

SANITY TESTIMONY IS DENIED TO THAW

Ruling Applies Only to One Man—Attempt Is to Be Repeated.

EVELYN MAY NOT APPEAR

Attorneys for Defendant Are Not to Call His ex-Wife—Evidence on Preliminaries to Escape Occupy Day at Trial.

NEW YORK, March 9.—Attorneys for Harry Kendall Thaw, slayer of Stanford White, made their first attempt today to get testimony concerning his sanity into the record of his trial for conspiracy to escape from the State Hospital for the Criminal Insane at Matteawan. The attempt was unsuccessful.

It was while William Gordon, a hotel-keeper of Beacon, N. Y., was on the witness stand that Justice Page, before whom the trial of Thaw and five co-defendants is in progress in the criminal branch of the Supreme Court, sustained the prosecution's objection against the introduction of such testimony. It was understood, however, that the ruling of the court applied solely to the testimony of Gordon.

Objection Is Sustained.

Gordon, after telling of the many visits Thaw made to his hotel while on his way to and from habeas corpus proceedings which he instituted, and declaring that he conversed with Thaw as he did with any other man, was asked whether the defendant appeared to be fully rational at all times. The question was put to him on cross-examination by John E. Stanchfield, chief of Thaw's legal advisers.

The prosecution immediately objected, pointing out that the witness had admitted it was quite a while prior to the day of the escape that he had last talked with Thaw. Moreover, the prosecution contended, the sole issue to be decided was the guilt of the defendant and his alleged co-conspirators.

Testimony Held Remote.

In upholding the objection Justice Page said that if it was the idea of Thaw's counsel to show through the witness Gordon that Thaw was of sound mind at the time of his escape, he thought his testimony on that subject must necessarily be "remote."

Mr. Stanchfield asserted, after the adjournment today, that he would make a further attempt tomorrow to get testimony concerning Thaw's sanity before the jury.

The defense of Thaw hinges on the contention that he was sane at the time of his escape and, therefore, was being illegally detained.

Franklin Kennedy, Special Deputy Attorney-General in charge of the prosecution, announced tonight that he expected to complete the state's case by tomorrow afternoon.

Method of Escape Related.

Aside from Gordon's testimony, virtually all the evidence today had to do with the renting of the automobile in which Thaw fled as far as New Hampshire; the presence and actions in the Holland Hotel at Beacon, N. Y., which adjoins Matteawan, of the co-defendants; the ownership of the automobile which figured in the escape, and the identification of court records.

The usual motions to dismiss the indictments against the defendant were made and denied.

Mr. Kennedy, in outlining the case of the state to the jury at the opening of the proceedings today, asserted that Thaw was insane at the time of his escape, and that to allow him to be at large at this time would still constitute a menace to the public safety.

Defense Not to Call Evelyn.

Although it was said early in the day that Evelyn Nesbit Thaw had announced her intention to testify in her husband's behalf, Thaw's attorneys declared they would not call her.

She is said to have been in New York from Matteawan, Roger Thompson, the witness said, was the chauffeur and O'Keefe was with Thompson. Hotel employes corroborated this testimony.

Gordon identified Thompson and O'Keefe as the men who came to his hotel a short time before Thaw fled from Matteawan. Roger Thompson, the witness said, was the chauffeur and O'Keefe was with Thompson. Hotel employes corroborated this testimony.

MERGER CLUB IS FORMED.

St. Johns Organization Will Advocate Annexation to Portland.

ST. JOHNS, Or., March 9.—(Special.)—At a meeting last night at the St. Johns Library assembly hall the organization of the Merger Club was completed. It will work for annexation of St. Johns to Portland. D. C. Lewis, who secured the passage of the bill making annexation possible, pointed out some of the advantages of being part of Portland. E. C. Cook also spoke in favor of annexation. About ten short talks were made by citizens, the prediction being made that annexation will carry by a substantial majority April 5.

Next Monday a speaker from Portland will speak at the library meeting and explain Portland's system of government.

The club is organized with ex-Mayor W. H. King as president and H. D. Beam as secretary-treasurer.

B. F. O'NEIL INSOLVENT

Idaho ex-Banker, Freed From Prison, Gives Liabilities \$593,145.

COLEBY VALENTI, Idaho, March 9.—Bernard F. O'Neil, a former banker of Wallace, Idaho, and at one time aspirant for the Republican nomination for Governor of Idaho, filed a petition for bankruptcy here today. He gave his

liabilities as \$593,145 and assets as \$500.

O'Neil recently was pardoned from the State Penitentiary, where he served a part of a term for reporting the condition of his bank falsely.

BODY OF AGED MAN FOUND

Samuel D. Gibbons Wanders From The Dalles to Death in Valley.

THE DALLES, Or., March 9.—(Special.)—The mysterious disappearance of Samuel D. Gibbons, aged 78, of Maupin, Or., from this city the night of December 4 was explained today when his dead body was found in the Chenoweth Creek Valley, six miles west of The Dalles, today. The body was discovered by Harold Marsh while

DISTINGUISHED RUSSIAN AUTHOR WILL LECTURE AT WHITE TEMPLE.



Mrs. Mary Antin, distinguished author of "The Promised Land" and "They Who Knock at Our Gates," will speak in the White Temple under the auspices of the Council of Jewish Women March 21.

Mrs. Antin came from the Jewish pale to the United States at 13. Her address will be a plea for the immigrant.

The committee on arrangements who will welcome Mrs. Antin is: Mrs. Julius L. Louissou, Mrs. Solomon Hirsch, Miss Mary Frances Isom, Mrs. Julius Lipnitz, Miss Josephine Hammond, Mrs. S. M. Blumauer, Mrs. L. Altman, Miss Ruth Cardin, Miss G. Wasserman, Dr. C. H. Chapman, Isaac Swett, Marshall N. Dana, Sigmund Sichel and Roscoe C. Nelson.

hunting, Coyotes had mutilated the features beyond recognition, but identification was made positive by relatives who identified the clothes.

Mr. Gibbons was brought to this city December 4 by Mrs. Sarah Gamber, his niece, of Maupin. After an examination by the County Court the aged man was committed to the Home for the Aged in Portland. He was sent to The Dalles hospital for the night, the officials not wanting to place him in jail. Evidently the old man did not like the idea of going to the Portland institution, for, while he was left in a waiting-room at the hospital while a nurse prepared a room for him, he disappeared and a careful search failed to find any trace of him.

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LORRIS MARTIN FREE

Man Accused of Killing of Game Deputy Acquitted.

VERDICT IS UNANIMOUS

Testimony That A. S. Hubbard Tried to Draw Weapon Said to Have Inspired Jurors—Medford Crowd Applauds Report.

MISSING MAN'S BODY FOUND

James Seward Day of Aberdeen Is Victim of Chehalis River.

ABERDEEN, Wash., March 9.—(Special.)—The body of James Seward Day, foreman of the Aberdeen Lumber and Shingle Mill, who has been missing since Christmas eve, was found today in the Chehalis River. The body was badly decomposed and could be identified only by letters carried in the clothing.

Day was a prominent local Elk and a member of the Knights of Pythias Lodge. No theory is advanced as to whether the case was one of suicide, accident or murder. Day disappeared during the two weeks that a large number of robberies and holdups occurred here, and it is possible that he may have been the victim of yeggs.

NEW BRIDGE IS WANTED

OREGON CITY LIVE WIRES CALL PRESENT ONE DANGEROUS.

Use of County's Share of Road Money Collected in Cities Proposed to Save Tax Levy.

OREGON CITY, Or., March 9.—(Special.)—The construction of a new suspension bridge across the Willamette River connecting Oregon City and West Linn is another project that may be fathered by the Live Wires of the Oregon City Commercial Club. The matter was broached at the weekly luncheon today.

B. T. McBain, mill manager of the Crown Willamette Paper Company, and Dr. L. L. Pickens led in the discussion. Dr. Pickens said that the bridge had outlived its usefulness, that it was inadequate and that it is only a question of a few years when a new structure will be absolutely necessary. He said that it has been suggested that the county use its share of the road taxes collected from Oregon City and West Linn property and establish a suspension bridge fund, which would receive approximately \$14,000 a year. It was pointed out that the bridge could be built and paid for within eight or ten years without entailing any additional tax.

T. W. Sullivan said the bridge is dangerous because the structure is too narrow for present-day traffic, and no footwalks have been provided.

Main Trunk Line Oumund was authorized to appoint a committee to look into the plan and make a report.

Road Engineer Martin, of Umatilla County, made an interesting talk on road building in his county, where con-

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ditions are favorable to the construction of water-bound macadam roads, many miles of which have been built at a cost of about \$2000 a mile.

WOMAN'S DEATH SUDDEN

Mrs. Elizabeth Lowery Becomes Ill at Oregon City Theater and Dies.

OREGON CITY, Or., March 9.—(Special.)—A few minutes after Mrs. Elizabeth Lowery, wife of Thomas Lowery,

became ill while in the Rainbow Theater last night, she died at her home, Eighth and Railroad avenue. Death was due to heart trouble.

Mrs. Lowery left home early in the evening with her husband for the theater, and soon afterwards complained of illness. Her husband, with the aid of friends, carried her home. Medical aid came too late. Mrs. Lowery came to Oregon City with her family only recently. She was about 42 years old.

Very few men like to have a cat around the house, but there continue to be many house cats.

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