

Dissension Among the Counsel for Defense Ends in Conference

Attitude of Thaw, in Attempting to Conduct his Case, Results in Serious Unrest Among Counsel. Crisis is Reached.

Attorneys May Withdraw Unless Course is Changed As to Future Course of Defense. Proceedings of To-day.

New York, Feb. 6.—Interest in the opening of the Thaw case centered in the maneuvers of the counsel for the defense, who yesterday had earnest consultation among themselves as to the future conduct of the case.

Evidently it was decided to put the matter squarely up to the defendant, and before the session began today all of Thaw's lawyers went into the prisoner's pen to discuss the matter with him.

All the lawyers took their accustomed places when they came into court.

Attorney Delmas, of San Francisco, took charge of the case.

The Countess of Yarmouth appeared in the court this morning for the first time in several days. She looked a trifle pale. Along with the Countess came George Lauder Carnegie and wife.

The only absentees were the mother and wife.

Jerome withdrew his objection to the introduction of testimony, regarding insanity in collateral branches of the Thaw family.

Benjamin Bowman was recalled as the first witness.

Lawyer McPike was asked if it was true some of Thaw's lawyers were not in sympathy with the handling of the case and at the introduction of Dr. Wiley as a witness.

"That last is true enough, but you'll have to wait and see how things look when the court opens tomorrow," he said.

The elder Mrs. Thaw will come to the court house only on the day she is to take the stand.

Lawyer May Withdraw.

A crisis has been reached in the case of Harry Thaw. It follows the day of reverses in the defense, brought on primarily by Thaw himself, it is stated, because up to this time he has insisted in directing how the defense shall be conducted.

The session of the court yesterday, when Justice Fitzgerald ruled out for the time being all testimony which, it was announced, might tend to show insanity in the collateral branches of Thaw's family, had been over but a short time when a momentous conference of Thaw's counsel occurred.

It is known that several of lawyers protested in vigorous language against the conduct of the case as it proceeded yesterday and that serious differences developed.

For a time, it is stated, it looked as if several of the lawyers would summarily withdraw from the case, but this was averted.

An ultimatum, however, was given such action would occur unless certain lines of action were followed.

Sensational Testimony.

It developed before the calling of witness Bowman that Delmas was to assume active charge of the case, handled yesterday by Gleason.

It was said that Delmas delivered the ultimatum that he would withdraw from the case unless given free hand in conducting the fight for Thaw.

The result of yesterday's proceedings are anything but satisfactory to all concerned in the case.

the answer be stricken out as improper and the court so ordered.

"What was Mr. White's manner?" asked Delmas.

"He was very angry."

Justice Fitzgerald, after Bowman had stated the name White called Thaw, announced that if there were any ladies in the court whose sense of propriety would not admit of their hearing the testimony, they might withdraw. Several went, including Mrs. Carnegie and the Countess of Yarmouth.

Unfit For Ladies.

"We must ask the court to bear with us in bringing out this testimony," explained Delmas. "But it is essential."

"It is perfectly right and proper," Justice Fitzgerald quickly assured the lawyer.

"There are ladies here, however, and I think they should be given an opportunity to withdraw if they so desire."

District Attorney Jerome took the witness and for the better part of an hour questioned him very closely as to his employment and places of residence for the last five years, attempting to secure the house numbers and other details.

The witness said he was door keeper at the Madison Square Garden Theatre from 1902 to February 1904.

Thaw's sisters evidently became re-assured during the long and rather tedious cross examination for after George Carnegie had gone to them and explained the character of the testimony they returned to their place.

Harry Thaw who has shown alert interest during the testimony, as to the threats said to have been made against him by White, gave evidence of becoming fatigued and yawned several times. He seemed paler than usual.

Protective Association Meeting.

Columbus, O., Feb. 5.—The Ohio State Protective Association, which has for its primary purpose the arrest and prosecution of horse thieves, began its annual meeting in Columbus today.

The officers in charge of the convention, which will be in session two days, are President Samuel Decker of Seneca county, Vice-President C. H. Wright of Champlain county, Secretary J. S. McGinnis of Union county, and Treasurer J. H. Montgomery of Union county.

FARMER DROWNED.

Wadesboro, N. C., February 6.—Mr. A. B. Mills, a prominent farmer of Burnville township of this county, was drowned in Lanes Creek yesterday.

Up to this time the body has not been recovered.

Fashionable Wedding in Gotham.

New York, Feb. 5.—A fashionable society turned out in force today for the wedding of Miss Beatrice Morgan, daughter of Mr. and Mrs. William Fellows Morgan, of Short Hills, N. J., and Mr. Frederick S. Pruyn, of Albany, N. Y.

The ceremony was performed in St. George's Protestant Episcopal Church, Stuyvesant Square.

Miss Pauline Morgan acted as her sister's maid of honor, while the bridegroom had his brother, Mr. Edward L. Pruyn, as best man.

Dispensary Abolished.

House Passed Bill, Abolishing Dispensary at Madison. Solicitors to be Put on Salary of \$2,500. As to Insane.



JUST A FEW MORE BRICKS, PLEASE!

DOUGHTON BILL FAVORED.

Retail Merchants Favor Bulk Sale Bill—Protect Against Freight Discriminations.

Raleigh, N. C., Feb. 16.—The legislative committee of the North Carolina Retail Merchants Association, in session here, has declared in favor of the Doughton bulk sale bill which has already passed the House and is pending in the Senate.

The committee asks that a law be enacted to punish the ordering out of goods on approval when done with intent to defraud merchants.

The committee has adopted resolutions protesting against freight discriminations against North Carolina and urging the General Assembly to pass the Graham bill, which authorizes the governor of the state to employ counsel to appear before the Interstate Commerce Commission and fight such discriminations.

The committee also endorses the bill enlarging the powers of the Corporation Commission which has already passed the House.

The committee has given a hearing to a number of the representatives of railroad companies and the Southern Express company protesting against the present penalty laws as too drastic and the committee has recommended that the assembly modify the laws.

Mr. Claude E. Matthews for some time past passenger conductor for the Seaboard Air Line between Richmond and Columbia has been promoted to the position of assistant train master on the first division, Richmond to Raleigh, the latter place to be his headquarters.

Capt. Matthews has been in the service of the Seaboard six years or longer. This promotion is a deserved recognition of his faithful and efficient service.

IS HE GUS DEFORD.

By Scar on Hand Man is Arrested, on Several Serious Charges.

Union, S. C., Feb. 6.—A man, believed to be a yeggman, possibly one Gus Deford, the notorious crackman, a man apparently about 30 years of age, was arrested yesterday at Jonesville, near here, and committed to the county jail.

He refuses to talk, but first said his name was M. A. King, of Roanoke, Va. Later, with the desire to confess, he said he was from New York State.

A man who was in Columbia when the yeggmen were there three or four years ago, caused King's arrest.

A warrant today charges him with being implicated in robbing the post-office at Enoree, S. C., in 1902.

A scar between his thumb and index finger on the left hand was one means of identification. The other description was, height, five, eleven; light, Auburn hair; light eyes, weight 160. A preliminary hearing will be given next Friday.

TITLED BEAUTY DEAD.

London, Feb. 5.—Florence Cecelia Paget, Marchioness of Hastings, died today at Windsor after a romantic career. She was the greatest beauty in the mid-Victorian period.

While she was engaged to Henry Chaplin, ex-president of the local government board, in 1864, she made a runaway marriage with the Marquis of Hastings, who was then at the zenith of his wild career on the turf.

Three years later Mr. Chaplin won the Derby and a \$755,000 with an outsider, while the Marquis of Hastings lost heavily on the same race, beginning a series of losses which led him the following year to commit suicide.

The marchioness, in 1870, married Sir George Whetwynd. She was born in 1842 and was the third daughter of the second Marquis of Anglesey. A son by her last marriage married an American, Rosamund, the daughter of the late Charles Secor, of New York.

Will Care for Insane

Bickett Bill is Favored by Joint Committee on Hospitals. Bond Issue of \$500,000 is Provided for by Bill.

Raleigh, Feb. 6.—The joint legislative committee on hospitals for the insane has decided to report favorably the Bickett bill, for the care of mental defectives, with some few amendments. The bill provides for the creation of a hospital commission which shall be in charge of the State hospitals for the insane.

It is empowered to purchase additional lands for an enlarge the present hospitals at Raleigh, Morganton and Goldsboro, to meet the needs of the State for 20 years and locate and establish "colonies" for the treatment of the colored patients.

The bill carries a bond issue of \$500,000 if that amount is needed with a proviso that the bonds are not to be issued if the money is available from other sources in the State treasury.

Also that not more than \$250,000 bonds can be issued during the year.

The joint committee on railroads and public service corporations voted last night to recommend to the legislature the adoption of a two cent flat passenger rate and the abolition of second-class fare.

It is learned that Chairman Graham, of the Senate committee, was the only member of the committee who voted for a second class fare. It was an executive session of the committee.

Philippine Expenses.

Washington, Feb. 6.—Senator Clay presented a resolution directing Secretary Way to send the Senate a statement of the amount of money expended by the United States in the Philippines from July 1, 1902, to date, for the equipment, supplies and military operations.

Fire Insurance Commission.

Raleigh, N. C., Feb. 6.—The executive committee of the Cotton Manufacturers' Association has decided upon a fire insurance commission and has appeared before the legislature to press the matter.

Schooner Was Driven Ashore

Unknown Three Masted Schooner Driven Ashore on Diamond Shoals. Rescuers Sent Out.

Norfolk, Va., A dispatch from Cape Hatteras states that an unknown 3-masted schooner was driven ashore on the Diamond shoals during the night and that the crew in surf boats from Hatteras and Creeds Hill life saving stations have gone to investigate.

The dispatch says the stranded vessel appears to be filled with water, but says nothing concerning the loss of life.

Crew in Danger.

The crews from Hatteras and Creeds Hill life saving stations reached sufficiently close to the vessel to see the men clinging to the rigging, but for the mountainous seas, for their own safety, they were obliged to put back and await more favorable conditions. It is impossible to shoot a line to her. It is bitter cold.

DISCRIMINATION CHARGED.

Cotton Mills of Georgia and South Carolina File Complaint Against Railroads, Charging Discrimination in Freight Rates.

Washington, Feb. 6.—Complaint has been filed with the Interstate Commerce Commission by the Enterprise, Sibley and Graniteville Manufacturing Company, Monroe Cotton Mills and Riverside Mills of Georgia, and South Carolina corporations engaged in the manufacture and sale of cotton, and at a large number of Southern, Western and trans-continental railroads, alleging that the charge for shipment of cotton goods, and cotton waste from points in Georgia and South Carolina to Pacific coast terminals is a greater amount than for similar shipments over longer distance from New York and New England points.

The Enterprise, Monroe and Graniteville companies, also engaged in shipping cotton goods to China and Japan.

In another complaint against the same railroad companies and against the Great Northern and Occidental Steamship Companies allege that in the shipment of such goods from Georgia and South Carolina points to Pacific coast terminals a greater charge is made than from Maine, New Hampshire and Massachusetts points.

Wisconsin Fruit Growers.

Madison, Wis., Feb. 5.—Everything relating to fruit, flower and vegetable culture is to be discussed by the members of the Wisconsin State Horticultural Society who have gathered here for their annual meeting.

The sessions are to last three days and from all indications will be among the most interesting and profitable ever held by the society.

Papers and addresses will be presented by leading horticultural experts from Iowa, Illinois, Missouri, Michigan, Minnesota and other States.

PROPOSED BOAT LINE.

Southern Refuses Landing of Boat and Bartlett Seeks Amendment to River-Harbor Bill.

Washington, Feb. 6.—Bartlett, of Georgia, secured an amendment to the river-harbor bill, directing the chief engineers to ascertain whether the owners of the wharfage privilege at the harbor of Brunswick, Ga., discriminates against any one engaged in the transportation of freight.

Bartlett explained that the citizens of Macon were very much interested in securing navigation upon the Ocmulgee river from Macon to Brunswick, and said that at considerable expense they had arranged to have a boat ply between the two points, but that the Southern Railway Company had refused to allow the boat to land. It was for the purpose of reaching some equitable arrangement for the use of the wharves that the amendment was presented.

POCKETBOOK SAVED LIFE.

Narrow Escape of Couple From Assassassin's Dagger.

Constantinople, Feb. 6.—George Christich, son of the late King Milan of Serbia, and Mme. Christich, had a narrow escape from assassination.

An unknown man suddenly attacked Christich and attempted to plunge a dagger into his chest.

The weapon, however, struck a thick pocketbook, and only inflicted a scratch.

ALL ON BOARD LOST.

Vessel Lost and All Hands Aboard Perish.

New York, Feb. 6.—One of the tow of the three coal laden barges, which left Norfolk Saturday for Boston, in tow of the Waltham, was foundered off Absecon and all hands aboard were lost.

Alabama Fruit Growers.

Montgomery, Ala., Feb. 6.—The Alabama Horticultural Society began its fourth annual meeting in this city today and will remain in session over tomorrow. Fruit growers from many counties are in attendance.

Fate of Harry Thaw Rests With Testimony Of Wife and Mother

To Incorporate Tennis.

New York, Feb. 5.—The announcement that the matter of incorporating the United States National Lawn Tennis Association would be discussed and voted upon at the association's annual meeting at the Waldorf-Astoria this evening has attracted much attention among tennis players everywhere.

For more than a quarter of a century the national body has been governed by the somewhat antiquated methods of an executive committee, the officers being annually elected by the delegates from the constituent organizations.

Among the greater number of the followers of the sport the movement to incorporate is heralded as a step forward in the progressive scheme which was proposed for teams in America last year, and one which will materially assist in overcoming many of the obstacles that have been found fault with.

It is proposed that the plan of incorporation will follow closely along the same lines as the Amateur Athletic Union.

Another subject that probably will come up for consideration at the annual meeting is the desirability of sending another team abroad in an attempt to wrest the Davis international trophy from the British holders.

The announcement that the famous Doherty brothers will not again be members of the defending team has caused renewed interest in this famous blue-ribbon event of the tennis year and should make much more bright the chances of a challenging team.

O'Brien vs. Goodman.

Providence, R. I., Feb. 5.—Followers of pugilism hereabouts are looking forward to a rattling good bout at Thornton tonight when Rouse O'Brien of South Boston and "Kid" Goodman of Chelsea come together.

The articles provide for a 15-round go at 130 pounds. O'Brien has made an excellent showing in his recent fights and is counted upon by his admirers to give Goodman a hard tussle for the decision.

The Rhode Island Athletic Club, under whose auspices the mill is to take place, expects a large crowd to attend.

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Brick Manufacturers Meet.

St. Louis, Mo., February 6.—At the annual convention of the National Brick Manufacturers Association, President Copeland of Birmingham, Ala., delivered the annual address, after which the annual report of the treasurer Sibley of Birmingham was submitted and committees appointed.

St. Petersburg, Feb. 6.—The Emperor has confirmed the sentence passed by the court martial on Vice-Admiral Nebogatoff. He will be interned in Fortress Tenicars.

Brownsville Is Up Again

Another Witness Testified Before Senate Committee at Investigation of Brownsville Affair. His Testimony Given in Full.

Washington, D. C., February 6.—Former Sergeant J. D. Fraser, of Company D, 25th Infantry, testified before the Senate committee on military affairs in the Brownsville investigation said at the roll call, after the shooting, every man was accounted for.

He said two days afterward the ammunition was ordered turned in and was found accounted for.

He said he had nothing to do with the trouble and withheld no information. He declared there was no conspiracy of silence.

He had believed, he said, that some of the soldiers had "shot up" the town but the opinion was based on the fact that his company commander had so told him; he had never heard any of the soldiers admit it.

Overman Fires Questions.

The witness stated that it was his belief that the citizens of Brownsville "shot up" the town to drive the soldiers away.

Defense Begins the Work of Forging Links in Chain of Circumstances Which they Claim Led to Insanity.

Wife of Prisoner to Tell Things Heretofore Unknown. Mother's Sacrifice for Her Son. The Hereditary Insanity.

New York, Feb. 5.—The defense in the trial of Harry Thaw will begin to forge the links in the chain of circumstances, which it is alleged disordered his brain.

The evidence promised to be introduced has added interest to the trial and there is an impression that Evelyn Thaw will tell half of which has not heretofore been publicly known. It is apparent that the defendant depends upon his wife to turn the tide for them.

The wife and mother are both expected to be early witnesses.

It was reported several times that the elder Mrs. Thaw has been urged by persons of influence not to allow a plea of hereditary insanity to be entered in behalf of her son.

The sacrifice of a social leader's pride to a mother's love is illustrated by the fact that not only did she consent to the plea of insanity through hereditary, but will actually take the stand to offer whatever testimony is within her power.

Dr. Wiley the First.

Dr. Wiley, the family physician at Pittsburg, was the first witness for the defense.

A Record Breaker.

The defense of Harry Thaw was begun when Dr. Wiley, an alienist of Pittsburg, took the stand and testified in his opinion that Thaw was insane the night of the tragedy.

Mr. Jerome put the witness through the most severe cross-examination ever heard in a New York court room.

He seemed to have every medical authority at his finger tips.

During the examination of Dr. Wiley, Thaw was taking notes and consulting Attorney Peabody. The defendant was paler and seemed much more composed.

An Expert Testified.

Dr. Wiley is connected with the Dixmont Insane Asylum. He related an incident in 1905 when he said Thaw entered a street car on which was a passenger. Thaw threw up a blind to the window, slammed it down, and threw it up again and quarreled with the conductor.

The doctor said Thaw's manner was "defiant, vague, and his eyes flashed from left to right."

He said Thaw's actions were irrational.

Gleason formed a hypothetical question and outlined Thaw's act of killing White and asked whether of such an act committed by the person he saw in a Pittsburg street car.

Replying that he could be asked to express an opinion.

"My opinion," said Dr. Wiley, "is that the man who committed the act described was suffering from insanity."

GEORGIA IN SORRY FLIGHT.

Will Go to the Bad Entirely Unless Rum Demon is Sit Down Hard on by Temperance Convention.

Atlanta, Ga., Feb. 5.—Foes of the liquor traffic gathered here in force today to perfect the organization of the Georgia Anti-Saloon League and to discuss plans for getting an anti-liquor measure through the present legislature.

The temperance element is of the opinion that Georgia is on the verge of demoralization and will go to the bad unless the demon rum is set upon good and hard.

The call for the present gathering sets forth a condition of affairs rather startling to those who have lived in blissful ignorance of the facts. The call states, among other things, that "there are 120 dry counties in Georgia, and 26 wet counties, and every dry county in the State is a common dumping ground for the heartless wet counties. And vain are the protests and pitiful are the cries for mercy, but the jug train runs right on, and every year the people of our beloved State, from the mountains to the seaboard, are being debauched by these few wet counties. The time has come to call a halt. The people have been outraged and sinned against long enough. Relief must come."

Sportsmen Organize.

Ishpeming, Mich., Feb. 6.—A large meeting of sportsmen was held here today for the organization of the Upper Peninsula Sportsmen's Association. The chief object of the new organization is the promotion of better legislation for the protection of game and fish. The sportsmen particularly desire a modification of the existing law protecting trout and also more stringent measures for the protection of deer, partridge and other varieties of game.

Conversation of a good many people would be sensible if it wasn't for what they say.