PROSECUTOR RELENTLESS

(Continued from Page One.)

Jerome attempted to shake the testimony of the weakened and nerve-racked woman who sat before him, unfaltering, but with voice that trembled in answer to the lash with which the prosecutor sought to tear down her structure for the defense.

Women Leave Room.

Jerome elicited from the witness details that caused women newspaper writers to leave the court. He drove at her questions which brought on a complete breakdown, brought sobs to her lips which shook her body with an agony of remorse and sorrow. Yet through it all the little woman clung steadfastly to her former story, and when the prosecutor finished with his cross-examination and left the witness trembling and broken, Evelyn Nesbit Thaw had gained another vantage point with the jury and her husband was that much closer to freedom.

Jerome, continuing his cross-examination of Evelyn, put the rake through the rancor of the gilt of the tenderloin, and the muck brought from the lips of the youthful girl is a story surpassing in lascivious detail anything ever before told of public record. The revolted girl, in her opinion, was the unwilling victim of White through months of torture until Thaw, being a rejected suitor, opened her eyes to a realization of what White had done to her.

Frequently Wept on Stand.

Delmas, objecting to what appeared to him a sneer on the prosecutor's lips, protested. Jerome, prosecutor of criminals for years, prosecutor of tenderloin victims, rich and poor, men and women; Jerome, whose knowledge of the criminal world is the greatest of perhaps any public official, said:

"If the story is true, I could not sneer. I never heard its equal."

Evelyn's story today, unrehearsed as the one when her own attorney drew her out, was more than she could stand. Frequently she broke into tears and her voice trembled as she told her shame. Jerome in a relentless way brought in details the defense little suspected he knew, at the most unexpected places. This he did without desire to add to the woman's shame, but to secure the ends of justice.

The trial room filled rapidly today. Evelyn's appearance didn't indicate that she had any great fear of awaiting the ordeal. Gained in courage by his success Wednesday, Jerome preceded all the lawyers and entered the room smilingly confident.

Thaw entered carrying a bunch of newspaper clippings of the previous day's proceedings. For the first time since his arrest he called the newspaper men to discuss the case, but merely protested against the article in this morning's paper commenting on Evelyn's forgetfulness.

Evelyn Called to Stand.

"It's not exactly just to her, you know," he said. "She had little to do with drawing those funds from the Trust company."

After a brief consultation between the attorneys on both sides with the court, it was announced the court would adjourn this afternoon until after Washington's birthday. The trial probably will not be resumed before Monday. Evelyn was called to the stand after the conference. She appeared in the same blue dress, her face slightly paler, hair somewhat touseled, her voice stronger, and her replies more certain. Jerome read the record of the examination of the latter yesterday to the effect that Evelyn believed all women bad until she was eighteen and a half years old, and until she talked with Thaw after refusing him on account of her "unworthiness."

"Did you ever hear of 'Dead Rat,' asked Jerome.

"Yes, it's a cafe in Paris."

"Is it reputable?"

"I do not know."

"Were you ever there?"

"Yes. People were eating and drinking and some danced. The dance was Russian!"

Thaw's Letters Introduced.

Jerome questioned Evelyn further about the cafe. Evelyn said she was sure there was only one Russian dance. "There may have been a cake walk also." Jerome showed he had obtained one of Thaw's letters from Paris. Witness said Shubert and another theatrical manager were with her and Thaw at the "Dead Rat." She believed some women were with Shubert. Jerome reading, evidently from Thaw's letter, asked:

"Do you know what's meant by 'Many of the bunch on the tenderloin'?"

"I think I do," said the witness.

Realizes Wrong Done Her.

Jerome handed Evelyn the letter from which he had been reading and asked her if it was Thaw's handwriting. She identified it as such.

"When you were in Paris after Thaw's proposal, had your opinions changed?"

"Yes, I knew people thought it wrong, but I suspected all women."

Further questions brought the admission that at the time in Paris with Thaw she had no religious belief, not even in the existence of a Divine being. She said while living in Pittsburg she neither attended Sunday school nor church. But before leaving Paris she had come to a full realization of the awful character of the wrong White had done to her, and that every womanly instinct was shocked by this realization.

Delmas Objects to Sneer.

Delmas and Jerome got into a lively tilt over what Delmas described as a sneer in Jerome's tone as he questioned Evelyn as to what prompted Evelyn's renunciation of Thaw's love. Jerome exclaimed:

"There is no sneer. It all depends on whether the story is true. If true there can be no sneer, for I never heard its equal."

Jerome, resuming his examination, asked: "Was your reason for renouncing Thaw's proposal merely because of feeling that you were unworthy?"

"'Twas because I was found out," said Evelyn, changing tact from the day before, when she said it was because she was unworthy.

"Who told you you had been found out?"

"White."

"When did you first realize the extent of the wrong done you by White?"

"When Thaw told me." Evelyn said she quarreled with White because after Thaw opened her eyes first she realized what the architect's treatment meant to her. Jerome questioned her closely about why she wrote White from Boulogne. She said her mother coerced her to write and that White's extraordinary personality had a fascinating effect upon her. "In one way" she said her mother did not know of her wrongs.

Evelyn Breaks Down.

The name of the man Evelyn met in the studio was not made public. Jerome giving it in a whisper, said he would call the man for private examination to establish the date.

The prosecutor was relentless and drew from Evelyn the statement that she went to White's studio within a month of her ruination.

When Jerome demanded the details the girl broke down, covered her face with her handkerchief and sobbed aloud. Jerome was disarmed. Several women writers left the room and there was a short delay.

Jerome Persecutes Witness.

The girl soon recovered her composure. The husband strained to watch her as she testified. She went on saying she went to the studio against her will. White made an appointment by notes. She wanted to go home after supper, but White insisted upon her going to the studio. She frequently became inebriated and became irresponsible for her actions.

"And you omitted this from your direct testimony," interposed Jerome, and Delmas was on his feet with an objection. Jerome dropped it, permitting the effect of the question to work upon the jury.

"Did you tell your mother what White had done?"

"No."

"Why not?"

With breaking voice Evelyn replied: "Oh, I could not. White wouldn't let me. He made me swear never to tell mamma."

Jerome drew from the girl a detailed statement of the various occasions when her relations with White were renewed. Time and again tears came into her eyes, her voice trembling as she answered. She insisted she always fought White's advances, always plied with wine until partially intoxicated.

Barrymore's Name Mentioned.

Evelyn said she told all her pitiful story to Thaw in Paris, that he called White names, and again Jerome kindly asked, "Why didn't you tell your mother all?"

"Oh, I couldn't; I'd rather died than tell her." The pitiful wail seemed to make Jerome yield for a time.

"Did you ever visit Dr. Carlton Flint?"

"Couldn't remember such a visit.

"Did you ever visit a doctor with Jack Barrymore?"

"No."

"Sure?"

"In the operations you have undergone, were any of a criminal nature?"

Evelyn explained the operations were for appendicitis, and Jerome dropped the subject. The room buzzed with gossip, the question recalling rumors connecting the names of Evelyn with Barrymore. Evelyn showed a determination to get the ordeal over. Jerome offered to excuse her at noon, but the girl said she preferred to go on.

Letters Are Read.

The examination then took a new turn. The witness gained strength from a sip of water. Jerome read the letter written by Evelyn to an actress in Florodora then playing in London describing the pleasures of Paris and visits to the Dead Rat. She admitted the account in the bank in the Metropolitan Opera House block was separate from the Mercantile Trust company account provided by White immediately after he had wronged her.

Jerome questioned Evelyn about letters received from White in Paris. She said the last she saw of them was in Hartridges' office. Jerome called Hartridge to the stand and tried to force him to produce the letters but the attorney stood on his professional privilege, and balked the prosecutor.

Want Alienist's Report.

Jerome asked Hartridge if he had a report of Dr. Hammond, alienist, on Thaw's mental condition. It is reported that Hammond reported that Thaw was still insane. Jerome would like to get the report to aid him in sending Thaw to the asylum if he fails to convict. Before Hartridge answered Jerome withdrew his question and a recess was taken.

Court will be held tomorrow and Saturday. The judge upset the agreement made this morning to accommodate the Pittsburg doctors who are here to testify. Evelyn was recalled when court reconvened this afternoon. Jerome said he'd require another day and a half on the cross-examination.

FASCINATING BATTLE WON

(Continued from Page One.)

cutor, who had heedlessly scored a point for the defense. Jerome's conduct this morning was that of a persecutor rather than a prosecutor, and largely defeated the ends sought. Time and again tears filled the eyes of the witness as she was forced to repeat the story of her downfall.

Most Fascinating Battle.

Jerome plodded patiently on, his cross-examination not concluded, the end not yet, but in the fighting that is yet to be done he must make vastly more material progress than he has attained or the story of the girl wife will go before the jury with crushing and convincing strength.

Surely there has never been a more fascinating battle waged in a court of justice. The winsome dainty girl was metamorphosed into the shrewd, alert and sharp-witted woman. She lost none of her girlish grace, eternally she was the same miss of the blue sailor suit, with pretty gestures, wondering eyes and half concealed smiles. But they were what made her so dangerous to her opponent, for behind them lurked all the wakened craft of women at maturity.

Woman's Wit Wins.

What hope is there for a man, who, facing such a woman, finds the most savage blows turned aside with pretty smiles, who makes astonishing admissions with the air of a child confessing her first love, who puckers up her brow and despairingly avows: "I cannot remember that," who wraps about herself the protecting presence of her mother when she is attacked with the weapons of that very mother's fashioning?

Such were the conditions under which Jerome conducted his grand onslaught on Thaw's defense. By a tactical, almost stupid blunder at the opening of the examination he revealed to the court and the jury the tremendously important fact that he was basing all of his questions as to the alleged indiscretions of Evelyn Thaw on material placed in his hands by the mother of the girl. Small wonder that with this lever in his hands the girl, ably assisted by Delmas, met the prosecutor's attacks with equanimity and turned many of them to her own advantage.

Admissions Secured.

What was the net result? She admitted frankly that during the year 1902 she regularly received money from Stanford White. There must have been some good reason why White should put Evelyn Nesbit and her brother on his payroll. Wherefore, the defense saw only triumph for their side in this admission, which Jerome dragged from the witness.

She admitted having spent several weeks' ends on the private yacht of the late James A. Garland, Jerome framing his question with her mother's statement in his hand, but she instantly followed the admission with the assurance that on these occasions she was always accompanied by her mother.

And the matchless craft of it all was magnificently exposed, when Jerome put the questions to the witness which enabled her to pay a daughter's loving tribute to the honesty and sincerity of the mother who had supplied the district attorney with material to blast the child's good name.

Much That Is Negative.

There was much more that was negative. Jerome's object in asking some questions—those pertaining to how she came to know Marks and Lederer, for instance—was not made plain by the testimony. All photographs which he produced showed her in a costume of either evening dress or kimono, and while there was nothing startling about them, it was supposed that Jerome wanted the jury to see that she did not always wear the school-girl attire, in which she appeared at the trial.

CONSULTS THE STARS

Astrologer Finds That Thaw Will Be Acquitted by Jupiter.

(Journal Special Service.)

Chicago, Feb. 21.—Professor F. L. Ormsby, an astrologer of more than local fame, has been consulting the stars with reference to the Thaw case. He finds Thaw is now under the special protection of Jupiter and that he will be acquitted, providing malign influences do not cross the orbit. The horoscope also shows Evelyn will fall desperately in love with a respectable married man, one not heretofore mentioned, and that she will disrupt her home and end by marrying him.

While the horoscope indicates that Harry Thaw will walk out of court a free man, his troubles will multiply from that moment. He falls under the influence of the planet Uranus at that time and will speedily lose all his wealth and be forced to earn his living by hard work.

KEEP NEW GRAVES WITHIN LIMITS

Council Passes Ordinance Restricting Burials in Lone Fir Cemetery.

At the meeting of the council yesterday afternoon, H. M. Williamson declared that the Lone Fir Cemetery association was endeavoring to steal a portion of East Twenty-sixth street and use it as a burial ground. Mr. Williamson said the street had never been dedicated, and the association was preparing to take advantage of this neglect on the part of the platters by moving its fences 20 feet into the thoroughfare.

The street, Mr. Williamson said, had been used for more than 10 years as a roadway, and it may therefore be considered a public highway. If not restrained he said the association would be selling burial lots in the street. He proposed that an ordinance be passed prohibiting the digging of graves within 70 feet west of the east line of East Twenty-sixth street, between East Stark and Belmont. An ordinance to that effect was prepared and was passed.

Attempts to prevent burial in Lone Fir cemetery, within a certain distance from the streets, have been made at different times during the past 12 years. Once the council tried to prevent burials in the cemetery altogether, but the ordinance was defeated. That portion of th city surrounding Lone Fir is so thickly settled now and so little of the cemetery is left for interment purposes that the question of stopping future sales of lots may be brought before the next meeting of the council.

IMPETUS TO Y.M.C.A. BUILDING FUND

Drs. S. A. and E. C. Brown Add Third to Their Subscription of Five Thousand.

Further impetus was given to the Y. M. C. A.-Y. W. C. A. building fund campaign today when Drs. S. A. and E. C. Brown increased their former subscription of $5,000 to $7,500. The added $2,500 came at a good time and gave the solicitors increased encouragement in the work which they are doing.

A canvas among the solicitors would not reveal one who entertained the idea that the magnificent new building would not be obtained for Portland. All are giving their best efforts to the campaign and are seeking to induce other members of the associations to join in the movement to bring about the results for which they are striving.

The total amount reported at today's noon meeting was $2,775. This is considered a good day's work by the members, but efforts will be made to increase the amount as the days go by so that the necessary sum needed for the new structure will be pledged before the end of the campaign.

Those who gave today were Drs. S. A. and E. C. Brown, $2,500; Jacobsen, Bade company, $100; Albina Fuel company, J. A. Steven, Northwest Guarantee & Trust company, each $50; Henry E. McGinn, $20; Edward Gardner, $5.

A GOOD BREAKFAST

Some Persons Never Know What It Means.

A good breakfast, a good appetite and good digestion mean everything to the man, woman or child who has anything to do, and wants to get a good start toward doing it.

A Missouri man tells of his wife's "good breakfast" and also supper, made out of Grape-Nuts and cream. He says:

"I should just like to tell you how much good Grape-Nuts has done for my wife. After being in poor health for the last 18 years, during part of the time scarcely anything would stay on her stomach long enough to nourish her, finally at the suggestion of a friend she tried Grape-Nuts.

"Now, after about four weeks on this delicious and nutritious food, she has picked up most wonderfully and seems as well as anyone can be."

"Every morning she makes a good breakfast on Grape-Nuts eaten just as it comes from the package with cream or milk added; and then again the same at supper and the change in her is wonderful.

"We can't speak too highly of Grape-Nuts as a food after our remarkable experience." Name given by Postum Co., Battle Creek, Mich.—Read "The Road to Wellville," in pkgs. "There's a Reason."

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Get the little book, "The Road to Wellville," in pkgs.

WILL NOT DISCUSS DISMISSAL

Bourne and Fulton Have Little to Say of Nolan's Recent Discharge.

HINTED THAT MOODY'S INFLUENCE COUNTED

Senator Fulton Does Not Believe Register Wrote Letter Saying He Permitted Family to Make Entry on Public Lands.

(Journal Special Service.)

Washington, Feb. 21.—Senators Fulton and Bourne still refuse to make any statement relating to Michael T. Nolan's dismissal. They say they have not as yet seen the official record, hence cannot form any definite conclusions. Among some other Oregonians here the allegation is being made that Nolan's removal, notwithstanding he admitted he had violated the rules by allowing his family to enter on public lands, was partly due to Moody's influence; that Nolan, recommended by him, turned against him and the receiver, Miss Long. Moody was, therefore, determined to procure his dismissal. Information from a man close to the White House is to the effect that no politics enters in the removal, and that action was taken solely as the result of the investigation of Nolan. Apparently Fulton and Bourne are much disturbed over the incident.

Senator Fulton said this afternoon that he doubted if any letter ever came from Nolan admitting that he permitted a violation of the land office laws by assisting families to make entries on the public land. Personally, Fulton believes no such letter was ever sent, and that all allegations to that effect are false.

When seen this morning Mr. Nolan had nothing to say regarding his dismissal.

WIFE OFFERED MILLION TO SURRENDER CHILD

Millionaire Sues for Divorce, but Mother Refuses to Give Up Daughter.

(Journal Special Service.)

Asheville, N. C., Feb. 21. — Merril Beecher Mills of Detroit, who is suing his wife for divorce, offered her $1,000,000 if she would surrender the 6-year-old child Cynthia. Mrs. Mills rejected the offer, saying: "I would rather see Cynthia dead than for him to have her."

In her counter-suit for divorce she demands $200,000 alimony and the custody of the child.

Gillian Strikeleather is named as co-respondent by Mills and cited for contempt of court in refusing to testify, and is sued for $11,000 by Mills, who charges alienation of Mrs. Mills' affections. Strikeleather made an affidavit that he visited Mrs. Mills alone in her rooms and now alleges that he signed the affidavit after being made drunk by one of Mills' detectives.

ENGLAND WATCHES THAW TRIAL

Papers Get Out Extras and Print Columns of Testimony in Celebrated Case.

JOHN STRANGE WINTER JUSTIFIES THE MURDER

Says if Law Does Not Punish Such Men as White Wronged Husbands Have the Right to—White Middle-Aged and Evelyn a Child.

(Journal Special Service.)

London, Feb. 21.—The Thaw trial is the chief subject of conversation everywhere in England. The newspapers are publishing columns of the testimony daily, and several of the London evening papers are issuing 9 p. m. editions, an enterprise unprecedented since the Boer war. Many of the newspapers are publishing editorials discussing the "unwritten law" and the manners of the American "rapid set," based on the revelations of the trial.

John Strange Winter, the noted novelist, who in private life is Mrs. Stannard, has been reading the Thaw trial closely, and the novelist said:

"I think most women whose knowledge of the case depends on the reports of the trial heartily approve of Thaw's action. After Stanford White's atrocious conduct Thaw would hardly have been a man if he had not killed the brute. When an elderly man marries a young girl I am disgusted; but when a man like White deliberately disgraces a poor child, and after she marries the man, who at any price is better than himself, tries to ensnare her again, why shooting is too good for him.

"The law does not punish such villains, and if the husband takes the law into his own hands he ought to have public sympathy with him.

"I am sure that if Thaw were condemned and likely to be electrocuted there would be an outcry against it all over the world. Thaw can never be executed, but it is right that he should be tried and the whole story investigated.

"What impresses me most is that White was a middle-aged man of the world and Evelyn Nesbit a child of 16 years.

"The young never commit such awful crimes, such brutal offenses. They may be very foolish and very selfish sometimes, but only the older men are wantonly vicious and cruel. When a girl's life that ought to be a happy one is ruined by the coarse viciousness of a satyr it makes my blood boil. Any real man might be forgiven for wishing to kill such a scoundrel. After the provocation which Thaw received it would have been amazing if he hadn't killed White."

Mrs. Stannard's outspoken words represent the views of most English people, despite the fact that they are such sticklers for upholding the statutory law.

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DEATH AND BURIAL OF MISS ALLIE CONNELL

(Special Dispatch to The Journal.)

Hillsboro, Or., Feb. 21.—Miss Allie Connell, aged 32 years, died at Porterville, California, Thursday and the remains were brought here for burial Tuesday. She had lived with her father in this city several years and had been an invalid for two years past. About three months ago her father took her to California, thinking the change would be beneficial. She was a member of the Methodist church and also a member of the Royal Neighbors of America. The funeral service was held at the Methodist church here, with interment in the I. O. O. F. cemetery. The services were conducted by the Royal Neighbors. Her father and two brothers survive her.

The American ship C. B. Cheney is due to arrive at the mouth of the river to load lumber at St. Helens. She is 25 days out from San Francisco.

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