MRS. THAW SWEARS WHITE PURSUED HER

CONTINUED FROM FIRST PAGE.

Twenty-fourth street apartment, but to-day she marched straight through the whole narrative with scarcely an effort.

Studying her face closely, it was possible to get an idea of how she could accomplish the marvel. It is a child's face still, despite the sin on which it has been turned. But it is more than that. It is a face over which events of tragedy that are big and vital in the lives of most people have marched, and may well continue to march without leaving a trace. It seemed like a crystal-clear pool of water, which may reflect momentarily the faces of men who bend above it but upon which the things which it reflects will leave not a single ripple.

All the things she told about were allowed to go upon the record, like her story of the day before, not because their truth or untruth is material, but because she swore that she had told them all to Harry Thaw and because it will be the contention of the defense that they contributed largely to the circumstances that drove him to insanity.

To this end, therefore, Evelyn Nesbit Thaw was allowed to tell how much in love with her Harry Thaw became; how he took her and her mother abroad when she was to too weak to walk; how he showered upon her every attention that a lover may offer the woman he loves. And having built up this picture of devoted affection, Mr. Delmas continued to add to it yet other touches by reading letters written to Evelyn Nesbit Thaw, in which he continually calls her a poor ill-advised angel, and reminds her that he has always been respectful toward her, and that no matter what happens he will always be her true friend.

They are odd letters, badly spelled sometimes, fragmentarily written always, with phrases of apparently sincere affection interspersed with snatches of words that are entirely unintelligible, but creating indubitably the impression that the writer was still devotedly attached to the girl to whom he wrote them, despite past sorrowful happenings to which he continually, obscurely refers.

Turns Again to White.

The picture being vividly shown to the jury, Mr. Delmas again turned to Stanford White and drew from the young wife her story of how, after she had returned from Europe, leaving Harry Thaw there, Stanford White again found her out and told her "dreadful things" about the absent lover, among them that he was a morphine fiend, and then sent to her other persons who told her more "dreadful things" about the man who had twice asked her to marry him.

Led on by counsel, the witness added to this further telling strokes that had to do with a visit she made to Abe Hummel's office with Stanford White, who said Hummel would protect her against Thaw, she by that time having been led to believe these "dreadful things" that had been told her about the defendant. Hummel, she said, urged her to sue Harry Thaw for breach of promise, saying that there was lots of money in it, and when she declined to do so, told her that she was very foolish, and got very angry.

In connection with the Hummel incident she told of a visit Mr. White made to her at the Hotel Navarre, when he arrived in a great state of excitement and walked up and down the room "sort of crying"—it wasn't really crying, more like whining, she said—and finally broke out with, "Child, what have you been telling Abe Hummel about me?"

When she protested that she had not told Hummel anything, Mr. White replied, she said:

"Child, child, you must have told him something. He's just squeezed a thousand dollars out of me and the Lord only knows how soon he'll squeeze another."

Hummel's Office Affidavit.

Ever since the trial started, and before that, there have been rumors that the prosecution had an affidavit made against Thaw by Evelyn Nesbit in Abe Hummel's office. This rumor will gain support from Mrs. Thaw's testimony to-day to the effect that she signed for Stanford White a paper which she did not read, after having been to Hummel's office, where he questioned her about her trip abroad with her mother and Thaw, and then dictated a statement to his stenographer which she said was full of "a lot of stuff that wasn't true."

Her testimony further touched Stanford White when she told of "Jack" Barrymore's having proposed marriage to her, and how Mr. White's objected, telling her that Mr. Barrymore would probably go crazy, like his father, and that all the Barrymores were a "little bit queer."

There was a dramatic colloquy between the district attorney and Mr. Delmas when the witness was asked whether she and Harry Thaw had discussed a fate similar to hers which had befallen other young girls at the hands of Stanford White. Mr. Jerome added, in a low, tense voice, and with every evidence of deep feeling:

"Now I submit, if your honor please, Stanford White is dead. The laws of evidence do not permit us to controvert a single one of these statements. Are there no limits which the law puts upon the vilification of the dead?" But Mr. Delmas replied gracefully:

"The learned district attorney will admit, I think, that in the progress of this case I have shown no more desire to besmirch the memory of the dead than of the living, and I think I have given an evidence of my good faith by the manner in which I have conducted the examination. I desire to utter no word against the memory of Stanford White, who is now in his grave, than the duties I owe to the living do not compel me to utter, and I shall adhere to that resolution to the end."

Mr. Jerome replied that the court should limit culminative testimony on this point, and added:

"If all the loose scandal, the idle and unfounded tattle of the Tenderloin is to be poured out here about a man who is dead, and in whose defense nothing can be adduced, something must give us pause."

The upshot of it was that Mr. Delmas temporarily turned to the introduction of documentary proof. One of these documents was the will that Harry K. Thaw drew the day he was married. In it the name of Stanford White is referred to, but the document was not admitted, the court ruling that sufficient proof of its genuineness had not been shown. Mr. Delmas said that on Monday he would produce the lawyer who drew the will.

Concerning Other Girls.

Late in the day Mr. Delmas made another attempt to have Mrs. Thaw tell about White's relations with other young girls, but Mr. Jerome was up again in an instant, saying: "These weird tales of the Tenderloin should not be allowed to besmirch the memory of him who is dead. It is a discretion that I submit, sir, should be exercised in behalf of one, whom, at least, we must assume to have been innocent, as he could not speak for himself."

Mr. Delmas replied that he assumed from the tone Mr. Jerome used that the Tenderloin was some disreputable district in this city.

Adjournment left the matter still unsettled.

There was bigger press than ever to gain admission to the courtroom to-day. More women were there than before, though most of them were seated far from the rail. Of course, none of Harry Thaw's female relatives was present to hear the story of his wife. Edward Thaw was his only relative in the courtroom in the morning. In the afternoon he came late, found his seat taken, and went away, apparently in a huff. Later, Josiah Thaw came in and found a seat.

Outside the big door there was a crush in the morning that resulted in many physical encounters between the curious and the police. Court Officer Owens had a scrap with Assemblyman Mark Goldberg. Goldberg said later that he wanted to get in to see Assistant District Attorney Train, and that when he found he could not he tried to send in his name, and that Owens seized him and slammed him up against the wall.

A big majority of casual spectators, including most of the women who got in, had cards purporting to be from Edward Carrol, chief clerk of the Court of General Sessions. There were 128 of these.

Court Crowded.

Justice Charles H. Truax visited the courtroom a short time in the morning and sat with Justice Fitzgerald on the bench. The corridors of the building swarmed with all sorts of curious persons who were trying under various pretexts to get into the courtroom. Very few of them succeeded, but that did not keep them from standing about and pleading with the police, and at the noon hour the galleries of the building were crowded with people, who hung over the railings in the hope of getting a view of Evelyn Nesbit Thaw.

Out in the streets a crowd of 200 or 300 assembled at 1 o'clock, staring up at the Bridge of Sighs, hoping to get a look at Harry Thaw as he was taken back to the Tombs for luncheon. The crush was just as bad at the courtroom door at 2 o'clock, and every seat was taken at both sessions of court.

It was a much easier day for Thaw than the previous one. He knew he had heard the worst that his wife had to tell, and his face showed it. He looked at her very often as she went on with her story, but not when the lawyer was reading his love letters. Then he talked with his lawyers or lopked at the ceiling. But the strained, downcast look was gone from his face and his bearing was less anxious and shamefaced.

As for her, if she ever looked at him it was not apparent. For the most part she fixed her black eyes on those of Mr. Delmas, only when the long legal discussions were going on she looked steadily at whomsoever was talking, the court, Mr. Jerome, and Mr. Delmas in turn, as if trying to understand what it was all about.

Adjourns Until Monday.

Then Mr. Jerome began an examination. She could not say whether the two papers were in the same condition as when she signed them. That satisfied Mr. Jerome, who objected to the papers being received in evidence, saying that they were presented here two years after they had been drawn and contained interlineations.

The defense said that the will would be identified on Monday without a doubt. Lawyer Perkins, of Pittsburg, who drafted it, will be here to identify it, and the codicil.

From the questions of Mr. Jerome and Mr. Delmas, it was made plain that in the will Stanford White is mentioned. It is also said that in the codicil are the names of young women whom Thaw, from the stories told to him by his wife, believed to have received the same treatment from White as she had.

The trial will be resumed on Monday morning. After the will has been identified and read in evidence, Mrs. Thaw will probably go on the stand again. It is understood that Mr. Jerome will get to her cross-examination some time on Monday.

Afternoon Session.

When Evelyn Nesbit Thaw resumed her testimony at the afternoon session there was practically no change in her appearance. She faced a room more crowded than at any time since the trial began. But the crowd inside was nothing to the crowd that had been turned away from the building. Owing to the difficulties at the morning session, Inspector McClusky was on hand to superintend the police arrangements. First the courtroom was filled up with those who had friends at court, literally, and after that only those who had credentials that they were there on business were admitted. Yet the court officers had their troubles. The women, or most of them, had to take back seats, and were not grouped up near the judge.

The seats that had been occupied by the Thaw family were filled by strangers all afternoon. This also accounted for the absence of Edward Thaw from his usual seat. When he got to the court he had great trouble in getting in, and finally found that his regular seat had been taken. As it was practically impossible for him to get a seat, he went away in no pleasant frame of mind. Later in the afternoon Josiah Thaw managed to push his way in and a chair was found for him.

Mr. Delmas took up the thread of the young woman's story at the end of the morning session by repeating the question as to whether she had told her husband the reasons why Stanford White had sent her to the school at Pompton, N. J. She said she had, and Mr. Delmas asked if in that connection Jack Barrymore's name cut any figure.

"And now please state to the jury," said Mr. Delmas, "without the necessity, if you please, of my questioning you as you go along, all that you told Mr. Thaw upon that subject."

Quarrel Over Barrymore.

"The reason I was sent to school," said the young woman, "was on account of a quarrel Mr. White and my mother and I had over Mr. Barrymore. One day—one afternoon—in the tower of the Madison Square Garden, Mr. Barrymore and myself being present, Mr. Barrymore had suddenly said to me, 'Eve, will you marry me?' and I said 'I don't know.' Mr. White got very mad and his face got purple, and then Mr. Barrymore said it again, 'Eve, will you marry me?' and I laughed, and Mr. White said, 'If two kids like you get married, what would you live on?' and Mr. Barrymore said, 'On love,' and that was all there was to it. Then every day when I saw my mother she would take hold of me and ask me if I intended to marry that little pup, Barrymore. She didn't like him, and I wouldn't tell her, and then she would say that she had told Mr. White that she was very sure we were going to elope, and she watched me all the time and told me that I might not marry him; that he didn't have a cent, and that he was nothing but a little tough, and she absolutely forbade me to marry him. And then Mr. White came and talked to both of us.

"He said it would be a very foolish thing for me to do; he said it would be much better for me to continue on the stage and try to be a great actress. He further said that he thought Mr. Barrymore was a little bit crazy; that his father was in an insane asylum, and that the whole family was a little bit queer, and that I ought not to marry him on that account alone."

"But," said Mr. Delmas, as if he were lecturing a naughty little girl, "my question to you was what, if anything, that you told Mr. Thaw, that had to do with your going to school."

"Oh," she said, "I said that I would marry him (Mr. Barrymore) if I wanted to; that I liked him very much. Then he asked me again to marry him—oh, it got to be a sort of a joke—and I quarreled with my mother continually about it. We quarreled a good deal—and the upshot of it was Mr. White came and said I ought to be sent to school. And he had me sent.

"After you had told Mr. Thaw of what happened between you and Stanford White in 1901, did Mr. Thaw have any conversation with you in which he discussed the fate of other girls who had met with shallar treatment at his hands?"

Mrs. Thaw nodded, before Mr. Jerome had wheeled around, facing Mr. Delmas.

"At whose hands?" he asked.

"Whose hands?" repeated Mr. Delmas with apparent amusement.

"The hands of Stanford White. Whose else could it be?"

Mr. Delmas snapped out, "Whose else could it be?" and then Mr. Jerome walked slowly, so that he stood directly in front of Justice Fitzgerald. With a good deal of feeling and a touch of bitterness he began to speak.

Jerome Appeals to Court.

"Now, I submit, your honor," he said, "that Stanford White is dead. The laws do not permit us to controvert the truth of a single one of these statements. Are there no limits which the law puts upon the condemnation which may be thrown upon the dead? I object to this question. I say we have gone far enough on this path. We cannot meet it. I forbear from saying more."

Mr. Delmas, who had been listening intently, drew himself up. After the first few words it was plain to see why he got the reputation of an orator at the San Francisco bar. It was a strong speech. He said:

"Your honor will bear in mind one of the defenses upon which the defendant relies here in defending himself against the charge—the penalty of which, if proven is his life—is that at the time he committed this act, this alleged criminal act, he was of unsound mind. I forbear to state to your honor the general scope of the testimony which I propose introducing upon this subject. But I do claim, and I think that your honor will have no difficulty in perceiving, that after the impression was made upon the mind of this defendant by the story that was told by his wife, it is natural, unavoidable, it would be inconceivable in any human being, that a certain agitation, mental agitation, should not have been produced. If that agitation continued and if fresh fuel was added to the flame by subsequent events, showing the condition of his mind by the statements that he made as to what he had learned from other sources; that, if your honor please, coupled with contemporaneous instruments of indubitable genuineness, which I shall produce in corroboration, will present to the twelve jurors in the box the very best picture of the state of mind——"

Justice Fitzgerald interrupted him.

"When you say in corroboration, in corroboration of what?" he asked.

"In corroboration," said Mr. Delmas, raising his voice, "of the oral statements which she made as to the fate of these other young girls. I shall produce contemporaneous instruments executed by him that those were his mental impressions, and that they show his mental condition."

Justice Fitzgerald Puzzled.

But Justice Fitzgerald was still puzzled, or he wanted the record straight, for he got Mr. Delmas to say after a few questions that when he said "Executed by him," he meant executed by Thaw. Mr. Jerome started to reply, but Mr. Delmas went on:

"Of course the learned district attorney will bear in mind that I have no more desire to asperse the memory of the dead than of the living. I desire to utter no word against the memory of Stanford White that the duties which I owe to the living do not compel me to utter; and I shall adhere to that resolution, if your honor please, to the end. But defending this defendant, as we are defending him, upon this charge we should be derelict in our duty if we omitted to supply every atom of proof which we conceive would aid these gentlemen (turning to the jury) in arriving at a correct understanding of his mental attitude and condition upon these subjects.

"As long as the matter has come up for discussion," said Justice Fitzgerald, "the court is most anxious to exercise any discretion in order to keep within bounds. The district attorney now suggests what, in my judgment, is practical—that there ought to be some preliminary proof before we go further into this matter, and if it is in the power of the defendant to furnish evidence outside of declarations to the defendant, that ought at least be given to the court."

"We are ready to submit it to the court," said Mr. Delmas.

"Of course," continued Justice Fitzgerald, "the jury will recognize in these matters that the truth or falsity of these statements made to the defendant is not a matter at issue here. Of course, it is no defense that a man's character was bad. But if statements made to a person of unsound mind are urged by the defense, irrespective of their truth or falsity, the court is required to allow them to go to the jury. Of course, the question of the truth or falsity for the jury would be as to whether the statements of the witness as to what she communicated to the defendant are narrations truly recited."

Will and Codicil.

All this time young Mrs. Thaw sat in the witness chair, taking a lively interest in everything that was going on. Mr. Delmas handed her two documents; one had seven pages—long pages. It turned out to be a will made by Thaw in New York, after his marriage in Pittsburg, and the other was a codicil. After Mr. Jerome had looked over the two documents he suggested that Mrs. Thaw be allowed to mark in blue pencil the parts of the documents which were in her husband's handwriting. When she had gone over both documents, Mr. Delmas offered them in evidence, but on objection by Mr. Jerome that they had not been sufficiently identified they were not admitted.

Mrs. Thaw then left the stand, Miss Frances E. Pierce taking her place. She was called for the purpose of identifying her signature to the will and codicil, which she did.

Mrs. Thaw Called.

"Call Mrs. Evelyn Nesbit Thaw to the stand," requested Mr. Delmas of the clerk at the opening of the forenoon session. Mr. Delmas stated that before any oral testimony was taken he would continue to read the postscript of the last letter offered in evidence yesterday.

The letter was addressed to Attorney Longfellow. The postscript Mr. Delmas read as follows:

"No one could have made me believe since I first saw her that she would show any one He I first thought she cared for any letter. I should have betted every cent in the world three weeks ago to get money for fabulous presents for you; that after our trusting each other no hypnotism could make you forget all. I won't say but it is inexpressibly sad." (The letter was written just as it appears here.)

Mr. Delmas' first question to the witness was as to whether or not the "her" in the letter referred to the witness.

"Yes, sir," came the tremulous reply.

The letter continued:

"I have been asked not to have anything to do with you because you are a dangerous woman.

"He never lied to you.

"From the first time he ever saw you he wanted to do his best for you, to send you to school in Paris with your mother, or to send you both to school and he never did anything not respectful.

"Yesterday he saw you believed everything false people told you as you did before, but as you are absolutely honest he would do you no harm ever for it, only he was sorry. He won't trouble you at all, as he would do anything for you, but now you must get stronger without him.

"You said you would live anywhere any way he wished so he could have chaperoned you and had all the honor of your exclusive friendship and lose nothing himself. Instead he wished to give up everything, to do all he could for you.

"I wish you would have spoken this evening through the telephone.

"To make you sure I'll explain. After I saw the poor ill-advised angel I was so sorry. She meant to do right, and was right had she only kept the purest things from polluted, lying, double-minded, deceitful, money-grasping, smooth-tongued, hard-hearted, but soft-speaking professional deceiver."

"Did the 'he' in the letter refer to Mr. Thaw? Did he speak of himself thus in correspondence?" asked Mr. Delmas.

"Yes, sir," replied the witness.

Treated with Respect.

The next letter, which also was written to Mr. Longfellow by Mr. Thaw while in Paris, soon after he heard Evelyn Nesbit's story, contained these words:

"Slept seven hours when —— saw many Pittsburgers on the train. Mr. and Mrs. George Carnegie should be your loving sister and brother-in-law. I'm so glad the Duse dress is pretty for you. I wish I always knew you would wear it first for me. I have something important to tell you when I see you. I saw all through it. I believe you are hypnotized, but I know it isn't your fault and you meant no wrong. I want you to know I shall never hurt you. You know I never lie. I give you my sacred word that by the hope that there is a heaven above, your pure soul shall go through. You have already been unlucky enough. You know I have always treated you with perfect respect."

Not Responsible.

The letter, which in places was blurred and had to be inspected with a magnifying glass, went on in part:

"I am not responsible now. You must know every story, including Dillingham, is a fake, except one. I saw all those letters—all sham—but I don't care a little brass.

"You know me better than any one, and if you don't trust me and know I am true and unselfish, compared to most men, then there is no hope for me. I am changed now, but not in truth, faithfulness, or courage. Promise me one thing, don't drink any champagne. I am too poor and must live at home. I can't pay for your ring now. Of course, if you are in need I can get loads of money, but it would make trouble. I must stay here or get a cheap ticket East. Of course, don't say anything about this."

Examination Resumed.

This ended the letter reading, and Mr. Delmas returned to the direct examination of Mrs. Thaw.

"Did you tell Harry Thaw of an episode in your life connected with Stanford White and Abraham Hummel in New York between your return from Paris in 1903 and Christmas Eve of that year?" he asked.

"No," replied the witness, with perfect composure; "I did not tell him until later."

"Please relate what you told Mr. Thaw."

"He asked me how I came to speak to Stanford White after my return from Europe. I told him I was driving down Fifth avenue one day in a hansom cab with my maid, and we passed Stanford White. I heard him exclaim: 'Oh, look at Evelyn!' "

"A few days later I was called to the telephone and it was Mr. White. He said: "'My, but it is good to hear your voice again,' and said he wanted to come and see me. I told him I could not see him. He said it was very important that I should see him at once. He said he had had much trouble with my family and must see me. I asked if my mother was ill. He said it was a matter of life and death—he could not tell me over the telephone.

"So he came to see me at the Hotel Savoy.

"When he came in he tried to kiss me, but I did not let him. He asked me what was the matter. I told him to sit down, and asked him again if my mother was ill. He said 'No,' and at once began to talk about Harry Thaw. He told me that different actresses had told him that I was in Europe with Harry Thaw.

"He said presently that Harry Thaw took morphine, and asked me why I went around with a man who took morphine. He said positively that Harry Thaw took morphine, that he was not even a gentleman, and I must have nothing to do with him.

Goes to See Hummel.

"One day Mr. White telephoned me that he was going to send a carriage for me and I was to come to Broadway and Nineteenth street. I did so, and White met me and got into the carriage. He said he was taking me to see Abe Hummel, the greatest lawyer in New York, who would protect me from Harry Thaw.

"When I got to Mr. Hummel's office Mr. White went away. Mr. Hummel asked me how I came to go to Europe with Harry Thaw, and I told him that I didn't, I went with my mother, and Thaw followed us. I told him all I could remember. He said I was a minor, and Thaw should have been more careful. He said he had a case in his office against Thaw, but the woman in the case was a very bad one, and he didn't think the case was much good. Then he said Thaw was a very bad man, and above all things I must be protected from him. Mr. White then said what he wanted was to get Harry Thaw out of New York, and keep him out.

Advocates Strong Methods.

"Mr. White said that strong methods must be resorted to to keep Thaw out of New York, and to protect myself I must help in every way I could.

"Mr. White said I must leave everything in Mr. Hummel's hands.

"Several days later Mr. Hummel called me up and asked if I had any letters from Mr. Thaw.

"I said I did, but I couldn't see what that had to do with it. Mr. White also called up and said if I wasn't willing to help in every way they couldn't protect me from Mr. Thaw. He said I must do just what Mr. Hummel said.

"So I made the letters up in a bundle and took them down to Mr. Hummel's. He said he didn't want to read them and didn't care what they contained. He asked, however, if they were love letters, and I said 'Yes.'

"He said he just wanted to hold them over Harry K. Thaw's head.

Urges Breach of Promise.

"Then he asked me why I didn't sue Harry Thaw for breach of promise. I said that that was absurd, for if there had been any breach of promise it was on my part. He said that didn't matter.

"Mr. Hummel said a breach of promise suit would be a fine advertisement for me.

"What more did you tell Mr. Thaw?" asked Mr. Delmas.

"Mr. Thaw asked me if I had signed anything in Mr. Hummel's office, and I said I had not. He said that was funny, for if they wanted to cause trouble I must have signed something. I said I had signed absolutely nothing in Mr. Hummel's office."

Mrs. Thaw testified to going to her own lawyer and relating her experience with Hummel. Her lawyer, she said, was greatly incensed at what she told him of her experience in Hummel's office. Mrs. Thaw said:

"My lawyer, too, told me that Hummel was a shyster." A laugh went around the room.

Burned Signed Paper.

The witness, continuing, said that she did not know what she had signed when she signed the paper at the request of Mr. White in his office in Madison square.

"I called Mr. White up on the telephone after I had talked to Mr. Thaw, and I demanded of Mr. White that he put the paper in the fire. He said he didn't have it, but that it was in Mr. Hummel's office. I said: 'Very well,' and told him that I was going down to Mr. Hummel's office immediately. He told me not to talk about the matter over the telephone, and I said I did not care who heard me. Then White said he would meet me on the corner, and I met him.

"When I met him we went down to Mr. Hummel's office. He showed me the paper and showed me my signature, and asked if it was mine, and I said it was. Then they put the paper in a big jardiniere and burned it. Afterward I told Mr. Thaw all about it, and also saw Mr. Longfellow and told him."

She related how she had persistently refused to marry Thaw before she finally did so.

"What reason did you give him for not marrying him?"

"It was because of my reputation. I did not want to separate him from his family. I knew it would be a good thing for me to marry him, but it would not be for him. It was because I loved him that I would not marry. If I didn't love him so much I might have been anxious to marry him."

Mr. Delmas got the witness to relate how she met some of the Thaw family in Europe.

Changed Mind About Marriage.

"There was something happened which led you to change your mind in regard to marrying Thaw?" asked Mr. Delmas.

"Yes," answered the young wife.

"You were given to believe that his family would receive you as his wife?"

"Yes."

"Did you meet Mrs. Thaw, his mother, in New York?"

"I did."

"After your marriage did you visit New York from Pittsburg?"

"Did you tell your husband of the efforts of Stanford White to renew your friendship?"

"I did."

Met Barrymore at White's.

"Did you ever tell Mr. Thaw how you came to be sent to school at Pompton, N. J.? And if so, relate it to the jury, and also wherein the name of Jack Barrymore entered into the discussion, and tell what your relations to Barrymore were."

"I met Mr. Barrymore when I was with the 'Wild Rose' company at the Knickerbocker Theater. Mr. White gave a dinner to a whole lot of friends. I was asked to attend, and I went there and met his friends at the party. Mr. Barrymore was there."

It was then 12:40 o'clock, and a recess was declared.

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SOLDIERS IN FANCY DRILL

Army, Navy, and Official Society at Fort Myer Event.

Cavalry and Artillery Put Through Artistic Evolutions for Benefit of Rough Riders' Monument Fund.

Military, naval, and official society was well represented in the large gathering that filled the auditorium of the Fort Myer Riding School yesterday afternoon, the occasion being an exhibition military drill given by the Thirteenth United States Cavalry and Third Battalion, United States Field Artillery, for the benefit of the Rough Riders' National Monument fund and the Soldiers' Athletic Association.

Gen. Fred D. Grant, commander of the Department of the East, and staff, Quartermaster General Humphrey and staff, Gen. Sumner, Maj. Dickman, and Commander Frank T. Eldridge, U. S. N., were present, occupying seats of honor at the performance.

Capt. Preston, of the cavalry, put his men through a drill consisting of all manner of cavalry evolutions that was pronounced the equal of the best drills ever seen at the principal military establishments of Europe.

Lieut. McDonald showed in a very brief time, and within a very small compass, what artillery can accomplish at a crucial moment. The work of both the artillery and the cavalry was greeted with long and loud applause.

The drill, which was in every way a successful event, was under the arrangement of the following committee: Mrs. John Guest, Mrs. Richard Sylvester, Miss Winifred Mattingly, Miss Drake, Miss Gorman, Miss Fuger, Mrs. Borden, Mrs. Newman, Mrs. Hodges, Mrs. Lewis, Mrs. Colver, Miss Sheppey, Miss Galloway, Mrs. Sheppey, Miss Taylor, Miss Brett, Mrs. Hodgson, Eldridge E. Jordan, chaplain; Col. C. A. Hatfield, Gen. G. H. Harries, Chaplain H. A. Brown, Capt. John Guest, Lieut. A. H. Davidson, John Doyle Carmody, and Rudolph De Zapp.

The president-treasurer of the society is Mrs. Lilian Capron, the wife of Capt. Allyn K. Capron, jr., who was killed in the battle of Las Guasimas, Cuba, June 24, 1898.

WILL BUILD $500,000 HOME.

Plans Prepared for Perry Belmont's Washington Residence.

The house which Perry Belmont, Minister to Spain under President Cleveland, will erect on the triangular lot bounded by New Hampshire avenue, Eighteenth and R streets, will cost nearly $500,000. Bids were asked for by Architect Horace Trumbauer, of Philadelphia, yesterday, and the plans call for one of the most palatial residences in the Capital.

The house will be one of the show places of the city and will be two stories in height, built entirely of Indiana limestone in the style of the period of Louis XVI. It will be surrounded by thirty feet of parking, and every advantage has been afforded by the plans for ornate facades and elaborate interior decorations. Bids are to be submitted next Monday and the contract let at once. It is expected to have the building ready for occupancy when the Capital's next social season opens.

Weights and Measures Inspected.

W. C. Haskell, sealer of weights and measures, is making an annual inspection of the weights and measures of the Federal government. But a very small percentage has been found to be below the standard. Upon the completion of this line of work an inspection will be made of the scales, weights, and measures of the wholesale and retail dealers of the city.

Always the Same.
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Special Private Delivery.

'FRISCO ENVOYS HERE

CONTINUED FROM FIRST PAGE.

for the good of the country, so that it will be possible to make a treaty with Japan in the event of the settlement of the school question. It is more than probable that the Californians also will take this view. Just what the adjustment will be is, of course, undetermined, but it is considered likely that the school board, once it hears what President Roosevelt has to say, will recede from the stand it has taken.

Mayor Schmitz said last night, an hour or so after his arrival, that he could not discuss the pending questions. This was because he had been invited to come here by the President for a conference, and it would not be proper to enter into a discussion of the dispute until after he and his colleagues had seen the President. The mayor said enough, however, to show that he was in a receptive attitude, and ready to listen with attention to anything President Roosevelt might have to say. His attitude is not belligerent. Among other things, he said:

"All this talk that we have taken a firm stand on this question and are not ready to listen to any one is without foundation. If it were true that we are not prepared to consider any proposition or arguments laid before us concerning the action the school board has taken, what would be the use of our coming down here to attend the conference? If we were so firm in our convictions that we could not see the other side, there would be nothing to discuss. I have not said at any time that I intended to stand pat or that any one would have to 'show me.'

Not Proper to Talk.

"I am willing to say that no Californian will stand on technicalities if it is shown that the welfare of the whole country will be affected by any attitude that has been taken.

"Instead of wanting to impede the efforts of the Japanese to acquire learning, we took the very best mode of furthering their ambition, and that was by segregation. But few of them could speak English at all well, and by separating them from the white children we put them where a teacher would be able to devote to them special attention and far more time than could have ordinarily been granted. This was clearly for their benefit if they really desired rapid advancement in their studies. The truth is that at the bottom of the controversy lies the question of pride of race. The Japanese consider themselves very greatly the superiors of the Chinese, and did not like to be classed with the Chinese as 'Mongolians.' Though it was in their interest to be separated from the whites, inasmuch as that would involve a supposed lowering to the Chinese level, the Japanese pride was touched and hence the difficulty.

"As far as regards the legal question of the right of the San Francisco school board to make the order of exclusion, there is scarcely room for argument. Ex-Secretary Richard Olney has stated the case precisely and his logic is unsurmountable."

Schmitz in Control.

Mayor Schmitz appears to be the man who is running things. The school board was appointed by him, and is strictly under his control. He has the power to remove any member at any time, and of course any suggestions of policy he may make will be carried out by the board.

President Roosevelt will explain to the mayor and the school board the feelings of the government here on the matter of exclusion of Japanese children from the public schools of San Francisco. He will point out that it is a source of irritation to the Japanese people which should be removed, because if it is not removed it will be practically impossible to negotiate any sort of a treaty tending toward exclusion of Japanese from the United States.

Some days ago President Roosevelt was quoted as referring to Mayor Schmitz as the "bassoon-playing mayor." Mayor Schmitz said that he doesn't know how to play a bassoon. It is a violin with which he is proficient.

Japanese Agent Arrives.

The Japanese will be represented by Dr. Mijakawa, who arrived in Washington last evening. He accompanied the San Francisco school board, and is the representative of 10,000 or more Japanese residents of that city. It was he who drafted the resolution adopted by the Japanese mass meeting last October, which upon being sent to Japan caused the first Japanese government protest to be made to the United States.

He is also the attorney who filed the injunction case against the board of education in the United States Circuit Court of San Francisco. Several of the large publications of the Pacific Coast and Japan will use his reports of the coming conference. He carries with him resolutions of the Commercial Manufacturers' Association of San Francisco, which consists of 180 leading manufacturers employing over 25,000 American laborers, and the output of which represents over $50,000,000. These resolutions are in favor of the Japanese against the board of education. They will be submitted to the authorities to-day.

RUNAWAY HORSES HURT THREE

Team of Mrs. Oxnard in Wild Dash on New Hampshire Avenue.

The horses attached to a carriage belonging to Mrs. Henry T. Oxnard, of the Arlington Hotel, while standing in front of 1537 New Hampshire avenue northwest about 6 o'clock last evening, became frightened by a young man who chanced to pass by their head, and ran away.

The driver, Arthur Stillwater, of 1846 R street northwest, was thrown from his seat, and was painfully injured about the head and face by the fall. The horses continued to race at a mad pace down the street, and collided with herdic cab 14, driven by Arthur T. Talks, of 1805 Fourth street northwest, who was in turn thrown from his seat and slightly injured.

At Dupont Circle the team crashed into the wagon of Henry Pfiester, a florist, of 1120 Connecticut avenue, breaking the shaft and hurting the driver. The horses continued to run until they reached the corner of Eighteenth and P streets, where they stopped from exhaustion. The pole and one of the rear wheels of the carriage were damaged considerably, but neither of the horses was injured.

UNCONSCIOUS WITH GAS ON.

Officers Break Door and Rescue Mrs. Lucy Collins from Death.

When Officers McCarthy and Armstrong, of the Sixth precinct station, called at the room of Mrs. Lucy Collins, 302 E street northwest, last night, as the result of complaints received from other occupants of the house, they detected the odor of gas and immediately broke open the door.

On entering, the officers found Mrs. Collins stretched at full length on a bed and one of the gas jets near by turned on full. The Emergency Hospital ambulance was called and the unconscious woman was taken to the hospital. After working over her for some time, the doctors succeeded in reviving her, and at a late hour reported they thought she would recover.

It is not known whether the woman attempted suicide or whether the gas was turned on by accident.

Commissioners Resume Hearing.

The Commissioners will to-day resume their hearing before the subcommittee of the Senate Committee on the District of Columbia relative to those items of the District appropriation bill which were omitted by the House. The hearing will continue several days.

HOLABIRD WILL FILED

Late General Leaves Bulk of Estate to His Son.

INCLUDES PRIVATE LIBRARY

Codicil Tells of Provision for the Daughter Who Was Given Share Under Agrement with Trustee in 1901—William J. Williams Leaves Property in Trust for Widow.

The will of Samuel Beckley Holabird, dated January 4, 1901, was filed for probate yesterday by the National Safe Deposit, Savings, and Trust Company, which is made executor and trustee under trusts created by the instrument.

It is provided in the will that after the payment of $1,000 cash to William Holabird, a son, and $500 cash to Mrs. Agnes Theodosia von Kurowsky, wife of Paul von Kurowsky, of the Quartermaster's Department of the army, the residue shall be held in trust. Out of the trust the income on $2,000 shall be paid to a sister-in-law, Mrs. Hammond L. Bartlett, during life. The income from the remainder of the estate shall go to William Holabird, son. When the youngest of William Holabird's children reaches the age of thirty the trust is to cease, and the estate is to be divided among said children.

A codicil to the will states that the daughter, Mrs. von Kurowsky, had been provided for under an agreement reached with the trustee, dated January 4, 1901. All the personal effects of the deceased, including his library, are left to the son, with the request that such books as he may not want be given either to the Public Library of Washington, the library at Evanston, Ill., or the Cavalry and Infantry School Library at Fort Leavenworth, Kans.

William J. Williams' Will.

The will of William J. Williams, who died January 27, at his home, 1808 K street northwest, has been filed for probate. The instrument is dated February 5, 1902, and provides that his estate shall be held in trust during the life of his widow, Jemima Williams, for her benefit, and that at her death it is to be divided as follows: Daughter, Mrs. Emma Elliott, wife of James Elliott, Denver, Colo., houses 1426, 1428, 1430, and 1432 Rhode Island avenue northwest; daughter, Mrs. Margaret E. Levy, of Washington, houses 1808, 1810, 1831, and 1747 K street northwest and the residue of the estate. The household effects are divided between the widow and the widowed daughter, Mrs. Levy, in order to assure a home to the latter and her child. The National Safe Deposit, Savings, and Trust Company is appointed executor and trustee.

Mrs. Catherine Herbert, who died December 12 last, by her will dated December 7, 1906, leaves to her daughters, Teresa and Cecilia Herbert, the home 1002 First street northwest and $500 cash each; to her son, Frank Herbert, and to her daughters, Kate Johnson, Mary Roach and Annie Crowe, $1,000 each. Teresa and Cecilia Herbert are named executrixes.

Other Wills Filed.

By the will of Mrs. Elizabeth Witthaft, 937 Longfellow street, Brightwood, dated June 18, 1906, the estate is divided equally between the son, Frederick John Muller, and the daughter, Mrs. Annie Sabina Herrmann, who are named as executors.

The will of William A. Mann, dated January 18 last, who died January 21 last, leaves $5 to a daughter, Mrs. Thomas Bray, and the residue to his daughter, Mrs. William Hodgson, who is charged with the duty of looking after and maintaining her mother, Mrs. Helen Mann. Mrs. Hodgson is named executrix without bond.

The will of Franz Niehaus, dated September 14, 1906, who died February 5 last, leaves $100 to be divided among brothers and sisters in Germany, and the residue to his wife, Margaretta Niehaus. August W. Mack is named executor.

REPORTS THEFT; ARRESTED.

Charles Grimes Accused of Taking Check from Employers.

After reporting to his employers a theft which, it is charged, he had himself committed, Charles Grimes, a paperhanger, living at 458 M street southwest, was yesterday arrested by Detectives Grant and Berman, of the Central office. On January 28 Grimes, who was the first one to arrive at the office of the Enterprise Wallpaper Company, 328 Pennsylvania avenue northwest, reported to his employer, Mr. George S. Hewitt, that a check for $75, which was made out to Charles H. Gladdin, a half owner of the business, was missing from his desk.

It is alleged that Grimes, shortly after obtaining the check, cashed it at the coal yard of P. L. Stuart, 135 Twelfth street northeast. When Mr. Stuart presented it at the bank, he found that the person on whom the check was drawn had notified them to stop payment. He immediately telephoned to the office of the wallpaper company and chanced to inquire of Grimes himself about the check. When the latter found that he was liable at any moment to be accused of the theft, he left the office and had not been heard of until yesterday, when arrested by the detectives.

STARCH and sugar are not harmful, but when