

ALKED AS IF INSANE, SAYS WITNESS

Dr. Frisbie, Friend of Dr. Collins, Placed on Stand by State, Gives Testimony Favorable to Defense—Feared Woman at Times.

Witnesses for the state in the trial of Mrs. Kate M. Collins for the murder of her husband, Dr. Roy A. M. Collins, on July 24, played into the hands of the defense this morning and all gave testimony that may be expected to weigh strongly with the jury as tending to show that Mrs. Collins was sane at the time of the tragedy.

Dr. C. B. Frisbie, friend of Dr. Collins, and the first man on the stand after the shooting, narrated a long story of circumstances which go to show that Mrs. Collins was sane. The defense felt confident of its ground with him and asked his opinion as to the sanity of the defendant. He was not allowed to state his opinion, as this is a part of the defense, but Mrs. Collins' attorney intended to call him later to testify directly that he thinks her insane.

Deputy District Attorney Fitzgerald says that Dr. Frisbie has changed front since he was examined by the August grand jury, as he told the grand jurors that while Mrs. Collins was hysterical, he did not believe she was insane at the time of the shooting.

Setback to State.
A minor setback for the state, also from one of the state's witnesses, came in testimony of City Detective Frank Snow. He testified before the coroner's jury that he did not believe Mrs. Collins could have shot herself. Today, in reply to the same question, he said he supposed Collins could have shot him. He freely admitted having given the contrary opinion before the coroner's jury.

The jury having been completed and the opening statements made to the jury yesterday afternoon, all was ready for taking testimony when Judge Gates took his seat on the bench this morning. Mrs. Collins was brought to the courtroom early, and seemed in better physical trim than she had appeared at any time since the trial began.

All through the morning she heard the witnesses rehearse the story of what transpired at her home at 723 Flanders street on the morning of July 24 with scarcely any trace of emotion. She took greater interest in the proceedings, looking straight at the witnesses, and not until there came a brief recess in the proceedings did she lose her composure. Then she glanced the sleeve of her son-in-law, Charles Garber, but soon regained her self control.

Indicted Insanely.
The courtroom impression this morning was distinctly favorable to the defense as the testimony of conduct such as might be expected from an insane woman was brought out from the state's witnesses. It will be argued by the state that the most of this testimony only tends to show a hysterical condition for a few days before and just after the shooting.

On the other hand, the testimony already given and the future evidence promised by the defense to show insanity seems likely to make her condition in an insane asylum a certainty if she escapes the responsibility for crime. The state will be in a good position to insist that she be kept in an asylum for the remainder of her days.

The revolver with which the shooting was done will be offered in evidence this afternoon. Detective Snow, who took charge of the weapon, stated that it was locked up at the police station and Police Captain Baty, who has the key to the compartment where it is kept, is out of the city. Judge Gates ordered the gun produced, and Snow said he would break the lock and bring the revolver into court.

Mrs. Collins will not take the stand. R. R. Giltner, who is conducting the cross-examination of witnesses for the defense, says she was not able to be a witness to a baby. She has never told a connected story of what took place, but says her mind is a blank, and no effort will be made to secure her story now.

Dr. Frisbie Testifies.
Dr. C. B. Frisbie was the first witness called by the state. He has offices in the Washington building and lives at the Calumet hotel. He testified he was long acquainted with Dr. Collins and met Mrs. Collins about one week before the tragedy. She came to his office to say that her husband did not love her and that he had come to her to bring about a reconciliation. After

that she came to see him every day until the day of the shooting, pleading with him to talk to Dr. Collins, which he finally did. In one of these conversations she said she decided to give up her husband, as she had promised her mother to do so.

Coming to the day of the shooting, Dr. Frisbie said that on the morning of July 24 he received a telephone call from a person who said she was Mrs. Collins, and that she was at "Come to 723 Flanders street (the Collins home) at once. Don't waste a moment."

"I tried to find out by other questions what was the matter," said the witness, "but all she would say was, 'Don't waste a moment, come at once.' So I took a taxicab called and when I came near the place Mrs. Collins was standing in the doorway, she was holding her arms out and said, 'Come in; he's gone.'"

Scene at the Home.
"I asked her where he was, and she said, 'In the basement.' I took her by the arm and we went to the basement, where I saw Dr. Collins lying on the floor. Holding her by the hand, I determined that Dr. Collins was dead with the other. She was then beseeching me to bring her back to the house."

"She said to me, 'I suppose you want to know why I did it.' I told her it would be for her own good, and that all whereupon she insisted that he had been very unkind to her."

Under cross-examination by R. R. Giltner of counsel for the defense, Dr. Frisbie described the appearance of Mrs. Collins in his visits to his office prior to the shooting. This he did at great length and thereby the defense gained a distinct advantage.

Was Very Nervous.
"Mrs. Collins sometimes had her hat on one side of her head," he said. "Her hair was often disheveled. She could pace up and down the room, sit down and jumped up from time to time. She at times had a wild, fixed stare. I tried to get her to talk about the middle of a sentence and say, 'He doesn't love me.' She would say, 'There is nothing left in life for me. Sometimes I am a stage whisperer she would say, 'Good-bye, I don't know as I will ever see you again. I am going away.' At such times she was trembling and her hands were cold."

Repulsed All Overturns.
On further cross-examination Dr. Frisbie stated that after talking with Dr. Collins, by request of the defendant, he told her that Dr. Collins had repulsed all overtures for reconciliation. He did not tell her what Dr. Collins had said as to her mental condition. She told the witness, however, that Dr. Collins was insane, and he could not dissuade her from the idea for more than a moment.

Cross-examined as to the time of the shooting, Dr. Frisbie said that while Mrs. Collins had told him Dr. Collins was "gone," a few minutes later she seemed not to know he was dead. Once she fainted away. She said to the witness: "I suppose you think I am insane, but I am just as sane as anyone."

Was Afraid of Woman.
"Were you afraid of her, doctor?" was asked.
"I was very uncomfortable," he replied.
"Did Mrs. Collins try to get away at any time?"
"She tried to reach the gun when she was alone where it was, but I turned her hand down, and this may account for it. She told me she wanted the gun to kill herself."

Dr. Percy J. Wiley, who performed the autopsy, described the course of the fatal bullet, entering the right side, penetrating the lungs and great aorta and leaving the body from the right side. The coat on the right side and the necktie were powder burned.

Attorney Giltner had the witness point out to the jury on his own the points of ingress and egress of the bullet. Dr. Wiley created a laugh by saying that the bullet better hit Dr. Frisbie, who would remove his coat and shirt. Giltner took off his coat but declined to "peel off" his shirt.

Deputy Coroner Testifies.
Deputy Coroner J. J. Dunne told of statements made to him by Mrs. Collins after the shooting at the scene of the tragedy. She said: "I am guilty; I did it." Later she said she did not do it, and again she asked: "Why did he do it?" She said Dr. Collins had been very cruel to her, and that he liked another woman. She said she had written to the other woman in New York and she would give up her husband and the other woman could have him. Her eyes had a staring look, the witness said, and she did not talk coherently. She said Dr. Frisbie had told her she was insane, but she was not.

Frank Snow, city detective, was the last witness of the morning. He told of finding the gun in the trunk where it was pointed out by Dr. Frisbie. It was of .45 caliber, containing three loaded shells and one empty shell. Mrs. Collins had to be supported, he said, and fainted once or twice before he started with her for the police station. He had to carry her downstairs. She was excited, her eyes wandered, and she pleaded with Dr. Frisbie to bring her husband back, at other times not appearing to realize that Dr. Collins was dead.

Mrs. Collins told the witness that she and her husband were going to part. She said he had abused her and told of taking a trip with him to Honolulu. She said he had spent \$2000 of her money. When pressed to tell how she looked place, she said she must have done it. Two days after she went downstairs to pack up, she said, she could remember nothing.

The courtroom crowd is thus far not up to expectations. At every session there is abundance of seating capacity. In contrast to most previous murder trials of recent date.

Aged Judge on Jury.
Alonzo Perkins, 83 years old, is the oldest man on the jury. For 10 years he was county judge. One member of the jury is a minister, Rev. Charles T. McPherson. He is pastor of the Epworth M. E. church, near the old fair grounds. F. D. Thomas, another juror, is a negro. He is engaged in the grocery business.

The jury was completed yesterday afternoon after 21 talesmen had been dismissed for cause or by -remptory challenge. The 12 men trying the case are as follows:

J. E. Loder, grocer; A. L. Stone, jeweler; J. E. Jordan, collector; D. W. Marsh, farmer; P. D. Thomas, grocer; S. Ingham, carpenter; Charles T. McPherson, pastor Epworth M. E. church; E. W. Smith, farmer; H. Hildebrand, real estate; S. H. Morris, real estate and lodging house; Alonzo Perkins, retired; T. McQuinn, carpenter.

MANY WILL TESTIFY THAT MRS. COLLINS ACTED AS IF INSANE

The theory of the defense is that Mrs. Collins did not intend to kill her husband, but did intend to kill herself, and that Dr. Collins was shot while grasping with her in an effort to save her from self destruction. This was the announcement made by Russell E. Sewall in his opening statement for the defense yesterday afternoon.

Mrs. Sewall said it was possible that Dr. Collins killed himself. He did not want to be understood as claiming this, but he said there were no witnesses to the shooting. Mrs. Collins herself has never been able to give a coherent account of the shooting, and this possibility is one of the things the jury may consider.

But if, as the state contends, Mrs. Collins deliberately shot her husband, she did so as the result of an insane delusion, a frenzy of mind that proceeded from insanity.

Woman Threatens Sues.
While her attorney was speaking to the jury Mrs. Collins sat almost motionless, looking at the floor ahead of her. But while Dr. Frisbie was making a brief statement of what the state expects to prove, several convulsive at-

tempts to rise from her chair. She was restrained by her daughter and son-in-law, who sat on either side of her. Once it seemed that a convulsion could not be averted, for Mrs. Collins whispered her protests and made a determined effort to gain her feet. What she was attempting to say was not audible more than a few feet away. The words "My God" were about all that could be made out.

At these threatened outbreaks of emotion Mrs. Collins sank back, first upon the shoulder of her son-in-law, and then upon that of her daughter, pressing her handskerchief to her eyes with one hand while she clasped her daughter with the other, as though seeking protection from this accusation of crime that was being recited by the prosecuting officer.

Mr. Fitzgerald in his statement gave a plain narrative of the few known facts regarding the shooting. There was no trace of what is sometimes termed the "crime of passion" in what he said. He explained that he was there to perform a duty, that he expected the testimony to show beyond doubt that Mrs. Collins had no explanation for the crime. As to the defense of insanity he had nothing to say, and that every crime in her life of what it consisted, and he only desired to ask the jury to scrutinize such a defense very time from this accusation of crime that was being recited by the prosecuting officer.

Review of Testimony.
Russell E. Sewall, in his opening address to the jury, gave a vivid review of the testimony by which the defense expects to show that Mrs. Collins has long suffered from mental delusion. Early in life, he said, through heredity or disease, she suffered affliction of the mind, and at every crisis in her life her reason has wavered, at times giving way to madness. These are the main points of what he promises to prove.

That about the time Mrs. Collins was watched day and night by Judge P. L. Willis, a relative. She was then greatly depressed, would not eat or sleep, possessed suicidal tendencies, thought she was coming to an end, carried the key to her room about in her hand in the belief that it would protect her from injury, once left the dinner table without reason and cried out that the world was demanding of her and at another time rose from her bed and fled in her nightgown.

That she was then treated by Dr. Joseph, who made no calls, and who complained that medicine he gave her burned her stomach, others who tested the medicine found it was of no effect. Also, that during the same attack, she followed Mrs. Willis about the kitchen with a butcher knife.

Watched at Cemetery.
That when her son, Roy, died in 1900 she could not eat or sleep, believed that wild dreams were true and would go to the cemetery and sit for hours in stormy weather.

That at the time of the marriage of her daughter, Gertrude, to Charles Garber in 1907, she again would not eat or sleep and entertained bitter feelings for her son-in-law.

That she acted strangely while visiting the home of Mr. and Mrs. L. Cline at White Salmon, doing things a sane person would not do.

That she was under a great nervous strain in July, just prior to the shooting, believing that her husband loved another and did not treat her with proper affection. That she would pace up and down the room with a wild stare in her eyes, talking constantly of Dr. Collins, whom she almost defied.

That she told Dr. Frisbie she believed her husband was crazy and who asked why, said she could give no reason, but believed it.

That Dr. Collins before his death consulted Dr. Frisbie regarding the mental condition of his wife, and considered the question of having her examined for insanity.

That she called Miss Ella Hirsch, daughter of the late Solomon Hirsch, for whom she was sewing, and told Miss Hirsch she could not complete the work, because she was going away. Asked where she was going, she said she did not know, she was just going away. When Miss Hirsch said she would like to visit her, Mrs. Collins told her not to come, she did not want to see anyone.

Was "Going Away."
That she told others she was "going away," these statements appearing to arise from a suicidal mania. The last time she saw Dr. Frisbie before the shooting she told him she was "going away" and shook hands with him, saying she would never see him again.

That W. G. Bowen of the Mount Scott Lumber company, an old friend, scarcely knew her when he met her shortly before the shooting, that her conversation with him showed she was suffering from delusions of melancholia.

That the same impressions resulted from meetings with Mr. Cooley, salesman in the silk department of a local department store, who has long been acquainted with her, he urging her to brace up.

Was Very Nervous.
That Mrs. Sutherland, the day before the tragedy, found her in a highly nervous condition, throwing things into her trunk contrary to her usual careful manner. Mrs. Collins and her husband being then packing up to move to another house.

That Miss Hendershott, a dressmaker, the Saturday before the shooting, saw Mrs. Collins and her husband in front of the Star theatre. She was very weak and Mrs. Sullivan was told she had just fainted.

That Judge Willis will tell of her excitability shortly before the date of the shooting, and of a wild, insane stare in her eyes.

That although Dr. Frisbie prescribed a sedative to be taken one teaspoonful every hour, she took a drink from the bottle and did the same thing again with an hour.

That Mrs. Blain, a friend, will tell of insane delusions that could not be reasoned out.

That Mrs. Stratton will testify to the same effect, and also to fainting and hysteria.

That Mrs. Collins made incoherent statements just after the shooting, such as "Why did I do it?" "Why did he do it?" "I must have done it."

That since her arrest she has continued to do irrational things and complains of her treatment at the sanitarium, although given the best of care, that she has suicidal designs and is still incoherent in speech.

That she has never given anyone a connected account of the shooting, and talks incoherently to her lawyers, so they are unable to learn from her anything about the death of Dr. Collins.

MAYOR SIMON INSISTS ON PURE MILK

(Continued from Page One.)

Bailey's purpose is nevertheless to carry out a clearly defined duty by use of the means allowed us by law and without every other agency which volunteers assistance.

Ignorance of Official.
Referring to Bailey's assertion yesterday that he still holds to his old ideas as to the possibility of bovine tuberculosis bacilli being communicated from cows to human kind as expressed in his report to the state legislature, where he conveyed a broad doubt that such is the case, and by his later statements wherein he declared the healthiest children he had seen were those fed on tubercular milk, and that cow's milk is always better than mother's milk, Dr. Pierce added:

"Science has proven beyond the possibility of doubt the intercommunicability of bovine and human tubercle bacilli, and no officer whose duty it is to safeguard the health and lives of the people has any right, by any form of words, to convey a contradiction or even a doubt of this fact."

Dr. Robert C. Yennet, state health officer and secretary of the state board of health, who was present at the hearing of the board and his announced inability to comply with the board's request for information relating to dealing to all dairies having to do with

Portland's milk supply, said briefly and emphatically:

Situation Made Plain.
"The state board of health is obligated by law and committed by public announcement to the enforcement of a system and policy of supervisory regulation which will actively employ all usual means having legal duty or reason for helping to regulate the dairies of Oregon. Commissioner Bailey's office is designed by the law which created it to be actively efficient in the terms of this control and is essential for service or he may be eliminated as a law violator, if such service is not rendered upon demand of the state board of health, acting in its lawful supervisory executive and supervisory capacity in providing Portland with good milk."

After Dirty Milk.
"The state board of health must not rest until Portland has been provided with clean milk and has the assurance that this supply will be permanent."

"What we are after is the dirty milk, not the dairies. The dairies must be cleaned up. Eliminate dirt and disease will go with it. Were the state board of health now provided with deputies and officers and so forth it would not be necessary to call upon any one for assistance. But we are not thus provided, and the law gives us authority to obtain, as in this present case for instance, results that make for the health of the people, but at the same time our

only working means is through the usual agencies."

Work Must Be Done.
"The state board of health has no fight with Commissioner Bailey as an individual. We simply must have the working power of his office in order to carry out our plans to help the people. If Bailey disregards or defies the action which it is our privilege and duty to make upon him as deputy commissioner, we will be forced to adopt such measures as will eventually rid his office of our assistance in this fight."

"You will notice that no other officer or agency whose duties lie along this line has tried to evade responsibility or has shirked any service given. Repeated efforts to secure cooperation from the commissioner have failed. But we must not let our fight slacken until we have secured the cooperation of the state board of health, which may fail in this crisis. Getting clean milk is really one of the biggest things Portland has ever faced. The influence of this campaign will reach far into coming years. No restriction nor difficulty shall be allowed to stop us now."

Destructive Sand Dunes.

From the Philadelphia Ledger.
Shifting sand dunes are causing trouble on the borders of Lake Michigan. The dunes are formed by the on-shore winds, which sweep the beach and beyond the reach of the waves. The sand accumulates in low mounds about any obstructions, such as stones or bushes; thus started the dune is sufficient cause for its own growth. The wind keeps piling the sand up from behind, the dune grows, and the sand on its crest is blown over to the leeward side of the mound, so that the dunes gradually march inland. On the east side of Lake Michigan the dry

west winds have heaped up numbers of dunes, ranging in height up to 20 feet. In Indiana the dunes have moved inland across a forested area, burying and killing trees, leaving the dead trunks as skeletons behind them in their march onward. A famous instance of dune migration is that of the Kurische Nehrung, a long sandbar off the coast of Germany, where a dune ridge marched over a church, burying it for 50 years, at the end of which time it was gradually uncovered by the progress of the dune.

Trials of Atchison Youths.

From the Atchison Globe.
The average Atchison young man gets possibly 300 a month. If he dances, possibly good looking, and pleasant, the girls lay siege to him, and he has to join a half dozen societies, go to parties, etc., or be hated. He tries to reciprocate occasionally, but it is beyond his means to take every girl to the theatre who invites him to her house. He is sufficed like a turkey before Thanksgiving, and because there isn't enough of him to go around he is called stung. A young man must either be a utility or get his name on the dead-beat list.

The Tempter.

From the Louisville Courier-Journal.
"Yes, sir, I belong to the army of the unemployed." "Want a week's work?" "No, I couldn't desert from the army." "Then just pretend you're on a furlough."

The Office Pests.

From the Atchison Globe.
After a listen to the "jokers" offered during a day and all the calamity talk, he has little time to attend to his work.

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