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Tar Heel

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Sickness Delays Thaw's Trial

New York, Feb. 13.—The Thaw trial today was limited to an afternoon session of less than two hours duration, the morning sitting of court having been abandoned because of the illness of the wife of one of the jurors—Joseph B. Bolton, No. 11.

Mr. Bolton was allowed to visit his home in company with two other jurors, and two court officers. He found his wife suffering from double pneumonia, and two physicians certified before District Attorney Jerome that her condition was very serious. Bolton returned to the jury panel in time for the afternoon session, which began at 2:10 p. m. and adjourned at 4:05 o'clock.

There was a stipulation of counsel by which the juror might again visit his home, accompanied by bailiffs tonight. It is hoped that the trial will go on tomorrow. Juror Bolton this afternoon appeared distraught, apparently taking little interest in the proceedings.

If Mrs. Bolton's condition should continue so critical that her husband cannot be expected to give proper consideration to his duties as a juror, there may be an indefinite postponement—all the other jurors meanwhile remaining locked up—possibly a mistrial.

Dr. Evans the Only Witness of the Afternoon.

Dr. Britton D. Evans, superintendent of the state hospital for the insane, at Morris Plains, N. J., was the only witness of the afternoon. He concluded his direct examination and District Attorney Jerome reserved the right to cross question the expert at a later stage of the trial.

Dr. John T. Deemar, of Kittanning, Pa., was recalled to the stand just before adjournment and asked to state what he knew of the mental condition of John Ross, a first cousin of Harry Thaw.

Mr. Jerome objected to the question on the ground that the relationship was too remote to permit the drawing of deductions as to hereditary insanity. Both question and witness were withdrawn temporarily.

Dr. Evans today detailed the results of his various examinations and physical tests in his visits to the defendant following the tragedy.

Dr. Evans testified first as to the general condition of Thaw's body as to nutrition and said it was good.

"What as to the conformation of head?"

"The shape of the head showed no particular points or facts, except that there was an unusual and marked depression here." Dr. Evans pointed to a spot on the back of his own head to illustrate to the jury.

"What significance do you attach to the depression or valley in the rear of the head?"

"I am unable to attribute any special significance to it, or to characterize it, for the reason that I never before had met such a depression."

Dr. Evans gave the details of his examinations of Thaw's pulse, tests being made on numerous occasions.

"He exhibited the most remarkable nervous pulse it has ever been my opportunity to examine," said the alienist.

"The pulse indicated a nervous control of the heart, showing the sympathetic nervous system to be seriously at fault. The irregularity of the heart was evidenced by the pulse changing its rate four times within a minute, the variance being 12 to 24 beats.

"I have never before known a heart to act that way. I have known the pulse to change once in a minute, but Thaw's pulse would start the first quarter of a minute at 64 beats and in the next fifteen seconds would run up to 112 or more. It would then change to 90 and back to 80 or 82.

"I took his pulse many times and noticed this variance on every occasion.

"Fearing sometimes that the exertion of the physical examination had tired him I tried to compose his mind and then again took his pulse with the same result. This led me to examine his heart, which I found, of course, in the same irregular condition as the pulse. I examined the heart for murmurs or evidences of valvular troubles, but found none."

Found no Evidences of the Drug Habit.

The next examination, Dr. Evans said, was for muscular co-ordination.

After a very careful examination, the doctor said he found no evidence of abnormal muscular incoordination.

A search for evidences of the drug habit also was made. The only possible test, said the doctor, was a physical examination to see if there were on the body scars indicating the use of a hypodermic needle. No such indications were found.

Dr. Evans also declared that Thaw exhibited none of the tremors such as are found in persons who have been addicted for a long time to an excessive use of intoxicants. The tests of suggestion were not successful, Thaw wandering off in his conversation and failing to follow the suggestions offered.

During the examination he was very nervous, and seemed unnecessarily apprehensive of the manner of the examination. He appeared to be very tired.

Prisoner's Memory is Good.

Referring to the memory tests, Dr. Evans said:

"It is my opinion that his memory was good."

Dr. Evans took occasion to say that he felt it was extremely unfair to him as a physician to require him to separate his physical examinations of the defendant from the questions and answers as to his mental processes.

He was interrupted by both Mr. Jerome and Mr. Delmas, and Justice Fitzgerald said:

"Will you kindly confine yourself to answering questions and not giving expressions of opinion.

The defense assumes that it has now laid the foundation for the introduction of testimony which has heretofore been excluded from the case.

Among the things which have been so excluded is Thaw's will and the codicil thereto which is said to provide a fund of \$50,000 for the provision of his murderer, should he die a violent death, and a fund of \$75,000 for the care of a number of young women, said to be named in the will who Thaw is said to have believed, were victims of Stanford White.

The defense counts largely on this will to show the effect on Thaw's mind of the stories which were told him regarding the relations of White and Evelyn Nesbit.

It is also will form a proper foundation for the testimony of Evelyn Nesbit Thaw regarding conversations with her husband in which were mentioned the names of a number of other young girls who are said to have been the victims of White.

The defense claims that these stories preyed on Thaw's mind and contributed largely to the mental condition which induced him to shoot White.

Mr. W. W. Sawyer, who has spent some time in Norfolk on business, passed through the city today en route to his home in Tyrrell.

Mrs. S. A. Brickhouse, after a pleasant visit to her sister, Mrs. Gard, left today.

Miss Irene Holt, of Moyock, was in the city the guest of Mrs. S. S. Barcliff on Church street.

Mrs. Peter Ferebee, of Brambleton, is attending the sick bed of little Marion Barcliff who continues quite sick.

Miss Katie Sawyer, of Weeksville, is in the city shopping.

Rev. N. H. D. Wilson, of Hertford, is the city.

Miss Bertha Sawyer is a guest of Miss Cora White this week.

Miss Birdie Scott leaves today to visit friends in Norfolk.

Miss Cora White entertained a few of her friends last night, at her home on Euclid Heights.

Miss Lucy Gregory left today for a visit to friends and relatives in Norfolk.

Mrs. J. B. Mason is spending a few days at Windsor, N. C., where her husband is in the interest of an insurance company.

You'd better paddle your own canoe, For that's what you'll have to do, For when you are in hard luck And want to borrow a "Saw-buck," All you'll get is sym-pa-thee, Unless you take Rocky Mountain Tea.

—Standard Pharmacy.

A Schooner Lost Former Governor R. R. Keel Passes Away

Avon, N. C., Feb. 12.—On Wednesday morning, February 6th, while a fearful gale was blowing from the north, and the temperature at freezing, a vessel was discovered on the Diamond Shoals in a perilous condition. As soon as the wreck was discovered, notwithstanding the severity of the wind and weather, Capt. P. H. Etheridge of the Cape Hatteras life saving station, and Capt. Peel, of Creed's Hill, launched their boats, and put to sea, and for several hours braved the dangers of the cold and storm at the peril of their own lives, trying to rescue the crew of the unfortunate wreck. But owing to the condition of the sea, and the dangerous location of the wreck, it was impossible for the life savers to reach them, or render them any assistance.

The vessel was sunk, and the waves dashing over it. And while it was physically impossible for the life savers to get any nearer, or hold out any longer, it is due that brave, fearless, and courageous hero of Cape Hatteras, Captain Etheridge and also Captain Peel as well that they went to the extreme limit of human endeavor, to rescue the ship-wrecked crew from their perilous birth. And not till every effort had been put forward, and every possible means exhausted, and after the bravest, and most heroic battle that has ever been fought to save human life, did they give up the struggle, and then only with the avowed intention to resume their efforts as soon as the storm abated.

But on the following morning when the day dawned no trace of the wreck could be seen, the wind had increased during the night, and the unfortunate wreck had disappeared. And thus the ever feared, and dreaded Diamond Shoals had claimed another crew as its victim, and provided for them an unmarked grave in the mariners cemetery among its thousands of unknown dead. We admire the bravery of those gallant heroes of the life saving service, who are ever ready, as was recently demonstrated, to risk their own lives to rescue ship-wrecked seamen.

And while their noble efforts were not successfully rewarded, to them it must be said, you did your whole duty. And, As down in the sunless retreats of the Ocean, Their bodies entombed no mortal can see, As they perished their hearts breathed a prayer of devotion Unheard by the world rises silent to thee.

As the world offers homage to men brave and true, So your country a just debt of gratitude owes you May your brave deeds be written in temples of fame, To be read while the Cape Hatteras Diamonds remains.

Death of Confederate Veteran

Mr. M. B. Sevilles, of Walnut street, died yesterday afternoon, of paralysis, aged sixty-two years.

Death occurred at the home of Mr. Sevilles' son-in-law, Mr. W. H. Owens. The deceased is survived by wife and daughter.

Funeral from house, at 3 o'clock this afternoon. Interment at Hollywood cemetery.

Rev. Mr. Thompson, pastor of the First M. E. church will conduct the services.

Mr. Sevilles was a Confederate veteran of the civil war.

Mrs. George Pritchard, of Holmes Co., and Mrs. H. C. Grice, of McCabe & Grice, will leave today for New York, where they go to purchase goods for the above firms.

"Hello Girls." How to be healthy and happy and be a phone girl. Ring us up for a package of Hollister's Rocky Mountain Tea with full particulars. 35 cents, Tea or Tablets. Standard Pharmacy.

Former Governor R. R. Keel Passes Away

Olean, N. Y., Feb. 12.—Frank Wayland Higgins, former governor of New York, died in his home here tonight at 8:40. Mr. Higgins for years had suffered from heart trouble. After he entered upon his work as governor, Mr. Higgins was warned by Dr. E. G. Janeway, of New York, of a serious organic difficulty in the heart but no effort was relaxed, which Mr. Higgins believed essential to the discharge of the trust reposed in him by the people.

Surprise Wedding Last Night

A wedding which comes as a great surprise to the many friends of the contracting parties occurred last night at 9:30 o'clock at the residence of Mr. J. C. Spence, in which Mr. Ernest L. Sawyer and Miss Ema Ward Rodgerson were united in marriage. It was strictly a secret affair no one in the city being aware of the intentions of the couple, except the bride's mother.

Both of the contracting parties are residents of the city.

Mr. Sawyer is a prominent young attorney, well known, and held in high esteem by all. The bride is a highly cultured young lady, who has made Elizabeth City her home for a number of years.

Bill for the Insane Passes Both Houses

Raleigh, N. C., Feb. 13.—A bill appropriating \$500,000 for the enlargement and improvement of state hospitals for the insane and for the construction of a new hospital for mental defectives was unanimously passed by both branches of the legislature.

Jacksonians Not Anxious to Lynch

Suffolk, Va., Feb. 12.—W. Paul Moore, treasurer of Jackson, N. C., denies emphatically that there is any excitement or lynch sentiment in that town. He stigmatizes such a report as a lie, and declares peace prevails in the county.

Party of Sportsmen Pass Through

A party of officials, and their friends of the Dare Lumber Company, after spending the night at the Southern, left on the company's yacht, the Grace R., for a week's hunting down on the sound this morning.

The party included the president of the company, Mr. C. S. Hotchkiss, Binghamton, New York; Messrs. G. W. Wells and Albert B. Wells, of Southbridge, Mass.; Messrs. King and Kent, of New York city, and Mr. H. C. Tunis, of this city.

Ministers Hold Institute

The Methodist ministers of the Elizabeth City district, met yesterday at 10 o'clock in an informal meeting at the First Methodist church.

All the Methodist ministers in the district were present.

Matters of interest pertaining to the welfare of the denomination in the district were ably discussed by the various ministers present.

Last night at 7:30 o'clock Rev. N. H. D. Wilson, pastor of the Hertford Methodist church preached at the First Methodist church to a large and appreciative audience. The visiting ministers enjoyed the institute greatly and had a most pleasant sojourn in the city.

Bill Not Vote On

Raleigh, N. C., Feb. 13.—There was only one debate tonight in the house on the bill providing for only first class fares, this to be 2 cents on railroads whose passenger earnings exceed \$1,550 a mile, 2-1/2 cents on those exceeding \$1,000 and 3 cents on those less than \$1,000.

The debate continues Thursday and a vote may be reached then.

Big Item For a Deep Water-Way

Washington, D. C., Feb. 12.—There was much rejoicing on the part of the North Carolina delegation today when the fact was ascertained that Senator Simmons had succeeded in having the senate committee on commerce incorporate in the river and harbor bill an amendment appropriating \$780,000 for the construction of a twelve foot channel between Pamlico Sound and the ocean, thus giving deep water to the numerous sound rivers in the state. That the senate will accept the amendment for this big appropriation is not doubted, but there is reason to believe that it will be opposed in conference by the house conferees. The senate conferees have assured Senator Simmons that they will insist on the retention of this amendment in the bill, and if they hold out to the end as the senior senator believes they will, the state will get the benefit of this important appropriation.

The importance of Senator Simmons' victory can be judged when the fact is recalled that the house only gave all the Tar Heel rivers and harbor interests appropriations to the amount of \$530,000.

It is doubtful whether the senior senator could have accomplished this result had it not been for the fact that he is a member of the senate committee on commerce, which passes on the river and harbor bill.

The appropriation which Senator Simmons successfully advocated today will construct the third section of the proposed inland waterway so persistently advocated by Representative Small.

While urging the importance of the appropriation from this standpoint, Senator Simmons also emphasized the fact that it would give the numerous North Carolina river anything in the three big sounds deep water to the ocean. The bulk of the appropriation, if granted by congress will be used in making a four mile cut to a depth of twelve feet at Adams Creek, which, connects the ocean and the sound.

The committee on commerce had the project under consideration for more than an hour today.

Senator Overman was before the committee during the day and urged that the acceptance of his amendment appropriating \$400,000 for the improvement of the upper Cape Fear between Wilmington and Fayetteville. The appropriation calls for the construction of a lock and dam. Senator Overman spoke at length of the importance of this project, but he realizes that there are strong influences in congress opposed to it.

The committee on commerce adopted Senator Simmons' amendment providing for a thirty-foot survey of Beaufort Harbor. The present project is for a twenty-foot depth.

A distinct event in the social life of the capital this winter was the reception given this afternoon at the Highlands by Mrs. Simons and Mrs. Ankeny, the wife the Senator from Washington.

Official and social life was well represented, and practically all of the North Carolina colony here extended their compliments to the charming wife of the senior senator. Mrs. A. B. Andrews, of Raleigh, was among those in the receiving line and Mrs. Gudger served. The reception was one of the most delightful affairs of the winter.

Today's arrivals included Clement Manly, of Winston, J. Wescott Robertson, of Guilford and J. O. Ellington, of Fayetteville.

The president sent to the senate today the nomination of C. M. McCall to be postmaster at Marlon.

THE DATE ON THE LABEL
OF THIS PAPER SHOWS
WHEN YOUR SUBSCRIPTION
EXPIRES.

Overman Also Scores.

Senator Overman also scored today in a legislative matter. Some time ago the senator secured the passage of the bill appropriating fifteen thousand dollars for the erection of a monument to General Nathaniel Greene, at Guilford Battle ground. The speaker has refused to permit consideration of the measure in the house and there the matter stood. While the military appropriation bill was under consideration in the senate today Senator Overman offered his bill as an amendment to that measure. It was first ruled out on a point of order, but Senator Overman rallied his friends, and on the final vote the amendment was incorporated in the appropriation bill. Like Senator Simmons' deep channel amendment the only danger to the Greene monument proposition is that it may be killed in conference.

There was some talk tonight to the effect that the advocates of the Gulf to the Lake scheme in the senate, who are not recognized in the river and harbor bill, will talk the measure to death in the final days of the session. There are many disgruntled senators and members, who don't like the division of the pork, but the barrel is such a large one it is not believed it can be defeated.

Loyalty Clause May be Repealed

Washington, Feb. 12.—Representative Burleson, of Texas, today introduced in the house a joint resolution repealing section 4716 of the revised statutes which requires loyalty during the civil war to be proven before a pension is granted.

Commissioner Warner is in favor of the resolution, but is inclined to believe that even without it the service pension act is to embrace the Mexican war veterans who subsequently served in the Confederate army and whose interest the resolution was prepared.

That there may be no doubt on the point, he expresses the hope that the statute will be repealed.

Poor San Francisco Poor Army

(American Industries.)

"In San Francisco a bricklayer, plasterer or plumber receives more pay than a captain of 20 years' service stationed at any of the posts near the latter's quarters and the commutation of his grade. A hod-carrier in the same city receives more pay than a second lieutenant."

This statement is made by Brigadier General Funston in his annual report. He adds:

"The very existence of the army is threatened if wages in civil life continue to rise unless steps are taken to increase the pay of the rank and file. Recruits are obtained with great difficulty. The wonder is that with the wretched pay offered, the army obtains as man good men as it does."

Gen. Funston finds himself much obstructed in improving the military posts by the high price of labor in San Francisco and vicinity. He says:

"In addition to the fact that abnormally high wages are being paid, the building trades in that city are completely dominated by tyrannical

THERE'S NOTHING TRUE BUT HEAVEN.

This world is all a fleeting show,
For man's illusion lives;
The smiles of joy, the tears of woe,
Deceitful shine, deceitful flow;
There's nothing true by Heaven.

And false the light on glory's plume,
As fading hues of even;
And love, and hope, and beauty's bloom

Are blossoms gathered from the tomb—
There's nothing bright but Heaven.

Great investment, absolutely safe,
brings returns, giving surplus earning power of youth till old age, securing comfort and health in your declining years. That's what Hollister's Rocky Mountain Tea does. Standard Pharmacy.