

## Dissension Among the Counsel for Defense Ends in Conference

### Attitude of Thaw, in Attempting to Conduct his Case, Results in Serious Unrest Among Counsel. Crisis is Reached.

### Attorneys May Withdraw Unless Course is Changed As to Future Course of Defense. Proceedings of To-day.

New York, Feb. 6.—Interest in the opening of the Thaw case centered in the maneuvers of the counsel for the defense, who yesterday had earnest consultation among themselves as to the future conduct of the case.

Evidently it was decided to put the matter squarely up to the defendant, and before the session began today all of Thaw's lawyers went into the prisoner's pen to discuss the matter with him.

All the lawyers took their accustomed places when they came into court.

Attorney Delmas, of San Francisco, took charge of the case.

The Countess of Yarmouth appeared in the court this morning for the first time in several days. She looked a trifle pale. Along with the Countess came George LaLuder Carnegie and wife.

The only absentees were the mother and wife.

Jerome withdrew his objection to the introduction of testimony regarding insanity in collateral branches of the Thaw family.

Benjamin Boman was re-called as the first witness.

Lawyer McKee was asked if it was true some of Thaw's lawyers were not in sympathy with the handling of the case and at the introduction of Dr. Wiley as a witness.

"That last is true enough, but you'll have to wait and see how things look when the court opens tomorrow," he said.

The elder Mrs. Thaw will come to the court house early on the day she is to take the stand.

**Lawyers May Withdraw.**

A crisis has been reached in the case of Harry Thaw. It follows the day of reverses in the defense, brought on primarily by Thaw himself, it is stated, because up to this time he has insisted in directing how the defense shall be conducted.

The session of the court yesterday, when Justice Fitzgerald ruled out for the time being all testimony which, it was announced, might tend to show insanity in the collateral branches of Thaw's family, had been over but a short time when a momentous conference of Thaw's counsel occurred.

It is known that several of lawyers protested in vigorous language against the conduct of the case as it proceeded yesterday and that serious difference developed.

For a time, it is stated, it looked as if several of the lawyers would summarily withdraw from the case, but this was averted.

An ultimatum, however, was given such action would occur unless certain lines of action were followed.

**Sensational Testimony.**

It developed before the calling of witness Delmas that the Countess was to assume active charge of the case, handled yesterday by Gleason.

It was said that Delmas delivered the ultimatum that he would withdraw from the case unless given free hand in conducting the fight for Thaw.

The result of yesterday's proceedings are anything but satisfactory to all concerned in the case.

Benjamin Bowman, stage door keeper, was asked:

"Did you ever hear Stanford White make threats against the life of any person?"

"Yes," he replied.

Mr. Jerome objected, saying he was not assured the defense was to be one of self-defense.

Delmas declared that every defense the law allowed was to be taken advantage of.

Mr. Jerome withdrew his objection.

"A night after Christmas," the witness resumed, "Stanford White came up to me after the show and wanted to know if Miss Nesbit had gone home. Hold him she had. He replied: 'You are a ——— liar,' I told him to get back on the stage and see for himself."

"When he returned and as he passed me, he pulled a pistol from his pocket and muttered, 'I'll find and kill that ——— before daylight.'"

The witness stated the vile name he said White had applied to the man whose life he had threatened in a loud voice.

"Did you communicate this threat to anyone?" asked Delmas.

"Yes, I told a detective sergeant."

"I object," said Jerome.

"Did you communicate the threat to this defendant?" asked Delmas.

"Yes, I met him on Fifth avenue and told him I wanted to speak with him regarding Miss Nesbit. I then told him of the incident at the theatre and of White's threat."

"What was White's condition when he made the threat?"

"He was black in the face with anger."

District Attorney Jerome asked that

the answer be stricken out as improper and the court so ordered.

"What was Mr. White's manner?" asked Delmas.

"He was very angry."

Justice Fitzgerald, after Bowman had stated the name White called Thaw, announced that if there were any ladies in the court whose sense of propriety would not admit of their hearing the testimony, they might withdraw. Several went, including Mrs. Carnegie and the Countess of Yarmouth.

**Unfit For Ladies.**

"We must ask the court to bear with us in bringing out this testimony," explained Delmas. "But it is essential."

"It is perfectly right and proper," Justice Fitzgerald quickly assured the lawyer.

"There are ladies here, however, and I think they should be given an opportunity to withdraw if they so desire."

District Attorney Jerome took the witness and for the better part of an hour questioned him very closely as to his employment and place of residence for the last five years, attempting to secure the house numbers and other details.

The witness said he was door keeper at the Madison Square Garden Theatre from 1902 to February 1904.

Thaw's sisters evidently became re-entangled during the long and rather tedious cross examination for after George Carnegie had gone to them and explained the character of the testimony they returned to their place.

Harry Thaw who had shown alert interest during the testimony, as to the threats said to have been made against him by White, gave evidence of becoming fatigued and yawned several times. He seemed paler than usual.

**As to White's Threats.**

After being questioned about the statement at the theatre, the witness said: "The girl from Dixie was playing at the theatre at the time that Evelyn Nesbit was in the cast. She left the theatre that night a trifle after 11. He said he had received no compensation in the case and had not been promised any."

"When Mr. White returned from the stage, just what did he do?"

"He went by me muttering, but I could catch some of the things he said. He took a pistol from his pocket and held it in his hand until he reached the stage door. As he

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### FARMER DROWNED.

Prominent Farmer of Anson County Drowned in Creek—Body Not Recovered.

Special to The News.

Wadesboro, N. C., February 6.—Mr. A. B. Mills, a prominent farmer of Burnville township of this county, was drowned in Lanes Creek yesterday.

Up to this time the body has not been recovered.

### Killing of Aldrich.

By Associated Press.

Baton Rouge, La., Feb. 6.—An investigation of the circumstances under which Democratic Congressman-elect Favrot shot and killed Harry Aldrich were begun by the grand jury.

### Dispensary Abolished

### House Passed Bill, Abolishing Dispensary at Madison. Solicitors to be Put on Salary of \$2,500. As to Insane.

By Bell Telephone.

Raleigh, N. C., Feb. 6.—The Webb bill, putting salaries on solicitors, after being discussed for two hours. All of its amendments were voted down, including one by Senator Aycock, to specify the salaries of all solicitors. The bill, as passed, fixes the salaries of all solicitors at \$2,500 and all fees in excess of this are to be turned over to the State treasury.

In districts where the fees do not amount to this, solicitors will receive only the fees paid in. The bill was ordered engrossed and sent to the House of Representatives.

Graham of Orange, introduced a bill providing for a 2-1-2 and 2 cent passenger fare, with interchangeable. Mr. Graham is president of the Senate committee on railroads and the bill expresses the opposition to the flat 2 cent fare agreed on by the joint committee.

The Senate passed many local bills.

Webb introduced a substitute bill, to take the place of the Bickett bill, to provide mental detectives. It represents the agreement of the joint committee on insane asylums, and provides for a bond issue of \$500,000, similar to a bill already proposed. The bill was referred to the committee on appropriations.

**In the House.**

In the House Douglass introduced a bill to regulate political conventions and primaries. The bill was made a special order for Tuesday.

The Bickett bill was also discussed in the House.

The House had a spirited discussion on the bill to abolish the dispensary at Marshall, Madison county. The bill finally passed.



### DOUGHTON BILL FAVORED.

### Retail Merchants Favor Bulk Sale Bill—Protect Against Freight Discriminations.

Special to The News.

Raleigh, N. C., Feb. 16.—The legislative committee of the North Carolina Retail Merchants Association, in session here, has declared in favor of the Doughton bulk sale bill which has already passed the House and is pending in the Senate.

The committee asks that a law be enacted to punish the ordering out of goods on approval when done with intent to defraud merchants.

The committee has adopted resolutions protesting against freight discriminations against North Carolina and urging the General Assembly to pass the Graham bill, which authorizes the governor of the state to employ State Commerce Commission, and fight such discriminations.

The committee also endorses the bill enlarging the powers of the Corporation Commission which has already passed the House.

The committee has given a hearing to a number of the representatives of railroad companies and the Southern Express company protesting against the present penalty laws as too drastic and the committee has recommended that the assembly modify the laws.

Mr. Claude E. Matthews for some time past passenger conductor for the Seaboard Air Line between Richmond and Columbia has been promoted to the position of assistant train master on the first division, Richmond to Raleigh, the latter place to be his headquarters. Capt. Matthews has been in the service of the Seaboard six years or longer. This promotion is a deserved recognition of his faithful and efficient service.

### Will Care for Insane

### Bickett Bill is Favored by Joint Committee on Hospitals. Bond Issue of \$500,000 is Provided for by Bill.

Special to The News.

Raleigh, Feb. 6.—The joint legislative committee on hospitals for the insane has decided to report favorably the Bickett bill, for the care of mental defectives, with some few amendments. The bill provides for the creation of a hospital commission which shall be in charge of the State hospitals for the insane. It is empowered to purchase additional lands for an enlarge the present hospitals at Raleigh, Morganton and Goldsboro, to meet the needs of the State for 20 years and locate and establish "colonies" for the treatment is desirable, one for white and one for the colored patients.

The bill carries a bond issue of \$500,000 if that amount is needed with a proviso that the bonds are not to be issued if the money is available from other sources in the State treasury.

Also that not more than \$250,000 bonds can be issued during the year.

The joint committee of railroads and public service corporations voted last night to recommend to the legislature the adoption of a two cent flat passenger rate and the abolition of second-class fare. It is learned that Chairman Graham, of the Senate committee, was the only member of the committee who voted for a second class fare. It was an executive session of the committee.

### DISCRIMINATION CHARGED.

### Cotton Mills of Georgia and South Carolina File Complaint Against Railroads, Charging Discrimination in Freight Rates.

By Associated Press.

Washington, Feb. 6.—Complaint has been filed with the Interstate Commerce Commission by the Enterprise, Sibley and Graniteville Manufacturing Company, Monroe Cotton Mills and Riverside Mills of Georgia, and South Carolina corporations engaged in the manufacture and sale of cotton, and at large number of Southern, Western and trans-continental railroads, alleging that the charge for shipment of cotton goods, and cotton waste from points in Georgia and South Carolina to Pacific coast terminals is a greater amount than for similar shipments over longer distance from New York and New England points.

The Enterprise, Monroe and Graniteville companies, also engaged in shipping cotton goods to China and Japan.

In another complaint against the same railroad companies and against the Great Northern and Occidental Steamship Companies allege that in the shipment of such goods from Georgia and South Carolina points to Pacific coast terminals a greater charge is made than from Maine, New Hampshire and Massachusetts points.

### PROPOSED BOAT LINE.

### Southern Refuses Landing of Boat and Bartlett Seeks Amendment to River-Harbor Bill.

By Associated Press.

Washington, Feb. 6.—Bartlett, of Georgia, secured an amendment to the river-harbor bill, directing the chief engineers to ascertain whether the owners of the wharfage privilege at the harbor of Brunswick, Ga., discriminates against any one engaged in the transportation of freight.

Mr. Bartlett explained that the citizens of Macon were very much interested in securing navigation upon the Ocmulgee river from Macon to Brunswick, and said that at considerable expense they had arranged to have a boat ply between the two points, but that the Southern Railway Company had refused to allow the boat to land. It was for the purpose of reaching some equitable arrangement for the use of the wharves that the amendment was presented.

### POCKETBOOK SAVED LIFE.

### Narrow Escape of Couple From Assassin's Dagger.

By Associated Press.

Constantinople, Feb. 6.—George Christich, son of the late King Milan of Serbia, and Mme. Christich, had a narrow escape from assassination.

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### ONE KILLED—THIRTEEN INJURED

### Fire Caused Loss of One Hundred Thousand Dollars.

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### ALL ON BOARD LOST.

### Vessel Lost and All Hands Aboard

By Associated Press.

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—Mrs. J. H. Sadler whose barn was burned Sunday night had two hundred and fifty dollars insurance in the Farmers' Mutual.

### Schooner Was Driven Ashore

### Unknown Three Masted Schooner Driven Ashore on Diamond Shoals. Rescuers Sent Out.

By Associated Press.

Norfolk, Va., A dispatch from Cape Hatteras states that an unknown 3-masted schooner was driven ashore on the Diamond shoals during the night and that the crew in surf boats from Hatteras and Creeds Hill life saving stations have gone to investigate.

The dispatch says the stranded vessel appears to be filled with water, but says nothing concerning the loss of life.

**Crew in Danger.**

The crews from Hatteras and Creeds Hill life saving stations reached sufficiently close to the vessel to see the men clinging to the rigging, but for the momentous seas, for their own safety, they were obliged to put back and await more favorable conditions. It is impossible to shoot a line to her. It is bitter cold.

### MAYORALTY TALK.

### The Man Who Can Foster the Spirit of Progressiveness is the Winning Candidate.

"The issue in the coming mayoralty campaign," said a prominent politician this morning to a News man, "will not be prohibition; it will be progressiveness, or the motto of the Greater Charlotte Club, 'Watch Charlotte Grow,' and the man who is willing to foster the unprecedented spirit of progress which is now prevalent in this city, will be the man who gets there."

"Prohibition and other issues have been overshadowed," continued he, "in the splendid march of improvements and extension of business which is placing this city far ahead of all others in the State. Charlotte wants a man at the head of her administration who will conservatively keep up such building progress and stimulation of all business interests."

—There has been no record in court for two days. The officers say the blind tigers stay in-doors this kind of weather.

## The Selwyn Opens Its Doors in Brilliant Reception to Friends

### Twenty-Five Acres in East City for \$25,000

The Suburban Realty Company has purchased 25 acres of the old Vail farm, back of Elizabeth College, at \$1,000 an acre. The entire tract embraces 93 acres and the remainder of the land, at the present rates for Charlotte real estate, is considered to be worth upwards of this price and will likely be in demand in the future for residential purposes, as Greater Charlotte expands.

The property was bought from Miss Cora Vail, of Taylorsville, and Mrs. S. M. Johnston, of the county. The Suburban Realty Company, with Mr. F. C. Abbott at its head, is exploiting the Wilmore property to the south of the city, and will, it is understood, make use of its new purchase for residential purposes.

**EACH SUBURB A WARD.**

Principle Suggested in Governing System of Greater Charlotte.

"Every suburb taken into Greater Charlotte should be incorporated into a ward of its own as nearly as possible," said a man today who is closely identified with the efforts for the extension of the city limits.

"Yes, I think the old ward lines should be maintained. That is Trade and Tryon streets should remain the inner division lines of the present city wards, First, Second, Third and Fourth. As to the outer limits of these wards, let us illustrate by considering Ward Two. Let us say, for instance, that Morehead street should be the southern boundary of this ward, and the northern boundary of Dilworth Ward.

"I am not dogmatizing, you understand. I am only suggesting a possibility.

"I think the wards should as closely as possible conform with the suburbs. For instance, again, Dilworth, Atherton, Elizabeth, North Charlotte, Seversville, etc., should be in wards to themselves and every one have its representative on the board of aldermen, and the representation should begin with the beginning of greater Charlotte.

"I like the idea of continuing the present system of a board of aldermen, with new members for the new wards. Such a system will, it is understood, be proposed to the makers of the new charter for Greater Charlotte.

### Introductory Chapter of Hotel's History written in Shape of One of The Season's Greatest Social Events.

### Upwards of a Thousand People Inspected the New Hostelry Throughout and Praised its Perfections Without Stint.

Erect as a light-house in the chilly air of a Southern winter's night, the blaze from electric torches, a-flare in every window of the six stories of the Hotel Selwyn last evening, spelled "Welcome" in letters of light. Invited guests leaned from carriages that crunched through the frozen crust of the snow to observe this pretty skyscraper effect, and the huge hostelry seemed to reach out welcoming arms with a hospitality as royal as that of the Inn of St. Bernard.

The world and his wife were invited and the world and his wife were there. Charlotte society turned out in every window of the six stories of the Hotel Selwyn last evening, spelled "Welcome" in letters of light. Invited guests leaned from carriages that crunched through the frozen crust of the snow to observe this pretty skyscraper effect, and the huge hostelry seemed to reach out welcoming arms with a hospitality as royal as that of the Inn of St. Bernard.

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The entrance was by the Church street door, the guests proceeding at once by the elevators one story, the women to rooms 109, 110 and the men to 101, 102, where outer wraps were discarded and the descent quickly made to the lobby where a brilliant scene was to be witnessed. The room was flooded with the light which Edison, highwayman of the heavens, rifled from the pockets of the lightning as he held it up at the muzzle of his genius. Potted plants lent a suggestion of the tropics to the scene. Clusters of carnations, here, there, and everywhere, shook the faint, sweet breath of cinnamon from their bread-crispers. And Charlotte folk, arrayed for the most part in the pink of the fashion, raided their vocabularies for descriptive adjectives with a recklessness as lavish as that displayed by Caesar Augustus in sparing not his choicest wines for a feast.

**Receiving the Guests.**

Messrs. Wood, Lightfoot and Harper were tireless in their efforts for the comfort of the guests, of whom there must have been 1,000 present. They inspected the hotel from cellar to roof, going into raptures over the exquisite furnishings of the various rooms and suites of rooms, the furnishings having been purchased through the Parker-Gardner Company. Mr. Charles W. Parker, along with Messrs. C. A. Wood and W. S. Alexander went North to select them, and Mr. Parker and his firm displayed the best taste and judgment in this most important and trying task.

"I really think I should like this," remarked one of the city's most charming and accomplished spinsters, who has cheated some man out of a splendid wife, to a friend, as she surveyed the bridal chamber with a critical eye.

Governor Glenn, of North Carolina; Governor Ansel, of South Carolina, sent letters of regret at their inability to be present, as did the following: Mr. A. R. Blaisley, of the St. Charles Hotel at New Orleans; Messrs. Palmer & McDowell, of the Hotel Magnolia, at St. Augustine, Fla.; Charles J. Owen, of Hotel Amsterdam, at New Orleans; Manager H. A. Dulton, of the Piedmont Hotel, of Atlanta; Mr. F. W. Rice, editor of the National Daily Herald, of Chicago; Messrs. J. M. Harry, Mrs. A. S. Cheek, Mrs. R. H. Jordan, Mrs. W. S. Liddell, Mrs. T. C. Thompson, Mrs. W. W. Watt and Mrs. Ogden.

Light refreshments were served and Chef Paron and his kitchen corps were busied keeping the supply up to the demand.

**The Dance.**

At 11 o'clock Terpsichore literally took the floor—the waxed floor of the ball room—and dainty slippers, a flash under the whirling swish of silk and satin, skimmed over the glossy surface. The dance was led by Mr. Dolph M. Young with Miss Louie Jones and Mr. Frank M. Caldwell with Miss Louise Wadsworth. Those who participated were:

Misses Louise Wadsworth, Annie Wilson, Edna Lockwood, Florence Thomas, Mary Spencer Anderson, Sadie Belle Mayer, Lucy Ray, Lucy Robertson, Alice Baird, Loui, Stuart and Sara Jones, Marguerite Springs, Helen Brent, Acton Latta, Mary Brockenbrough, Mildred Bisham, Norma Van Landingham, Georgia Love, Dora Sater, Edna Hirschinger, Leoline and Laura Etheridge, Sarah Hargrave, Annie Parks Hutchison, Selene Hutchison, Lucy Oates, Margaret King, May Courtney Oates, A. J. Oliver, Nettie

### Brick Manufacturers Meet.

By Associated Press.

St. Louis, Mo., February 6.—At the annual convention of the National Brick Manufacturers Association, President Copeland of Birmingham, Ala., delivered the annual address, after which the annual report of the treasurer Sibley of Birmingham was submitted and committees appointed.

### Sentence Confirmed.

By Associated Press.

St. Petersburg, Feb. 6.—The Emperor has confirmed the sentence passed by the court martial on Vice-Admiral Nebogatoff. He will be interned in Fortress Telears.

### Brownsville Is Up Again

### Another Witness Testified Before Senate Committee at Investigation of Brownsville Affair. His Testimony Given in Full.

By Associated Press.

Washington, D. C., February 6.—Former Sergeant J. D. Fraser, of Company D, 25th Infantry, testified before the Senate committee on military affairs in the Brownsville investigation said at the roll call, after the shooting, every man was accounted for.

He said two days afterward the ammunition was ordered turned in and was found accounted for.

He said he had nothing to do with the trouble and withheld no information. He declared there was no conspiracy of silence.

He had believed, he said, that some of the soldiers had "shot up" the town but the opinion was based on the fact that his company commander had so told him; he had never heard any of the soldiers admit it.

**Overman Fires Questions.**

The witness stated that it was his belief that the citizens of Brownsville "shot up" the town to drive the soldiers away.

Senator Overman asked, "Do you think the citizens would kill one of their own number—commit murder to get you away?"

Fraser replied: "I don't know whether any one was killed; they wanted us away."

In further explanation he said it was impossible for the citizens to get ammunition from the soldiers and it was brought out that the witness testified at a former hearing that the citizens may have procured discarded caps from the soldiers. Today he said all the men of the 25th wear hats.

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