

MRS. THAW LEAVES STAND

DR. EVANS TO-DAY'S WITNESS.

One of Allen's for Defense Will be Cross-Examined by Jerome and Cross-Examined by Dr. Wagner, Deemer and Bingham in Rapid Order—Efforts of Prosecution to Draw From Hummel Hummel Certain Facts Relating to Affidavit Made in His Office That Thaw Had Been Her While Abroad in 1903, Unsuccessful, Delmas Blocking Practically Every Question Put.

DELMAS BLOCKS TESTIMONY.

Mr. Delmas, for the defense, blocked practically every question put to Hummel. The witness got no farther than to say he knew Mrs. Thaw, that she came to his office October 27, 1903, and that he dictated to a stenographer while she was there. Justice Fitzgerald held that under the rules of evidence governing Mrs. Thaw's testimony the introduction of collateral facts was not permissible. The district attorney is not allowed to controvert her testimony in any way, but may test her credibility. Mr. Jerome said in his opening that he realized that even if he could show Stanford White was in Europe the night Mrs. Thaw declared she was assaulted by him, he would not be allowed to introduce such testimony. It was reported that Mrs. Jerome had much testimony to offer in rebuttal, but as it is nearly all of a collateral character he will not be allowed to place it before the jury.

LETTER OF CREDIT NOT USED.

Mrs. Thaw denied again that she had ever used a penny of the letter of credit Stanford White gave to her under seal before she went to Europe with the money. She denied that she had ever been mentioned in any way in connection with the James A. Garlan divorce case. She said Stanford White paid all her children's school expenses, and identified receipts and checks signed by her mother showing that the latter drew more than \$3,000 from Stanford White's funds during the year from May, 1902, to May, 1903. Evelyn was a school during most of this time.

SHOW PAGE OF AFFIDAVIT.

He was shown the photographic copy of the last page of the famous affidavit, which Mrs. Thaw said refreshed his memory so that he could state positively that the date on which Evelyn Nesbit Thaw called at his office was October 27, 1903.

ABRAHAM SNYDECKER CALLED.

Abraham Snyder, who was a clerk in Hummel's office, next was called. He said he knew Evelyn Nesbit. "Did you, on October 27, 1903, see her sign a paper?" asked Mr. Jerome. "Yes," said Hummel. "Did you dictate to a stenographer while she was present?"

17 DIE FROM ASPHYXIATION

A PROTESTANT SCHOOL BURNED.

When Fire Was Discovered Teachers Only Begun Work of Getting the 200 Children Out of the Building. When Children From Kindergarten Department on Second Floor on Reaching Landing Refused to go Through Dense Smoke and 16, With the Exception of One, Remained. Many Reached by Firemen With Extension Ladders, the Building Not Being Provided With Fire Escapes.

EX-SHERIFF MONROE DEAD.

Monroe and Honored Citizen of Rowan Dies of Pneumonia—Was 56 Years Old and Held Office 10 Years.

WILL OPEN BRANCH HOUSE.

Donnell Manufacturing Company, of St. Louis, to Set Up House at Salisbury.

A SHOOTING IN IREDELL.

Mack Woodward, White Youth, Retires Bullet in Side—Probably Accidental, but May Be Fatal.

A TYPHOID FEVER EPIDEMIC.

Battleship Connected, with 35 Cases Aboard, to Sail From Guantanamo as Once for North—Patients go to Naval Hospital, Brooklyn.

STATE WILL FINALLY WIN

SIMMONS AMENDMENT A STRIDE

North Carolina Members of Congress Congratulating Themselves on Success of Simmons Amendment Looking to Winning for State Success of Part of the Waterway Project—Cape Fear Enterprise Not Finally Defeated by Burton—Simmons Trying to Get Larger Appropriation for Kinston Building.

GOETHALS TO SUCCEED STEVENS

Chief Engineer of Commission Writes President That He Wishes to be Replaced by Goethals—Work as Soon as He Can Be Replaced by Competent Man and That Man Become Familiar With Work. The President has accepted Mr. Stevens' resignation in order to secure continuation in engineering control and management in the future the President has asked the canal commission to assign to the office of chief engineer Major George W. Goethals, of the engineer branch of the army.

THE PRESIDENT'S LETTER.

The President in his letter to the commission says: "It is not my purpose by requesting this appointment to disturb in any way the present organization on the isthmus, which is very satisfactory, nor to interfere with the admirable work now being done by the present assistant chief engineer, Mr. Ripley, and the various heads of departments."

THE KINSTON BUILDING.

Senator Simmons called at the Treasury Department today to discuss with the supervising architect the subject of the proposed public building at Kinston. Senator Simmons requested the Department officials not to proceed with the plans now under advisement. Only \$30,000 has been appropriated for the construction of the building and for this amount the Senator regards as utterly insufficient. The matter will be held in abeyance until the next session, when an effort will be made to secure the passage of a bill carrying twice the amount mentioned.

HACKETT STRIKES BRYANT.

Lively Affray on Floor of House—Bryant Reflected on Hackett's Veracity—Affray Renewed.

AN ENTIRE REORGANIZATION.

The intention of the President is that there shall be an entire reorganization of the commission with three army officers of the engineer corps its leading members who are familiar with the engineering features of the canal. The chairman and engineer in chief of the commission will be Major George W. Goethals and his associates will be Major D. Du B. Galliard and Major William L. Sibert, to rank in the order of seniority.

TO PROCEED CONTINUOUSLY.

As he told his callers to-day the President is determined that the work on the canal shall proceed continuously and thoroughly and temporary "dislocations," which may come as a result of the resignations of higher officials will not be allowed to interfere with progress.

CANAL ENGINEER RESIGNS

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CASE OF THE MILL MEN UP

BATTLE OPENS IN GREENSBORO

Civil Suit Against E. A. Smith and Sumner Sargent, of Charlotte, Begins in Federal Court—Plaintiff Asks \$21,000 Damages for Alleged Violation of Alien Laws in Inducing Immigration Improperly—Regular Jury Accepted Almost to a Man—One Negro on It—Argument as to Special to the Observer.

THE BUXOM BRITONS.

While many were watching Uncle Alvis others gazed upon the English girls, who had flooded into the courtroom early in the day and had taken seats on the first three rows of the right end of the court room.

ABLE COUNSEL.

This case promises to be very interesting. The array of talent indicates that. On the side of the government are: Messrs. A. E. Holton, of Winston-Salem; A. L. Coble, of Statesville, and Alfred W. Cooley, of Washington, D. C.; and on that of the defendants Messrs. C. W. Tillett, of Greensboro, and W. P. Bynum, Jr., of Greensboro. These lawyers are fighters.

CANNOT BENEFIT GOVERNMENT.

In his letter to the chairman of the canal commission instructing that body to reject the bid for the construction of the canal, the President states that the purpose of the contract was to secure in the building of the canal the services of the best, most experienced and most skilled contractors available in the country at the least possible cost to the government.

THE ALLEGATION STATED.

In his complaint Mr. Holton said this is a United States civil suit to recover \$21,000 in penalties from E. A. Smith, Sumner B. Sargent and E. C. Dwyer, who solicited the defendants brought Samuel B. Powers and 20 others aliens from England to Ellis Island, New York, prepaying their way to have them work in the cotton mills. It is alleged that Powers was a member from 13 to 15 a week for himself, at the same sort of work that he was doing in England and that his wife would be given twice as much as he was then getting.

MR. TILLET SUBMITS ISSUES.

Mr. Costello is not here to answer for himself. He has not been seen in the State for some time. In discussing the issues in the case, Mr. Tillett said that the elements should be separated for the issues. He declared that there should be more than 21 causes of action, explained his position on this point, Mr. Tillett read the following issues which he thought the case should be presented on.

COMMISSION DENIES PETITION.

John Bullard to Pay Death Penalty for Daughter's Murder Friday, Unless Consumption Claims Him Before That Time.

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DEBATE ON SHIP SUBSIDY

TO CONTINUE THROUGH DAY.

Many Speeches Made on Bill, Mr. Grosvenor, of Ohio, Appearing as Principal Opponent—Conferees Reports on Fortifications Appropriation and Omnibus Revenue Cutoff Bill Adopted by House—Senate Provisions Regarding New Fortifications Retained as Inserted With Reductions to Amounts—Provision for Deep Waterway in North Carolina, From Pamlico Sound to Beaufort Inlet, Changed for 16 Inching Limited to \$550,000.

MAKES FLAT RATE 2 1/2 CENTS.

There was but little discussion of the freight rate bill, the special order in the House to-night. Manning, chairman of the committee, made a brief but comprehensive discussion of the bill, answering many questions asked as to particular features.

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A RATE BILL BY GRAHAM

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