

THAW NERVOUS AND EXCITABLE

Such is Condition in Which Dr
Ferris, President of Lunatic
Commission, Finds Him.

HIS ANSWERS CONSISTENT

But He Was Too Excited to Pursue Any One Line of Questions.

Questions.

Albany, N. Y., Feb. 4.—Dr. Allen Ferris, president of the lunatic commission, who visited Harry Thaw yesterday at Matteawan, said that Thaw appeared very nervous and excitable but that on such a short notice, it would be impossible to come to a conclusion as to his permanent mental condition.

"The prisoner was very cordial and gentlemanly to me," said Dr. Ferris. "I talked with him in a private room for about 20 minutes just after he had been in conversation with his wife. He was too excited for me to pursue any line of questions, but was consistent in his answers. He talked about the architecture of the asylum, saying he thought it was rather crude and said that better provision ought to be made for protection against the wind. He also said that he remembered me at the trial, and that he had intended inviting me as one of his experts, apparently forgetting that I had testified for the state and against him at the first trial."

MAKE HASTE SLOWLY.

New York, Feb. 4.—If the counsel of Martin W. Littleton prevails, it does not appear to be likely that an early at-

tempt will be made to have Harry Thaw released from Matteawan asylum on habeas corpus proceedings. He said today that there was no need to obtain habeas corpus. "Thaw has been acquitted of the charge of murder and is not a criminal," said he. "He is Matteawan for the purpose of observation only. If the conditions and surroundings there are such that his mental health may be impaired, it is incumbent on the state board of lunacy to have him removed to an institution where other conditions and surroundings prevail."

Daniel O'Reilly, another of Thaw's attorneys, went to Matteawan today to consult with the prisoner regarding possible future steps toward his release.

Dr. Farris said that Thaw did not appear to be despondent and that he was being treated the same as any other prisoner.

Thaw spent last night in a private room immediately adjoining the ward-

in which he has been since he was taken to the hospital. He has been very comfortable, however, that the slightly changed surroundings had not relieved him of the sleeplessness with which he had been troubled since he has been at the asylum. Daniel O'Reilly was accompanied by Mrs. Evelyn O'Reilly, his mother-in-law, who visited the hospital every day. After they had left and were about to return to this city Mrs. Thaw said:

"What a terrible place it is. I think it is awful. I would be crazy myself if I stayed there a week. If the lawyers don't make a move to get Harry out right away, I shall do something myself. During the day he has to sit with all these unfortunate people and I don't wonder he becomes excited."

FIRE ON ALL SUSPECTS.

Sebastopol, Feb. 4.—Owing to the recent attacks by revolutionists on sentries on duty at the arsenal here, Rear Admiral Wren today gave orders for all sentries to fire without challenging upon all suspects found in the vicinity of the arsenal or the store houses between the hours of 6 p. m. and 6 a. m. Patrols are also instructed to fire at any persons who are tempted to escape.

IS MONUMENTAL GRAF

County Attorney Thus Designates Efforts of Commissioners to Have Private Phones Paid for by Public.

County Commissioner John C. Mac

County Commissioner John C. Mackey has had a private telephone in his residence for 26 months and the county has been asked to pay \$90 for the connection. County Commissioner J. H. Clinton has had a telephone in his home under similar conditions for nine months and has asked the county to pay the bill, amounting to \$12.50. When

the bills went to the county auditor. He questioned his powers with reference to their payment and communicated with the county attorney for an opinion regarding the matter. County Attorney Willard Hanson has replied to Mr. Hennrichsen, denominating the affair

worked on a small scale. The commissioners will be asked to reimburse the county for the bills paid and failure to do so suit will be brought to recover the amount.

Mr. Hanson's letter on the subject

as follows:

In relation to your communication whether or not the county is liable for the inclosed bills, being for the private telephones installed at the residences of Commissioners Mackey and Clinton.

Wash to state the following:

The commissioners have only power referred, by law

and authority as is conferred by law and are entitled to no special privileges. If county commissioners can install private telephones at public expense, then other public officers are entitled to the same privilege and such privileges may not stop at telephones, but any private convenience could thus be afforded at public expense, and public

While in the present case the amount is necessarily small, the principle is the same as though an unlimited amount were involved. These claims are purely personal and the county is not liable therefor.