

side of the room, not far from the win-dow, but just how far from the wall I don't know.

Dazed After Shooting.

"As to the seal, I'm not certain whether I picked it up or left it lying there—I may have picked it up or I may not. I was duzed." rambled Finch, volunteering this old explanation of why no seal was found lying on the floor after the mur-

"The next I remamber was of being handcoffed. I recall very few things after the time I left the room. I re-member coming up in the patrol wager to the County Jail and of having my wife

call on me that night." "Do you remember how the body undertaken by the state late in the afternoon. The state is essaying to emphasize absurdities in the story and lying when you left?" asked Juror to entrap Finch in his network of in-volved explanation. After being on the stand all day Finch, nearly exhausted, Hawes

volved explanation. After being on the stand all day Finch, mearly exhausted, was led down to a cheerless Christmas eve in murderer's cell of the County

eve in muruerer's cell of the County Jail. Sitting restlessiy in the witness chair, speaking in a loud but forced and halting voice, Finch presented his narrative to the jury. At times he was very earnest and his hands kept mov. left I remember but little of what hap-"Do you remember how long 4t was from the time you went into the office before you began shooting?" Inquired

THE MORNING OREGONIAN. FRIDAY, DECEMBER 25, 1908.

very earnest and his hands kept mov ing constantly with gestures of em-

Details of Murder of

Fisher.

OF RALPH FISHER.

he had it when he visited Fisher.

Verna Burkhart, Fisher's stenographer, who saw the murder. To believe Finch, the jurors must also disregard

the incidental testimony of a score of reputable witnesses as to the facts of the tragedy as deduced from circum-

stances observed before and after the eccurrence. Finch's tale of an assault on him by Fisher threw no fresh light on the case. It was more or less in-

genions, but its effect was only putting Finch's veracity against that of Miss

State Tears Story to Pieces.

Tearing to pieces of the story was

Burkhart and the others.

"Jim."

killing him

wards him.

essential to

Hurkhart.

During the description of an alleged assault on him he was very ill at ease and lost the suggestion of selfpossession that marked him while he was filling in with long, dry details of his past life and of his movements before the murder. He was on the stand

The feature of Finch's story, aside from its contradictory nature, was his marked unwillingness to approach Fisher's room and the moment of the actual killing. All forenoon he avolded actual similar. The times at the fore-moon session he told of approaching the Mohawk building. But each time, when the courtroom fell into a hush of expectancy, Finch dropped away on more superstructure for the form some wordy side issue.

Finch Tells of Murder.

When he did finally invade the fatal om with his story, early in the afternoon, he began speaking rapidly, entered the room with a verbal rush and then, in the very midst of the tragedy, broke and fell away again into unimportant details. Here is his story, in its important detail, as he tola

I entered the Mohawk building." he began, sitting up erect in his chair and negan, strong op erect in ins chair and speaking as from a sudden determina-tion to perform an unpleasant task, "and saw S. S. Humphreys near the elevator. I asked him or the elevator boy, or someone, where Mr. Fisher's office was. He told me it was roo 519. if I remember rightly. I got off 519 if I remember rightly. I got off at the third floor, walked down the hall rapidly, opened the door, stepped to a desk where sat Miss Verna Burkhart at a typewriter.

"I hesitated a moment and asked her Mr. Fisher was in and if he was occupied. She said yes, that he was in, and that he was not busy. I stepped into Mr. Fisher's room, closed the door and said 'Hello, Ralph.'"

Falters at Crucial Point.

Here Finch faltered again when he was face to face with the tragedy. "I was about five feet from his desk

and he was sitting at the desk." he began, and then fell away into a long and innecessary set of details as to the distribution of the furniture. "And he turned around," proceeded uch, recovering his courage, "and

Finch, recovering his courage, "and said What do you want here?" I said, "Ralph, I came over to see if you couldn't help a man out." I talked with him along this line. "'Get out of here,' he said, all of a sudden, speaking in a harsh way, and he grabbed a notary's seal. He huried it backwards-directly back and over. It struck me ou the head and bat a

It struck me on the head and hat, a glancing blow

"At the first flash I thought it was a gun. The flash and the blow came almost at once. I was knocked back. It was a complete dage when that seal struck me, and I don't remember very cell, but I think my hat was knocked off.

The next real recollection I hadthere are some confused recollections in between-but the first real recollection was being against the door, leaning half down and half up."

Demonstrates With Chair.

Finch here took the witness chair, placed it on the floor and demonstrated the attitude he described, also Fisher's on the Willamette, was a farmhand near Finch here took the witness chair,

Juror Hawes. "Very short," Finch replied. "It was a very short interval, but I wouldn't at-tempt to say how long it was."

Jurors Feel Bump on Head.

Finch then passed among the jurors and had each one of them feel his head at a point just above his right temple at a point just above his right schipte where a small contusion appears. This spot, he said, was the stampmark of the seal hurled at him by Fisher. On being questioned by his attorneys, Finch said again that he went to Fisher's office in response to a telephone call from Fisher. He reiterated that he had no malice in his heart and fired had no malice in his heart and fired self-defense

Finch was given over for cross-examination at 3:40 o'clock and for the remain ler of the session he was cross-examined by Special Prosecutor A. C. Spencer. Over the whole ground Finch was taken, step by step. Finch controlled him-self with an effort. He was very cautions Was

and reflected for a brief space on each question before attempting any re-aponse. Traps set for him he side-stepped deftly, but many of his explanans were forced.

The weak places in the story were gone over and their absurdity emphasized. Although the state did not entrap Finch, yet his narration was dissected in such mannet as to destroy, it is believed, effect it possibly could have had on the jury.

Talks to Wife After Shooting.

During the course of cross-examination Finch was asked if he described the tragedy to Deputy Sheriff Beatty the night of the murder. He admitted hav-ing talked to his wife in Beatty's pres-

"Didn't you tell her that when Fisher telephoned for you that you became sus-picious and bought a revolver?" inquired

"I don't just remember what I said. I know I didn't go into details at that time. I was so weak I could hardly stand up.

"Now as to this bump on your head; didn't you bump your head in jail after your arrest?"

'I don't think that I did," replied Finch. "And len't it a fact that when you shot Mr. Fisher you almed the first shot at the back of his head while he was sitting at work at his desk, and that as he feil you fired a second and third shot?" inquired Mr. Spencer.

'No, sir, it is not," replied Finch, decross-examination continued until

The cross-examination continued until 5:35 P. M., when it was found by the state that it could not finish. Adjournont was taken until Saturday morning at 5 o'clock.

Story of Life in Morning.

Winch devoted almost the entire fore Finch devoted aimost the entire fore-noon to a rambling account of his life. During this time he was caim and self-possessed, but lacked continuity of thought. He described his rise from a farmhand to a lawyer and his later fail into the ranks of discredited practition-res forward times he was intermented by ers. Several times he was interrupted by Judge Bronaugh, who was unable to see any relevancy in this loos, rambiling nar-

the stillude he described, also Fisher's on the Willamette, was a farmhand near Albany, a country editor, calendar clerk the testimony of Mrs. Finch, who was 's suffragist campaign 'Mr Fisher was standing by his desk like this,' said Finch, getting astride of the disbarment proceedings in the disbarment proceedings in the and suggested a deposition, of Kansas

and said he pleaded guilty at the in-stance of Ralph Fisher, who promised to have him reinstated if he would save the grievance committee the trouble of a trial. Fisher "double-crossed" him, he

quality above all others.

what you get.

said. On learning of his suspension from practice, he said he became greatly de-pressed, but found hope in the idea of re-instatement. He had been seeking Joy and Sympathy Among Students Fisher's approval, he continued, and had asked him, over the telephone, some ours before the murder, but Fisher cut im short.

Tells of Buying Gun.

said he returned with the weapon to office and shortly afterwards Fisher lephoned him, asking him to call at use at Fisher's office. Thus it was nits by chance he had the weapon in s pocket, Finch said.

As to the stories of threats against isher, he said they were not true. He randed as untrue the testimony of B. Rounds, who said that Finch told im he'd "get" Fisher, the very day be-bre the murder. He also disputed the iony of Charles Downer, who says that just before Finch went to Fisher's office on the fatal errand, he said "the ext time you hear from me I'll be in il." He was in the midst of this tes-mony, which he gave in great detail,

when noon recess occurred. Jury Not to Go to Finch's Wife.

When court reconvened at 3 P. M.

Floyd Mathes, a night watchman, was called. He testified to having seen C. Floyd Mathes, a might watchmain, was called. He testified to having seen C. M Kissenger, a Eugene lawyer, stand-ing across the street from the Mohawk building at the moment of the assassina-tion. Kissenger is the man who was re-led on by the defense to tell of seeing a decourse structure between Fisher and desperate struggle between Fisher and Finch, but who failed to live up to the expectations when placed on the stand

Wednesday. The defense also asked that the jury

advance of 10 per cent on the price of SWINTON lots in a few days.

at Leyden University.

Leyden (Germany) Letter to the Boston Globe.

It is interesting to be at Leyder Later he went down the street to buy a coolver, having learned that burglars ad frightened his wife the night before. It is interesting to be at Leyden when examinations are going on. Groups of friends gather together in the small court entrance to await the result, and when a student comes down the stairs with a happy face his friends give joyous shouts, fling their arms about him, frankly kiss both sides of his face, and with arms enlocked they

march off to celebrate at some cafe march off to celebrate at some cafe the great good fortune of their friend. If the poor fellow comes stumbling down the stairs, half blinded by his tears, the friends gather about him with expressions of sympathy; em-bracing him, and kissing his wet checks, while some wipe his face with their handkerchiefs, and even weep with him. In a few moments this symwith him. In a few moments this sym-pathy gives him courage, and then his friends put him on the back, thump his shoulders, tell each other that any man would fall in such a difficult examina-tion, and at length walk him offprobably to a cafe-with a look in his face as if there might yet be a chance

for him in this hard world. It is a pleasant sight to watch this entirely sympathetic action, in which there is no shadow of self-conscious-Even while it looks odd to us Americans to see college men kiss and embrace each other, there is such af-fectionate sincerity and frankness of sympathy, it impresses us.

MARRIES GIRLHOOD CHOICE WIDOW WITH FOUR GIRLS AND FORTUNE TAKES PLUMBER. cipals in Match, and

Perhaps you've been housed up pretty closely right up to Christmas-didn't have a chance to get out and see things

-SWINTON among others. Come to our office this forenoon and take an auto ride to SWINTON at our

expense. By going, you do not obligate yourself a cent's worth, understand. You'll have the pleasure of an auto

ride, will see how very fast this old town of ours is growing, and you'll bring back a dandy appetite for your Christ-

mas dinner. This auto ride will give you an opportunity to see SWINTON face to face-to see the best piece of

investment property in this neck o' woods. If you were so lucky as to receive a "Money Gift," you can do no better

than invest it in a SWINTON lot. A little over three months ago we placed 1000 lots on sale; today there are less

than a hundred of them left. Others have invested in SWINTON and made a turn at a handsome profit already-

why wouldn't it be a good thing for you to do likewise while you can? Perhaps there's some member of your family

who is a wage-earner and whom you want to encourage in thrifty frugal habits. Make a payment and take a con-

tract and make them keep up the small monthly payment of 2 per cent. Money that would otherwise be frittered away for trifles will be placed where it is sure to double in a very short time. We could go on forever and a day and

then not tell you all the reasons for investing in real estate of proven good quality, and SWINTON surely has that

Streets are graded to city engineer's stakes. Water mains in front of each lot and all brush cleared off-you see

Interested? Then let us take you out and show you what SWINTON really is. N. B.-Remember that there's an

Columbia Trust Company

It was somewhat of a shock to them, of course, but then they knew all about their mamma's romance, and now they are waiting to give the bride and bridegroom a rousing welcome when they re-turn from the honeymoon trip. The whereabouts of the couple is un-

known to the daughters, but even if the telegram didn't say so, they know who their mother's new husband is. He is Thomas Lang, a prosperous Harlem

Lang was an old flame of Mrs. Ran-dolph's. In fact, it is well known that they were as good as engaged when but girl and boy, the engagement having been broken by Mrs. Randolph's parents because of the young man's obscure pros-pects financially. Richard Randolph, whose business was far more promising, was chosen as her husband.

mother's home. Somewhat against her will. Miss Mary married him. They did well, and h time amassed a fortune. At her husband's death Mrs. Randolph found herself the married him. They did well, and in time amassed a fortune. At her husbind's death Mrs. Randolph found herself the possessor of several hundred thousand follars, well invested in real estate, both in New York and elsewhere. Lang re-mained single, and when he heard of the possessor of several hundred thousand dollars, well invested in real estate, both in New York and elsewhere. Lang re-

death of his old sweetheart's husband he called upon her. He, too, had grown more BRAVE RESCUE AT FIRE sperous with increasing years and Harlem patrons.

Lang became aimost a daily visito

States of the second states

after that and -well, the wedding took place in Jersey City last Wednesday. Lit-tic Miss Kitty, the youngest of the four daughters-the others are Alvira, Minnie and Ellis-told a reporter all she knew about it and showed the telegram she had received from her mather had received from her mother. "Mother's marriage to Mr. Lang was quite a shock to all of us." she said. "We girls never suspected anything like that happening. You see, they were such old friends, and mother-well, mother must be nearly 45 and has us big girls, you know-and it was just the last thing we ever dreamed of. "Mr. Lang has been a constant sider."

"Mr. Lang has been a constant visitor and they really thought a lot of each other, but the other night before we got

the telegram we thought she had gone shopping She started out with that intention in

she started out with that intention in the afternoon, and by night time she had not returned, and we girls were getting real anxious. Thinking something must have happened to her. When we got her with thes it must all right have happened to her. Wh wire then it was all right.

"Oh, yes, Mr. Lang Is a nlce man, and we like him. Good looking? M-M-M--well, he'd pass in a crowd--and he's got a real nice disposition. Yes, we approve all right. Only ma should have told us. We haven't heard a word from them since, but everything will come out fine." Mys. Rundolph is handsome and pos-Mrs. Randolph is handsome and pos-seased of \$50,000. She inherited a fortune on the death of her first husband five years ago and owns much realty in Harlem and other parts of New York. She also owns a number of houses in Bath Beach, including the one she shuft not long age as a home for herself and four of her daughters. A fifth daughter, Mrs. Albert Huott, lives just a block from her mother's home.

Fourth Street, Near Washington

the lives of many others were saved only by prompt, heroic work by firemen

lived with a family named Looker on the

about the head and body; condit

Charles Looker, her son, burned about bead and feet. Harrison Looker, another son, hands and arms burned. David Mul-ler, fireman, burned about hands and feet. Multar second distinct the bards and Mullen received his burns in saving the life of Mrs. Looker. He rushed up a indicer to a fifth-story window, from which Mrs. Looker was about to jump to

behind her, she walted and was reaching out to meet Mullen's arms when she fainted and fell back into the blazing room. Mullen plunged headlong after her room. Mullen plunged headlong after her through the window, from which clouds of smoke and flames were swirling. When he found Mirs. Looker, her night clothing were a-blaze. He beat out the flames with his bare arms, fore off his cost and wrapped it around her. Mullen these car-ried the unconscious woman through the flames and to the window and half way down the ladder where his commentance down the ladder, where his compa

York's lypical tenement-house fires. plete with sensational rescues, panic-stricken women and children and terrified

men, occurred in Harlem early today. Shortly before 3 o'clock flames burst from the upper floors of the double tenement-house at No. 122-124 West 127th street, gutting the structure. One man was killed and three other men

New York Tenement Blaze Scene of

Great Daring.

NEW YORK, Dec. 24 .- Another of New

and a woman were seriously burned, while

and the iceants themselves. The man who lost his life was Daniel Frizzel, is years old, an Englishman who

top floor

The injured are: Mrs. Alice Looker, 50 years old, burned

the ground, shouting encouragement to the woman and telling her not to jump. Although the flames were pressing close

were waiting. Frizzel's blackened body was found later by the firemen. The building was damaged to the extent of about \$15,000.

Children Are Satisfied, so Are Prin-That's All. BATH BEACH, N. Y., Dec. 24 .- "We were married at 5 o'clock last night in Jersey City, Love. KITTY." This telegram from the former Mrs. Mary Randolph, and received by one of her four pretty daughters at the Ban-dolph home, 32 Bay Seventeenth street, one day last week, certainly put them all in a flutter.

Seventh Floor Couch Building