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KEENLY WATCHFUL, JEROME SEEKS FOR WEAK POINTS IN THE STORY OF EVELYN THAW

Under His Rigid Cross-Examination She Preserves Her Composure

HIS QUESTION'S FALL SWIFT, UNSPARING

He Leaps From Point to Point of Her Story With Erratic and Sometimes Apparently Purposeless Flights That Most Witnesses Would Find Confusing, But at No Time Has She Evidently Thaw Appeared Disconcerted—Delmas Sits Near and as Far as He Can Gives Her a Certain Support, Questions as to Posing for Artists, Photographs Taken of Mrs. Thaw and Letters Written Her by White Practically Consume the Morning Session.

(By the Associated Press.)
New York, Feb. 20.—There was a great push of curious persons anxious to see Evelyn Thaw under the ordeal of cross-examination at the criminal courts building this morning, but only those provided with special credentials from the court or city authorities were permitted to enter the room where the trial of Harry K. Thaw is in progress. Even under these restrictions, however, every available seat was occupied as court convened. Justice Fitzgerald permits no one to stand.
District Attorney Jerome was early in the court room preparing for his day's task.
Among the spectators this morning were T. M. Kettle, of Glenview, Ireland, and Richard Hazelton, of Black Rock, Ireland, both members of the British parliament, representing respectively East Tyrone and North Galway.
Mr. Delmas was a few minutes late in reaching the court room. He came up behind Thaw, who sat in his accustomed chair, and patted him affectionately on the back. Thaw smiled, and for a few minutes they whispered together, each with his arm about the other's shoulders.
Evelyn Nesbit Thaw was immediately recalled that Mr. Jerome might continue his cross-examination. She was dressed precisely as she has been on every day since the trial began, even to the little black bow tie. Her face was slightly flushed as she took her place in the witness chair with her usual little smile at her husband. Mr. Delmas moved his chair inside the rail and seated himself beside the witness box. When Mrs. Thaw saw him she smiled faintly and turned her eyes to the district attorney, who sat before her.
Questioned as to Posing.
The district attorney began by showing Mrs. Thaw a photograph of herself taken in a kimono and asked if she could recall the date of the picture.
"I think it was taken in 1904."
"Where did you live after your return from Europe in 1904 until the time of your marriage?"
Mrs. Thaw gave 8 or 9 addresses.
"Was the defendant present when this photograph in a kimono was taken?"
"I don't think so."
"Did not the kimono belong to the defendant?"
"No."
"Did not he take the kimono to the studio that day?"
"I don't think so."
"Did not the defendant give you the kimono?"
"Yes."
Mr. Jerome exhibited another photograph and asked when it was taken.
"Was this a Florodora costume?" asked Mr. Jerome referring to the photograph.
"No, it was the red dress my mother made me, and the red cape Stanford White gave me."
"How long did you live in Philadelphia?"
Mr. Jerome continued as on yesterday to jump from one part of the story to another, keeping as far as possible away from a sequence of events.
"I don't remember just how long we lived in Philadelphia," said Mrs.

Thaw in answer to one of his questions.
"How old were you then?"
"Fourteen."
Mr. Jerome by his next few questions indicated that he did not intend to spare the feelings of the young woman in any way. He interrogated her sharply as to her dress when she was posing for artists in Philadelphia and New York. He persisted in certain questions even after Mr. Delmas had objected, and insisted on having definite answers though Mrs. Thaw usually said she could not exactly remember.
"Was there any exposure of the person or did you wear the so-called artistic draperies?"
"Dress While Posing."
"I would not say that," replied the witness. "I posed in a Greek dress and a Turkish costume."
Mr. Jerome persisted with questions as to the exposure of the person and Mrs. Thaw replied:
"I posed with low-neck draperies after I was on the stage. The pictures were like those ordinarily seen in photographers' windows."
Mr. Delmas objected to this and Mr. Jerome withdrew the question.
During the cross-examination Assistant District Attorney Garvan sat behind Mr. Jerome studying his notes, and from time to time prompted his chief. He made very full notes of the witness' testimony, and compared what she said today with what she had said on her direct examination.
"Where did you and your mother live after coming to New York?"
"In West 38th street between Fifth and Sixth avenues."
"What was your first theatrical employment?"
"With the Florodora Company."
"And you contributed to the family support?"
"Yes."
"Didn't you take a photograph of yourself to the Broadway Magazine for publication?"
"Yes."
"And it was published under the name of Evelyn Florence?"
Mr. Delmas objected, but Justice Fitzgerald directed the witness to answer.
"Yes."
"This was before you went on the stage?"
"Yes."
Demand for Her Photographs.
"And then the reporters came to your house for more pictures?"
"Yes."
"And your mother gave them pictures which subsequently were published?"
"Yes."
"Did you become acquainted with Ted Marks?"
"Yes."
Marks is a vaudeville manager.
"And received letters from him?"
"Yes."
"Were those letters among the packages of letters you burned after taking them from a storage warehouse in this city?"
Mr. Delmas objected to "this amazing question," declaring there was no foundation for it whatsoever. Justice Fitzgerald sustained the objection.
"Didn't you visit a warehouse in this city with a lawyer?"
"Yes."
"What was his name?"
"Mr. Hartridge."
"Did you take some letters out of the warehouse?"
"No."
"Did you visit the warehouse with another lawyer before you went with Mr. Hartridge?"
"I think so."
"What was the lawyer's name?"
"Wafren, I think."
Stanford White's Letters.
"Have you any letters from Stanford White?"
"I did have."
It developed that the forty-two letters introduced yesterday and identified by Mrs. Thaw were written by Stanford White to another girl.
"Where are Stanford White's letters?"
"Mr. Hartridge has some of them."
Mr. Jerome demanded the production of the letters. Thaw's counsel made no response.
Mr. Jerome proceeded.
"Did you give those letters to Mr. Hartridge?"
"No."
"Who did?"
"Mr. Thaw."
"You gave them to your husband?"
"Yes."
"Was there a single word of im-

propriety or indecency in Stanford White's letters to you?"
"I don't remember."
"Did you keep all of Mr. White's letters?"
"No."
The Letter From Boulogne.
"Have you a copy of the letter you wrote Mr. White from Boulogne?"
"No."
"Do you remember its contents?"
"No."
"Nothing about it?"
"No."
"How many letters did you give Mr. Thaw?"
"Fourteen."
She testified that she gave fourteen letters to Mr. Thaw in Paris in 1903. Afterwards she received them from Thaw's valet, and gave them to Thaw again, presumably after he had shot White. All of these letters, she said, were received from White while she was abroad in 1903, and were given to Thaw. She also gave him some letters she could not remember how many, which had been received before that time.
"Where are those letters now?" asked Mr. Jerome.
"I don't know."
"When did you see them last?"
"In Paris in 1903." Mrs. Thaw gave the name of a warehouse in the French capital.
"Didn't you in 1903 take letters from a warehouse in this city?"
"Yes; I took some at that time."
"Were't some sent you afterward?"
"Yes, Stanford White sent me a trunk from the warehouse and it contained some papers."
Mrs. Thaw said the goods in the warehouse were stored in her mother's name and that was a row over letting her have anything. Stanford White arranged to get the trunk out, however.
"I don't remember any letters in the trunk, however," added Mrs. Thaw.
"Why didn't you give Thaw all of Stanford White's letters instead of just some of them?"
"I didn't say that," replied Mrs. Thaw.
"You said some were in a trunk in Paris?"
"I said they might be."
"Didn't you retain some letters?"
"I don't know that I did."
"Thaw was pressing you all the time to give him all the details of this affair with Stanford White, wasn't he?"
"Yes."
"You gave him the letters before your marriage?"
"Yes."
The Room of Mirrors Again.
Mr. Jerome here dropped the subject of the letters for the time being and turned to Mrs. Thaw's story to her husband. He indicated that he would take every advantage of the court's ruling yesterday when Mrs. Thaw was compelled to answer a question as to whether or not her story was true. Her statement that the story was true gave the district attorney the right to introduce testimony to show the contrary.
"How long were you unconscious in that 24th street house at the time of your experience with Stanford White?"
"I don't remember."
"Was it after midnight that you became unconscious?"
"Yes, I think it was."
"Was it before daylight?"
Mrs. Thaw hesitated and then replied:
"Yes, before daylight."
Mr. Jerome read from Mrs. Thaw's direct testimony the statement that she sat up all night. She replied that she meant the rest of the night, after she had been taken home.
"When did you first meet Ted Marks?" went on Mr. Jerome.
"I think it was in 1900, or early in 1901 in New York."
"You received letters from him?"
"Yes."
"Up to that time your relations with your mother were friendly?"
"Yes."
Asked If She Was Sold.
"There was nothing to show that your mother was willing to sacrifice you for a pecuniary consideration?"
"No."
Mrs. Thaw sat up in the big chair and shook her head indignantly.
Mr. Delmas was on his feet instantly.
"There is nothing in this case that is even an intimation of such a thing. If I have said anything to lead the learned district attorney to believe that I think this unfortunate mother sacrificed her daughter, I wish emphatically to deny it."
"In all the troubles that you went through," continued Mr. Jerome, "you never thought anything but"
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MENTAL ANGUISH BILL TO SENATE

Passed House on Third Reading Without Fight

MOUNTAIN DOCTORS

Douglas Bill to Make Keepers and Inmates of Bawdy Houses Vagrants Under Act of 1905 Passed Second Reading—Lee County Bill Introduced in New Form.

This was a desultory day in the house, no matters of any very great interest having been passed on, except the London mental anguish bill, which went through on its third reading without opposition this time. It was unamended, save as to a legal point. The text appears in another column of this paper.
The Lee county bill was introduced today in another shape, to give the people of the territory included the right to vote on the question of the establishment of the new county. Dr. McNeill of Cumberland introduced it.
The Douglas bill to put keepers and inmates of bawdy houses under the vagrancy law of 1905 was passed on its second reading by a vote of 54 to 14.
The house was tardy this morning and did not hold its main prayer either. It was about a quarter to eleven when Speaker Justice called the body to order.
There was some discussion upon the report of the committee on Judiciary No. 1 on the bill allowing certain medical college graduates to practice without license in the mountain counties of Clay and Cherokee. It had been shown to the committee that these men were the confidence of their home people, were skilled physicians and had only failed to pass the state examination on account of technicalities as to previous education or something of that kind.
Mr. Royster insisted that the bill ought to go to the committee on public health. He declared that while he would be willing to trust his property and liberty to the committee on Judiciary No. 1, and even his life under certain conditions in judicial procedure, still he submitted that it was not the right committee to pass upon who should or should not practice medicine.
Mr. Grant spoke for the measure, as did Mr. Winborne and Mr. Bowman.
The motion to re-refer the bill was finally lost.
The message from the governor as to the need of a normal school in the east, also the report of the corporation commission on the Selma connection settlement with the Southern Railway—both of these documents were summarized in The Evening Times of yesterday.
In placing the message of the governor before the house, Speaker Justice stated that it ought to have been considered as soon as received, but it came in the house yesterday in the midst of the debate on the special order of the Scotland Neck bill, and the hour was so late before that matter was disposed of, that it was impossible for the house to give it proper attention then; that last night again there was the special order of the passenger-rate bill, and the speaker thought, on account of the great importance of the message, that it ought to be placed before the members at a time when they could give it their uninterrupted consideration. Consequently he had deferred having it read until this morning.
The immigration bill was made the special order for Thursday night.
The reformatory bill was set as a special order for Friday night.
Mr. Winborne, from the committee on rules, reported a rule that hereafter the opening speeches in any debate be limited to fifteen minutes instead of thirty, as at present, and subsequent speeches five minutes.
Bills Introduced.
Allow town of Greenville to issue bonds. Laughinghouse.
Suppress night shooting of wild fowl in North Carolina. Laughinghouse.
Incorporate Phillips Chapel M. E. Church in Alamance. Pickett.
Regulate pay of jurors in Alamance. Pickett.
Establish graded school district in Macon. Burnett.
Correct state grant in Macon. Burnett.
For relief of public school teacher (Continued on Second Page.)

RESOLUTION TO UNSEAT SMOOT

Beveridge Pleads for Senator From Utah

DUBOIS AGAINST HIM

Carmack Offers a Substitute Resolution Providing That Reed Smoot Be Expelled From the Senate—Foraker of Ohio Puts in Good Work for the Mormon Member.

(By the Associated Press.)
Washington, D. C., Feb. 20.—There was a warm debate in the senate today over the resolution to unseat Reed Smoot, the member from Utah. Following Mr. Hansbrough's strong denunciation of Mormonism, Mr. Dubois delivered an address also in opposition to Smoot's retention of his seat.
Mr. Dubois took direct issue with Senator Knox's recent statement that "polygamy in Utah has ended."
"Five of the twelve apostles have gone into it since the manifesto," asserted Mr. Dubois. "The president of the church performed the ceremony between an apostle and his fourth wife."
Concluding, Mr. Dubois declared there were not ten senators who would vote for Reed Smoot if they had read the testimony. "But I know that strong influences are at work here. The president of the United States is the open friend of the senator from Utah. You all know it. The country knows it. He wants him seated. You have every one of them, my friends on the republican side, but it has cost you the moral support of the Christian women and men of the United States."
Clerk of Beveridge.
Senator Beveridge followed with a plea for Mr. Smoot's retention. He believed the greatest wrong that could be done any man was the ruin of his reputation when his life had been stainless, and this was what was being done in the case of the senator from Utah.
Mr. Beveridge charged that Mr. Smoot had been made the victim of misrepresentation.
Mr. Beveridge disposed of what he regarded as the charge of treason against Mr. Smoot, in that he had taken a church oath against his country by giving the record of Mormons in the recent war. They had fought and died for the country.
Senator Carmack offered a substitute resolution providing "that Reed Smoot, a senator from Utah, be expelled from the senate." It would, he said, require a two-thirds vote of the senate to adopt his substitute.
Senator Foraker said:
"No case whatever has been made that will justify us in either declaring vacant the seat or expelling the senator from Utah."
"Reed Smoot has proven a better character than any other senator here has a right to claim. He is so good a man that I almost doubt him, or smoke, or chew, or swear, and he is not a polygamist." The applause of the galleries at this was checked by warning by the vice-president.
MR. S. C. POOL DIED
TODAY AT 10:30.
Mr. S. C. Pool, a well known citizen of this city, passed away this morning at 10:30 o'clock at his home on Hillsborough street, aged about sixty-three years. He had been sick since Saturday night when he suffered an attack somewhat similar to apoplexy. Yesterday afternoon it was thought that Mr. Pool was some better.
Mr. Pool was a native of Wake county and for about twenty years conducted a shoe store in this city, having sold out his store a few weeks ago. He is survived by his wife, who was Miss Virginia Upchurch, and also leaves one son, Mr. Harry Pool, and three daughters, Mrs. Cadmus Young, of Johnston county, and Misses Christine and Martelle Pool. His sister, Miss Martha Pool, who lives near city city, survives him.
Although it was known that Mr. Pool was very ill, his friends will be shocked to hear of his death. The bereaved family have much sympathy in this hour of bereavement.
The funeral will take place on Friday afternoon at four o'clock from the First Presbyterian church, and will be conducted by Rev. W. G. Tyree, D. D., pastor of the First Baptist church.
On account of the repairs being made at the First Baptist church the services cannot be held there.

RAILWAY RATE BILLS DISCUSSED IN SENATE WITHOUT BITTERNESS

SENATE HONORS ZEBULON VANCE

Buxton Bill Providing For Marble Statue Passes

SENT OVER TO HOUSE

Effort to Have Bill Amended so as to Include William Graham Falls. Senator Klutz Will Move to Amend by Adding Name of Charles D. Melver.

Senate resolution (being a joint resolution) 927, providing for the execution of a marble statue of Vance and the placing of it in Statuary Hall in the Capitol building at Washington was taken up in the state senate this morning and put upon its several readings, passed and sent to the house for concurrence.
The resolution was introduced yesterday by Senator Buxton of Forsyth and as passed today it authorizes the council of state to take the matter in charge, the expenses to be paid out of funds in the public treasury, "not otherwise appropriated."
There seems to be no doubt of its passage through the house and North Carolina will at last have at least one of its niches in Statuary Hall at Washington filled—and with a statue of the state's greatest man.
Mr. King of Caswell offered an amendment to Mr. Buxton's resolution, adding the name of William A. Graham and providing for two statues. Only six senators voted for the amendment.
Later in the day, Mr. Klutz gave notice that he would move to reconsider the vote by which the Buxton resolution passed.
The object of this was to incorporate the name of C. D. Melver in the bill, Mr. Klutz having a bill on the calendar providing for a statue to Melver.
ASKS REMOVAL
OF OTTO KELSEY
New York State Superintendent of Insurance
MESSAGE OF HUGHES
The Governor Recommends to the Senate of the Empire State That Kelsey Be Removed Because He Has Conspicuously Failed to Perform Certain Important Duties.
(By the Associated Press.)
Albany, N. Y., Feb. 20.—Governor Hughes sent to the senate this morning a special message recommending the removal from office of the state superintendent of insurance, Otto Kelsey.
In making the recommendation the governor says:
"With respect to life insurance, New York is easily the most important jurisdiction in the United States if not in the world, and the vast interests involved imperatively require, and it should be a point of honor for the state to maintain a fearless and efficient admission of its supervising department commanding the confidence of the people."
"I recommend Mr. Kelsey's removal because as head of this department he has conspicuously failed to perform obvious duties of the first importance, and his neglect has demonstrated his unfitness for the trust confided to him."
The message was read and referred without debate to the committee on judiciary of which Senator Davis of Buffalo, is chairman.
In Committee of the Whole.
Mr. Webb moved that the senate go (Continued on Second Page.)

Several Amendments to the Original Measure Introduced Today

MCLEAN AND DANIEL SUBSTITUTE BILLS

Speeches by Klutz, Blair, Graham, McLean, Daniel, Webb and Others. To Eliminate Second-Class Coach. Senate Overwhelmingly Against a Two-Cent Fare—Proposition to Create a New County to Be Named "Glenn." Out of Parts of Robeson and Cumberland—Scores of Insignificant Laws Passed in a Rush—No Vote On Railroad Rate Bill—Comes Up Tomorrow.

The feature of the state senate today was the prolonged discussion of the pending Graham bill, and the amendments and substitute bills proposed to reduce passenger fares on railroads in North Carolina, which was argued (in committee of the whole for three hours) and will be continued when the senate meets again tomorrow at 9:30 o'clock, being made the special order for 10 o'clock. A running report of the debate will be found in the account of the proceedings in detail below.
The hour for the special order having arrived, the chair today laid before the senate senate bill 618, the Graham bill to regulate passenger transportation on railroads in North Carolina.
When this bill was under consideration last week, two amendments had been introduced and a substitute bill. Mr. McLean withdrew the latter and sent forward a new substitute bill which fixed the rate at two and one-half cents on all roads in North Carolina, except smaller independent lines earning less than \$1,000 per mile, the latter to charge a maximum of three cents, and delegating certain powers to the corporation commission, or rather investing that commission with additional authority in regard to the regulation of railroads, and providing for only one fare, and that the first class.
Mr. Daniel sent forward a new substitute bill. It provides for a rate of two and one-quarter cents on roads earning less than \$1,000 per mile, and one-half cent on roads earning less than \$1,500, and in excess of \$1,000 per mile; and two and three-quarter cents on roads earning less than \$1,000 per mile. It contains a proviso in relation to "roads operated under lease," that rate thereon be determined according to average gross receipts, etc. All trains to be first-class, and second-class coach to be eliminated, and a smoking car or compartment to be provided.
Both the McLean and Daniel substitutes stipulate for a Jim Crow car or compartment.
When the Daniel substitute for the Graham committee passenger rate bill was sent forward in the senate today it was remarked by a senator that the substitute represented the views of Speaker Justice, and, of course, the views of its introducer, also.
The substitute bill of Senator McLean of Robeson provides:
1. First-class rate of two and one-half cents per mile.
2. Roads with earnings of \$1,000 or less, per mile, independent roads of fifty miles or less of mileage, and all new roads, to be allowed to charge a maximum of three cents a mile.
3. Separate accommodations for the white and black races. There is no provision for a second-class coach.
Mr. Graham spoke briefly, merely to point out the changes that had been made in his bill.
Mr. Thorne made a forcible speech on the general proposition to reduce railway rates, and scored newspapers here in Raleigh for expressions on the matter applying to what the senate should do.
He declared that the senators duly desired to consider and discuss this subject in order to arrive at a just conclusion in the matter.
Mr. Blair took the floor and declared that he was in favor of a flat two and one-half cents rate for first-class passenger traffic; the roads for years have been selling mileage books at that rate, and if they can haul the man who can buy \$25 worth of transportation at a time, they can afford to haul the poor, one-gallon man for the same money per mile, if he buys a ticket for only ten miles. He declared that the question of freight rates and better freight transportation was more important to the people and interests of North Carolina than that of passenger rates.
In Committee of the Whole.
Mr. Webb moved that the senate go (Continued on Second Page.)