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ciated Press report.

Daily Press

THE WEATHER.
Fair Thursday and
Friday, increasing
cloudiness, followed
by snow or rain, light
northeast to east winds

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NEWPORT NEWS, VA., THURSDAY, JANUARY 31, 1907.

PRICE TWO CENTS

ONE VACANT SEAT IN THE THAW JURY BOX

Believed That District Attorney Jerome Will Begin Address to the Jury Today.

DEFENSE MATTER OF CONJECTURE

Two More Jurymen Secured Today But a New Panel of 100 Had to Be Drawn to Work From When Court Convenes This Morning—Unexpected Events Likely to Happen.

(By Associated Press.)
NEW YORK, Jan. 30.—There was but a single vacant chair in the Thaw jury box when court adjourned today and it is believed that tomorrow afternoon, at the latest, District Attorney Jerome will begin his opening address to a completed jury.

Then the defendant, his wife, and all the members of his family which are able to be in court must listen to the story of the roof garden tragedy to listen to all its dramatic detail and as simple as the prosecution can make it. Length and breadth of the ground the district attorney will cover has not been disclosed.

Just how far back he will delve into the history of the principals in the famous case no one but Mr. Jerome knows. He has not related the plan of his opening address to anyone, though it has been intimated authoritatively that the direct evidence of the prosecution will be of the briefest possible character, dealing only with the incidents leading up to the killing and the story of the tragedy itself as seen by eye witnesses.

One or two witnesses may be heard as to the alleged motive for the crime.

It remains for the defense to open the way to testimony which has to do with any details of the relations which existed between Stanford White and Evelyn Nesbit prior to the slaying of the architect. Thaw's attorneys probably will not reply to Mr. Jerome tomorrow, reserving their opening until the state has finished its case.

New Panel Had to Be Ordered.

Two jurors were added to the trial panel today, making eleven in all. In an effort to complete the jury, the attorneys exhausted the second special panel of talesmen summoned for the trial. A new panel of 100 was ordered and will be in court tomorrow. The twelfth juror will be chosen from the new list. Sixty-five talesmen were exhausted today, breaking all records of the trial.

The highest on any previous day was 50. One juror was secured during the morning session and one near the close of the afternoon session of the court.

The New Jurors.

Harry C. Bready, an advertising agent, thirty-five years of age, and married was the first talesman to qualify today. He took his place as juror No. 6, the chair made vacant by the dropping of Harold R. Faire from the jury yesterday afternoon. Mr. Bready told the attorneys for the defense that he had no prejudice whatever against a plea of insanity, and that in judging such a plea he would be guided by the principle of allowing the defendant the advantage of every reasonable doubt. The afternoon juror, Henry I. Kellnberger, a silk merchant, forty-two years old and married, said he knew very little about the subject of insanity and would have to be guided by the instructions of the court in arriving at a conclusion on such a plea. He did not think his judgment would be unduly swayed by sympathy or emotion.

Looks Like Defense of Insanity.

The manner in which Thaw's attorneys continued to dwell upon the subject of insanity in their examination of various talesmen seemed to indicate that a plea of temporary insanity, which would be a legal defense, will eventually be entered. In developing the claim that Thaw was insane at the time of the tragedy the defendant's attorneys may bring

in several details they and the prisoner believe will influence some of the men who may have an undefined belief in the so-called "unwritten law."

There is much speculation as to what course Mr. Jerome will pursue if Thaw's counsel begin to develop these pleas of temporary insanity. He is prepared to combat their alienists, but there is a possibility that he may bring the proceedings to an abrupt halt and apply for the appointment of a commission to decide whether or not the defendant is sane at the present time or he may let the matter be fought out in open court, expert for expert, so that event the trial will drag out to a great length.

Mother Not in Court.

Neither Mrs. William Thaw, the prisoner's mother nor his sister, the Countess of Yarmouth, was in court today. The day opened stormy after a heavy snow fall and as Mrs. Thaw and the Countess are nursing colds, they decided not to risk their health today by being in court during the dull process of selecting a jury.

"Tell the newspaper men," Thaw said to one of his counsel "that I advised both my mother and my sisters to stay at home today and take care of themselves." Mrs. Carnegie disobeyed the injunction, however, and was present. Evelyn Nesbit Thaw and her companion, May McKenzie, were early in the court room.

Artists Can Sketch No More.

Justice Fitzgerald threw something of a bombshell into the camp of the newspaper artists in the court this morning by announcing through the court officers that no more sketches should be made during the trial.

This came as a complete surprise. Artists from most of the principal cities of the east have been in court from day to day and have not been restricted hitherto in any way whatsoever.

Evelyn Talks With Husband.

When Clifford Hartridge, Thaw's leading counsel, came into court young Mrs. Thaw extended her hand and greeted him cordially. After a brief chat Mr. Hartridge escorted Mrs. Thaw and her companion into the prisoners' pen, where there was a touching scene between the accused man and his wife. The two were together for ten minutes or more exchanging confidences and the woman had not returned to the court room when Justice Fitzgerald took his place on the bench. Mrs. Harry Thaw again visited her husband in the prisoners' pen during the luncheon recess, while May McKenzie ate and talked with Mrs. Carnegie and Edward Thaw. Thaw carried a telegram in his hand as he entered court after luncheon and tossed it on the table in front of him as he sat down and removed his heavy brown plaid ulster coat.

Corruption Story Not Credited.

There was a wild story going the rounds of the Criminal Courts building today to the effect that there was a fund of \$100,000 for use in corrupting a juror. It was given no credence whatever in any responsible quarter.

It was also stated that the talesmen who are yet to be examined are under the surveillance of county detectives, but this could not be verified.

Faire Wants to Know.

The statement of Harold R. Faire, one of the jurors excused yesterday, that he could offer no explanation as to why he was replaced in the jury box was repeated on many sides today and it was rumored that he might demand in court explanations of the action taken in his case. For the first time talesmen called today were asked specifically if they had been approached by anyone in connection with the case since being summoned. Heretofore talesmen have been asked whether or not they had discussed the case with anyone after coming into court. None of the talesmen said he had been approached in any way. Thaw said today that he had good hopes that the real business of his trial would begin on Thursday. He is anxious for the taking of testimony to begin and especially anxious for the testimony of witnesses in his own behalf. Thaw was especially annoyed by the excusing of Harold Faire, the broker, who had made a good impression on him. By advice of his counsel Thaw refrained today from reading any of the newspaper articles giving explanations of Faire's removal from the jury, and accepted

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GOVERNMENT MAY DIG BIG PANAMA CANAL

Administration Not Sure But That It Will Give up the Contract Plan Entirely.

SECRETARY LOEB'S STATEMENT

Says That the Idea of Letting Out the Contract Was to Assemble a Large Number of Specialists, But That the Object Was Not Attained, Oliver's Chances Slim.

(By Associated Press.)
WASHINGTON, D. C., Jan. 30.—It is still possible that the administration may determine to dig the Panama canal, placing the work in the hands of Chief Engineer Stevens, instead of having it done under contract. The final decision will depend with the President and Secretary of War and on their opinion as to whether the administration is justified in accepting the bid to do it by contract.

It was pointed out today on high authority that the government has not promised to accept the bid of W. J. Oliver, who has been given an opportunity to associate himself with two other contractors to do the work at his bid of 63.4 per cent. The President and Secretary Taft feel that the question of contract does not belong alone to Oliver and that they may be justified in declining to enter into a contract to dig the canal if they felt that the government's interests would be subserved by not doing so.

Loeb Makes a Statement.

The following statement was made public at the White House tonight by Secretary Loeb: "Reports in the papers seem to indicate a belief that the canal contract has been conditionally awarded to Mr. Oliver. This is not so. No decision has been made even that the contract will be awarded to any of the bidders. Mr. Oliver's bid was so hopelessly defective that it could not be even considered, and time was given him to complete it in shape that will en-

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DR. FOSTER IS OUSTED

He is no Longer Superintendent of the Eastern State Hospital.

ACTION CONTRARY TO COURT ORDER

Attorney General, However, Holds That Judge Tyler Had No Jurisdiction in the Matter and the Board Acted Accordingly.

RICHMOND, VA., Jan. 30.—Circuit Judge Tyler has issued a writ prohibiting any further proceedings in the case of Dr. Foster as superintendent of the Eastern State Hospital for the Insane. The general board sought to remove him and the writ carries the case into court for review.

The asylum board tonight, however, removed Dr. L. S. Foster "from the superintendency of the Williamsburg hospital for neglect of his official duties," the resolution says.

This action was taken after it had been decided by a vote of 9 to 2 to proceed with the matter in hand under an opinion from the attorney general that Judge Tyler's court had no jurisdiction in the matter pending.

Dr. Foster and his attorney Col. J. T. Lawless, withdrew from the presence of the board in its determination to proceed in spite of the court order.

The vote of removal was 7 to 6. Two members asked to be excused from voting. Two, Messrs. Turk and Bland had withdrawn from the proceedings, and one member was absent.

SHAW ADVOCATES BONDED PORT IDEA

Says no Harm Would Come to American People if There Were Two or Three.

SUGGESTS NORFOLK AS GOOD ONE

All Raw Material Should Be Free From Duty But All Goods Manufactured Would Have to Be Exported to Foreign Countries—Nothing for Local Consumption.

(By Associated Press.)
CONCORD, N. H., Jan. 30.—Secretary Shaw spoke before the Board of Trade here tonight on the subject, "Foreign Market for American Labor." During the course of his address Secretary Shaw developed an idea of bonded factories on a large scale. He said: "Merchandise can now be produced from imported material in bonded factories. It seems to be safe and wise to carry the logic of this provision one step farther and have bonded or free ports."

"Without attempting a lengthy elaboration of the idea I content myself with throwing out the suggestion. Suppose instead of a bonded factory we had a well defined section of land containing, if you please, several thousand acres. Within this bonded territory all kinds of factories could be built and into these all kinds of raw material could be entered without the payment of duty. This port should, of course, contain no dwellings. I would allow free coal and every element of manufacture except labor, to be entered free.

"In other words this free port should be a great consumer of American labor, the product of which, under the most encouraging conditions should be for export and for export only. If it was removed from the port for the purpose of domestic consumption it should pay the same duty as if imported from abroad.

"I do not see wherein the American people could be harmed by such a policy and it would result in furnishing employment to those who

SENSATION IS PROMISED

Exciting Testimony to be Offered at the Dr. Townsend Inquest.

BE'LL EVIDENTLY THE MURDERER

Inspector Schmittberger Says He Has Never in All His Career Run Across a Man Like the Accused—Brother Makes Confession.

(By Associated Press.)
NEW YORK, Jan. 30.—The examination of the police on Staten Island of persons supposed to have knowledge touching on the murder of Dr. C. W. Townsend early Saturday morning, was continued throughout last night and until three o'clock this morning. As a result two sisters, a brother and a brother-in-law of John Bell, the suspect, who is now under arrest, were under \$1,000 bonds to appear as witnesses. Police Inspector McLaughlin said today:

"Howard Bell, a brother of John Bell, broke down and made a full confession to District Attorney Kenny, in which he told how John had confessed to him that he had entered Dr. Townsend's house and shot him."

"In all my experience," said Inspector Schmittberger, "I never have seen a man exactly like this man Bell. He is a monomaniac, and the subject uppermost in his mind is a most startling one. There is a big sensation in this, but it will not come out until the inquest."

Boiler Explodes; Two Killed.

(By Associated Press.)
FORT WAYNE, IND., Jan. 30.—A Pennsylvania railroad locomotive boiler exploded here today, killing the engineer and fireman, injured a passenger and demolished the freight train of 20 stock cars. The train was running 20 miles an hour when the boiler exploded.

choose to live beneath our flag, consume our products and work at the American scale of wages.

"All in one land would be benefited by such a port somewhere on the North Atlantic coast. A similar port should be established in the vicinity of Norfolk and another on the Gulf."

NEW YORK WILL SEE NO MORE OF SALOME

Conried Says That It Must Be Produced at Metropolitan or Not At All.

(By Associated Press.)
NEW YORK, Jan. 30.—A decision to discontinue the presentation of the Strauss opera "Salome" at the Metropolitan opera house was rendered today at a conference between directors of the company performing the opera and the representatives of the Metropolitan Opera Company which leased the building. The conference was the result of a letter sent by the directors of the owning company, protesting against further presentation of the opera.

Mr. Conried announced later that he had decided not to give "Salome" in this city at any theatre.

It has been suggested that he might produce the opera at some other house than the Metropolitan, but this he does not care to do. No decision has been reached as to the performances of "Salome" scheduled for other cities.

MOTHER SHOTS BABY AND COMMITS SUICIDE

First Thought That Husband Might Have Done Crime, But Police Change Their Views.

(By Associated Press.)
WASHINGTON, D. C., Jan. 30.—William C. Copley, a clerk in the census office is held at the Ninth precinct police station, pending an investigation to the death of his wife and child last night. Shortly after midnight Copley called on Dr. John S. Dorsey, telling him that his wife had attempted to commit suicide. When the physician, residing at the Copley residence, both Mrs. Copley and the three months old baby were dead, both having been shot through the head. He notified the police and as a result the husband and father was lodged in the police station. He was subjected to a severe examination at the station, but insisted that his wife had killed herself. Copley admitted that he said his wife had quarreled in the early part of the night. Lieut. Peck of the Central police station, tonight said that after a thorough investigation he has concluded that Mrs. Copley shot and killed the baby and then committed suicide.

ANOTHER BROWNSVILLE INVESTIGATION ON TAP

Senate Inquiry Will Begin Monday and Arrangements Are Being Made for It.

(By Associated Press.)
WASHINGTON, D. C., Jan. 30.—Senator Warren, chairman of the Senate committee on military affairs, Senator Foraker and Secretary of War Taft today conferred in regard to the investigation of the Brownsville affair, which will begin next Monday.

The conference was for the purpose of coming to an agreement so that the demand for certain witnesses would not conflict with a similar demand for the same witnesses at a court martial of officers of the battalion which court will be in session at the same time. They went over the list of witnesses with Colonel Ransdell, lieutenant-arms of the Senate and it was finally arranged that the witnesses wanted for the court martial should first testify at Brownsville and then come to Washington as early as possible. The inquiry by the Senate committee will begin with the examination of the called men and non-commissioned officers of the discharged negro battalion.

MAYOR JOHN MITCHELL DIES VERY SUDDENLY

Charleston's, (S. C.) Leading Lawyer Passes Away While Delivering An Address Before Women.

(By Associated Press.)
CHARLESTON, S. C., Jan. 30.—While delivering an address before the City Federation of Women's Clubs in the St. John hotel, this afternoon, Mayor John Mitchell, chairman of the school board and the leading criminal lawyer of the Charleston bar, dropped dead from a stroke of apoplexy. Mr. Mitchell was in his 70th year.

During the war between the states he served the Confederacy of the staff of General R. S. Ripley. He was secretary of legation at St. Petersburg under Governor Samuel B. Pickens.

PITTSBURG HAS GOOD SIZED RACE RIOT

Street Fight Between a Negro and Newsboy Nearly Ends in a Lynching Bee.

POLICE AND FIREMEN FOUGHT MOB

Big Squad of Reserves Were Called Out by Riot Call and They Had to Use Their Night Sticks Freely on the Men Who Wanted to String Up the Negro.

(By Associated Press.)
PITTSBURG, PA., Jan. 30.—C. A. Jackson, a negro bleeding from many wounds on the head, is locked up in the Central police station, following an exciting and almost successful attempt to lynch him tonight by a crowd of several hundred persons in the heart of the business district. A number of unknown negroes who tried to protect Jackson were roughly handled by the mob. Several women who were caught in the rush were taken in their homes suffering from nervous shock. The trouble started when a newsboy asked the negro to buy a paper. Jackson shoved him roughly into the street. The boy threw a stone and struck Jackson on the head and the negro choked the boy. In a moment several men caught the negro and began to beat him. Some one cried "lynch the negro," and hundreds of men rushed upon Jackson. Cane, stones, rolled up newspapers and flats were the chief weapons used by the mob. Several other negroes endeavored to protect Jackson. Immediately there were cries of "lynch them" and "kill the niggers," and the infuriated mob caught several of the negroes and bumped their heads against the stone buildings.

Police Saved Jackson.

Jackson bleeding and his clothes almost torn off, was temporarily forgotten, and he ran down Fifth avenue. Somebody cried, "the nigger is escaping" and several hundred persons took up the chase.

Down Fifth avenue to Liberty avenue, two blocks and then down Liberty avenue to Fifth street, the chase continued. Just below Fifth street Jackson ran into the arms of several policemen. The officers hurried Jackson into an alley and attempted to hold in check the crowd with their night sticks. They were fast losing ground, however, when a force of city firemen from a nearby engine house came to their aid. The police and firemen guarded the entrance to the alley until the patrol wagon loaded with officers responded to a riot call. The crowd was scattered by the free use of night sticks and Jackson was taken to the central station and locked up on a charge of disorderly conduct.

TRYING TO SOLVE THE JAP SCHOOL QUESTION

California Delegation in Congress Have a Conference With President and Secretary of State.

(By Associated Press.)
WASHINGTON, D. C., Jan. 30.—After two hours conference at the White House tonight regarding the Japanese question on the Pacific coast the California delegates in Congress authorized the following statement:

"The California delegation had a very full and harmonious discussion with the President, the Secretary of State and the Secretary of the Navy on serious questions relating to the Japanese on the Pacific coast. The character of the discussion leads us to feel confident that a solution will be reached satisfactory to all concerned."

"The result of the meeting is that the delegation has tonight telegraphed to the president of the San Francisco board of education, and the superintendent of schools to come to Washington at once for a conference with the President and Secretary of State."