



## FOR LUNACY COMMISSION

### Jerome Makes Appeal Long Feared by Thaw.

### COMES AS SURPRISE

### He Declares Prisoner Incapable of Advising His Counsel.

### ALL BELIEVE HIM INSANE

### No Formal Application For Commission in Lunacy Made But Judge Fitzgerald Will Decide Today if One is Needed.

NEW YORK, March 20.—The blow which Harry Thaw has been in terror of ever since the murder of Stanford White fell today. District Attorney Jerome did not make a formal application for the appointment of a lunacy commission, but in an impassioned speech appealed to the conscience of the court, declaring that as Thaw sits daily in court he is incapable of advising his counsel and is believed, by every one who has watched and comes in contact with him, to be insane. Jerome asserted that his own alienists were convinced when they had considered all the facts in connection with the case, that Thaw is of unsound mind. Jerome dramatically accused the counsel for the defense of concealing testimony which if presented to the court would make the continuance of the trial a crime. So earnestly did Jerome plead that Justice Fitzgerald dismissed the jury until Friday morning and adjourned court until 2 o'clock tomorrow when he will consider what evidence either side has to offer and to decide whether the trial shall go on or whether the commissioners in lunacy will be appointed to pass on Thaw's mental condition at present.

The scenes attending the adjournment of the court shortly after one o'clock were dramatic and exciting. Thaw's counsel seemed taken utterly by surprise. Thaw, dejected, pale and dispirited, sat at his counsel table, he flushed crimson as one by one his attorneys left him to rally to the support of Delmas who was arguing with Jerome and Judge Fitzgerald. Thaw bit his nails, opened and closed his hands nervously and finally sank down in his chair with an air of utter dejection. In the adjoining room, where one could hear the excited and uplifted voices of the counsel wrangling with one another, stood Mrs. William Thaw, the prisoner's mother and Evelyn Thaw, his wife who had bared the secrets of her soul in the effort to save her husband from the electric chair and the fate he declares he fears more, a mad house.

The climax came while Dr. Hamilton, an alienist, was testifying. He had been called by the defense with the intention of interrogating him regarding the four visits he had made to Thaw in June and July. Jerome promptly objected, saying that if Hamilton was allowed to testify he must tell everything he knew about the case including the defendant's family history. The argument became so pertinent as to the question of the present insanity of the defendant that Judge Fitzgerald directed the jury to retire from the room. Jerome then went on to say that if the facts were known, he had no right to be here trying Thaw for his life. The knowledge he has, however is mostly hearsay and cannot be put in legal form before the jury. "If I could get the facts

before you" said Attorney. "The court and instantly this case would stop. So deeply have I been impressed with this that I have served notice on the counsel of the defense that it, when this trial is finished, I find they were in possession of the facts which I believe to be in their possession, I shall call the matter to the attention of the appellate division of the Supreme Court." Jerome said he submitted to the alienist summoned by the state all the facts in his possession, and they all informed him that the defendant is suffering from Paranoia, the chief characteristics of which are insane delusions, that while acting under one of these delusions he killed White, but that within the legal definition of insanity he knew the nature and quality of his act and knew it was wrong.

NEW YORK, March 20.—Thaw's lawyers have again changed their minds and said last night they would probably call Evelyn Nesbit Thaw today.

To what she will testify they refused to say but her evidence will probably have to do with the Hummel affidavit. So far as known that will close the defense's case. There was some talk last night that it was possible that the defense might call David M. Carvalho, the expert in handwriting and photography to testify regarding the genuineness of the signature of Evelyn Nesbit upon the Hummel affidavit, but this report could not be confirmed.

Another report was that District Attorney Jerome had a surprise to offer tomorrow and that this would delay this summing up in the case until Friday. The surprise it was stated, (Continued on Page 8.)

## ENTERS PORTLAND

### Canadian Pacific Trains Will Use O. R. & N. Line.

### IS IMPORTANT TO PORTLAND

### Is Equivalent to New Transcontinental Railroad From Atlantic Seaboard—Freight Trains Will Use Harriman Track On May First.

PORTLAND, March 20.—The Oregonian tomorrow will say that an agreement was signed here today between the officials of the Canadian Pacific and the O. R. & N. Co., whereby the trains of the former road will enter Portland over the Harriman line from Spokane, coming thence from the main line of the Canadian road by way of the Spokane International. Freight trains will begin running over the new route May 1, but passenger trains will not be put on until a later date. The agreement is highly important to Portland as it virtually gives the city a new transcontinental line from the Atlantic seaboard, also a shorter route to St. Paul, and ties the Union Pacific in distance from here to Chicago.

### COAL TESTING PLANT.

### Government Will Establish Experiment Station in Colorado.

DENVER, March 20.—Dr. J. A. Holmes of the United States Geological survey last night completed negotiations for the land upon which the first government coal testing plant will be constructed. The Chamber of Commerce of this city agrees to furnish the land and the plant will be constructed in this city. Work on the building will be begun as soon as final arrangements are completed. Congress has made an appropriation for carrying on this experimental work.

A completely equipped chemical laboratory, with special apparatus for the treatment of coal and its products, will be built in connection with the testing plant.

## FLOODS IN CALIFORNIA

### Water Six Feet Deep in Stockton Streets.

### MANY LIVES ARE LOST

### Two Hundred Persons Driven By High Waters Into Tree Tops.

### RESCUERS IN BOAT DROWNED

### Southern Pacific Completely Blocked—Santa Fe Also Impassable—Worst Believed Over—Heavy Losses Throughout Northern California.

STOCKTON, March 20.—Water is running through the streets of the city like a mill-race. In some places it is six feet deep, while in others it is from one to three feet, the latter being the mean average. All business is suspended as most of the business houses are flooded and the people in many parts of the city are afraid to leave their homes. No portion of the town has escaped. The flood started on the afternoon of Tuesday and the highest point was reached at midnight, since when it has receded slightly and it is believed the worst is over. The telephone system is out of commission and all news of the surrounding country is cut off. Most of the gas mains are full of water and the gas supply is shut off. The Southern Pacific tracks were caught broadside on and the roadbed and rails are twisted out of shape by the force of the flood. The Santa Fe fared no better. It is feared that in the southwestern part of the city, which is low and where the people of the laboring class live, that many of the poorer classes have been drowned.

STOCKTON, Cal., March 20.—A report from Venice Island in the San Joaquin river says that two persons were drowned there last night. Mrs. Maud Menefee and George Eastman, who were passengers on a launch, fell from a small boat while making a landing.

At 1 o'clock this morning the flood had reached its highest position and the water commenced to subside slowly in the city, but there is still a great rush of water through the streets. There is not a dry spot in town unless it is some high garden terrace. Water is in most of the stores and the reclaimed lands are in great danger, though no levee has broken yet so far is known. Water in the streets in the business section of the city is from three to four feet deep, but is flowing fast westward.

CHICO, Cal., March 19.—Flood conditions are still serious. The village of Dreadful, near Oroville, has been entirely destroyed by the Feather river. Over 200 men, women and children were driven to take refuge in trees and tops of houses on which they were exposed to the rain and cold for 48 hours. Small boats rescued many. One boat engaged in rescue work was capsized and seven drowned.

A relief train from Chico, with boats, clothing and provisions was dispatched over the northern electric road, reaching the scene after much difficulty. Fifty people are yet on the island and there is much suffering among the women and children.

LOS ANGELES, March 20.—The coast line of the Southern Pacific has been completely blocked by a landslide that has closed the Santa Margarita tunnel, one of the longest on

the division, located in the mountains north of San Luis Obispo. Local railroad officials are advised that the line must remain closed to traffic for at least four or five days.

SAN JOSE, Cal., March 20.—More damage has been done by floods in the creeks in the last 24 hours than in the past 15 years. The washing out of bridges, notably the Southern Pacific on the Almaden branch will stop all traffic from San Jose to Los Gatos by way of Campbell for weeks. The damage in the vicinity of the latter town will reach many thousand dollars. Fruit farmers generally are of the opinion that there will be light crops this year, if some do not prove utter failures. The rains are believed to have washed out much of the pollen which will prevent the blooms maturing into fruit.

At San Martin, Harold Bole, the five year old son of a well known rancher, fell into the swollen Lagas creek and was drowned. At Santa Clara several families were driven from their homes by the overflow of the Guadalupe creek.

OROVILLE, Cal., March 20.—It is estimated that the loss occasioned by the flood in Oroville will not be less than \$650,000. The water is now falling as far as Montgomery Street. All the business houses on this street are under six feet of water and the individual losses range all the way from \$10,000 to \$25,000.

A telephone office has been established in the second story of the Union Hotel and this is the only method of communication with the outside world. A rescue party is taking out the 20 Chinese who were drowned in the river yesterday.

## MAELGWIN FOUNDERS

### British Bark Found Derelict By Steamer Midgare.

### ENTIRE CREW BELIEVED DEAD

### Boats Gone From Ship's Davits and No Account of Their Reaching Shore Has Been Received—Maelgwin Long Overdue.

PORT TOWNSEND, Mar. 20.—Captain Guering, Master of the British steamer Midgard, lumber laden from Puget Sound to Port Pirie, officially reports to the Hydrographic office here that she passed a dismantled hulk presumed to be the British Bark Maelgwin, 125 days from Pisco, South America to Australia. The absence of the ship's boats from the davits indicated that she was deserted by her crew and as no reports have been received of the crew arriving anywhere it is probable that the entire ship's complement met death in the storm which wrecked the vessel. The report spells the name "Maelgwin" but as no such vessel is registered it is believed it is the Maelgwin which has foundered.

### COLORED WOMEN SHOT.

STAMPS, Ark., March 20.—Charged with having used a razor with probable fatal results on Morella Rhetton a white woman, and her daughter, two colored women were shot to death at McKamie near here last night by a mob.

According to the statement of Mrs. Rhetton she and her child were attacked by the negro women while walking along the public road yesterday, she and her daughter receiving wounds which may prove fatal. The women were arrested and placed under guard at the station from which place they were removed by the mob last night and shot to death.

### TWENTY ONE PERISH.

LUBECK, Germany, March 20.—The German steamer Horn has been sunk in the North Sea with a loss of 21 lives.

## INDICTMENTS ARE FILED

### San Francisco Municipal Wrongs Revealed.

### GRAFT UNSURPASSED

### New York in Days of Tweed Ring Was Not Robbed More Systematically.

### TRUTH WILL APPALL COUNTRY

### Supervisors Took Bribes From Either Side—Ramifications of Remarkable Grafting Political Machine Involves Millionaires and Prominent Citizens.

SAN FRANCISCO, March 20.—The long looked for indictments in the municipal graft cases were returned tonight. Shortly before six o'clock the grand jury filed with presiding Judge Coffey of the Superior Court 75 indictments charging bribery, which were found on the evidence presented to the grand jury after six months of probing into the municipal affairs of this city by Francis J. Heney and secret service agent Burns and which reveal an amazing story of alleged graft and corruption that surpasses the boodle cases of St. Louis; ranks with the Minneapolis exposures and are eclipsed only in the amount of money passed, but not in its ramifications and organization, by the famous Tweed ring of New York. Of the indictments returned today 65 are against Abe Ruef, charging him with bribing the board of supervisors to grant franchises to the United Railroads, the Home Telephone Co., the San Francisco Gas and Electric Co., and the so-called prize fight "trust." Ten are against T. V. Halsey, former general agent of the Pacific States Telephone and Telegraph Co., who is charged with having bribed the board of supervisors not to grant the franchise to the rival company. One indictment against Ruef and four more against Halsey, which it is understood were also returned today were not filed in open court. Several more indictments, the exact number and against what persons, Heney and Burns refuse to divulge were returned by the grand jury.

Judge Coffey fixed the bail at \$10,000 on each indictment or total of \$650,000 for Ruef and \$100,000 for Halsey. The latter is a brotch in law of the late John I. Sabin, former president of the Pacific States Telephone and Telegraph Company and brotch in law of Louis Glass, president of the Philippine Telephone Co. Halsey has been for some time in Manila, installing a system in the Islands. He has been under surveillance for several days and extradition papers may be applied for as soon as he has been taken into custody. Orders have been cabled for his arrest.

In the overhead trolley deal, according to Burns, Ruef got \$485,000 and distributed \$91,000 among 14 supervisors. In the "fight trust" \$20,000 is said to have been collected by Ruef and \$9,000 distributed among supervisors. Ruef is charged with having divided \$2,000 among the city fathers in connection with the Home telephone franchise. In this connection it is noteworthy that 14 supervisors are alleged to have also taken \$5,000 each from Halsey to prevent the granting of the franchise to the Home company.

Heney states that today's indictments are not the "beginning of the end of Ruef" but merely the beginning of the work of exposing municipal cor-

ruption in San Francisco and the prosecution of those "high up, who are responsible for such conditions in the city."

District Attorney Langdon said the amazing ramifications of the remarkable organization involving millionaires and the better class of citizens, will appall not only this city but the entire country.

Burns said "This is only the beginning." He added that the evidence on which the indictments are based is as perfect as the evidence in any case of investigation with which he has ever been connected. Burns denied that he had been ordered back to Washington, and said it might take a year to complete his work here.

Contentation seemed to reign in the Ruef camp today. Following a long conference with his attorneys this morning Ruef decided that he preferred to remain in the custody of Elisor Biggy, and his attorneys appeared before the Supreme Court asking that the application for a writ making Sheriff O'Neill custodian of the political boss be dismissed. This was granted. Half an hour later his attorneys appeared again before the Supreme Court and sought to have their former motion quashed and the application for a writ reinstated. The Court took the matter under consideration until tomorrow.

### BOMB FOR JUDGE.

OAKLAND, March 20.—About 1:30 last night a bomb was exploded in front of Judge Ogden's house on Alce Street. The whole front of the house was destroyed, but none of the inmates were injured. The bomb had 70 feet of fuse attached so that who fired it had time to escape.

## PUTER TESTIFIES

### Is Important Witness in Trial of Binger Hermann.

### GIVES RESIDENCE AS JAIL

### Relates Again the Story of the Bribing of Senator Mitchell and the Action of Herman in Aiding in Land Frauds.

WASHINGTON, March 20.—In the trial of Binger Hermann today S. A. D. Puter again told the story of bribing Senator Mitchell, which he related during the trial of the Senator at Portland, and of the alleged part Hermann had taken in getting the patents for the twelve homesteads in the now notorious "11-7" district of the Cascade forest reserve. Puter had reached the point where he had returned to Portland after having bribed Mitchell to use his influence with Hermann, when the story was interrupted by the adjournment for the day.

Puter gave his testimony with startling directness detailing in full the difficulties and cost which attended his efforts to obtain patents. Puter gave his residence as the "Multnomah County jail, Oregon." Previous to Puter's testimony, J. A. W. Heidecker of Detroit, Oregon, and Daniel W. Tarpley testified in behalf of the government.

### Affidavits Are Read.

BOISE, Idaho, March 20.—Reading of affidavits bearing on the motion for a change of venue occupied today's sessions of Judge Woods court at Caldwell in the Moyer, Haywood and Pettibone case. Those of the defense quote the written and spoken utterances of Governor Gooding in which he indicated his belief in the guilt of the defendants. The state had 22 affidavits affirming that the affiants had conversed with many people of the county and failed to find any prejudice. The discussion of the Steunenberg case had died down and there was not sufficient feeling to affect the fairness of the trial. The motion was argued by the counsel on both sides at the session held tonight.