WEATHER—Moderating; Tuesday rain or snow.

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THAW SAYS HE FEARED ASSASSINATION; HIS OWN STORY OF KILLING OF WHITE

KELSEY UNDER FIRE OF HUGHES MAKES SORRY CONFESSION

Superintendent of Insurance Admits Ignorance of Affairs in His Department and Tries to Excuse Retention of Doubtful Officials.

ALBANY, Feb. 18.—Superintendent of Insurance Otto Kelsey appeared promptly at 2.30 o'clock this afternoon before Gov. Hughes in answer to the latter's order, sent him earlier in the day, that he present himself and testify as to his administration of the Insurance Department and show cause why he should not be removed from office.

The Governor's summons to Kelsey promptly followed the receipt by the Executive of the insurance chief's letter refusing to resign.

A number of Kelsey's friends were in the Executive Chamber, and the Superintendent of Insurance was pale and nervous as he took his chair in front of the Governor's desk.

During the examination that followed Kelsey showed lamentable ignorance of the affairs of his department, confessed that he relied entirely on the men under him, and had made no changes in the office following the recommendations of the Armstrong Committee. As a matter of fact, he had not even studied the report of that body. The same old employees were held in office, although he intended to have a shake-up "later on."

Gov. Hughes, in beginning, stated the purpose of the hearing, and Mr. Kelsey asked if he could have counsel if he so desired. The Governor replied that he say no reason why counsel should appear, as he intended to question him only concerning the affairs of his office.

"If there is any necessity for your consulting records I shall allow you to do so," said Mr. Hughes.

Objected to Publicity.

Kelsey protested against the public nature of the hearing, and Gov. Hughes promptly answered that, in view of the publicity given to Mr. Kelsey's letter in the papers, he deemed it best to have he inquiry made public.

The Superintendent of Insurance was sworn by the Governor and then he was asked if he had ever read or studied the report of the insurance investigating committee.

"Not specifically," said Kelsey.

"Did you study that part relating to your office?"

"I don't think that I did. I referred to it at times though," said the Superintendent.

"Did you endeavor to acquaint yourself with the character of the irregularities disclosed?"

"Not minutely. I was a very busy man."

"You were aware that enormous sums of money had been disbursed by insurance companies without accounting and of other irregularities and that examinations were made by the department that did not disclose these irregularities."

"Yes, sir."

"Didn't you know the Mutual Life had been examined not long before the investigation?"

"I don't remember exactly."

"You know those charged with making examinations for the State were grossly derelict?"

"Yes, I knew that."

Hunter Was to Go.

"Did you endeavor to ascertain who was in responsible charge of these examinations?"

"I knew from reports."

"What deputy was in charge?"

"Robert H. Hunter."

"Did you regard Mr. Hunter a fit man?"

"Not individually."

"Did you regard him as a fit man to take charge of examinations?"

"I regarded him as qualified from his experience."

"Was Hunter any more competent after you became superintendent?"

"No. Only I was in touch with him and saw that the work was properly done."

Kelsey admitted the difficulty of checking up the action of any one upon whom he could not rely. But he thought he could not rely on Hunter under changed circumstances resulting from the investigation. Kelsey said he had expected to make a change by doing away with the first deputy.

"When?" asked the Governor.

"I hoped to do it when the Legislature met."

"Did you contemplate his dismissal?"

"No, but I expected he would withdraw. He had expressed his willingness to get out. I had cut off $20 as

(Continued on Second Page.)

RACING SHIFTS FROM CITY PARK TO FAIR GROUNDS

Looked Like Day for Favorites at the Old Track.

NEW ORLEANS RESULTS.

FIRST RACE—Gossoon (7 to 2 and 6 to 5) 1, Prince Bowling (10 to 1 for place) 2, Carasco 3.

SECOND RACE—Posing (10 to 1 and 4 to 1) 1, Auditor (4 to 5 for place) 2, Dapple Gold 3.

THIRD RACE—Meadowbreeze (1 to 3 and out) 1, Minot (4 to 1 for place) 2, Rickey 3.

NEW ORLEANS, Feb. 18.—The racing scene shifted to Fair Grounds today, and the game opened with a card that looked as if it might furnish a bankroll to the players. Favorites looked to hold a majority of the races cinched, but there was no certainty about it, for the safest looking things on paper often go wrong here.

The feature race was a meeting between Lady Navarre, Beau Brummel, Fantastic, The Englishman and Jungle Imp. The other races were fairly interesting. The weather was fine and clear, and the track in the best possible condition.

FIRST RACE—One-half mile.

Starters, name, weight, jockey.	Str.	Pl.
Gossoon, 112, J. Lee	7-2	6-5
Prince Bowling, 112, Keyes	25	10
Carasco, 112, Gangel	50	20
Gee Whiz, 112, Mitchell	25	10
Jennie's Bain, 112, Troxler	12	5
Truce, 112, Nicol	4	6-5
Jimmy H., 112, J. Hennessy	5	2
Gresham, 112, Walker	8	1
Dayton Lad, 112, T. Wood	25	10
Jim Gore, 112, W. McIntyre	10	4
Bitter Man, 112, Dennison	40	15
Count Reinford, 112, R. Lowe	12	5

Jimmy H., Gresham and Gossoon raced in close order to the stretch where Gossoon went to the front and won in a drive by half a length from Prince Bowling, who beat Carasco a neck.

SECOND RACE—Three-fourths of a mile.

Starters. Weights. Jockeys.	Str.	Pl.
Posing, 101, Lloyd	10	4
Auditor, 112, Nicol	2	4-5
Dapple Gold, 112, J. Hennessy	12	5
Spider Web, 92, A. Martin	20	8
Odd Trick, 87, F. Swain	5	2
Cannon Ball, 115, Troxler	30	10
Baneful, 91, Bilac	20	8
Pr. of Woodst'k, 108, Beckman	15	6
Conjuress, 110, Seder	12	5
Pinstricker, 107, Gangel	15	6
Adjure, 106, Lowe	15	6
Airship, 107, Van Dusen	5	2
Dry Dollar, 95, Garner	3	1

Odd Trick made the running to the stretch, followed by Auditor and Dry Dollar. In the stretch Auditor went to the front and led to the last jump, where Posing got up in time to win by a nose. Auditor was a length in front of Dapple Gold.

THIRD RACE—Five and one-half furlongs.

	Str.	Pl.
Meadow Breeze, 116 (Nicol)	1-3	—
Minot, 101 (Hogg)	20	4
Rickey, 113 (Farrow)	4	2-5
Plater, 117 (A. Martin)	100	30
W. E. Easterw'd, 117 (C. Booker)	30	30
Cardan, 113 (Mitchell)	100	30
Lucy Crawford, 117 (L. Brown)	100	30
Vohoome, 101 (Pickins)	100	30
Kohinoor, 117 (J. Lee)	20	5
Cabala, 101 (Gleason)	100	30

Meadow Breeze went to the front at the start, made all the running and won in a drive by a neck from Minot, who beat Rickey two lengths.

Said a Conspiracy Had Been Entered Into Between Rich Men to Have Him Railroaded to a Lunatic Asylum.

HIS WILL, MADE ON NIGHT OF MARRIAGE, ADMITTED

Contains Several Startling Provisions—Good Day for the Defense, It Being Pretty Clearly Shown That Thaw Was of Unsound Mind.

Three remarkable features made the Thaw murder trial extremely interesting to-day.

In the first place Dr. B. D. Evans, the New Jersey expert on insanity was allowed to tell in detail the conversations he had with Thaw while the prisoner was under observation in the Tombs.

The Thaw will was admitted in evidence, and some of its provisions were of so remarkable a character as to leave little doubt that he was insane when it was drawn on the night of his marriage to Evelyn Nesbit.

For the first time since the night when White was shot and killed Harry Thaw's own story was told to-day. It is a remarkable narrative, and as it was unfolded by Dr. Evans on the witness stand in the Criminal Branch of the Supreme Court it created almost as much surprise as the story told by Evelyn Nesbit Thaw, and it was listened to with breathless interest.

Dr. Evans told how Thaw insisted that he was the victim of a conspiracy between his lawyers at that time and the District-Attorney, who, he said, wanted to railroad him to a lunatic asylum to save the name of Stanford White.

HOW HE PURSUED WHITE.

"The prisoner told me," said the doctor, "how he had sought the aid of Anthony Comstock to prevent White's further interference with young girls, how he had laid the matter before the District-Attorney and how he had hired detectives who learned enough to establish the character of White, but failed to get enough evidence to secure a conviction in court.

"He told me he did not intend to kill White. He sought to degrade and expose him in court, but Providence intervened.

"Thaw said that Roger O'Mara, the Pittsburg detective, had told him to carry a revolver, because he was being tracked by emissaries who he believed were in the pay of White and that he knew Monk Eastman's gang had been hired to kill or maim him."

When the doctor's surprising testimony was concluded he summed up by saying that some of the statements of the prisoner were clearly insane delusions.

Dr. Charles G. Wagner, another of the experts for the defense, was then called to testify along the same lines.

JUROR BOLTON ON HAND.

The jurors entered just after Justice Fitzgerald arrived. Mr. Bolton, whose wife died last Thursday, had his old position, the eleventh in the line and the box. He looked a little older and a little grayer—that was all. He had told the Justice he was ready to go on with the duties of a juror.

There was a short delay while the ushers located Dr. Evans, who had stepped out of the court chamber. Harry Thaw spent the wait opening his morning mail. His face was flushed and pouting. Still he grinned in a friendly fashion at one of his expert witnesses who hailed him as he slid into his chair with his inevitable ulster draped about his shoulders.

When Dr. Evans was finally found and had mounted the witness chair Mr. Delmas put to him the last question he had asked on Thursday at the moment of the interruption by the news of Mrs. Bolton's death. The question related to the remarks which Harry Thaw had made to the alienists on the occasion of their first three visits to him.

"Now, doctor," said Delmas, "tell what those statements were."

"I object," said Mr. Jerome, "the dates of those visits are so remote that I insist the witness should not attempt to repeat them unless he can refresh his memory with any notes or memoranda which he may hhave made at the time, or if he persists in going ahead, I want to cross-examine him."

WON'T PERMIT CROSS-EXAMINATION.

"We decline to consent to any cross-examination at this time," said Mr. Delmas.

"Then I withdraw the objection," said Mr. Jerome. Evans was permitted to be heard.

"I made certain notes on the occasion of our first visits," said Dr. Evans, "but they were so fragmentary and so meagre that I threw them on my stenographer's desk when I got home. Later, when I went to look for them, I could not find them. I returned with Dr. Christopher Beiling, intending to secure fuller notes of Mr. Thaw's statements, but he dismissed us and refused to be questioned that day. Thereafter I depended upon memory and I may, of course, omit certain essential details."

"I want it noted," interjected Jerome, "that this witness says he will omit important details."

"As I understand it," said His Honor, "a witness can only tell what he remembers. He cannot be expected to do more."

Thereupon Mr. Jerome subsided and the examination was permitted to proceed. Mr. Delmas asked Dr. Evans to limit his evidence for the time being to his first three calls upon the prisoner.

"Very well," said Evans. "The first call was made on Aug. 4. I went up to his cell in the Tombs accompanied by Mr. Hartridge and was introduced to Thaw. He asked me to come into his cell and made room for me to sit down on his bunk. His eyes were wide open and staring, showing much of the whites. He was very nervous, shaking his head and shifting his gaze constantly.

SAID DOCTOR'S EYES WERE CRAZY.

"As he sat down alongside me he said to me: 'You have good sane eyes; they are not like Dr. Hamilton's eyes. I think Dr. Hamilton has crazy eyes.' I did not discuss this proposition with him.

"I asked him how he felt. Thaw said: 'I am the victim of a foul conspiracy. Lewis Delafield and the firm of Black, Olcott, Gruber & Bonynge are in a plot with Jerome to railroad me to an asylum without giving me a trial or permitting me to tell the Judge and jury the true inwardness of this affair. I am not insane. It is all rot to say I am insane. They are persecuting me. The whole lot of them are in collusion with Jerome to prevent me from revealing the infamous conduct of Stanford White. It is all one big scheme to railroad me to an asylum on the pretext that I am crazy.' About this time his wife arrived. After he had seen her he retired with me to a private room and continued his conservation with me.

"He said, 'Stanford White has made a business of debauching young girls. He has led astray, drugged and poisoned many innocent young women who were originally pure in body as in mind and who were not inclined to crime. The lawyers I hired to defend me having taken my money as a retainer, are now in a conspiracy with the District-Attorney's office to suppress all these facts in order to protect Stanford White's name. It is a plot and I am not going to stand it.' That, in effect, made up our first conversation."

"When did you return again?" pursued Delmas.

"On Aug. 21," said Evans. "Dr. Wagner accompanied me on this occasion. We saw Thaw in the hospital ward across the corridor from his cell.

"Mr. Thaw entered with a pasteboard box under his arm. He seemed agitated and uneasy, and had that same queer stare and that same air of exaggerated self-importance which I have previously described. His attitude toward us was one of management as if we were infants and he was our guide.

"His whole manner was uneasy and watchful. He seemed determined to keep both of us within the range of his vision. His glance kept shifting watchfully and suspiciously from one of us to the other. If one of us walked about the room Mr. Thaw would keep shifting his position as if determined to let nobody get behind him.

HOW HE PURSUED WHITE.

"Then suddenly he said: 'Gentlemen, this dead man whom I killed, this beast, this blackguard, this creature sought to take the virtue of every pure-minded woman he met. I did the best I could to stop this thing and to save these women. I had no desire to shoot him. I didn't want to kill him.

"'I knew he was a foul dog who was destroying the good name of the wives and daughters and sisters of the city of New York and of America, but I wanted to do it legally. I wanted to get Stanford White into court and expose him and stop his practices. I did not desire to kill him—but Providence took charge of the matter.

"'It was an act of Providence that took him off. But first I had tried to halt him by lawful means. I went to Comstock, but it did no good. I went to Jerome and Jerome advised me to let it drop, saying there was nothing in the stories I told him about White's practices.

"'I went to detectives, but they said they could not get enough proper evidence to convict White in court, although they said they had discovered plenty of evidence of White's wickedness. I found that one of Comstock's lawyers, De Lancey Nicoll, was also Stanford White's attorney.'

A MYSTERIOUS "MR. P——."

"Mr. Thaw seemed to think this circumstance formed a general link in the chain of the conspiracy which he though had been formed against him," continued Evans. "He also mentioned a Mr. P——, calling him only by the initials, an elderly man whom he said was mixed up with White. Continuing Mr. Thaw said to me:

"'I was willing to submit those whom I love to the ignominy of a court examination in order to convict Stanford White. I wanted to show that White had three ways of degrading young girls—by drugging them, by plying them with alcohol, and by luring them to his dens and dives and overpowering them.

Thaw expressed no anxiety regarding his own personal fate while making these statements. He showed excitement only when describing to me White's alleged conduct and the alleged conspiracy which he said now existed with a purpose of keeping his story from the public. I asked him why he carried a revolver. He answered me as follows:

"'ROGER O'MARA, OF PITTSBURG, ADVISED ME TO DO SO.

THAW SAID HE DID NOT WANT TO KILL WHITE

I had been informed that White had hired members of the Monk Eastman gang to kick me to death or mutilate me. Roger O'Mara advised me to carry a gun to protect myself. I did carry it for that purpose and not to shoot White, because I wanted to punish him by law and not by my own hand.—*Statement of Harry K. Thaw to Dr. B. D. Evans in the Tombs Prison.*

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"I Didn't Want to Slay Him." He Said. "I Wanted to Expose Him in Court, but Providence Intervened."

SAID HE FEARED THAT GANGS WOULD ATTACK HIM.

Told Expert Evans that He Had Heard Monk Eastman's Thugs Were After Him and He Was Advised to Carry a Revolver.

I KNEW THAT STANFORD WHITE WAS HIRING THUGS TO HURT ME. SEVERAL TIMES THEY TRIED TO GET ME IN A QUARREL BY JOSTLING AGAINST ME. I HAD BEEN INFORMED THAT WHITE HAD HIRED MEMBERS OF THE MONK EASTMAN GANG TO BRING ON TROUBLE WITH ME AND THEN TO KICK ME TO DEATH OR MUTILATE ME. WHEN I TOLD O'MARA ALL THIS, HE ADVISED ME TO CARRY A GUN TO PROTECT MYSELF. I DID CARRY IT FOR THAT PURPOSE AND NOT WITH THE INTENTION OF SHOOTING WHITE, BECAUSE, AS I HAVE TOLD YOU, I WANTED TO PUNISH HIM BY LAW AND NOT BY MY OWN HAND.'

"This ended the conversation of the second visit. We came back the next time, two days later. Dr. Christopher Beiling, my assistant, who is very quick and apt at physical examinations, accompanied us this time."

"What was his demeanor?" asked Delmas.

WILD AT THE FOLLOWING MEETING.

"Just as excited as ever," said the alienist. "His speech was abrupt, his eyes rolling and his manner wild. He still carried his pasteboard box under his arm, and his collar was unfastened in front so that the ends stood out flaringly. He seemed determined to guard his pasteboard box. He refused to let any one else put a hand on it. After greeting us brusquely he walked up to Mr. Hartridge and said: 'I want those papers.' Mr. Hartridge tried to calm him, saying he would produce any papers Mr. Thaw might want later on. 'That won't do,' said Thaw loudly and roughly. 'I want those paper now. I won't have any foolishness. I need those papers. I insist on examining them. To-morrow won't do. I want them now.'

"Mr. Hartridge's manner was gentle and soothing, like one brother counselling another. But Mr. Thaw would not be calmed. He remained boisterous and greatly excited. Finally he turned away from Mr. Hartridge and said to us: 'Gentlemen, there will be no examination to-day.' Then, with his head raised and his eyes staring, he stalked out, wearing a fixed, mechanical, stereotyped smile on his face. Just as he disappeared in the direction of his cell he turned directly to me and said: 'Doctor, I'm very sorry.'"

Thaw had paid practically no attention to what Evans had been saying. He had grinned sheepishly once when Evans described how his eyes rolled, showing lots of white and batted his eyes as if intent on devising a physical alibi on the spot; but for the most part, he whispered to Peabody or Dan O'Reilly. Just behind him sat the faithful half-brother, Josiah Thaw, who has never missed a single session of the trial, and the full brother, Edward Thaw. Edward had on a pair of closely-fitting green goggles—something he had never worn before. Except for the newspaper women, there was not a woman in the court and the men spectators no more than half filled the not over-large chamber.

"What scientific deductions did you form from your observations of Mr. Thaw's manner, language and general behavior on this third visit?" asked Mr. Delmas, as Evans finished describing Thaw's outbreak in the incident of the papers.

"He exhibited a highly explosive mental make-up," said Dr. Evans. "His memory was good and he knew—must have known—that he was to submit to an examination on that day. Yet he dismissed us summarily, showing a defect of mind and a lack of reasoning quality."

"DEFENDER OF WHITE'S VICTIMS."

"Did Mr. Thaw in any of these first three coversations call himself the defender of Stanford White's victims?"

"He did, repeatedly."

"Did he mention any of these victims by name?"

"Yes."

"You have examined a certain codicil to Mr. Thaw's will, have you not, in which he mentioned the names of certain young women?"

"Yes, I have."

"I ask you, then, were the names of any of these young women who Thaw said had been misled by White mentioned in this codicil to his will which you saw?"

Mr. Jerome objected and was sustained, pending the admission of the much-disputed will as evidence.

"Is it a common delusion of the insane that they are in every way responsible and sane?" asked the lawyer.

"It is," said the expert, twiddling his thumbs professionally.

It has been said that the defense was not tying up the tags of its case as it went along—that too many loose ends were whipping about aimlessly—the wife's testimony, the matter of the will, the unfinished evidence of the experts, the statements of the two family physicians from Pittsburg. But certainly Delmas's manner of bringing out Evans's important and illuminating disclosures has been a workmanlike performance. It left no gap for criticism to enter in.

REASONED ABOUT HIS SANITY.

"What did Thaw say to you about the matter of his sanity?" asked Delmas.

"He told me," said Evans, "that two or three hundred persons might call him insane, but that this fact wouldn't make him insane. He exhibited a peculiar irrational desire to impress upon me that he was the only Harry K. Thaw, and that there was no other. Every little while he would insist upon telling me over again his street address in Pittsburg, in order, as he said, that I should not confuse him with any one else."

"How did you characterize his statement that the killing of White was an act of Providence?"

"I put it down as an insane delusion."

"How did you characterize his accusation that the honorable District-Attorney equally honorable in this community had engaged in a conspiracy against him?"

"I could only assume that he was suffering from an insane delusion in that regard also."

"Is the absence of any remorse or repentance for a crime an evidence of unsoundness of mind?"

"Generally speaking, it is."

Mr. Delmas said he had but one more question to put to Dr. Evans, and as this question pertained to the will which had been left in Mr. Gleason's office the lawyer obtained leave to recall Dr. Charles C. Wagner, the first of his alienists, back to the stand.

Back came the big, handsome Wagner, who, as superintendent of the