

THE LARGEST CIRCULATION OF ANY NORTH CAROLINA DAILY.

WAS HIS OWN LAWYER

HOLMES AT LAST PUT ON TRIAL FOR THE MURDER OF PIETZEL.

IT WAS A DAY OF SENSATIONS

The Judge Refused Under any Consideration to Allow a Postponement of the Case and Holmes' Lawyers Withdrew From the Case and the Accused Man Selected his Own Jury--The Court Room Packed With Spectators--The Case of the Prosecution.

PHILADELPHIA, Pa., Oct. 28.—H. H. Holmes, of Herman W. Mudgett, which he says is his baptismal name, was put on trial in the Court of Oyer and Terminer to-day for the murder of B. F. Pietzel, in this city, on September 2, 1894, and the developments of the first day verified, better perhaps than ever before, the force of the maxim that truth is stranger than fiction.

From the nature of the case and startling stories concerning it which have gained currency during the past year, sensational revelations were naturally to be expected when he who has come to be regarded as the most skillful and audacious criminal of modern times was placed on trial for his life; yet what did occur in court so far surpassed all expectations that the most vivid flights of imagination could scarcely have conceived the day's events.

Protestations and entreaties for a continuance of the trial summarily overruled; the sudden withdrawal of the lawyers who had hitherto represented the prisoner, in the face of threats of disbarment; the appointment by the court of a new counsel and the refusal by the prisoner to accept them as his defenders; the declination of other lawyer to serve after being selected by Holmes; and finally the prisoner trying his own case.

This not to speak of sundry dramatic passages at arms between Holmes and the commonwealth's prosecuting officer, is a summary of what occurred.

Arraigned against Holmes as the commonwealth's prosecutor is District Attorney George S. Graham and his special assistant, Thomas W. Barlow, while the counsel for the prisoner at the opening of court were Wm. A. Shoemaker and Samuel P. Rotan, young members of the bar of this city.

Judge Michael Arnold presided. For nearly an hour before the time fixed for the opening of the court room, on the sixth floor of the big city hall, a crowd began to gather in the corridors without. Thanks to the announcement that only those having business with the case would be admitted to the court room, there were not so many as were to have been expected.

There will be some gruesome exhibits introduced in evidence during the progress of the trial. Among these are the skull and parts of the body of the elder Pietzel; the charred remains of his youngest son, Howard Pietzel, who is thought to have been murdered by Holmes in Irvington, Indiana, and the stove in which they were found in the cottage in that city. These were brought here by Detective Richards, of Indianapolis, who arrived last night. The stove is a huge affair, with a body round like a large barrel, and big enough to put two or three children into.

Promptly at 10 o'clock court was formally declared open.

Holmes, who has grown a full black beard since his confinement in Moyamensing prison, looked pale and wan, but immaculately neat. He was plainly nervous and looked about the room with a shifty expression in his steely blue eyes.

The first witness caused by the non-appearance of Mr. Shoemaker, of counsel for the defense, who did not come into court until 10:15 o'clock. He stopped and shook hands with Holmes, and taking his seat, Mr. Graham instantly asked that the case proceed.

Holmes was then ordered to rise, and was formally told of his right to challenge jurors. He received the information implacably. The moment this formality had been concluded, Mr. Shoemaker arose and asked for a continuance of the case. He urged, as his basis, the lack of time which had hampered the preparation of the defense.

"There are three homicide cases involved in this case," he urged, "and we have had only as much time as would be adequate for the preparation of one."

There is evidence, he continued, to be obtained not only from distant points in this country, but also from abroad, which the defense had been unable to procure in the short space of time left to them since the finding of the indictment—evidence which would be of the utmost importance to the defense. The prosecution, Mr. Shoemaker added, had been working on its case for three hundred days, while the defense had had but sixty. Under these circumstances he felt justified in asking for a continuance of sixty days to give them an opportunity to gather their witnesses.

At the conclusion of Mr. Shoemaker's address, Mr. Graham arose and said he would protest with all his vigor against the granting of a continuance. He declared that a postponement meant the absolute destruction of the commonwealth's case. No legal grounds had been laid for the request, but it was simply left to the court's discretion. Mr. Graham then dwelt upon the severe strain under which Mrs. Pietzel has been put and said an examination into her mental condition had made it appear that were a continuance granted the commonwealth

would lose its most important witness.

Mr. Rotan, of the defense, renewed the plea for a respite. He argued that to properly try this case they must be fully and thoroughly informed.

"We are utterly unable to go on with this case. The defense is not prepared."

Judge Arnold promptly replied: "The motion for a continuance is overruled."

He briefly called attention to the fact that the defense had been fully apprised that no such motion would be entertained. Such was still the case.

Mr. Shoemaker and Mr. Rotan, then created a mild sensation by saying in turn to the court, if the judge's decision was irrevocable they would withdraw from the case, but Judge Arnold poiled this boomerang by declaring that a member of the bar who would withdraw from a murder case on the very eve of its trial would be called upon to show cause why he should not be disbarred for unprofessional conduct.

"Will your Honor allow the case to go over until tomorrow morning?" pleaded Mr. Rotan.

"Call a jury," echoed the judge, firmly—and the calling of a jury was begun.

One juror had been admitted by the commonwealth, when there was another sensation.

Holmes arose in the dock and, in a quavering treble voice, said to Judge Arnold: "May it please the court, I have no inclination to continue with the trial of this case with Mr. Rotan and Mr. Shoemaker as my counsel, feeling that, in view of their desire to withdraw, my interests would be damaged. I therefore discharge them as my counsel."

This device alike proved ineffective.

"You cannot discharge them, Mr. Holmes," answered Judge Arnold.

"That is for the court, and if they withdraw from this case, they will be punished."

"If," continued Holmes, his tones still more tremulous, "if your honor will give me until tomorrow to secure additional counsel—"

"We will have no more debate, Mr. Holmes; the matter is decided."

The examination of jurors was about to be proceeded with when Shoemaker again arose and stated that the prisoner absolutely forbade them from representing him in the case, and declared that he (Holmes) would examine the jurors and witnesses himself.

Judge Arnold said he would permit Holmes to question the jurors, if he so desired, while counsel considered the question of their proceeding.

Holmes armed himself with pencil and paper, and Esch Turner, the first juror was turned over to him for examination and after several questions was challenged preemptorily.

At this juncture, Messrs. Rotan and Shoemaker arose and declared that they felt obliged to withdraw from the case regardless of consequences.

"You must take consequences then," said the judge and the two lawyers without further ado, left the court room.

Still determined to brook no defers, however, the commonwealth's officers consulted with the judge and then called upon Everett Shoemaker and J. M. Fahy, young members of the bar, who agreed to assume the grave responsibility—with all the aid possible from Mr. Graham.

Holmes, however, objected on the ground that as he knew nothing of these gentlemen, he did not care to entrust his life to them.

"As far as aid from Graham is concerned," he added with unvelled bitterness, "I have had abundant proof in the past year what promises of aid from the District Attorney's office means. May I be allowed a postponement until tomorrow to see R. O. Moon, who is already familiar with the case and whom I know I can engage?"

"Do you then refuse to allow these gentlemen to defend you?"

"No, sir. If I am not allowed the continuance until tomorrow, I must ask to try the case myself."

"Well, we will go on to-day," said the judge, "and we will see about your engaging Mr. Moon later on."

The examination of jurors was then resumed.

Holmes continued questioning the jurors as they came up, and gave every evidence of being a man of education and refinement. His words, which embraced the usual technical questions, were well chosen and well pronounced. There were not nearly so many challenges as were anticipated, and up to 12:15 p. m. nine jurors had been accepted. At this time lawyer R. O. Moon came into court, and, with the assent of the commonwealth's officers and the judge, held a whispered consultation with the prisoner, at the conclusion of which he addressed the court. He admitted having been consulted in the case, and said he knew probably more about it than any outsider. He would be glad to take up the defense of the prisoner, but, in view of the foreign elements entering into the case, such a thing was practically impossible without a continuance until some future date.

Judge Arnold reiterated that the case should proceed without delay, and Mr. Moon replied that in that event he felt constrained to decline to participate in it.

Again the calling of jurors was resumed, and at 12:40 o'clock, after eleven of the necessary twelve jurors had been secured, Holmes preemptorily challenged the first two selected, and they were stood aside.

Several times a jury was secured, but on each occasion, Holmes exercised his challenge prerogative. Finally, when but two challenges were left to him and there were twelve men in the box he

(CONTINUED ON FOURTH PAGE)

THE WORK OF FIENDS

ANOTHER TERRIBLE MASSACRE OF THE ARMENIANS BY THE TURKS.

FIFTEEN PERSONS WERE KILLED

And the Armenian Women who Fell Into the Hands of the Mob Were Outraged and Terribly Mutilated--Many Victims Tied to Stakes and Burned--Churches Desecrated and Villages Pillaged--Property Carried Away by the Marauders.

CONSTANTINOPLE, Oct. 28.—Another terrible massacre of Armenians, accompanied by the outraging of women is reported to have occurred quite recently in the Baidurt district between Erzeroum and Trebizond.

According to news received here, a mob of about 500 Mussulmans and the Lazos, the great majority of whom were armed with Martini Henry rifles, made an attack upon the Armenians inhabiting several villages of that vicinity and set fire to their houses and schools. As the Armenians fled in terror from their dwelling, they were shot down as they ran and a number of men and women captured by the rioters, it is added, were fastened to stakes and burned alive.

The Armenian women who fell into the hands of the mob, it is also asserted, were outraged and brutally mutilated. It is also stated that the churches were desecrated and the villages pillaged, the cattle and all the portable property of any value belonging to the Armenians being carried off by the marauders.

During the disturbance, fifteen Armenians are reported to have been killed. Surviving villagers applied to the Governor of Baidurt for protection, who, after hearing their complaint, sent three policemen to the scene of the massacre after the slaughter was ended.

The Turkish officials, it is claimed, know the ringleaders of the outbreak, but apparently no steps have been taken to arrest them. The number of Armenians massacred at Erzingjan is now said to be several hundred.

The Turks, it is stated, have also attacked the Armenians in the district of Gumushdagh, near Trebizond, and have slaughtered many of them.

Armenians Provoked It

CONSTANTINOPLE, October 28.—It is officially declared here that the Armenians provoked the Baidurt disturbance by firing upon the Mussulmans, and that many persons were killed and wounded on both sides before the gendarmes suppressed the rioting.

It is also officially stated that the Armenians unwarrantably attacked the Mussulmans at Marash and Zaitun.

LATEST PUGILISTIC SENSATION.

Preparations Still Going on at Hot Springs for That Fight.

LITTLE ROCK, Ark., Oct. 28.—Matters pugilistically took a sensational turn to-day, when Attorney General Kinsworthy filed information in the Second Division of the Pulaski county court asking for a warrant for the arrest of Robert Fitzsimmons and Martin Julian.

It develops that the Governor has had a detective or confidential agent at Hot Springs all the time and has been kept thoroughly posted on every move made by the promoters of the fight. Last night this detective advised the Governor that arrangements had been completed to bring the fight off and as a result of this information Attorney General Kinsworthy, acting under instructions from Governor Clarke, applied to Judge James W. Martin for the warrants for Fitzsimmons and Julian, which were issued and placed in the hands of Sheriff Booker. Deputy Sheriff Heard was given charge of the matter and at once started for Texarkana, where Fitzsimmons and Julian are expected to enter the State.

"I have never wavered in my determination to stop that fight," said the Governor to a reporter. "Corbett and Fitzsimmons will never meet in Arkansas. Just as soon as Fitzsimmons enters he will be arrested and brought before Judge Martin in this city."

Frank Flynn, a well known sporting man of Hot Springs, who is in this city to-day, gives out this information that the fight will certainly occur at Hot Springs on October 31 at Whitting Park.

Last night the Hot Springs Athletic Club, under whose auspices the fight will ostensibly be pulled off, sent cipher telegrams to every sporting club in the United States notifying them of the arrangements for the fight.

The Iron Mountain Railroad Company to-day put a large force of men at work on North Little Rock building temporary side tracks. When it was asked what it was for, the railroad folks said that they expected a large number of special trains in a few days.

THE ISSUE OF STATE BONDS.

That is the Matter Now Before the Constitutional Convention.

COLUMBIA, S. C., Oct. 28.—The Constitutional Convention discussed to-day the matter of issuing State bonds for the purpose of putting the business of counties on a cash basis. It is proposed that the counties pay back this money in twenty years at a low rate of interest, the proceeds to go into the State Treasury as a sinking fund. No definite action was taken.

Col John S. Mosby is thought to be better and there are strong hopes of his recovery.

VIRGINIA'S UNIVERSITY

THE NOBLE INSTITUTION FOUNDED BY THOS. JEFFERSON BURNED.

THE MONEY LOSS ABOUT \$250,000

The Rotunda Built in Jefferson's Day and the Annex Built About Forty Years Ago are Now Nothing but Blackened Walls--Only 10,000 Volumes of the 53,000 in the Library Saved--Funds Now Being Secured to Rebuild the Burned Structures.

CHARLOTTESVILLE, W. Va., Oct. 28.—Nothing but blackened walls remain of the University rotunda, building and annex, which were destroyed by fire early Sunday morning, but the work of the classes is going on as usual in temporary quarters.

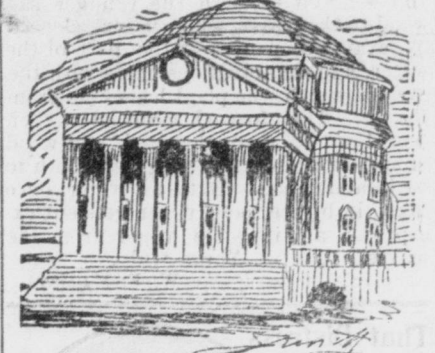
A committee of the faculty, consisting of Professor's Echols, Smith, Davis, Dabney and Mallett, was appointed to consider the work of rebuilding, and report to a meeting of the board of visitors.

The latest conservative estimate of the money loss, not taking into account the sentimental value of the library and papers, is \$250,000. The insurance is \$25,000, one fourth in each of the foreign companies: Lyon of London Union, Scottish and National of Edinburgh, Commercial Union and the Guardian Assurance of London.

The total insurance carried by these companies is \$127,000, but only \$25,000 was on the burnt buildings. Messrs. Payton and Sinton, of Richmond, represent three of the companies, the other (Guardian) being represented by a Charlottesville agency.

After the trying scenes of yesterday citizens, students, professors and the families are in a state of complete collapse. The feeling of personal bereavement which seems to be felt by everyone is very marked.

It is not of course, possible to calculate the value of the books, paintings and apparatus destroyed. The committee from the faculty agreed to recommend to the Board of Visitors the prompt engagement of an architect who is to examine and report of the condition of the wall of the rotunda and annex with a view to the rebuilding at once.



University of Virginia Library Building

The students have expressed the greatest interest in the work of rebuilding and telegrams from their parents and friends are pouring in expressing sympathy and offering aid.

It is marvellous when one looks at the ruins that there were so few casualties or accidents. Prof. Echols is doing well. He broke his fingers on the right hand in working at the fire. Student Williams, of North Carolina, is unconscious. He was overcome by the smoke.

There is universal desire on the part of the faculty, students and citizens to have the buildings restored on the old lines as planned and built by Thomas Jefferson.

The marble statue of Jefferson in the library and the bust of John B. Minor have been saved. The "School of Athens," a handsome copy of the famous painting of Raphael, is lost. Its cost was \$5,000. The books saved are in great confusion, being piled up in all sorts of ways and it is hard to estimate the quantity at this time, though it is believed that ten thousand volumes of 53,000 in the library are saved.

Most of these came from the floor of the library, while the value of the Austin collection, Lee papers and many other rare and valuable books that can never be replaced, were destroyed.

The faculty say that if the walls are good, they hope to have them covered over for the winter, so that the work of rebuilding will go steadily on.

The fire started in the southwest corner of the public hall and destroyed the main building, consisting of the rotunda and annex, with some of its contents.

The rotunda was that part of the building completed in Mr. Jefferson's day, and in which in 1825 a reception was held at which Lafayette and other distinguished men assisted. The annex was built about forty years ago. The loss is very heavy, though it is impossible to state it in figures.

The students met to-day and began a movement to secure funds to restore the building, pledging their contingent deposit. The alumni are telegraphing offers of financial aid. Lectures will not be interrupted and the work of the session will go on.

Late this afternoon Prof. Thornton, chairman of the faculty, estimated the total loss at \$150,000. The north and west walls of the annex fell to day.

An extensive anti Foreign outbreak is expected at Canton. Four hundred braves, enlisted at Hong Kong by the Viceroy, have gone to that city.

WALTER HENRY IN KENTUCKY.

Those Democratic Speeches that Will Not Down at His Bidding.

Special to the News and Observer.

WASHINGTON, D. C., Oct. 29. Col. William Beasley, formerly of North Carolina, but now of Baltimore, was in the city to-day. In speaking of North Carolina politics, he said he had been informed that Walter Henry had been invited to make some Populist speeches in Kentucky, and that Mr. Henry had accepted. Col. Beasley suggested that if some Democrat of North Carolina would accompany Mr. Henry it might lessen the intensity of his fiery speeches.

John Williams (colored), was arrested Saturday here for burglary. He claims to be from North Carolina, and is wanted in Greensboro for larceny.

Mr. A. C. Shaw, chief of division in the interior department, leaves tonight for his home in Rockingham.

Mr. C. B. Webb and wife, of Asheville, are in Washington visiting Mrs. Webb's mother, Mrs. Banks.

Mrs. E. Moffitt, of Raleigh, who stopped over here Sunday, returning from a trip to Baltimore and Wilmington, Del., left to-night for Raleigh.

Arrival: G. W. Hinchaw, Winston.

FIGHT AT A CORN SHUCKING.

The Son of Ex-Sheriff Long, of Yadkin County, Killed.

Special to the News and Observer.

WINSTON, N. C., Oct. 28. At a corn shucking near Yadkinville, a few nights ago, John Driver cut William Long through the right lung with a knife. The wounded man is a son of ex-sheriff Long, of Yadkin. He will die.

Considerable excitement prevailed here this afternoon over a fire which broke out in the woods northeast of Winston at 12 o'clock. A large territory was burned over and a change of wind saved much property from destruction.

Capt. Pride Jones, assistant agent here for the Southern Railway Company, will be married on Wednesday to Mrs. Fannie T. Hellen, of Yadkin county. The ceremony will be performed at Glenwood.

The fine residence and large barn of Equilla Burk, a farmer near Rural Hall, was destroyed by fire yesterday. The loss is heavy and very little insurance.

THE PACERS AT REIDSVILLE.

Patchen and Gentry Arrived in a Palace Car Saturday.

Special to the News and Observer.

REIDSVILLE, N. C., Oct. 28. The great pacers, Patchen and Gentry, arrived in a palace car Saturday night and are now handsomely quartered at the race track.

Their advent into Reidsville has been attended with much enthusiasm. Crowds are flocking to the grounds and here indeed is a busy scene. The irrefragable side show is strongly in evidence. New horses are arriving on each train and everything tends to indicate that the great races will attract thousands to this little city and prove a success in every way.

It is an open secret among horsemen on the grounds that in driving his own horse Mr. Scott will make the effort of his life to lower Gentry's already marvelous record in the race with Patchen on Thursday.

Every stall is occupied at the ground and by the finest horses ever brought to this State.

Two Deaths in Halifax.

Special to the News and Observer.

WELD N., October 28. Mr. Barwell C. Dunn, of this county, died yesterday from the effects of a stroke of paralysis with which he was stricken one day last week.

Mrs. Wilcox, of Halifax, widow of the late Dr. M. A. Wilcox, died at her home in that place this morning. She leaves ten children.

Crisis in the French Cabinet.

WASHINGTON, D. C., Oct. 28.—Ambassador Patenotre, of France was shown the brief announcement from Paris that the French cabinet had resigned, and naturally was much surprised as there had been no intimation of a crisis. The cabinet assumed office ten months ago and has served continuously since President Faure was elected. The ambassador says the resignations are not of serious importance, as changes of the cabinet have not the same significance under the French system that they have in other countries.

THE SOUTHERN'S OFFICIALS.

Several Important Changes to be Made November 1.

WASHINGTON, D. C., Oct. 28.—Several important changes among the officials of the Southern Railway System will be made November 1. Among the appointments are the following:

General Freight Agent, Horace F. Smith, for years General Freight Agent of the Queen and Crescent Route at Cincinnati; Assistant General Freight Agents, J. A. Drake, with headquarters at Richmond; Edwin Fitzgerald, with headquarters at Knoxville, and Haiden Miller, with headquarters at Atlanta.

On Friday next, the U. S. Supreme court will take a recess until Monday, November 11.

A disastrous fire is raging on Welch Mountain, Pa., in the vicinity of Scrufftown and Blue Ball, and thousands of acres of timber land has been burned. A number of houses occupied by whites and negroes have been consumed.

THE INSURANCE CASES

A STATEMENT IN VINDICATION OF THE CITIZENS OF BEAUFORT.

THE OTHER SIDE OF THE QUESTION

The Investigation on Both Sides has Been Long and Thorough and the Trials for Forgery Have Resulted in Acquittals--The Detective Abrams and the Old Negro Woman Who are Witnesses for the Prosecution--Abrams on a Spree.

BEAUFORT, N. C., Oct. 28.

To the Editor of the News and Observer:

It becomes my duty, in vindication of a community in which I have lived for over three years, to ask for a short space in your columns.

For the past week our town has been in a fever of excitement over the "insurance cases" that have been tried. The investigations on both sides have been long and thorough, and it has consumed most of the week for the trial of two causes brought for forgery. It will be remembered by the reading public that two or three months ago the papers were full of the investigations at Morehead City of the so called "Beaufort Grave Yard Insurance." The broad charge was made that a majority of the people of Beaufort and Carteret county were directly or indirectly connected with the cases, and our town and community was held up to the whole world as a den of rottenness and fraud. The statements of the papers were harsh, unfair and untrue, and since that time there has been no correction of the impression left on the public mind.

It is strange that during the progress of the trials during the past week there have been no reporters here to publish to the world any extenuating facts that might be brought to light to prove that the whole of our citizens had not conspired against a few "wild cat" insurance companies.

Two of the cases have been tried and the defendants have been declared innocent by twelve of their countrymen taken from every section of Carteret county. The evidence brought out by the prosecution in these cases has been such that had there been no evidence for the defence at all, it would not have justified a verdict of "guilty" from a jury of intelligent men.

W. C. Abrams, of Albany, the insurance detective and the main witness in all the cases for the insurance companies, admitted on the stand that he was paid to convict the defendants by whatever means he could. He was also seen Tuesday of court after coming down the steps from the court room by reliable men, to pour a lot of money into an old negro woman's hand, she being the other witness with him for the insurance companies in the first case. Under a hot cross examination in the second trial he first denied giving the woman money but afterwards said he did give her a small amount. This fellow Abrams figures as a prominent character through all the cases representing the insurance companies, and from the evidence that came out on trial, it was shown that he had ransacked the whole of the county over and had picked the most ignorant old and diseased negroes that could be found to appear as witnesses in behalf of the insurance companies. An old negro woman named Hamilton, a witness with Abrams for the prosecution, said on cross examination that she expected compensation from the insurance men.

To cap the climax, on Saturday afternoon, after court had adjourned, Mr. Abrams, from Albany, got on a glorious spree and tried to take the town. He accused the Chief of Police of committing perjury and made the statement that "the insurance companies intended to send the last one of the defendants to the penitentiary if it took \$10,000 for each man." He was taken up by the mayor and fined heavily for disorderly conduct. Mr. Abrams is the expert witness employed by the insurance companies to prove handwriting, and said on the witness stand that he had lived a number of years in Albany, where he had an excellent opportunity to examine handwriting.

In the two cases tried here, the defendants were acquitted and I ask that, in defence of the people of Beaufort and Carteret county, every paper in the State that published derogatory matter against our people copy this article. Our people in Beaufort and Carteret county are as much opposed to crime as any people in the State of North Carolina and we say it is not fair that the papers of the State should publish the wholesale charges against them without giving both sides of the question to the public.

It has been the position of my paper, the Beaufort Herald, throughout, neither to condemn nor uphold in the matter, but to wait till all the evidence on both sides had been produced before it gave its verdict. The defendants in the preliminary examination at Morehead City last summer, introduced no evidence whatever, and now that they have introduced their evidence and have been acquitted in these above named cases, it is nothing but justice to them and our people in general that every paper in the State should publish this in vindication of our community.

Very truly,

CHAS. L. ABERNETHY.

It is reported that Minister Ransom's son advises his father to resign and return home on account of ill health.