



COMMISSION APPOINTED

Thaw May Never Again Face Jury.

DECISION WAS SURPRISE

Prisoner Takes Reverse Cooly and is Hopeful as to Findings.

SATISFACTORY MEN CHOSEN

Mrs. Thaw Breaks News of Appointment of Commission to Husband—All Concerned Pleased With Personnel of Board of Inquiry.

NEW YORK, March 26.—Harry Thaw may never again face the jury empaneled nine weeks ago to try him.

Justice Fitzgerald today unexpectedly ordered that a lunacy commission inquire into the present state or mind of White's slayer, and the decision of this commission will guide the future action of the court as to ordering Thaw to an asylum or directing that the trial shall proceed.

Justice Fitzgerald announced the appointment of a commission privately in his chambers. Evelyn Thaw was there with Thaw's lawyers and it became her task to break the news to her husband in the Tombs.

She was tearful when she left the judge's rooms, but she was bright and cheerful when Thaw was brought to the hospital ward of the prison to meet her. Thaw received the court's decision philosophically and said he had no doubt the commission would declare him a sane man. The commissioner's appointed by Judge Fitzgerald are Morgan J. O'Brien, former justice of the appellate division of the supreme court; Peter B. Olney, former district attorney of New York and a lawyer of parts and Dr. Leopold Putzel, a practicing physician and an authority on mental diseases.

Judge O'Brien is one of the trustees of the Hyde stock in the Equitable Life Assurance society purchased by Thomas F. Ryan just before the investigation.

When O'Brien was candidate for reelection to the bench in 1901 as a democrat, President Roosevelt made a trip from Washington to Oyster Bay to cast a ballot for him. Putzel is a graduate of Bellevue Hospital Medical School and has had long experience in that institution. No date has been fixed for the first meeting of the commission.

There will probably be some definite announcement on this point tomorrow however, for the law under which the commission was appointed directs that they proceed with their inquiry forthwith. Justice Fitzgerald said it would rest with the commission whether its hearings shall be public.

The commission will be attended by Jerome and the lawyers for the defense will also be present. The commission may compel the attendance of witnesses. Thaw will be asked first to submit to a rigid physical examination. It was said by Thaw's counsel that Thaw will do anything in his power to aid the commission with its work and hoped for an early opinion as to his insanity.

Thaw's lawyers and defendant himself were surprised when first made acquainted with Fitzgerald's decision, but were all pleased when the latter announced the personnel of the commission. Delmas in particular declared Fitzgerald could hardly have selected a more generally satisfactory commis-

sion, one whose decision would command more confidence and respect. The District Attorney seemed pleased at the result of his efforts. As Hart-ridge, O'Reilly, Peabody, Delmas, Gleason and McPike, Thaw's six attorneys, left the Judge's chambers one of them was heard to remark: "It could not have been worse." Later, however, the attorneys seemed to hold a brighter view. Hartridge said he did not expect a decision of any sort today, much less the one rendered. He hoped the trial might go on without interruption. He said however, in view of the conflicting nature of the affidavits it would be hard to see how Fitzgerald's decision could have been otherwise.

Hartridge and O'Reilly went with Mrs. Thaw to see Thaw. "It is all right, dearie," said Thaw to his wife. "I am not afraid of a commission. I am a sane man now, just as sane as the judge himself and I am sure any fair minded commission will so declare me."

When Hartridge came out he declared: "The fortitude of the boy (Thaw) astonishes me sometimes, and it certainly did today."

Later Thaw sent out this statement: "This thing is perfectly satisfactory to me. I am sure I will be able to satisfy the commission that I am sane at the present time. Anything Justice Fitzgerald does is all right. He has always acted in fair and impartial manner."

ENGLISH OUTCLASSED.

LOS ANGELES, March 26.—Jack Palmer of England was no match for Jack ("Twin") Sullivan tonight and went out in the teeth of a twenty round bout. Palmer showed no class at all.

OFFERS A SOLUTION

Schiff Would Solve Railroad Problem by Conference.

ROADS TO CONSULT NATION

Government Would Be Represented By Interstate Commerce Commission and Railroads By Representatives Selected By Themselves.

NEW YORK, March 26.—Jacob H. Schiff, head of the banking firm of Kuhn, Loeb & Co., who returned to Wall Street yesterday after a short vacation in the South, said in an interview which appears in the Times this morning that the fear that something exceptionally distressing will happen to the railroads in the way of legislation is more accountable for the present state of affairs in the stock market than the money market is, Mr. Schiff continued:

"The real problem, therefore, seems to be in this railroad situation. I have thought it over carefully, trying to keep in mind the point of view both of the railroads and of the government and it seems to me that a possible solution is to be found in the adoption of a plan, the main features of which should be these:

"First, the appointment by the railroads themselves of a certain number of representative railroad men conversant with that side of the matter who should go into convention or conference with the members of the Interstate Commission, that body, of course representing the government.

"In this conference there could be a fair and frank discussion of all the proposals for railroad legislation of all kinds and it ought to be possible for such a body of men to agree on a plan of legislation fair to all bodies, which could receive the sanction of the President, of the people generally, and to the stockholders of the roads. This could be made the basis of legislation by Congress and it would be of a thorough nature as to make it unnecessary for individual states to do more than to follow the lines laid down there."

RUEF CASE CONTINUED

Despite Efforts of Attorneys for Defense.

HENEY MAKES REQUEST

Court Refuses Petition to Give Defendant Any More Liberty.

NO FURTHER INDICTMENTS

Grand Jury Examines Witnesses From Los Angeles—Most of Ground Has Been Covered Before and Evidence Is Merely Corroborative.

SAN FRANCISCO, March 26.—The Grand Jury investigation of the bribery and graft in San Francisco resulted in finding no new indictments today. But one session was held, last from two until five, and at the conclusion, District Attorney Langdon said that no new lines of evidence had been opened up today, but from the witnesses examined confirmation had been elicited of certain facts tending to "connect some links in the chain of evidence showing the bribery of San Francisco officials by the Home Telephone Co."

Henev said: "We went over new ground today, but purely for the purpose of clinching the evidence already adduced."

The witnesses examined today consisted principally of bankers and capitalists of Los Angeles, who are stockholders in the Home Company.

The extortion cases against Abraham Ruef were called for trial this morning before Judge Dunne in the Superior Court and upon motion of Assistant District Attorney Henev were continued for one week. Mr. Henev in asking for the postponement explained the reason as the necessity of proceeding at once with the examination of witnesses before the Grand Jury. The continuance was vehemently opposed by the defense.

Ruef's attorneys asked for an order of the Court directing Elisor Biggy to permit Ruef to be sent at any reasonable time by any person bearing an order from them and also directing the Elisor to take Ruef to any place in the city where he has business at any reasonable time. The prosecution fought this motion and it was refused, Judge Dunne declining to dictate the conduct of Elisor Biggy in his custody of Ruef.

Miss Nellie Smith, stenographer for Thomas Gerstle Frick and Beedy, the Home Company's lawyers was also examined again.

OVATION FOR MELBA.

Vast Audience at Farewell Performance Show Appreciation.

NEW YORK, March 26.—Madame Melba received a remarkable ovation last night at the Manhattan Opera House when she sang her farewell. At the conclusion of the performance the vast audience, cheered, stamped, applauded and overwhelmed the prima donna with flowers. Finally Mme. Melba announced:

"If you will remain a few minutes longer I will sing a few little songs for you."

The curtain was raised again and stage hands rolled an old black piano upon the stage.

Melba took her place before it, and sang a number of Tosti's love songs.

Her audience would not permit her to stop, and it is probable that she would still be singing had she not finally fled into the wings, saying as she ran, "I am tired now, and too deeply moved by this demonstration to sing more."

Oscar Hammerstein gave a banquet to Melba after the audience left. The table was set on the stage.

DISLIKES INTERVENTION.

Buenos Ayres Paper Regards it as Usurpation of Power.

BUENOS AYRES, March 26.—The Prensa, speaking of the proposed intervention of the United States and Mexico to stop the Central American war says:

Any intervention in the struggles between Latin American countries amounts to a limitation of sovereignty. The weakness of a country does not authorize the powers to violate the possible international law. Therefore friendly mediation can be praised, never armed intervention.

REWARD OFFERED.

Price of Thousand Dollars Set on Head of Eyttinge.

PHOENIX, Ariz., March 26.—A coroner's jury has found that John Leicht of Sheboygan, Wis., was murdered by Louis V. Eyttinge, on March 17 last, for the purpose of robbery. Circulars will be mailed tomorrow offering a reward for the apprehension of Eyttinge. The reward includes an offer by the governor of \$500; by the county of \$250 and by the Eagles lodge of Sheboygan, of \$250.

FIGHT WITH FANATICS

Three Killed and Four Wounded in Battle With Blacks.

SEIZED AND HELD HOUSE

Declared They Had Authority Higher Than That of United States and Refused To Leave Building Or Pay Rent.

MUSKEGEE, March 25.—As the result of a battle between the authorities and members of the United Socialists' Club, a society of negro fanatics bearing commissions from a Cincinnati detective association, this afternoon, Policeman John Colfield was seriously shot, Guy Fische (white) wounded, three negroes were killed and two severely wounded. Colfield was shot while serving a writ of ejectment on the members of the society, who had taken possession of a house, refusing to pay rent or move, declaring that their authority was higher than that of the United States. The entire City Marshall's force was called out and attacked the house in which the negroes were barricaded, killing three. Six members of the organization, including Will Wright a preacher are under arrest. There is no fear of a race riot, as other negroes uphold the officer's action.

TURKISH TROOPS PREPARE.

Alarmed by Big Appropriation Given Bulgaria to Military Affairs.

CONSTANTINOPLE, March 26.—Considerable military activity is being shown by Turkey in consequence of the recent extraordinary credit of \$5,500,000 granted by the Bulgarian Assembly for military purposes. The regular troops comprised in the Second and third army corps of the Turkish Army with headquarters at Adrianople. A large order for military supplies has been placed and a military pier has been constructed on the Sea of Marmora for landing troops and supplies from the Asiatic provinces.

TORE RINGS FROM EARS

Brutal Assault in Portland Last Night.

VICTIM WAS WEALTHY

Husband Finds Wife Beaten Insensible By Revolver Butt.

BURGLAR GETS LITTLE BOOTY

Victim Was Wife of One of Most Prominent Real Estate Dealers in City of Portland—Believed To Be Dead of Foreigner.

PORTLAND, Ore., March 26.—A masked robber entered the home of Newton W. Roundtree a member of one of the most prominent real-estate firms in Portland about eight o'clock tonight, beat Mrs. Roundtree over the head with the butt of a revolver and after dragging her from her bed choked her into insensibility and tore a valuable pair of earrings from her ears. The vandal then ransacked the house for other valuables but Roundtree says none of the rest of his wife's jewelry was found by the burglar and so far as has been ascertained the earrings, which are valued at about \$200 were the only valuables taken. Roundtree was absent from home until ten o'clock. When he returned he found his wife still insensible from the treatment she had experienced.

Mrs. Roundtree is able to give but a meagre description of the men. The police believe from the manner in which the crime was committed it was the act of a foreigner.

HORSE SHOER KILLED.

Electrocuted While Using Clipper Operated by Electric Power.

CHICAGO, March 26.—Frank Tesmer, a horse shoer, was killed by electrocution yesterday while clipping a horse by electric power. He was holding the steel clippers in his hand when suddenly there came a blue streak from the steel. The man was thrown against the wall of the shop and died instantly. The horse was knocked down and also killed. Linemen were at work on wires across the street and in some accidental manner a wire charged with electricity of high voltage was thrown across the wire which furnished electricity for the clipper.

STRIKE NOT FEARED.

Although Western Roads and Employees Appear Firm in Demands.

CHICAGO, March 26.—No progress was made today toward the settlement of the controversy between the western railroads and their employees who voted to strike unless certain demands were complied with. Another conference was arranged for tomorrow. While both the opposing interests on the surface appear to be determined to concede nothing it is the general belief that the trouble will be settled without a strike.

ROBS JEWELRY STORE.

Negro Burglar Overlooks Half of Available Valuables.

CHICAGO, March 26.—The residence of George Castle, the theatrical mana-

ger, 476 North State Street, was robbed of diamonds and jewelry valued at nearly \$9,000 yesterday. The burglar was a well dressed negro who escaped after frightening a servant, Anna Coyle, almost into hysterics, by threatening her with death if she screamed. The thief entered the house by a rear stairway while two carpenters who had been working around the house were in the basement preparatory to leaving for lunch. There was not a male member of the household in the place at the time. Mrs. Castle was absent. The robber overlooked money and heirlooms valued at \$10,000.

CONCLUDES CONVENTION.

National Guard Association of United States End Session.

COLUMBIA, March 26.—The National Guard Association of the United States, the name by which the interstate national guard association is to be known in the future, concluded its ninth annual convention here today. General Charles Dick was elected president and Co. Carroll D. Evans, of Nebraska, secretary. The address of Colonel S. Q. S. Heistand, U. S. A. was a feature of the day.

WRECK KILLED FIVE.

LOS ANGELES, March 25.—The deaths resulting from the collision on the Santa Fe last Saturday were last night increased to five. F. M. Morrill, a resident of this city, died tonight at a local hospital. Morrill, who was 27 years of age, was a passenger on the excursion train.

THREATEN CAPITAL

Rebellions Roumanian Peasants Overrun Country.

TROOPS RUSH TO DEFENCE

Thousands of Poor Farmers, Enraged By Land Trust, Pillage and Burn—Disperse Before Armed Troop But Movement Continues.

BUCHAREST, March 26.—One thousand more troops have been concentrated in the vicinity of the Capital for protection against peasant attack and in fear of such an occurrence.

BUCHAREST, March 26.—Four thousand peasants from the districts of Telerman and Vlashia have joined forces and are now marching on Bucharest. A minor state of siege has been proclaimed here and the military authorities have taken measures to prevent the revolted peasants from invading the city. Should the peasants refuse to retire orders have been issued to use shrapnel against them.

Soldiers and large bodies of police have been stationed in the Jewish quarters of Bucharest for the protection of the inhabitants. Severe encounters, accompanied by much bloodshed, are reported from various places. The district of Vlashia is overrun by marauders, who have cut the telegraph and telephone wires. A band of peasants yesterday made a furious attack with hatchets and cudgels on a detachment of cavalry in that district. The troops only dispersed the rioters after killing or wounding many of them.

Fifteen rioters have been shot in the town of Alexandria about 50 miles from Bucharest, which place has been declared under martial law.

BOMB MISSES MARK.

BIALYSTOK, March 26.—A bomb was thrown today at Governor-General Bogalevski while he was out driving. The Governor-General was not injured, though the force of the explosion broke all the windows in the street, and his coachman was slightly wounded. The man who threw the bomb escaped.