

OUTLINES.

The defense of Harry K. Thaw, on trial in New York, for the murder of Stanford White, assumed a more hopeful aspect yesterday after the leading lawyer had been replaced by Attorney DeMass, of California; eye-witnesses testified to the killing and that Thaw appeared irrational, that White had threatened Thaw's life and that an uncle of Thaw had been insane; Thaw's wife may be a witness to-day. The unknown schooner ashore at Cape Hatteras is holding together and her crew can be seen lashed to the masts, although it is feared that some of them have been lost, as a lifeboat is missing. The House Committee on Judiciary yesterday reported that in its opinion Congress has no jurisdiction or authority over women or child labor, and that if it did it would be unwise for the government to so on interfering with the police rights of the States. A bulletin issued yesterday by the Inter-State Commerce Commission shows that in three months, ended September 30, the total number of railroad casualties to passengers and employes was 19,850 and that there were 3,672 collisions and derailments, doing a property damage of \$2,932,760. South Carolina and Georgia cotton manufacturers have complained to the Inter-State Commission that the railroads haul cotton goods cheaper a longer distance from New England points to the Pacific Coast than from Southern points. The plans were given in the Senate yesterday for a monster battleship to be built for the United States, a perfect floating fortress equal to any now afloat or planned; the vessel will be 518 1/2 feet long and her armament will consist of 36 guns, including 10 12-inch rifles mounted on electrically controlled turrets. In the Senate Committee investigation of the "shooting up" of Brownsville, in Washington yesterday, Senator Pettus, of Alabama, called down Senator Fowler, who led a negro soldier witness who endeavored to make it appear that citizens of Brownsville shot up the town to get the negro soldiers away. New York markets: Money rate easy 2 1/2 to 3 per cent, ruling rate 2 3/4, closing bid 2 offered at 2 1/2; spot cotton steady 11 cents; flour firm but slow; wheat strong, No. 2 ear 87 1/2 elevator; corn steady; rosin steady, strained common to good 4 40 to 4 45.

A weather prophet predicts that on the 14th of February a severe earthquake will cause destruction in New England. Prophets ought to remember that those New Englanders used to start fires with witches.

After an Arizona man died it was discovered that he left three widows and twenty-five children. Some men do such things that they are bound to be missed more than others when they turn up their toes.

The Philadelphia Press inquires: "Shall graft rule this town or the people?" Graft is not particular whether it rules the town or the people. However, the Press meant to ask: Shall graft or the people rule this town?

This is one of the pointed paragraphs of the Chicago News: "Graft often goes about disguised as a business opportunity." He should say, more often as a business proposition that looks so good that some men can't see the impropriety of accepting it.

The government collected some \$68,000,000 taxes on cotton immediately following the Civil War. It was a discrimination against the product of one section of the country at a time when that section was impoverished by war. Money like that ought to burn the government's fingers.

That a famine in Russia should cause the price of wheat to advance 1 1/8 to 1 1/4 cents per bushel tends to show the heartless side of commercialism. The starving of people is taken as the reason for a boom in prices in the Chicago grain market, as The Star's commercial dispatches this morning state.

Says the Norfolk Virginia Pilot: "War with Japan over the California school issue? Nonsense! If such a bluff is being made, the President's ill-advised deliverances are responsible for it. Nobody is frightened." Judging from the serenity of Japan under the circumstances, President Roosevelt shows up somewhat as an alarmist. Pity.

The commissioners of Pender and New Hanover counties are to be congratulated upon their agreement, at the joint meeting in Wilmington on Tuesday, to go ahead with their plans to erect a steel bridge over the North East river at or near Castle Haynes. It is a pronounced step in the direction of progress, as a bridge will do much towards developing the communities which are to get the benefit of free passage of the river. Permission to construct the bridge will have to be received from the government, as the North East is a navigable stream.

FACTS IN THE CASE LADIES' BENEVOLENT

Recent Compromise of Murder Trials in New Hanover Superior Court Here.

RESULT OF INVESTIGATION

J. O. Carr, Esq., Writes of the Criticisms Passed Upon Solicitor Rodolph Duffy By the County Commissioners.

Regarding the rather harsh criticism of Solicitor Rodolph Duffy for his conduct of the cases of Ashe and James at the late term of the Superior Court in this city, as voiced in a resolution passed Monday by the Board of County Commissioners, J. O. Carr, Esq., of the Wilmington bar, who was appointed by the court to make an impartial investigation of the cases and report the best action to take with reference thereto, writes a card to this paper which is cheerfully published as follows, in justice to all concerned:

To the Editor of The Star:— I note in your issue of the fifth the publication of resolutions passed by the County Commissioners aimed at Solicitor Duffy, which I regard as a gross injustice to him, and as I was appointed by Judge Long to make an impartial investigation of the facts in the two murder cases in question, I think it is due Mr. Duffy that such an indictment by the County Commissioners should not go unchallenged.

I spent a full day in connection with these two cases, assisted by counsel who had been appointed to defend the accused, Mr. Duffy being present, and to each and every witness, including those of the State and the defendants the question was put as to whether or not any threat had been made prior to the killing and in each of the cases there was no evidence of threats, and in my opinion no evidence showing any premeditated purpose of doing the killing prior to the acts resulting in the death of the deceased. In my opinion, and I so represented to the court, no evidence had been developed of premeditation, which is a requisite to first degree murder. It is true that when the evidence was taken in court after the submission, for the purpose of ascertaining the amount of punishment which should be inflicted, one witness testified about some threats but he had not heard the threats himself and had merely heard someone else say that there were such threats and did not know who the other party was. The evidence could not have been in any sense competent and there was no clue by which the party originally making the statements could be ascertained. Besides, one of the two defendants, whose case seemed to be the worst of the two, was a degenerate approaching idocy, and in my judgment, no jury would have convicted either of them of murder in the first degree if the verdicts heretofore rendered in New Hanover county, when people of more responsibility and standing were on trial for equally great offenses, are to be taken as a criterion.

I have witnessed almost continually since Mr. Duffy has been in office his conduct as a prosecuting attorney and I have never seen him inclined toward leniency or mercy in the performance of his official duties, with one or two possible exceptions, the most notable of which was his failure to prosecute the present Board of Commissioners of New Hanover county when the report of the grand jury showed a most horrible condition of affairs at the convict camp in New Hanover, which report might now furnish very interesting reading to those who are not familiar with its contents.

And I have no doubt that the Solicitor felt in this case that inasmuch as the Board of Commissioners were public officials and responsible to the people for their conduct, that the ends of justice did not demand a vigorous prosecution. In accepting a submission to second degree murder in these two cases I know the Solicitor has neglected no duty to the public and if his critics have in their possession evidence of threats or premeditation they would have done a public service to have furnished this to the Solicitor before the trial.

J. O. CARR.

Married Last Night.
At the close of the prayer meeting service at Immanuel Presbyterian Church last night, quite a pleasant surprise was sprung on the friends of Mr. Guilford Garvey and Mrs. Fannie Reister by their presentation at the altar for marriage, which was peacefully performed by the pastor, Rev. J. S. Crowley. After receiving the congratulations of their friends, they repaired to their home in the southern part of the city. Both have a number of friends who will be pleased at this announcement.

NEW ADVERTISEMENTS.
Palace Market.—Dressed Turkeys, Charley-Gowan's Pneumonia Cure, Newkirk Bros.—Machinery Repairs, Platt & Haar—Spring Suits for Ladies.
Business Locals.
Typewriter Supply Co.—Gold Medal.
New fancy and plain colored silks are now on display at Redder's.

Annual Meeting of Society Tuesday Afternoon—Review of Year's Work and Interesting News of Catherine Kennedy Home.

The annual meeting of the Ladies' Benevolent Society was held Tuesday afternoon at 4 o'clock at the Catherine Kennedy Home, the worthy charity supported in this city by the organization. There was a good attendance and the various reports read showed a most satisfactory condition of the work, all things being taken into consideration. Mrs. Roger Moore was re-elected president; Mrs. Phil. Pearsall, vice president; Miss Louise Harlow, secretary, and Mrs. W. R. French, treasurer. The annual report of the president of the Society was received as follows:

Ladies of the Benevolent Society:— For several years past our work has gone on quietly, almost monotonously; little having occurred to break the usual order of affairs until 1906, which has been a year of unusual interest to the society in many ways.

The first event of interest to the Society was the redeeming of our certificates of A. C. L. stock which have been in the keeping of the Safe Deposit & Trust Company, of Baltimore, for the past five years; the reason of this being that the original certificates were lost 25 or 30 years ago, and when these were called in so that others could be issued, they could not be produced. Owing to the kindness of Mr. Eugene Martin and the late President Elliott, an arrangement was made by which we could still draw our dividends until the time required by law for the protection of the A. C. L. Company had expired. We can never sufficiently thank Mr. James F. Post, secretary and treasurer of the fund, for his unbounded interest and kindness in relieving us of all the business complications which were involved in the affair. He has always been one of the strongest and ablest champions of this home for old ladies, and his services have been invaluable. He is a friend to whom we can turn at all times for help and sympathy. Our certificates are now deposited with the Wilmington Savings & Trust Company.

The next matter of interest was the gift of \$150 from a friend in memory of her young brother who entered Paradise less than two years ago. This has been explained before, so I will not dwell upon it.

Ever since we entered the comfortable home and filled every room so soon, we have realized our need of more space, but having no means at our disposal for building purposes, our only way of enlarging our quarters was by saving the admission fee of the inmates. By close economy we have managed to do this, calling it our building fund; and with the addition of the little sum we had in bank after the house was purchased, with accumulated interest on both this amount and the fees during the past 11 years, we have been able to build an eight-room addition to the house without calling on the community for aid. We would like our members and all other persons who are interested, to call and inspect our new building. Our thanks are due the Contractor, Mr. J. R. Giddings, for a most excellent piece of work, every part of which will bear the most critical inspection, and for favors shown, which, under terms of the contract, we had no right to expect.

We were shown unusual kindness by the Architects Messrs. Leitner & Wilkins, who, practically, gave us our plan, as they charged only for the time consumed in preparing it.

It is a grief to us that we cannot support this addition as we do the main house. With our own income and what we receive from the citizens (scarcely a third of what it costs to meet our obligations) we are enabled to support the household, which consists of 11 persons, and we hope that there will never be an interruption to this arrangement.

Those who enter the addition will not be required to pay an admission fee, but will have to pay something each month; not board, as some erroneously suppose, but the bare cost of living. It would be a glad day to the Society if the Citizens could realize the necessity of this refuge, and would resolve that the original method should be adhered to, so that all could enter upon the same terms. It would not be a hardship to anyone to assist in accomplishing this end; it only means yearly pledges of from \$1 to \$5 from nearly everyone.

In conclusion, our thanks are freely given to all those who have helped the Home by gifts of provisions, wood and money; and to the Morning Star, Messenger and Dispatch for printing our notices, etc., throughout the year; to the Ministry for services, to R. R. Bellamy and Mr. J. Hicks Bunting for drugs given at all times; to Mr. Marsden Bellamy, Jr., for legal services; to Drs. Love, Billock, Burbank, Wood and Thomas for medical attention, and the C. P. I. & P. Co. for gas.

It would be amiss not to render thanks to Almighty God for His watchful care and loving kindness over this Home, and for the wonderful way in which He has prospered and blessed this branch of His work. To Him be the praise and the glory.

MRS. ROGER MOORE, President.

GENERAL ASSEMBLY VETERANS PLEAS

Proceedings in Both Houses of North Carolina Legislature at Raleigh Yesterday

SOLICITORS' BILL PASSED

Senator Graham Introduces Passenger Rate Bill—Friction Between Committee—Anti-Trust "Busters" Are Heard.

(Special Star Telegram.)

Raleigh, N. C., Feb. 6.—The Senate today passed the Webb bill putting solicitors on salaries instead of fees with the McLean amendment that no solicitor receive more than \$2,500 and in districts where the fees do not amount to that sum, the solicitor shall receive only the amount of the fees.

Senator Graham, who is chairman of the Railroad Committee of the Senate, introduced a bill providing 2 1/2 and 2 cent passenger fare, with interchangeable mileage. He made a statement incidentally that the Senate Committee will decline to co-operate with the House committee in drafting a common rate bill, since the two committees cannot agree. The Graham bill is understood to represent the Senate committee's views. The House is understood to stand out for a two-cent flat rate with no second class.

Bills passed the Senate: To improve the efficiency of the James Walker Memorial Hospital of Wilmington; to allow the Y. M. C. A. of Wilmington to issue bonds. The House received with favorable report from the Insane Asylums Committee the Bickett bill, providing for \$500,000 bond issue for enlarging the asylums and creating the hospital commission. Then after a lengthy discussion, it referred the bill to the Appropriations Committee. The House passed the Senate bill to change the name of Ashpole, Robeson county, to Fairmont.

The joint committee of the Senate and House on judiciary heard lengthy discussions today from representatives of the leading State insurance companies and cotton mill men against the features of the anti-trust bills by Senators Holt, Aycock and Reid, and the Koonce insurance bill in the House, which is aimed against the Southeastern Association. The final outcome was a sort of acquiescence in the Reid bill, with the elimination of first-class and other objectionable features. Senator Holt will withdraw his bill in favor of the Reid bill.

The appeal of the insurance and cotton mill men was for no interference with the present State laws. D. A. Tompkins and other cotton mill men appealed that no law be enacted that will interfere with the "Factory Insurance Association," by which cotton mills are now enjoying a remarkably low rate of insurance.

The Joint Committee on Counties, Cities and Towns heard argument this afternoon on the formation of the new county of Lee out of portions of Moore and Chatham counties. Action was deferred. Two hundred citizens from the territory proposed to be included in the new county were present with banners and badges to lend the effect of their presence in the interest of Lee county.

The Supreme Court today elected Robert Strong, of this city, Supreme Court reporter, to succeed J. Crawford Biggs, who resigned for the judgeship.

A personal encounter occurred in the capitol this morning just before the House met, between Dr. C. G. Bryant, representative from Wilkes, and Frank W. Hanes, of Yadkin county, both Republicans. It is understood that it was a personal matter between the two men and that politics had nothing to do with the encounter. Dr. Bryant landed on Haynes' jaw and that was the only lick struck, friends to the two men separating them quickly.

The House was opened this morning with prayer by Dr. Moment. Petitions were read from the Board of Trade, of Winston relative to railroad freight and passenger rates, pleading for service and equipment rather than reduction. From citizens of Stanly against polygamy.

Bills were introduced by Jacobson, to increase efficiency of justices of the peace; amend 3,733 or revival relative to drunkenness; Lockhart, to extend corporate limits of Wadesboro; to amend charter of Clinton. Among the bills that passed final reading were: To provide for registration of conditional sales of railroad property; to give prisoners in jail credit for time spent in confinement when awaiting appeal to higher court; to prevent the temporary use or larceny of an automobile or street car; to prevent manufacture and sale of liquor in Madison county. The House concurred in the Senate amendment to bill dividing proceeds of Falkland dispensary. Bill to reduce fees of officers in Johnston county was sent to the Senate for concurrence in amendment.

The Senate to-day was opened with prayer by Rev. G. B. Starling. Mr. Greer, of Columbus, introduced a bill fixing two years as time in which to bring actions against telegraph com-

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Most Cordial Expression From Members of 117th New York Volunteers Upon Recent Fort Fisher Reunion.

Letters keep pouring in from the Northern veterans expressing their high appreciation of the cordial welcome extended to them by the people of Wilmington upon the occasion of the late Fort Fisher reunion. The veterans of the Gray are also writing for badges and souvenirs of the reunion and their letters indicate that the attendance next year will be double what it was in 1907. A neat expression is from the 17th New York volunteers Utica, N. Y. They enclose to Rev. J. A. Smith a copy of an official resolution regarding the reunion, as follows:

"Acting in behalf of the members of the 117th Regiment and the members of other Northern regiments which participated in the battle of Fort Fisher, the undersigned committee, having been duly authorized, hereby place on record an expression of their appreciation of the hospitality and kindness of which they were the recipients at the recent reunion at Wilmington, N. C., when they were the guests of the Southern soldiers who defended the old fort in 1865.

It was an occasion which every Northern comrade will remember with delight, and always with feelings of gratitude for the attentions and courtesies that were bestowed upon them, not only by the men who wore the gray, but by the citizens of Wilmington, generally, whose efforts to entertain the men who wore the blue were so successful as to remove all doubt that sectional differences have been wholly obliterated.

In every detail our comfort and enjoyment were carefully provided for, and nothing was neglected that could have added to the happiness of our visit to the scenes of a conflict that has now become historic, and which must ever possess for us a peculiarly personal interest.

We are under special obligations to the Southern comrades represented in the Fort Fisher Defenders' Association, whose chivalrous spirit prompted the invitation that made the reunion possible, and we have pledged ourselves to unite with them to have the site of Fort Fisher set apart as a national park and to have a suitable monument commemorating the battle, erected thereon.

We wish also to express our thanks to the Board of Supervisors of Onitida county and to the Senate and Assembly of New York State for the adoption of resolutions approving of this reunion of the Blue and Gray, which we with all other good citizens hail as a significant sign that our country is to-day united in fact as well as in name.

REFUS DAGGETT.
DAVID B. MAGILL.
W. S. LEETE.
DR. ALBERT MILLINGTON.
GEORGE B. FAIRHEAD.
JOHN B. JONES.

DELIGHTFUL RECITAL.

Miss Sarah Peck Hines Charmingly Entertained Jefferson Lodge.

Miss Sarah Peck Hines delightfully entertained Jefferson Lodge, Knights of Pythias, last night in Castle Hall, Merchison National Bank building, with a reading of Damon and Pythias. There was a fairly large attendance of the members of the order and their friends and the beautiful story essayed by Miss Hines and forming the basic principles of Pythianism, was beautifully told by the gifted elocutionist. Miss Hines was encircled and again after reading of Damon and Pythias and responded with several other light numbers, all of which were very pleasing. It is seldom that a fraternal order in Wilmington enjoys such an entertainment as that by Jefferson lodge last night, and their friends were not present in response to the invitations sent out.

THE CHARITY BALL.

Arrangements Progressing Nicely. Care After the Affair.

Arrangements are progressing very satisfactorily for the Charity Ball to be given in the Masonic Temple tomorrow night under the auspices of the Ministering Circle. Tickets for the ball are on sale at Yates' and DeRosset's at two dollars each, and the indications are that the sale will be large. Many are buying tickets who will not attend, but who are prompted by a desire to assist in a most worthy cause, and will confer the favor of attending the ball upon some friend or member of the family. An elegant supper will be one of the features of the ball.

At the request of the Charity Ball Committee the Consolidated Company has kindly agreed to run a car around the belt after the ball. The car will be in waiting in front of the Masonic Temple.

Seats for Parsifal.
The Academy management announces that in case there is an overflow for the production of Parsifal at the theatre tonight, the third gallery will be admitted there at the low price of fifty cents. Emphasis is laid upon the fact that the curtain goes up promptly at 7:45 o'clock, and there will be no seats assigned after the house is seated.

Conference Looking to Reconciliation of Differences Between Colored Congregation

ANTI-RHOES WON IN COURT

Defendant Recalcitrants Found Not Guilty of Disturbing Religious Worship and Preacher Taxed \$32.60 Costs—Appeal.

HEALING THE BREACH
Influences are quietly at work to effect a reconciliation between the warring factions in the First Baptist Church, colored, of this city, the congregation of which has been rent in twain by differences among the members, involving the moral character of their pastor, the Rev. John Henry Rhoe.

The public is familiar with the hearing of the cases in Justice Bornemann's court during the past two days. The kindly offices of the Rev. Dr. James Carmichael, of the Episcopal Church, an authority on church government, have been secured, and last night Dr. Carmichael, appreciating the serious phase which the question has assumed, consented to confer with the two factions in the congregation, giving them sound advice, which if followed, it is believed will result in healing the breach between the disturbing elements.

While the matter was kept very quiet as to any overtures being made from one side to the other, it is understood that the conference was held last night in the church of the colored congregation at corner of Fifth and Campbell streets and that the differences are already well on the way to adjustment. The intensity of the feeling and the doubt which accompanied the effort toward a reconciliation, was emphasized in a request to police headquarters early in the afternoon, asking that officers be stationed near the church in case of any breach of the peace which might have been engendered during the heated trials of the past two days. So far as could be learned both sides were willing to listen to reason, and if present plans carry unity and harmony will prevail once more, whether at the price of Rev. Rhoe's official head or not is not known.

Justice Bornemann in the county court room yesterday morning upon the resumption of the trial of the anti-Rhoe members for disturbing religious services and committing nuisances when they occupied the church by force Sunday, rendered his decision in the one case tried the day before, that of L. W. Wheeler. The defendant was adjudged not guilty as charged on the two counts and the Rev. Rhoe as the prosecuting witness, was taxed with \$32.60 costs. From this judgment Herbert McClammy, Esq., and Brooke G. Empe, Esq., took an appeal to the Superior Court. When the cases against the remaining defendants, 12 in number, were called, the attorneys of Rhoe presented an affidavit of removal from Justice Bornemann, upon the ground that they could not get a fair trial before that court. This was resisted by Messrs. Peschau and Gafford, attorneys for the recalcitrants, who set up that the trial had been removed once from Justice Furlong and that under the law another removal was not permissible. The motion to remove was not granted by Justice Bornemann, and on that point Messrs. McClammy and Empe appealed to the higher court in all of the cases. The point upon which the cases are taken up is that while the defendants had removed the case once, the prosecutor had not had opportunity to remove, and that the intent of the law was that both the defendant and the prosecution should have equal opportunity of transferring the cases. It was agreed that this point should be left to Judge Long for determination at the next term of the Superior Court in this city. The failure of the attorneys to press for an immediate trial more strenuously is understood to have been on account of the influence toward a reconciliation that had been set on foot.

The defendants in the 14 cases for disturbing religious worship and for committing a nuisance in "holding the fort" by dint of lung power, were each recognized in the sum of \$100 for their appearance at the term of criminal Superior Court, convened in this city on the 22nd of April. Thirty-five witnesses were likewise recognized for their appearance at that time.

The court room was again crowded with witnesses and defendants yesterday, and the indications at first were for an all-day hearing. Both factions were represented in the throng and the amusing scenes of the day before were repeated.

While the church property, valued at several thousand dollars, was not directly in question at the criminal hearing of the defendants, it was easy to be seen that civil suits for possession of the same would be a natural sequence, and for that reason the cases were bitterly fought. Every thing hinged upon which faction was legally entitled to possession of the church. If the anti-Rhoe faction had a right to hold the church, it was easy to be seen that they were not guilty of disturbing a religious service by hold-

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