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Harry Thaw Shows Marked Disappointment at Slow Progress

As Member of Jury were Taken Off Prisoner Betrayed his Disappointment. Case Drags on in Same Poky Manner.

District Attorney Uses Delay to Study Men Already Chosen. New Features Appearing at To-day's Session.

New York, Feb. 1.—Shortly before noon the defense prevented the completion of the trial panel by preemptively challenging Charles Rauffuss. During the examination of this talsman, Gleason, of the defense, again brought in questions tending to show that the plea of insanity will be the main stay of the defendant. He asked Rauffuss if he would give the defendant the same benefit of the reasonable doubt on the insanity plea as he would with any other form of defense. He declared he would.

Justice Fitzgerald sustained a challenge for the cause made by the prosecution against David A. Arrowsmith, who declared after a lengthy examination that he would require a removal of every possibility of doubt before he would convict in a case involving the penalty of death. Thaw's attorneys fought to have Arrowsmith accepted.

Justice Fitzgerald sustained the challenge entered by Jerome on the ground that the talsman was more exacting than the law.

Davis Halsted and three succeeding talsmen were excused by consent. The defense again prevented the filling of the jury box by a peremptory challenge against John S. Bush, who said the firm of McKim, Mead and White had been the architects of his residence.

Thaw Disappointed. Harry Thaw was the most disappointed man in the court room yesterday when the counsel failed to complete the jury that is to try him.

Thaw felt sure this would occur yesterday. He was soon apprised, however, of the fact that there was to be another weeding out, and when this process finally took place his face showed the disappointment he felt.

Today another attempt will be made to complete the jury. While the prospects would be good were the men already sworn kept in the box, there were reports that another weeding out would occur.

If the jury is still incomplete tonight there is every reason to believe that court will sit Saturday.

It is evident that while the selection of jurors is in progress the district attorney's office is making a close investigation of those already chosen, and that Mr. Jerome is determined to be sure he has the best possible jurors before the court proceeds to the hearing of testimony.

Air of Uncertainty. There was more or less an atmosphere of uncertainty in the court room as the hour for resuming the trial approached.

The court room was crowded with talsmen, the fourth panel of 100 having reported and about 60 remaining for the panel which reported yesterday.

Some of the talsmen found their way into the seats reserved for the members of the Thaw family, but were unceremoniously routed out when Evelyn Nesbit Thaw and May McKenize arrived.

The Countess Yarmouth, Mr. Geo. Lander Carnegie, Josiah Thaw, and Mr. Carnegie arrived during the roll call.

Mrs. William Thaw remained indoors because of the inclement weather.

Before any talsmen were called to the stand, Jerome, Hartridge and Justice Fitzgerald had an earnest consultation at the judge's desk, but the conference was fruitless.

Veils Removed. Since the artists were banished from the court rooms by Justice Fitzgerald the Countess of Yarmouth and Mrs. Carnegie, have removed their veils, after taking their seats. Mrs. Harry Thaw, however, has not once lifted the veil which she wears.

Battle Between Counsel. Solomon E. Blogg was excused on the plea of business. There was a battle between counsel over Charles W. Griffin. Thaw's counsel objected many times to questions propounded by Jerome and in several instances was sustained. There then came a flash of feeling, such as was displayed yesterday.

Janet A. Joseph, was excused by consent and a recess taken until 2:30. Court will not sit tomorrow. Thaw's counsel continued to ply talsmen with questions as to consideration they would give the plea of insanity. During this part of the examination the defendant seldom looked at the talsman. All witnesses for the prosecution were re-sub-

joined for Monday and ordered to leave the court building.

Looking Up Record. Pittsburg, Pa., Feb. 1.—Assistant District Attorney Marshall of New York, has arrived in Pittsburg to look up Thaw's record in this city.

It is said he will go over the police records to ascertain if Thaw has ever done anything that brought him into the hands of or under the surveillance of the authorities. Also his intention it is said, is to interview some of Thaw's former acquaintances and if they can throw any light on his character that will aid the prosecution. Marshall will try to induce them to go to New York as witnesses.

No Court Tomorrow. The morning session of the Thaw murder trial ended without selection of the twelve needed to try the case. Thirteen talsmen were examined. Rumors that another juror, or possibly two may be excused, were again in circulation and when Justice Fitzgerald set back the hour for the afternoon session to 2:30 p. m. at the request of Jerome it was generally understood that there was to be further consultation between counsel as to the advisability of weeding out the trial panel.

"Jim Crow" Constitution. By Associated Press.

Washington, Feb. 1.—The President has received resolutions passed by the constitutional convention of Oklahoma asking if he would approve the constitution if it should contain a provision on the "Jim Crow" car question. No answer has yet been made by the President.

Death of Henry Magruder. By Associated Press. Rome, Italy, February 1.—Henry Magruder, son of the late Confederate general, John Bankhead Magruder, is dead.

Mr. Magruder has been traveling in Italy with his niece, Miss Buckler, who has nursed him during his illness which ended in his death.

To Investigate N. Y. Exchange

By Unanimous vote House Committee Makes Favorable Report on Resolution for Investigation Cotton Exchanges.

Washington, D. C., February 1.—By unanimous vote the House committee on Interstate and Foreign Commerce decided to make a favorable report on the resolution for an investigation of the methods of cotton exchanges by the Department of Commerce and Labor.

The resolution is the amended form of the Livingston and Burleson resolution and extends an investigation to all cotton exchanges dealing in futures.

Representative Lovering, who will report the bill for the committee said that the New York and New Orleans exchanges are the two principal ones dealing in futures but that the Memphis and St. Louis exchanges also have some dealings of that sort.

The resolution as it will be reported is as follows: "Resolved, That the Secretary of Commerce and Labor, through the Bureau of Corporations be and is hereby, requested to investigate the cases of fluctuations in the price and the difference between the market price of various classes of cotton, and the said investigation shall be conducted with the particular object of whether or not the said fluctuations in prices have resulted in the whole or in part from the character of contract and deliveries thereon made on the cotton exchange dealing in futures or are the result of any combinations or conspiracies which interfere or hinder, commerce among the several states and territories or with foreign countries."

JAMESTOWN COMMITTEE. Directors of Exposition Company Elect Executive Committee.

Norfolk, Va., Feb. 1.—At a meeting of the board of directors of the Jamestown Exposition Company, the following were elected on the executive committee: Alvah H. Martin, G. T. Shepherd, T. S. Southgate, D. Lowenberg, T. J. Wool, C. S. Sherwood, S. G. Cunningham, G. F. Adams, J. L. Patton, W. E. Cottrill, J. E. Cole, A. L. Powell, H. St. George Tucker, S. S. Nottingham, Nathaniel Beaman, C. Brooks, Johnstone, Barton Myers, J. W. McCarrick, R. M. Hughes, W. H. Taylor, and J. Taylor Ellison.

Want Mr. Asbury Re-instated. An effort is being made on the part of some influential citizens to have former Policeman Asbury re-instated by the police, fire and health commission, which will probably meet some time tomorrow. From what can be learned it is not altogether improbable that Mr. Asbury will be given back his star in view of his past record as an efficient and capable officer.



Large Number of Buildings were Destroyed and Many Damaged By Big Fire at Harrisburg, Pa.

ROCK HILL NEWS.

Meeting of Bethel Presbytery at Chester—Personal Notes.

Special to The News. Rock Hill, S. C., Feb. 1.—Bethel Presbytery will convene in Chester, Friday, Feb. 8th at 11 a. m. to decide whether the call from the First church of Atlanta for his services shall be placed in the hands of Dr. Lingle.

In case it is placed in his hands and he accepts to act upon his request to dissolve the pastoral relationship existing between him and the Rock Hill churches and to dismiss him to the Atlanta Presbytery.

There is a great deal of talk just now about a tourists' hotel for Rock Hill. There is nothing that is so much needed here, as we have only one hotel and that is unable to accommodate the crowds that are often here.

Mrs. W. H. Frew will leave the first of the week for a visit of four months to friends in Georgia and Florida and Texas, she having a brother in the latter state. Her two daughters will live in the dormitory at Winthrop until she returns.

BROWNSVILLE AGAIN.

Resolution Commending President's Action is Tabled.

Washington, Feb. 1.—The subcommittee on military affairs of the committee of the House, by a strict party vote laid on the table the resolution of Representative Sims of Tennessee commending the President for his action in discharging the colored soldiers engaged in "shooting up" Brownsville.

The motion to lay on the table was made by a Republican and carried by Republicans, the Democrats voting against the motion.

Sims will now bring a resolution before the House on motion to discharge the military committee from further consideration and have the resolution considered by the House providing the Speaker will recognize him for that purpose.

24 BODIES RECOVERED.

Number of Bodies Taken From Mine—Were Mutilated Beyond Recognition.

By Associated Press. Charleston, W. Va., Feb. 1.—Twenty-four bodies, all mutilated beyond recognition, have been removed from the Stuart mine at Oak Hill.

E. P. Hipple A Suicide

Brother of Man who Wrecked Philadelphia Trust Company and who Ended his Life, Suicided at his Home.

By Associated Press. Philadelphia, Pa., Feb. 1.—Edward P. Hipple, brother of the late Frank K. Hipple, who ended his life last summer after wrecking the Real Estate Trust Company of this city, of which he was president, committed suicide at his home here with a revolver.

Hipple was about 70 years of age. The police have not yet learned the cause for the suicide.

Dr. Reid Morrison leaves tonight for Davidson College.

Early This Morning Fire Broke Out in Center of Harrisburg's Business District, Causing a Loss of About \$250,000.

By Associated Press. Harrisburg, Pa., Feb. 1.—Eight buildings in the center of the business district of Harrisburg were either destroyed or badly damaged by fire early this morning, involving a loss estimated at \$250,000.

The Grand opera house block, in which there were five stores, was destroyed and nothing is standing but the walls.

The Duncan building, on the opposite street, occupied by three stores and a pool room, were also destroyed.

The Park Hotel and Columbus Hotel were badly damaged by fire and water.

The United Telephone Company building, the Security Trust building, the Bijou Theatre, Roshon's photograph studio, College block, the Harrisburg Gas Company's building and buildings occupied by the Harrisburg Cycle and Typewriter Company, Philadelphia and Albany dentists and E. G. Hoover were damaged.

The fire started from an explosion in a hat store in the opera house block at 2 o'clock, and within an hour the fire destroyed the playhouse and stores in the building and leaped across to West Side, Third street to Columbus Hotel and College block.

Fire Under Control. The fire was under control at 4:30 o'clock.

Pittsburg, Pa., Feb. 1.—A long distance telephone message from Harrisburg, Pa., says a serious conflagration broke out in the rear of the business district early this morning and many buildings were destroyed.

The origin of the fire is not known. It was discovered in the Grand opera house and this building, valued at \$200,000, is entirely ruined.

The firemen were unable to check the flames, and in a short time the Park Hotel was burning.

The Bijou Amusement Company, Hanna's Drug Company, a cigar store and several other business places were quickly burned.

At six the fire had spread to the Columbus Hotel.

As far as is known there are no fatalities, everybody in the hotels having had time to get out.

Lighthouse Appropriation. By Associated Press. Washington, D. C., February 1.—Appropriations aggregating \$1,640,000 are carried in the bill favorably reported by the Committee of Interstate and Foreign Commerce for lighthouse establishment.

The following are among the items in the bill: Tender for Florida district, \$200,000. Tender for New Orleans and Mobile district \$60,000.

A Real Estate Sale. Mr. P. B. Hood sold today a house and lot on East Sixth street to W. H. Boyce, the consideration being \$3,250. The sale was made through J. E. Murphy & Co.

A DASTARDLY CRIME.

Drunken Man Opened Fire on His Employee, Killing Him Instantly.

Special to The News. Marion, N. C., Feb. 1.—News has just been received here of one of the most unprovoked murders ever occurring in McDowell county.

Jesse Burleson, a wealthy lumberman, who runs a large saw mill 20 miles from here, tacked up yesterday afternoon on liquor, and after the hands had quit work, armed himself with a long pistol, walked into a shanty where one of his men, Matt Thomas, of Mitchell county, was, and opened fire on him, killing him instantly.

Sheriff Marshall has sent a large posse into the mountains in search of the slayer, but so far he has not been apprehended.

Some of Burleson's friends think him temporarily insane.

\$118,800 FOR BUG HUNTING.

House Gives More to Bureau of Entomology.

Washington, Feb. 1.—The House completed the Agricultural Appropriation bill after adopting sundry amendments.

By a vote of 75 to 136 the House increased the appropriation for the Bureau of Entomology from \$75,000 to \$118,800 in order that scientific investigations may be made of the white fly pest in Florida, the gypsy moth in Massachusetts, thrips that attack the cherry trees of California and the tobacco insect which devastates the dark tobacco regions of Kentucky and Tennessee.

The Diplomatic and Consular Appropriation bill was sent to conference, the managers on the part of the House being Messrs. Cousins, of Iowa; C. B. Landis, of Indiana, and Howard, of Georgia.

The Rivers and Harbors Appropriation bill, carrying \$84,000,000 in round numbers, was taken up, no time being agreed upon for the close of general debate.

Meeting of Farmers Tomorrow. An important meeting of Mecklenburg farmers will be held at the county court house tomorrow morning at 11 o'clock at which time Messrs. W. S. Pharr and W. N. Peoples, delegates to the national convention at Birmingham will make their reports.

An interesting feature of the meeting will be the address of President C. C. Moore of the North Carolina division who will outline to the local farmers the plans of the national association for the coming year. The meeting should be largely attended.

The Bucket Shop Fight

Lower Branch of South Carolina Legislature Passes Georgia Law Against Bucket Shops.

Senate Opposes.

Special to The News. Columbia, S. C., Feb. 1.—The House of Representatives to-day passed the Georgia law against the bucket shop.

A less dramatic bill was rejected, and the House, without division, passed the Georgia law.

The Senate has already rejected the Georgia law and passed the less drastic bill so that the two Houses are at cross purposes on the bucket shop fight.

Brave Man Outwitted Couple Who Attacked Him in Dark of Night

CASE OF DR. FOSTER

Governor Writes Letter Instructing T. Putting into Office The Hospital Officers Elected by Board.

Richmond, Va., Feb. 1.—Governor Swanson has written a letter to the Attorney General instructing him to force the issue putting into office the officers of the Eastern Hospital for the Insane, elected by the board.

This is due to the dead lock result from the circuit Judge Tyler's second writ sustaining Dr. Foster.

The Governor said: "The time has arrived for the Commonwealth to do all it can to end this matter speedily."

The Supreme Court of Appeals is sued a broadside injunction against Dr. Foster and Judge Tyler which it is stated closes every avenue to the former.

Dr. Foster in Charge. By Associated Press. Richmond, Va., Feb. 1.—Doctor Foster, deposed by the general board as superintendent of the Eastern State Hospital for the Insane, is still in charge with Dr. Brunk who has been named as successor on the scene accompanied by Messrs. Bland and Cole of the special board appointed to install Dr. Frank, Dr. Foster remains in charge under the injunctions granted by Judge Tyler.

Death of Mr. Constable's Father. Mr. T. M. Constable of this city received a telephone message this morning announcing the death of his father, Mr. Henry B. Constable at Norfolk, Va. The deceased was 80 years of age and had retired from business some years ago, being for a long time Secretary and Treasurer of the Howard Association. He is survived by three sons and three daughters. Mr. T. M. Constable leaves tonight for Norfolk to attend his father's funeral.

Justice Bill Considered

The House this Morning Passed the Bill, on its Third Reading. A Few Amendments. Bill Relating to Solicitors

By Bell Telephone. Raleigh, N. C., Feb. 1.—In the House this morning the Justice bill, extending and enlarging the powers of the Corporation Commission, passed its third reading. The bill came up today at noon as a special order.

An amendment was offered to the bill by Manning to make railroad penalties for delay in freight be \$25 for the first day and one dollar a day after the first. The bill was sent to the Senate.

Representative Bowd, of Mecklenburg, introduced a bill, out of order, to separate white and colored passengers on street cars.

In the Senate. A long discussion was heard in the Senate this morning on the Webb bill to put solicitors on salary. The discussion passed its second reading after a discussion, lasting two hours.

On objection it was carried over to tomorrow.

An amendment by McLean provides salary of \$2,500 if the fees amount to that much and that no solicitor shall receive more than the aggregate of the fees in his district. Also that fees over \$2,500 go to the school fund.

Another amendment was adopted to have the bill go into effect January, 1909.

Among the notable bills introduced in the Senate was one by Graham, to allow the Governor to employ counsel for the commerce commission.

By Nathan, to appoint a reformatory by commission and to define its duties. This is along the line of the plan advocated in the Governor's message.

A bill passed the Senate to prohibit employes and managers of dispensaries from receiving gifts from liquor houses, etc.

LOT DRAWING AT MONTREAT.

People From All Over the Southern States Were There.

The drawing of lots at Montreat took place yesterday and attracted a great number of Presbyterians from all over the South. They began to roll in there four days beforehand until the Montreat boarding houses and hotels were crowded. Among those in attendance from Charlotte are Messrs. H. C. Dotger, J. F. Robertson, P. C. Gilchrist, Mrs. Anna Ney, of Philadelphia, who has friends in this city is also there. As many as 500 lots have been sold at \$100 a lot, and the selection and apportionment of these yesterday drew the crowds to the mountain resort, which bids fair to become the Southern Northfield. It is understood that the drawing was generally satisfactory.

\$50,000 WALL ORDERED DOWN.

Obstruction Adjacent to Park Drive, Rules New York Park Board.

New York, Feb. 1.—Because it is an obstruction within the meaning of the ruling of the park department governing the property adjacent to Riverside drive, the city has asked Isaac L. Rice, owner of the villa at Eighty-ninth street and the drive, to remove the \$50,000 7-foot wall and terrace that surrounds his brick and marble mansion.

Since 1903 the matter has been in abeyance, but within two weeks the case will be heard in the Supreme Court.

Mr. Rice complains that Charles M. Schwab and Bishop Potter, neighbors, both have high iron fences which separate their grounds more effectually from the drive than does his lower marble and brick terrace, but suffer no interference.

Superintendent in Excelsior Mills of Union, S. C., was Victim of Cowardly Attack From Man and His Son.

Wrested Guns From Both of his Assaults by Wonderful Display of Nerve and Strength. Girl Appealed to Him.

Special to The News. Union, S. C., Feb. 1.—A very sensational hold-up in which E. S. Trammel, superintendent of the spinning department at the Excelsior Knitting Mills, was attacked by J. D. Fore, a North Carolina mountaineer and his 17-year-old son, occurred in South Union last night, and as the outcome of this life and death struggle alone in the dark, E. S. Trammel disarmed and overpowered both his antagonists.

It appears that Fore had been in the mill under the influence of liquor. During the afternoon he had insulted one of the female operatives, who appealed to Mr. Trammel, and when Trammel remonstrated with Fore, Fore drew a knife on him, but Trammel managed to get a box between them and then knocked Fore down. He then ordered Fore to leave the mill, which he did vowing vengeance on Trammel. He then returned to his home where he armed himself and his son with shot guns and prepared to waylay Trammel as he returned home when the mill closed down.

It seems that the son was reluctant to do this, but he did as his father commanded.

Mr. Trammel having an intimation that Fore might give him trouble went home about dark, and somewhat sooner than usual, and as he was nearing Fowler's store, he saw two figures in front of him, and a voice from one asked, "Is that you, Trammel?" To which he responded, "Yes," immediately the elder Fore stepped forward and levelled the gun at Trammel's breast. As quick as a flash Trammel drew from his pocket a spinning roll, weighing about a half a pound, the only weapon he had and threw that with great force at Fore, striking him in the forehead, and causing him to lose the gun. Then Trammel jumped forward, caught the gun and shoved it between his legs when one barrel discharged.

Fore commanded his boy to shoot and he placed the gun against Trammel's side, when with the other hand Trammel seized the other gun and by a supreme test of strength broke the gun in two, and with the other hand pulled the other gun from between his legs and in attempting to point it forward, the other barrel was discharged, the load singing Trammel's hair and blowing his hat from his head, part of the gun had later being found in Trammel's hair.

With the boy's gun Trammel then struck the elder Fore and knocked him unconscious and the boy ran away.

Trammel then coolly walked off and informed persons at a near by store that they had better look after Fore. Both of the Fores were arrested and placed in jail last night, and this morning were fined \$100 or thirty days on the chain-gang, the extreme limit the city council is allowed, but the case will be carried to higher courts by Trammel.

The incident has caused great excitement and interest, and Trammel's wonderful strength, and nerve and calmness have been much commented on.

It is not known now whether Fore will pay the fine or serve the sentence, as it is understood that he has in West Asheville, some property consisting of a seven and a half acre tract and a four-room house. Which ever he does, he will be immediately thereafter arrested as will also his boy, as two warrants are now in the hands of the sheriff charging them with assault and battery with intent to kill, the penalty for which if convicted is from one to five years.

Trammel then coolly walked off and informed persons at a near by store that they had better look after Fore.

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