

THE DECLARATIONS OF JUSTICE

THAW WAS JUST ONE

(Continued from Page One.)

Throughout the long hours of last night, Thaw had lain on his back in his cell, staring at the iron bars of his cage, waiting for the verdict. Right well he knew that more than one man was battling against his life in the jury room. The long delay meant argument and tenacious opinions. The situation was tense—terrifying. When the dawn came he had not slept. "My head aches horribly," he said to the guard. "A strong cup of coffee revived him. He puffed a cigar furiously. At 10 o'clock through all the wild storm of rain he walked to the door of his cell, a small and pitiable object, bedraggled by the wet pavement, and with the rain drops glistening on her face. She seemed to have withered away to a mere shred of a woman. Her features were pale and peaked. Her eyes were hollow and dark, and appeared to burn with fever. She seemed a wraith of her former self living on her uncomprehending nerve. "Whatever she said now, that the last curtains in the tragedy have fallen, no one can say that she has not given to the sorrow-stricken waiting man a husband all that a woman may give to a man. Good name, truth, honor, devotion, everything worthy in life, she has laid at his feet, and with the sullen acknowledgment that a savage dog would receive a proffered bone.

Triad to Cheer Him Up.
Evelyn Thaw stood for a while talking through the bars with her husband. He tried to cheer him up, but he was too greatly excited to sustain a lengthy conversation, and she went back to the deputy sheriff and the jury. "These facts filtered out through the Tombs doors. Up town at the Home for the Aged, the aged mother of the prisoner, sick and ill, and sustained by her daughter, and her nurse. A telephone was at her bedside, and a messenger was stationed ready to apprise her of the verdict the moment it was given.

For twenty hours or more she had waited for the ringing of the bell, she dreaded it, feared it. She felt the agony of the awaiting death sentence for her son would kill her. The doctors had said it, but there was no scope from the pending verdict.

The telephone became a horror. Each minute seemed an age. In the meantime, the early hours of the morning had been to stir. The guards could hear them moving the chairs and talking. All night they had lain on the floor or on the long tables. They signified a desire to eat breakfast. They were taken to the Knickerbocker hotel.

The jury returned at 10 o'clock and the battle over Thaw's life recommenced. The curious and morbid crowd gathered in the corridors as of old, waiting, speaking and gossiping. Some of them had arrived before dawn. Several women hung like Cormorants over the gloomy ballustrades on the mezzanine floor. Others sat in the courtroom on the lookout for tears and tragedy. Rumors flew thick and fast. "Seven to five for conviction," came one whisper. "The judge will hold them over Sunday," came another. "They have practically arrived at a verdict of murder in the first degree," came a more definite rumor from one of the jury guards. This, like the strokes of a hammer, was repeated here and there. At the door of the deputy's room Evelyn Thaw stood for a moment. She was whiter than ever. Her nerves seemed about to give under the strain.

Winded to All Over.
"I wish it were all over, one way or another," she said to Daniel O'Reilly. "None came and passed without sign from the jury. The buzz and rattle of voices from the room continued. Suddenly into the court room came one of the jury guards with a glass of water and went back into the corridor. A moment later quick footsteps were heard in the hall leading to the jurors' chambers. Another guard entered and held up his hand.

"Now everybody be still," he called out. "The effect was electrical. Everybody hushed. The other thing they knew just what the words meant. They rushed for front seats. With inconceivable rapidity the news filtered through the building. The jury had arrived at a verdict. Into the courtroom puffed-mill like a stampeding herd of cattle, rushed the crowds, wild and disorderly. Chairs clattered and cracked as they were knocked hither and thither. Quickly the doors were closed and the jury was sequestered. For a brief time the silence was that of a church. The crowd felt the evening gravity of the event. Through a side door Evelyn Thaw slipped into her seat. There was not a particle of color in her face. Her heart throbbed heavily. Occasionally she gasped for breath. But her nerve had apparently returned and she gazed straight without apparent emotion at the jury. The moment the verdict was followed by Daniel O'Reilly. Both looked worn and heavy-eyed. Next Jerome, pale-faced as though he had stood in the rain.

Half a dozen women had made their way into the courtroom and were staring at the crowd. There were hoarse cries in the corridors leading to the jury room. The jurors were making ready to enter. A loud rap announced the arrival of Justice Dowling. After the manner of calm, dignified, after his body rose to their feet until the justice was seated.

Jurors Enter.
Then the door in the rear of the courtroom swung open and the jury appeared. They filed in one by one as solemnly as though marching behind a hearse.

The ordeal had told heavily upon them. They took their places in the jury box as solemnly as though condemned soldiers about to be shot.

In no feature of any of the 12 men were there any lights. Beholding this the crowd called a verdict of death.

When Thaw was called into court this afternoon his face was pasty and sodden. He sat down a little more so than his finger nails. He stared straight at the jurymen with a sort of defiant terror in his eyes.

The small woman in blue huddled down in her chair with her lips parted and her hands clenched.

"Clerk Pennon called the jurors' names. "Gentlemen of the jury," said Mr. Pennon, "have you arrived at a verdict in this case?"

"Yes," replied the foreman, Gremmel.

"What's your verdict?"

"We find the defendant not guilty on the ground of insanity at the time the deed was committed," said the foreman in a voice that trembled.

The mother of the defendant, a woman who had heard the telephone bell ring sharply, answered the call. Mrs. Carnegie listened. It was a happy augury, she thought. The white-haired woman.

The moment the verdict of acquittal fell from the foreman's lips in the courtroom a young man named Theodore Roosevelt, a relative of Theodore Roosevelt and of juror No. 10, burst into wild applause.

"Take that man in charge," thundered Justice Dowling. The man was afterwards fined \$25.

Hears the Verdict.
When the dazed sense of Harry Thaw caught the meaning of the verdict a faint red lines crept over the pallor of his face. Slowly his head turned as upon a pivot until his eyes met those of his wife. Slowly, too, his pale lips parted and a mechanical smile, in which there was neither mirth nor triumph, nor affection nor compassion for the poor woman who had taken on a garment of woe, came over his face.

GRIP LEADS TO PNEUMONIA

If neglected, and among its possible after-developments, if it is not given prompt and proper attention, are chronic affections of the eyes, ears and throat. In some cases, it seriously impairs the taste and smell. Do not delay treatment—move the bowels with Hood's Pills, which work quickly and thoroughly, and begin taking Hood's Sarsaparilla, the best medicine for ridding the blood of the grip poison, restoring the appetite, aiding the digestion, building up the strength.

Sick Two Months.—"Hood's Sarsaparilla has cured me of the grip. I was sick for two months and was tired and weak and could not do any work. Finally I sent for a bottle of this medicine, and when I had taken half of it I could do the housework. Today I feel like a new woman, and I recommend Hood's to all who have the grip."—Miss Carrie Irby, Jenkins, Mo.

Two Severe Attacks.—"I had two severe attacks of the grip and a siege of lung fever, and was left with a bad cough. Hood's Sarsaparilla cured me. It is the best medicine to build up the system."—Mrs. C. I. Richardson, Hillsboro, Oregon.

Justice Says "Fair Verdict."
While the letter of commitment was being made out, Mr. Jerome placed his arm about the shoulder of Mr. Littleton and said:

"I am glad it is old man, it was a fair and just verdict."
After a brief conference with Mr. Littleton, Justice Dowling discharged the jury. They stood up to pass through the narrow way. Thaw stood up also. He wanted to shake hands with them. Every juror ignored him. One by one they shook hands with Mr. Littleton. Then they passed on down the aisle by the chair of Evelyn Thaw. She extended his hand. Then, man by man, they shook hands with her and wished her well.

Thaw had been taken back to the Tombs his wife left the courtroom and ran up the stairs, two steps at a time. She had heard her husband's name and exclaimed: "Thank God, it's all over."
She clasped her in his arms and kissed her. Littleton came in and Thaw turned to him, grasping his hand and saying:

"I have done nobly—nobly."
Lawyer Peabody, beaming also, came in and congratulated Thaw.

THAW ENTERS ASYLUM.

Accompanied by Attorneys He Drinks Before Being Assigned.

(United Press Leased Wire.)
Fishkill Landing, N. Y., Feb. 1.—The doors of Matteawan asylum for the criminal insane closed shortly after 7 o'clock on Harry K. Thaw, when he stepped from the shadow of the Sing Sing death chair.

He was accompanied by Attorney O'Reilly, Thaw was in jovial mood and the party went to the Wimpelberg hotel to await carriages to convey them to the asylum, two miles distant. Thaw smiled at the photographers who bombarded him with flashlights.

At the hotel Thaw ordered liquid refreshments for himself and party, then sat at the piano and played. After half an hour he and his friends took carriage for the asylum. Thaw hid himself from the photographers as he entered his carriage.

He was met by Dr. Lambert, who turned him over to the observation ward. He is to be kept in the observation ward for a couple of weeks, until his mental condition is improved. Tonight Thaw had a small room in the corridor, where 50 patients are crowded. Matteawan is a structure originally designed for 60 inmates.

"We will take no other course with Harry Thaw than with any other ordinary inmate," said Dr. Lamb after seeing Thaw introduced to the observation ward. After we have studied Thaw's mental condition and temperament, we will assign him to some particular ward. He will not have any special scrutiny. During the day he will associate and dine with the other men, regardless of social rank. He can exercise, can have tobacco and any dainties he may desire. He can purchase anything he wants.

TWO THUGS HOLD UP

(Continued from Page One.)

the south, and were soon lost to sight in the darkness. Schaeffer aided by his companions, went back to the farm house, where they notified Superintendent McEldowney of what had occurred. A temporary restraining order was issued on the man's wound and word was sent to St. Vincent's hospital to receive the patient. The police were notified and were hurrying to Crystal Springs farm.

While these events were following each other in rapid succession, Rambo had not been idle. As he sped down the road he heard the engine of a car and the report of the revolver shot which may end the life of his companion. When he reached the Mann residence he hurriedly told the story of the hold-up, his precipitous flight and the subsequent noises that accompanied the fight and attempted murder. Miss Mann at once notified the police and got in communication with the headquarters in this city. She related the facts as told to her by the frightened superintendent and officers who were dispatched to the scene at once. No time was lost in complying with this request, and within half an hour a dozen policemen detected the robbers hurrying to Crystal Springs farm.

Further details of the robbery and shooting were sent in by Superintendent McEldowney. Acting on the complete information thus obtained, Chief Gritzmacher notified all towns on both sides of the river as far up as Oregon City to have all officers available keep a watch for the highwaymen.

Men Had Been Paid Off.

The men who were robbed had been paid by the superintendent earlier in the evening, and it is thought this fact may have been known to the highwaymen. A part of the men had left the farm before starting for town, which accounts for the small amounts found on their persons by the robbers.

When Schaeffer arrived at the hospital an examination of his wound was made, and the surgeons at once pronounced it one of the most serious nature. After a consultation, it was decided to perform an operation, in the hope of saving the life of the wounded man might be saved.

FOREST GROVE BANK CLOSSES TEMPORARILY

(Special Dispatch to The Journal.)
Forest Grove, Or., Feb. 1.—Notice was posted on the doors of E. W. Haines' bank today stating that on account of inability to realize on securities, the bank was forced to close temporarily. The liabilities are not large, as the depositors have drawn out most of their money since the failure. The securities are good for the liabilities.

Her Limit on Gambling.

From the St. Louis Globe-Democrat.
"Here, my dear," said the husband, producing his purse, "here are 150 playing cards over at Brown's last dress you may have it to buy that dress you wanted."

"I simply shudder at the thought of using money gained in such a way. I really promise you that after you have won enough for me to buy the hat I go with the dress you will never again touch those awful cards. I don't want my husband to become a gambler."

The Philosophy Tap.

Enoch's daughter was 380 years old when she married. Cheer up, girls—and this is leap year, too. Every girl has to have a speaking idea that it had been in Adam's place the world would still be a Garden of Eden. The young admit that marriage is a gamble, but they are all firmly convinced that they have discovered a winning system.

To a woman a secret is the same as hiding a dollar under a glass plate. Poitiveness is a coin that enriches the spender.

MONARCH
MALLEABLE
The Stay Satisfactory Range.

IT PAYS TO INVESTIGATE FEBRUARY SALES

Don't start in furnished rooms. Get a cozy flat or cottage and furnish it to suit yourselves. Where to buy your furnishings is one of the most important things you will have to decide upon—a place where you can make small monthly payments, and where you can buy at reasonable prices should be selected. If you investigate you will find this store is such a place—and there are very few others.

Our inventory is completed, and like every other big store, we find many items that must go to make room for newer stock. It is our policy to keep our stock bright and fresh. We can mention only a few of the extraordinary values we offer in this advertisement.

Monarch MALLEABLE The Stay Satisfactory Range.

Unbreakable and indestructible; use gas or wood or coal; tops smooth polish without blacking; the only range with a cash guarantee; prices \$57 to \$135.

February Sales of Go-Carts Underpriced

Our Go-Carts cost us less—we have not the space to tell you all about them—but we purchased a carload at a price third less than the regular wholesale price. You can buy cheap and medium priced Go-Carts of all kinds here for such prices as most dealers pay.

- No. 1—Folding Go-Cart, 10-inch steel wheels \$1.69
- No. 2—Folding Go-Cart, 10-inch rubber tire wheels, reclining back and adjustable foot end \$3.49
- No. 3—Same as above with parasol \$4.24
- No. 4—Sleeper reclining Go-Carts with 10-inch rubber tire wheels and springs, and reclining back and adjustable foot end \$3.99
- No. 5—Same as above, with parasol \$4.74
- Collapsible Go-Carts, the most durable kind, 10" value \$7.90

\$1.25 Savory Roasters A BIG VALUE

70c

Overstocked with seamless Savory Roasters, size 8 inches by 12 inches by 19 inches. Every home should have one. No phone or mail orders.

February Sale of Dressers

Smashing Bargain

Dresser, as illustrated, made of white maple with French bevel mirror top, 20x12 inches, swell top drawers, \$15 value, for \$10.95

85-191 FIRST ST EDWARDS' CO HOUSE FURNISHERS

A GOOD PLACE TO TRADE

TAKE LAND FROM HARRIMAN

(Continued from Page One.)

the railroad changed its policy, casting off all pretenses of observance of the conditions on which it had accepted the grant. Immediately before and since Harriman became the controlling spirit in the affairs of the Southern Pacific, the road has sold its Oregon lands to anybody and everybody, in large tracts and small, and at the best prices that could be obtained, regardless of the restrictions contained in the act which gave the enormous grant to the corporation.

Within the past nine years the railroad has sold in this manner about 1,500,000 acres, for the most part at prices ranging far above the stipulated maximum limit of \$2.50 per acre. This land has been sold in tracts running from a few hundred to 50,000 acres at a time, to single purchasers. An illustration is found in the sale, at one time, of 48,500 acres to the Hammond Lumber company at an average price of \$3 per acre. This like hundreds of other similar transactions, is a matter of record. It seems to have been the Harriman policy to realize as rapidly as possible upon the enormously valuable asset which the government had placed in the railroad's hands, and this without any regard to the conditions of the grant and with absolute indifference to its purpose, which was to encourage the development of the state by inducing the immigration of actual settlers. The restrictions imposed by the government were designed to prevent the land from falling into the hands of speculators and land-grabbing corporations; the policy pursued by the railroad during the past eight years

has brought about just the reverse of these results.

Holds Two Million Acres.
Of the original grant of more than 4,000,000 acres the railroad still holds more than 2,000,000 acres, which includes much of the most valuable timber land in the state. It has been assessed and taxed by county assessors as high as \$20 and \$30 an acre, and in some instances its actual value has been estimated as high as \$100 an acre.

When the reports became current that the government proposed to compel the Southern Pacific to sell all these hitherto unsold lands at the maximum price of \$2.50 an acre, a horde of speculators rushed in to secure claims in the hope of realizing enormous profits. Some of them have already instituted suits to enforce their demands. In most cases they are no more actual settlers than were the corporations to whom the land has been selling during the past eight or nine years.

The problem confronting the government is a difficult one. If it should seek a complete nullification of the grant, hundreds of thousands of actual settlers who bought in good faith from the railroad will find their titles voided and will be put to burdensome expense and delay before they can establish their rights. If on the other hand the government should seek to enforce the performance of the original conditions of the grant, thereby forcing the railroad to sell to every settler on 160 acres at a maximum price of \$2.50 per acre, it will open the door to a horde of speculators and will probably in the end throw the bulk of the land into the hands of a few individuals or corporations who will acquire it at a price which is but a tenth or twentieth of its present actual value.

When B. D. Townsend was here last summer as the special emissary of the government in gathering evidence relating to the railroad grant, it was intimated that some middle course might be devised whereby the government might establish its rights without on the one hand impairing the titles of actual settlers who bought in good faith and on the other hand without throwing

all the immensely valuable unsold lands into the hands of speculators. Mr. Townsend's work, however, was merely preliminary and the information he gathered was turned over to Hon. Tracy C. Becker, special assistant to the attorney-general, to whom the entire conduct of the impending litigation has been assigned.

Becker Is Silent.
Mr. Becker declines to indicate at this time the course that the government will pursue. When questioned on the subject last evening he replied:

"Until I am instructed by the attorney-general to file the bill of complaint, I do not think I would be justified in making any definite statement as to the nature of the proceedings, but I am quite sure that no proceedings will be taken which will impair the title of bona fide purchasers of the city of Portland, or of such holders as the city of Portland, which purchased part of the land for its water system from the Oregon & California railroad. In other words, I think the action to be instituted by the government will be so framed as to do the least possible injury to bona fide holders. Further than that I do not feel at liberty to make any statement at the present time."

While Mr. Becker declined to say how soon the litigation would be commenced, advices from Washington indicate that it will be very soon.

Skillful Telegrapher Who Is Deaf.
From the Lewiston Journal.
Peter A. Foley, the "Lightning Messenger" of Portland, is the most wonderful telegraph operator in the world.

Foley is totally deaf, an affliction which ordinarily would be supposed to make telegraphy an utter impossibility to him, but since he became deaf eight years ago Foley has developed what may be called a sixth sense and by touch and sight he can detect the least movements of the instrument and correctly interpret them. His nervous system is part and parcel of telegraphy and by means of the sense of touch in his finger tips he takes messages transmitted from the ends of the continent.

He can read a message by watching the sounder.

With his left forefinger placed lightly on the sounder, he can by his wonderful sense of touch take a message as accurately as any man in the office.

CLOSING OUT SALE

ALL STOVES REDUCED

THIS STOVE \$1.45

ALL STOVES REDUCED

271 First Street Between Madison and Jefferson Open Evenings