

THE DEAD LIST NOW 170

BOYERTOWN BEARS UP BRAVELY

Pennsylvania Town Awakens to a Realization of the Fact That One-fifth of its Population Was Wiped Out by the Theatre Ho-

The list of dead includes one fireman who lost his life fighting the fire and one man, Jacob Johnson, who died to-day of pneumonia.

HEARTRENDING SCENES. The scenes at the morgue were heartrending. Children of tender years in some cases called upon to assist in making the identification

Before any of the bodies were removed from the morgue Coroner Strasser empaneled a jury to view the remains and the scene of the fire

OVERCOME BY FUMES. Building Inspector Heckman, of Reading, who made an inspection of the opera house, which was destroyed

THE DEADLOCK IN KENTUCKY. Centennial Situation Changes Little—Former Governor Beckham Still in the Lead With the Opposition More

Senator Wheeler Campbell, Democrat of Kentucky, spoke in the joint session to-day and gave his reasons for not voting for Beckham.

IN ANSWER TO A QUESTION AS TO whether he participated in the Senatorial primary last year he dilated on the malfeasance buried at him, for his vote against Beckham, and declared to say now he votes at the primary.

FATAL GUNNING ACCIDENT. E. W. Clark, Seaboard Operator at Conway, Moore County, Accident Kills Himself—A Native of Ohio.

Special to the Observer. Cameron, Jan. 15.—E. W. Clark, night operator of the Seaboard Air Line at this place, while out hunting yesterday with young R. C. Lee, accidentally shot himself, the lead taking effect just under his ribs and going up through the lungs, the entire load lodging in the upper portion of his breast.

He was attended by Dr. M. L. Matthews and his brother, of Carthage, and all the attention possible given, but he died at 4 o'clock to-day. Clark is from Ohio.

BIG SUM FOR THE TEMPLE

MASONS MAKE AVAILABLE \$20,000

Subscriptions Freely Given For Pushing This Year to Speedy Completion—Committee on Complaints and Grievances Had No Report to Make, This Being Unusual—Attendance Yesterday Larger Than on Tuesday

The Grand Lodge of Masons showed an increase of attendance to-day and the reports were finished. The attendance is between 500 and 600. The quarters are very much crowded. The next session will be held in the temple where there will be a spacious auditorium.

The grand lodge has made complete provision for pushing the work on the temple. There are many contracts for rooms in the temple, the principal one being that made with the Raleigh Savings Bank, which will be on the ground floor at the corner.

The report by the committee on charters and dispensation showed seven new lodges during the past twelve months, which is a smaller number than in previous years.

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SENATE ON PENAL CODE

HARD TO MAINTAIN A QUORUM

As Unfinished Business the Debate on the Codification of the Penal Code Consumes Nearly the Entire Time of Yesterday's Session—The Joint Resolution Reducing the Chinese War Indemnity is Adopted—No Reply Received From the Secretary of the Treasury to the Resolution Calling For Information About the Financial Situation—Senators Surprised at the Delay in Responding to the Call.

Washington, Jan. 15.—The Senate did not receive a reply to-day from the Secretary of the Treasury to its resolution calling for information concerning the financial situation, as had been promised, and in its absence Senator Aldrich assented to the passage of Senator Culberson's resolution on the same subject. The resolution was adopted.

The Senate passed a joint resolution reducing from \$24,440,978 to \$11,655,492 the war indemnity of the United States from China, growing out of the Boxer disturbances in 1900.

The remainder of the session was devoted to the discussion of the penal code bill. The Senate adjourned at 4:30 p. m.

In calling up his resolution directing the Secretary of the Treasury to communicate to the Senate the amount of circulating notes issued by each national bank to which was awarded Panama bonds in consequence of the award of such bonds, Mr. Culberson inquired whether the Secretary had responded to the resolution adopted before the holidays calling for specific information concerning the Panama bond issue and was told by the Vice President that no such reply had come to his desk.

SENATOR UNDERSTANDS DELAY. Senator Aldrich stated that he had expected the report would be made but did not know the reason of its delay. He withdrew his objection to action on the Culberson resolution which was then passed. Mr. Culberson remarking that he wished to have it reported on the order that there should be no question about having an answer by the Secretary of the Treasury on his specific inquiry.

The bill to codify the penal laws of the United States was taken up and the unfinished business. Mr. Heyburn, chairman of the joint committee on revision of the laws, explained in detail the work of the committee.

Senator Burkett, of Nebraska, said so important a measure should receive the attention of the Senate. He then referred to the almost deserted chamber, whereupon the Vice President ordered a roll call and the consideration of the bill was begun.

SENATORS NOT INTERESTED. Five minutes after the completion of the roll call for a quorum the Senate chamber was again almost empty. After a second call Senator Heyburn suggested that all sections to which there should be objection should be passed over in that way permitting progress to be made without the necessity of keeping a quorum of the Senate present at all times.

With that understanding the reading of the bill was continued. At the reading of the bill was continued Senator Burkett again insisted that more Senators should be present, as under the method of procedure every section is adopted by the committee of the whole, and he had with only an opportunity to question it when the bill is in the Senate.

THEIR ATTENDANCE IMPORTANT. Senator Bacon joined in declaring that the enactment of a criminal code is too important to be proceeded with in the presence of only a few Senators.

Mr. Fullerton appealed to the Senators not to insist upon a full attendance as it has never been possible when such bills are under consideration.

Senator Teller said that he wished to have recorded his objection to Section 33 in which in the discretion of the court a double penalty of a fine and imprisonment may be imposed. This is in violation of the constitution, he said, and he proposed to object to granting any authority in the bill for the making of such determinations.

Senator Carter, of Montana, brought the discussion concerning the proper mode of procedure to a close by moving an executive session.

NATIONAL BANK OF AMERICA. Representative Forness, of New York, introduces a bill providing for the establishment of a Central Government Bank. With a Capital of \$100,000,000.

WILL ESCHER POLITICS

DUNCAN RESIGNS AS COLLECTOR

North Carolina's National Republican Chairman Will Give His Whole Time and Attention to His Work as Co-Receiver of the Seaboard—Governor and Chairman Powell Meet With Receivers of Jamestown Exposition and Are Given Assurance That Titles Belonging to the State Are Safe—Lexington Address by Eye-Doctor—Senator Bailey Succeeds Senator Mallory as Chairman of Minority Committee—Lively Time Coming About the Stringency Bonds.

BY H. E. C. BRYANT. Observer Bureau. Congress Hall Hotel, Washington, Jan. 15. Three leading North Carolina Republicans, Chairman Spencer B. Adams, of Greensboro; ex-Chairman Thomas Rollins, of Asheville; and National Chairman E. C. Duncan, of Raleigh, are in Washington, stopping at the Raleigh. To-morrow morning at 10 o'clock Messrs. Adams and Duncan will call on President Roosevelt.

Mr. Duncan will take the opportunity to hand in his resignation as collector for the eastern district of North Carolina. Owing to the fact that he has been appointed a receiver for the Seaboard Air Line Railway, he feels that it is his duty to devote all of his time and efforts to that work.

Mr. Duncan told that he was going to try to fill the responsible place in which he has been placed by Judge Pritchard with credit for a time in the event of his resignation.

Chairman Adams and ex-Chairman Rollins declare that North Carolina is for Taft. They go so far as to say that there has been no doubt about this for some time, except in the minds of a few local Republicans who have recently been brought to time.

Governor Glenn, accompanied by Mr. George S. Powell, chairman of the North Carolina commissioners of the Jamestown Exposition, was here to meet with the receivers of the Exposition to-day. They were assured by those in authority that the titles belonging to the State would be fully protected.

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HOUSE DEBATES THE CODE

COMMITTEE LETS DOWN BARS

The Matter of Giving and Accepting of Bribes by Congressmen and the Sale of Endorsements For Public Offices Attracted the Most Attention in the House Discussions—Representative James, of Kentucky, Takes a Fall Out of the Republicans For Inconsistency—For the First Time a Republican Halted the Bill to Criticize It—Many Important Amendments Pending When the House Took Recess For the Day.

Washington, Jan. 15.—So persistent have been the efforts in the House of Representatives to amend the bill codifying the penal laws of the United States, that the committee on the revision of the laws to-day consented to let down the bars, and as a result the measure was changed in some important particulars.

When the House at 4:50 p. m. adjourned there were pending a number of other important amendments. The most important of these were those covering Senators and Members, and the sale of endorsements or support for appointive public offices. It is to the amendments touching such questions that the House to-morrow will devote itself upon resuming consideration of the bill.

STARTS THE DEBATE. Mr. Leake, of New Jersey, was the first to start the debate to-day which he did by characterizing the bill as an unscientific document, because, he said, it contained many provisions of importance which served only to discriminate in favor of one class of offenders against another.

Mr. Ollie James, of Kentucky, remarked that while an amendment had been admitted providing punishment for the destruction of birds' eggs, when it comes to providing a sufficient punishment for men like Harriman and Rockefeller, or some of the corporations that have been feeding the public with their money, you say "Don't put them in the penitentiary."

The American franchise, he declared, has been used as a bait for men to vote and prostitute elections, but when it came to dealing properly with them amendments were rejected because of the allegation that they would spoil the symmetry of the bill.

Mr. Perkins, of New York, a Republican, sought to have the committee on revision of the laws elucidate Section 99 embracing the embezzlement of public funds in the hands of United States Treasury officers.

REPUBLICAN CRITICISM. In the ten days' session of the bill it was the first time a Republican had halted its reading to criticize it. Chairman Moon and others of the committee declared that the section amply safeguarded public officers in cases of defalcation, when they were clear that they themselves were innocent of wrong-doing.

An amendment by Mr. Cockran to make the statute applicable only when "wifely and negligently" fall safely to keep the money entrusted to their care, was lost.

The Democrats waged an unending fight against a committee amendment which modified an statute prohibiting collecting and disbursing officers from trading in public property so as to make the penalty "not more than \$3,000, instead of the specific amount."

Mr. Kustermann, of Wisconsin, declared that the trouble with the bill was that there were too many lawyers in the House to discuss it. If, he said, the lawyers would relax and let the manufacturers, the merchants and the farmers have a chance, they would do the work and the bill would be passed.

Party lines were obliterated on an amendment to Section 108 by Mr. Trumpacker, Republican, Indiana, limiting the punishment to any official using certificates containing any "material" statement which he knows to be false.

Section 113 was also strengthened by an amendment which punished the bribe-giver when the bribe is given or offered "with the consent, connivance or concurrence" of any Senator or member.

A vigorous protest against the purchase and sale of endorsements or support for public offices was made by Mr. Hardwick, of Georgia, who favored enlarging the scope of the present statute so as to include in addition to Senators, members and delegates in Congress every person whomsoever who may violate the

THAW AN IRRATIONAL MAN

WITNESSES TELL OF QUEER ACTS

The Defense Adheres Closely to Its Determination Not to Introduce Any Evidence Save That Going to Show the Insanity of Harry Thaw—Father and Brother Died in Asylums—Other Family History Laid Bare—Coroner's Jury Testifies to Defendant's Strange Appearance Following the Tragedy—Former Butler of the Family Details Thaw's Unusual Conduct Around the House—Testimony of Others to the Same Effect.

New York, Jan. 15.—Adhering strictly to their promise to interpose no other defense than that of insanity in behalf of their client, the attorneys representing Harry K. Thaw at his trial to-day continued the examination of witnesses who swore that young Thaw at times in his life appeared to them as irrational and mentally un-sound.

Practically all of the testimony was entirely negative, and had to do with acts down to the day of the tragedy itself. Then came the declaration of the ten men who sat on the coroner's jury during the inquiry into Stanford White's death, all of whom declared that the defendant the day following the shooting acted in a peculiarly strange manner.

UNEARTHING FAMILY HISTORY. In the day's testimony there was more delving into the history of the Thaw family, Alfred Lee Thaw, of Richmond, Va., a third cousin of the defendant, was called to the stand and telling of the taint of insanity which had caused his father and brother to die in State asylums.

Some of Thaw's alleged eccentricities were related to-day by Christopher Bagan, steward of the New York "White Club," by Miss Matilda Stein, a telephone operator, and by August Weber, a former butler in the Thaw household.

Thaw spent a portion of the afternoon of June 25th, 1906, at the White Club and at that time—a few hours before the tragedy—was pictured by the steward as being highly nervous and as frequently exclaiming "This is awful." Five days before the tragedy he asked the steward to have a valuable package put into the safe.

After the shooting the package was opened and found to contain three cigarette wraps in tin foil. District Attorney Jerome, in cross-examining the club's steward, brought out the fact that Thaw played bridge there with many prominent men. The witness declared he was not supposed to know what Mr. Thaw, Mr. Gates, Mr. Schwab and the others had been doing at the club, but mineral water was ever served at the table.

HAD POOR MEMORY. The telephone operator told of Thaw putting in seventy-five calls one morning at the Grand Hotel and then forgetting all about them.

The butler told many details of Thaw's life at home in 1903 and was still under examination when adjournment was taken.

The separate incidents of alleged irrational conduct on the part of the defendant were being put in evidence by Mr. Littleton as the foundation of the expert testimony that is to come. He also hopes to accumulate such a mass of testimony as to Thaw's erratic conduct as to make it impossible for the district attorney to fulfill the task the law places upon him of proving Thaw sane "beyond every reasonable doubt."

Dr. Horatio C. Wood, of Philadelphia, was called to the stand as the first witness to-day. Dr. Wood some years ago made an examination of Harriet Alice Thaw, a relative of the defendant.

Dr. Wood said that Miss Thaw was of un-sound mind.

CONDUCT AT WHIST CLUB. Christopher Bagan, a steward at the New York White Club, testified that he was the club's steward on June 25th, 1906, five days before the roof garden tragedy. Although the day was hot, Thaw insisted on taking a screen with him whenever he went about the rooms. He was highly nervous, excitable and irritable.

His eyes, the witness said, had a peculiar stare. A telephone message came for him and when the witness touched him to attract his attention Thaw trembled all over.

LEGISLATURE GETS BUSY

FIRST BILL AGAINST LIEN LAW

Second Day of the South Carolina Legislature Has Seen Some Earnest and Effective Work. Done—Sessions Are to Be To-Morrow, If Senate Passes Resolution Adopted by House—Bills to Patch Up Contract Labor Law Are Offered and a Resolution is Passed Calling the Farmers of Both Houses to a Conference on This Subject—And Old Mr. Seiffers Defense May Get a Standing Blow.

Observer Bureau, 1122 Main Street, Columbia, S. C., Jan. 15. The second day's session of the General Assembly was characterized by earnest, effective work for nearly two hours on both sides of the house, the day witnessing the introduction of a large batch of new bills, some of them of more than ordinary interest, and some good patching being done on both calendars, whereby there were rid of a number of dead bills coming over from last session.

Just before going through the calendar to rid of old bills whose authors wanted tabled, and in order to pass to third reading unopposed second-reading bills, the House adopted a resolution by a two to one vote to have the elections next Friday at noon so as to get them out of the way as soon as possible and allow the members to get busy on the work of law-making.

This resolution has not yet reached the Senate, but will likely be adopted by that body. An associate justice, a circuit judge and two penitentiary directors are to be chosen.

There has always been opposition on the part of certain members of the House to the hall of the House being used by the South Carolina Club for week for the State hall, these being opposed to dancing for political or religious reasons or both, and these claim they form a majority of the House, and that the other faction gets a bad name by using the hall for a club to use the hall by choosing an opportune moment toward the close of the session.

So Mr. Lane introduced a resolution to-day forbidding the hall hereafter to be used for any purpose necessitating the removal of the furniture or carpet. Of course members objected to its immediate consideration and it was referred to the public buildings committee, where it almost will be made a struggle.

FIRST BILL IS TO REPEAL LIEN LAW. The first bill to be sent up to the Speaker's desk was one by Mr. John G. Richards to repeal the lien law, and it looks as if the fight has been carrying on against this law for decades will at last end in a victory for him.

Several bills were introduced in both houses looking to patching up the contract labor law Judge Brawley in the Federal Court last spring declared the law unconstitutional. Some of these make funding a labor contract prima facie evidence of fraud and the person so jumping liable to prosecution on the criminal side of the court. Others make it a misdemeanor to employ a laborer under contract to do work in this connection a resolution was passed calling upon the farmer members of both houses to meet this evening in the hall of the House for a conference as to what is the best course to pursue to remedy conditions.

SHOT AT SECRET SOCIETIES. Representatives E. Marion Rucker, of Anderson, introduced a bill aimed at before-day clubs and other negro secret societies, requiring all secret societies to secure licenses from clerks of court and making it a penalty at the meeting of an unlicensed society a misdemeanor. In the rural districts many people have become very suspicious of secret society meetings.

Senator Graydon had a bill in the Senate which would partly repeal the honorific title in this State by making it unlawful to plead self-defense in a case where the defendant was carrying a pistol at the time of the shooting, unless he was on his own premises.

Representative W. W. Dixon introduced a bill forbidding the setting aside of a verdict or the granting of a new trial in a civil or criminal case, unless the court was in a majority. This would otherwise be deprived of some constitutional right or there would be a miscarriage of justice.

Mr. Richards had a bill appropriating \$48,000 for a new dormitory at West Columbia, and a bill to punish servants of common carriers for "negligently or wilfully" breaking pieces of baggage or parcels in their charge.

FIRST STEP TOWARD DUEL. Judge St. Paul, of New Orleans, Preparing to Challenge Son of Former United States Senator Caffery. New Orleans, La., Jan. 15.—The first step in the formal dueling code was taken to-day by Judge St. Paul, of the Civil District Court, in a controversy between the judge and Dunsellon Caffery, Jr., son of the late United States Senator Caffery. The judge had printed in a newspaper a formal card applying to Mr. Caffery one of the epithets formerly recognized as cause for a duel. The card was in reply a statement alleged to have been made by Mr. Caffery last night in a political speech. Mr. Caffery immediately replied that his remarks had been incorrectly reported to Judge St. Paul, but the tension between the two men was not relieved.

Judge St. Paul to-night, after considering Mr. Caffery's reply, issued the "amendable honorable" exonerating Mr. Caffery.

DENIES PUBLISHED STORIES. Statement That He Will Resign as Secretary of Treasury Denied by Mr. Cortelyou. Washington, Jan. 15.—Secretary Cortelyou was at his desk in the Treasury Department to-day for the first time since his recent illness which began about four weeks ago. He said that the published story that he had resigned or would resign was absolutely without any foundation. He had had no serious differences with the President, he declared, or with any member of the Cabinet, and he expected to continue to serve as Secretary of the Treasury. Mr. Cortelyou pronounced the story that he had been offered the presidency of the Knickerbocker Trust Company of New York, as absolutely without foundation and said also that the published report that he had conferred with Mr. J. P. Morgan in regard to it was a "take."