

WEATHER—FAIR; BRISK WINDS.

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10 PAGES

The



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NEW YORK, MONDAY, FEBRUARY 11, 1901.

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CHIEF WITNESS FOR DEFENSE MISSING.

NET CLOSES ON KENNEDY

JUDGE COWING'S REBUKE FOR LAWYER WELLMAN.

Criticises His Method of Questioning Talesmen in the Trial of Davis, the Bellevue Nurse, Charged with Responsibility for Louis Hilliard's Death.

Just before adjournment in the first day of the trial of Jesse R. Davis, one of the nurses charged with manslaughter in causing the death of Louis Hilliard, Judge Cowing took occasion to severely reprimand former Assistant District-Attorney Wellman, who appeared for the defendant.



JESSE R. DAVIS, Accused Bellevue Nurse.

Mr. Wellman, replying, said he would like to further question the last talesmen on the stand, but refrained, fearing that he "might get lectured."

GEN. LEE AN ARMY NO PARDON FOR REGULAR NOW. MRS. MAYBRICK

President Nominates Him and Senate Confirms Miles and MacArthur. London Officials Deny Report of Clemency by King Edward.

WASHINGTON, Feb. 11.—The President to-day sent to the Senate the nominations of James H. Wilson, of Delaware, and Fitzhugh Lee, of Virginia, now brigadier-generals of volunteers, to be brigadier-generals in the regular army.

LONG BRANCH "SIGHTS" COST C. MUNTER \$450.

In pleading an excuse for his refusal to pay three notes made by him, Emil S. Stern told Justice McFarthy in City Court to-day that the notes were given as the result of a gambling transaction.

Henry Murdoch, of 310 West Forty-first street, while driving a team across the New York Central tracks at One Hundred and Thirty-fourth Street and North River this afternoon, was hit by a northbound train and internally injured.

RESULTS AT NEW ORLEANS. FIFTH RACE: Larkman 1, Woodstock 2, Swindler 3. SIXTH RACE: Silver Coin 1, Beau 2, Soropletta 3.

TRUST FIRMS FIGHT NEW TAX. BRADY SEEKS RACE PROFITS.

Committee is Appointed to Go to Albany. Receiver Appointed for the Funds, Estimated at \$12,000.

The principal officers of the several trust companies met this afternoon in the offices of the United States Mortgage and Trust Company to consider the tax measures now pending in Albany, which seriously affect their properties.

STILL MORE COULD SUITS. FOLLOWED HIS DEAD BROTHER.

C. C. Sedelmeyer Now Joins Castellane Litigants. David Rosewitz Took Carbolic Acid to Go to "Abe."

Count Castellane's creditors are still in hot pursuit of the Gould estate. (Special to The Evening World.) PASSAIC, N. J., Feb. 11.—Two weeks ago Abraham Rosewitz, of Passaic, committed suicide in a New York hotel.



DR. KENNEDY ENTERING COURT.

GUILTY OF FIRST DEGREE MURDER. HERLIHY TELLS OF HIS MEDAL.

Filippelli Stabbed Canafello During a Quarrel. Grant Gives Him a Chance to Talk at Trial.

Louis Filippelli, of 224 First avenue, who on the night of Oct. 22 last fatally stabbed Michael Canafello in front of 200 First avenue, was this afternoon convicted of murder in the first degree.

DESPAIRED OF FAME, WOULD DIE. CHILD DEAD OF HER BURNS.

Michele Fichell, twenty-one years old, of 64 1/2 Hicks street, Brooklyn, was arraigned in the Butler Street Court to-day, accused of attempted suicide.

Freda Steinbrook, six years old, died to-day at 124 Stanton street, from burns received yesterday afternoon.

Accused Man's Lawyers Claim that the Police Have Caused Disappearance of Plumber Melville, the Chief Hope of Defense.

When to-day's session of the trial of Dr. Samuel J. Kennedy for the murder of Dolly Reynolds closed, it was evident that the prosecution had lost none of its strength in the evidence presented.

Rigid cross-examination failed to shake the stories of witnesses who testified to the most damaging facts concerning the man who is making a second fight for life.

The most impressive witness of the day was Capt. James K. Price, who at the time of the tragedy was in command of the West Thirtieth street station.

Justice Fursman opened court promptly at 10:35 o'clock. When Stephen Burns was called as the first witness Lawyer Moore arose and said:

"One moment, Your Honor. The defendant this morning finds himself in a very peculiar predicament. John Melville, a plumber of New Dorp, Staten Island, who was a very important witness for the defense, and regularly subpoenaed by the defense, took a Clyde line steamer on Friday night and sailed for Florida on a pleasure trip.

"We are in attendance here last week. We desire an attachment issued and shall have to ask a postponement of the case until this witness can be produced. It is an exceedingly important witness for the defense.

"I do not believe justice can be done this defendant without the presence of Melville. He retained the lawyer, and I am appreciative that this is a serious matter," replied the justice.

"The Prosecution will conclude by Tuesday noon, and if you can show me at that time that this witness can be produced I will grant a postponement."

"In the event of our not being able to get the witness here we shall move for a retrial unless the prosecution consents to accept the deposition made by this witness at the time of the motion for a new trial."

"Well, we will see," said Justice Fursman.

The court-room filled very quickly to-day in spite of the fact that the court officers at the door declared to the waiting mob in the corridor that none but jurors and witnesses would be admitted.

Mrs. Kennedy slipped into court quietly, unobtrusively, and after a whispered word of welcome to the aged father of the prisoner, took her seat. She still wore her sober dress of black.

Stephen Burns was the first witness. He was the man who walked on Dolly Reynolds' body.

WEATHER FORECAST.

Forecast for the thirty-six hours ending at 8 P. M. Tuesday, for New York City and vicinity—Fair to-night; Tuesday, probably snow; Wednesday, fresh to brisk west winds, becoming easterly.

From Heart to Heart. The Pennsylvania Railroad terminal in New York and Chicago are most conveniently located in the center of business.

(Continued on Second Page.)

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