Preacher, Lecturer, Lawyer, Founder of Hospital and University. Commander Young's Pets Survive Bennington Explosion.

BY FREDERIC J. HASKIN. WASHINGTON, March 10 .- (Special Corespondence.)-More than 50,000 women the United States trace their ancestry back to some brave officer or soldier or sailor who rendered valiant service for the colonies in the time of the Revolu-Although it is 124 years since Washington disbanded the last of his army, there are a few real daughters of the Revolution still living-daughters

of men who saw actual service Of these there are three on the pension list, being pensioned by special act of Congress. Mrs. Sarah C. Huributt, of Little Marsh, Penn., now 89, is the daughter of Elijah Weeks who served two and a half years in a Massachusetts regiment. Miss Rhoda Augusta Thompson, of Woodbury, Conn., aged 86, is the daughter of Thaddeus Thomp who served six years in a New York regiment. Mrs. Phoebe M. Palmeter, of Tallette, N. Y., aged 86, is the daughter of Jonathan Wooley who served two

years in a New Hampshire regiment It has not been long since the last pensioned Revolutionary widow died. This was Esther S. Damon, of Plymouth Union, Vt., who died last Fall at the age of 92. She was the widow of Noah Damon, private in a troop of Massachu-

setts volunteers Philadelphia's Pastor a Genius.

Russell H, Conwell, the pastor of the Temple Baptist Church in Philadelphia, the largest church in the world, has turned his diversified genius to many accounts. Besides preaching to a recordbreaking crowd every Sunday, he is the most popular lecturer on the platform. and is acknowledged to have spoken to more people than any other living man, WASHINGTON, March 15.—At a late hour tonight President Roosevelt had received no word from the four railroad presidents who were suggested by J. P. Morgan on the eve of his departure for tween times he has served through the clivil war built up a flourishing law credit more individual charities than any other preacher in America. He is a

It has been said of him that he can lecture a year without disclosing the preach six months without letting one discover that he is a secturian. He once had failed at the trade of Instead of offering spiritual consolation, he studied the art of binding books, and preached a sermon on it, which has been preserved as an authority on the sub-ject. This also served to put the unfortunate bookbinder on his feet again. He WILL PROSECUTE COAL ROADS is now a man of comparative wealth, and he accredits it to that sermon. It was a fair example of Mr. Conwell's methods, His university was originated as a free night school for working men, until its growth necessitated its present commodious buildings. His Samaritan Hospital was built entirely from subscriptions he solicited and portions of his Sunday collections. His congregation at Temple Baptist Church each Sunday outnumbers

any other congregation in America. Three Bennington Survivors.

There are three survivors of the Bennington disaster at San Diego who are not recorded in the official report sent to the Navy Department, though news of their safety was the first received from the scene of the wreck. They were the pets of Commander Lucien Young-a little white deer, an Angora cat and a sleek little fox terrier puppy, now grown to manhood with the weight of his trying experience. These three little companions were with Commander Young on every voyage and each had developed a fine pair of sea-legs, equal to any emergency short of an actual explosion under the decks. Needless to say the animals were petted and spolled by everyone aboard, from the Commander to the middles. When they were found unharmed after the explosion Commander Young tele-graphed his wife: "John and I and the three babies are safe." "John" is Commander Young's old servant, who goes with him on all his voyages. When Henry St. George Tucker, Presi-

safety. Lengthening of the time of passafety. Lengthening of the time of passafety. Lengthening of the time of passafety trains, they believe, will decrease the number of accidents, and also give them of the wisdom of contributing the dispatchers increased facility for movement of trains on time.

A fine of 20 per cent of the mail train potent appeal he could make to the "Wooden Nutmeg" lawmakers. He cast his eye hopefully about the committeedent of the Jamestown Exposition, went before the Vermont Legislature to con-"Weoden Nutineg" lawmakers. He cast his eye hopefully about the committee-room, adorned with a lithograph of Washington crossing the Delaware and saw in the rear a one-armed man. Instantly Mr. Tucker caught his cue. He spoke eloquently of the gallant service of Vermont in the late war that had weided the interests of the North and

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