Rain or snow tonight and Friday. Rising temperature.

The Washington Times

LAST EDITION

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COTTON KING SULLY, PNEUMONIA VICTIM, IS CLOSE TO DEATH

DANIEL J. SULLY,
Noted Cotton Operator Whose Worries Aid Disease in Sapping His Life.

Oxygen is Administered to the Patient and the Members of His Family are at the Bedside.

NEW YORK, Feb. 28.—At the home of Daniel Sully, in the Wyoming apartments, it was said today the condition of the former "Cotton King," who is ill from pneumonia, is serious. His wife, his two daughters, and his infant son are at his bedside. Oxygen was administered to the patient yesterday and today, and he revived somewhat under its influence.

Mrs. Sully says that although her husband is only forty-fiv years old, worry resulting from financial troubles has weakened his constitution. The chances seem so far to be against his recover, although it was reported that he was making a brave fight.

TRAIN TIE-UP, BIGGEST EVER, IS THREATENED

Proposed Strike Would Involve Over Half Railway Mileage.

CHICAGO, Feb. 28.—Deadlocked on the question of hours and wages with the managers of forty-nine railroads west, southwest and northwest of Chicago, the chiefs of the Trainmen's and Conductors' brotherhoods have authorized a strike order. Ballots have been furnished to the brotherhood officials present at the conference here, and many have already left to call votes on the strike.

The lines involved embrace 55 per cent of the mileage in the United States and Canada. The brotherhoods include 50,000 men, and as many more will be affected in the event of a strike. If the men vote to walk out the greatest railroad tie-up in history will be precipitated.

The strike order followed seven weeks' negotiation between the railroad and brotherhood representatives.

THE WEATHER REPORT.

A barometric depression of midwinter type covers the Mississippi valley with lowest pressure over Texas. Areas of high pressure occupy the North Atlantic coast districts and the Dakotas, respectively. Scatered rain has fallen in the Mississippi valley, the Gulf States, and snow in South Dakota, Nebraska, Kansas, Colorado, and Wyoming. Rain has fallen also in the north Pacific coast States. The temperature is abnormally low in northeastern districts, and in the upper Missouri valley.

Rain is indicated for tonight and Friday in Atlantic coast districts south of Pennsylvania, and snow in New York and the lower lake region. Rain is probable tonight in the east Gulf States, with much colder weather Friday. It will be warmer tonight in the Middle Atlantic States and the lower lake region.

Steamers departing today for European ports will have variable winds and fair weather to the Grand Banks.

TEMPERATURE.

9 a. m.	25
12 noon	38
1 p. m.	41

DOWNTOWN.
(Registered Affleck's Standard Thermometer.)

9 a. m.	28
12 noon	40
1 p. m.	40
2:20 p. m.	41

SUN TABLE.

Sun sets today	5:51
Sun rises tomorrow	6:36

TIDE TABLE.

High tide today	8:30 p. m.
Low tide today	2:48 p. m.
High tide tomorrow	9:14 p. m.
Low tide tomorrow, 3:08 a. m.	3:25 p. m.

HARPERS FERRY, W. Va., Feb. 28.—Both rivers clear.

OLIVER ANGERED OVER REJECTION OF CANAL BIDS

"Got a Lemon," He Says, "And Was Whang-doodled."

"I have been handed a very diminutive lime in exchange for about $35,000 or $40,000 of my good hard money," explained William J. Oliver, of Knoxville, Tenn., in explanation of the turning down of his bid for the Panama canal contract.

On being asked whether he had any assurance of getting the contract before he rushed off and incorporated the Construction Company and made other expenditures, Mr. Oliver looked contemptuously at the interviewer as he asked:

"Do I look like a fellow who would invest $40,000 in railbows?"

Too Mad to Breathe.

Oliver is so mad about the way his contract was turned down that he declines to have anything to say until he gets his breath.

Then things are going to be told of how it all happened.

Oliver's friends declare that not only Oliver himself, but also four or five of his friends and associates were assured that if Oliver "filled" he would get the contract.

"What more could I do?" queries Mr. Oliver. "I dug up the men and the dollars. My bid was the lowest, and according to the terms required," he continued.

Spiked Poker Game.

"It reminds me," he continued, "of that spiked game of poker out West. The sucker held four aces, and reached for the pot.

"'Nothing doing,' said one of the other players, 'I hold a whang-doodle; that takes everything—you lose. You should have noticed the sign behind the table.'

"The next night," said the contractor, "the sucker returned with a big bunch of dough, determined to get even. The game progressed, and when the table was stacked with the long green, he called. 'I have a whang-doodle,' he said.

Oliver Whang-Doodled.

"'Nothing doing,' replied one of the gamblers, 'I hold four aces; you lose.'

"'I thought a whang-doodle took anything,' said the sucker.

"'Oh! no, you didn't read the sign carefully. You can only play a whang-doodle once a week.'

"Well, I'm the sucker. I entered into this canal game, and made the lowest responsible bid. I called the Administration's hand, but was whang-doodled out of the job."

BAILEY'S PLEA OF INNOCENCE BEFORE SENATE

Will Probably Answer His Detractors Next Monday.

Combating Wave of Hostility Gaining Ground Against Him.

May Tell Whole Story of Accusation in Eloquent Speech.

From sources which represent intimate knowledge of the plans of Senator Bailey of Texas, it is learned that in all probability the most sensational happening of this session of Congress will be a speech by Mr. Bailey, probably on the closing day of the session, in which he will tell from the floor of the Senate his story of the fight that has been made against him in Texas this winter, of the investigation by the Texas Legislature, and of the grounds on which he insists that the charges leveled against him have utterly failed of proof.

The Texas Legislature had exonerated the Senator by formal vote of both branches. The inquiry that has been held, covering a period of six weeks, has been of sensational character. The Senator, it is said, will undertake, in a great speech from the floor of the Senate, to stem the tide of national opinions that has without question been running against him. There is intense interest among those who have been informed of his intentions in the address that he will make.

Speech on Monday.

If on his arrival in Washington the Senator does not change his plans, he will probably make his speech Monday afternoon, the closing day of the session. He has been absent practically the entire current session. He came at the beginning, and then was sumomned back to Texas to look after his interests before the Legislature, which have engrossed his attention ever since.

Thousands of letters are piled up in his committee room at the Senate annex awaiting attention. It is expected that he will remain in Washington several weeks after the conclusion of the session, closing up the business to which attention has heretofore been impossible because of his absence from the Capital.

Former Triumphs.

Senator Bailey left Washington last June, at the close of the long session of the fifty-ninth Congress, one of the heroes of the session. Excepting possibly Tillman, whose selection as manager in the Senate for the rate regulation bill brought him into the limelight and gave him a magnificent opportunity to display his talents to the whole country, no man earned a larger measure of distinction in connection with the rate legislation than did Bailey. His great speech on the power of Congress to prohibit or limit the issuance of injunctions by the inferior Federal courts was widely regarded as one of the greatest intellectual achievements of recent years by any public man. He drove his opponents in utter discomfiture from the field, and was conceded to have established for all time the proposition to which he devoted his address.

Calumny Not Stayed.

Later in the session, replying to charges made in a magazine article, Senator Bailey went over much that has been laid at his door in the recent investigation in his State. He entered the broadest and most sweeping denial—and he convinced his hearers. From end to end of the country went up a chorus of denunciation of the enemies who had tried to blacken the character of a great man and devoted friend of the people. It was assumed that the hand of calumny had been stayed.

Instead, the fight against Senator Bailey was reopened with greater virulence in his home State. There has been an investigation that has developed remarkable accusations and startling evidence. The Senator has been accused of relations to great corporate interests which seemed unbelievable by Washington people who had followed his course in Congress. Aside from criticism, which has attributed to him a somewhat pharisaical attitude of superior virtue, nothing in the career of the Senator in Washington has been found to justtify attack on his course as a Senator.

Texas Divided.

Therefore, the remarkable things that have been brought out in Texas, and the still more remarkable fact that the vindication given by the Texas Legislature comes with sadly divided support in both houses, has been a real sensation. In the State senate the resolution declaring him exonerated was adopted by the vote of 15 to 11, and in the house by a vote of 70 to 40; while in the lower house twenty-eight members refused to vote, or were absent. Neither house waited for the receipt and examination of the evidence taken before the investigating committee.

Senator Bailey has been in recent weeks intensely bitter toward his opponents. Repeatedly there have been the sharpest and most personal passages. He has denounced his opponents as liars and persecutors. He knows, no doubt, that his cause needs defense in the National Senate, and the statement that he proposes to make a great speech on his case has made it certain that, if he does not change his mind, he will have an audience which will follow his every word.

Jim Strother Impresses Jury In Vivid Recital of Tragedy

Tells of Events Leading Up to Killing of Bywaters.

Declares He Fired Two Shots at the Fleeing Husband.

Gave Dead Man Every Chance to Make Full Reparation.

CULPEPER, Va., Feb. 28.—Counsel for the prosecution recalled Mrs. Nellie Gaines to the stand when court convened this morning at 10 o'clock. Mrs. Gaines was interrogated by Attorney Wood. She came to court with Mrs. W. L. Taylor and Mrs. James Strother, wife of one of the defendants.

"When you and your husband talked with Mr. Bywaters on that Saturday morning and asked him who was to blame, did he not say all the blame rested on his shoulders?"

"I don't remember. I told you all I knew in my testimony yesterday."

"Didn't Mr. Bywaters give your sister a diamond ring?"

"She is wearing one."

Captain Wood could elicit nothing from Mrs. Gaines and she was excused.

James Strother on Stand.

Defendant James Strother was then called.

As he took the stand every one began to stir and after some moments settled down to hear the story of the shooting.

Witness said he was thirty-seven years old, a lawyer, and member of the West Virginia State Legislature. He has a wife and two children. His residence is in Welch, W. Va. Asked if he received any communication from his brother Phil, he read the following letter:

"My Dear Brother: Please come home at once. It is very necessary that you come here immediately. Don't be alarmed by this, but come at once. Keep this to yourself, and wire me on what train you are coming. Your devoted brother, PHIL."

Viola Wrote for Money.

James said upon his arrival here Phil told him of having seen Bywaters leaving Viola's room. Witness said he took the matter up with Viola, but she swore that everything was right and proper. This was on November 24.

Defendant said he told his sister he intended talking to Bywaters, and asked why he was in the room, but she beged him not to do it.

Several days later James and Philip met Bywaters on the road, but did not mention their suspicions. James said he advised his relatives to keep silent, but watch for developments. He returned to Welch. Later he received a letter from Viola asking for $25, saying she wanted to go to Washington and visit a school friend.

On December 12 James received the following telegram:

"Come to Culpeper immediately. Wire when to meet you."

He met French Strother and the two came to Culpeper and were informed that Bessie Strother had received a letter from Viola saying she was sick in Washington. Two days later Viola came to Culpeper and went to Strotherwood. James talked with her about the family's suspicions and her visit to Dr. Walters' office in Washington. She denied having been there.

Viola Finally Confessed.

The next morning French and Nellie talked with Viola but she denied everything. When pressed by all her brothers and sisters she said if Bywaters came out he could explained all. James summoned Drs. Strother and Chelf to Strotherwood to attend Viola, who was suffering intensely. James said he next saw French in town and the latter told him of the confession of Viola and Bywaters.

Going home James went to his sister's room and found her in what he thought was a dying condition.

She was crying and confessed to James. He remarked:

"This is a terrible thing," and left the room. He then talked with Phil and Nellie about a wedding. Witness told of assisting Nellie in destroying evidences of the operation to keep knowledge from the servants.

"French told me he wanted the marriage to take place immediately. That Bywaters had agreed to marry her.

Defendant said he had a very distressing interview with Viola on Saturday morning.

Begged Him to Spare Bywaters.

He went fully into the nature of the relations to ascertain if Bywaters' intentions were honorable.

"I told her Bywaters cared no more for her than he did for a rag or a dog, but was using her for his own selfish puropses and ought to be killed," said James. "I told her he ought to be killed, purposes and ought to be killed," said but she begged that he be spared and be made to marry her."

Witness told of the arrangements for the marriage, saying it was agreed that the minister should be told that Viola was suffering from typhoid and the two had been engaged for a long time.

"Philip asked Bywaters," he said, "if he was willing to keep his promise of marriage, and he replied: 'Certainly.' We came to the court house to get the license. Bywaters halted at the door and asked for a postponement. Philip said to him: 'You don't have to marry my sister. We simply ask if you want to.' He finally agreed to an immediate wedding and we went into the clerk's office.

Tried to Make Excuses.

"There Will tried to make excuses for his presence in Viola's room, but I told him that in the light of what we knew I didn't care to talk about his

Continued on Ninth Page.

Fragrant Violets, 25c Per Bunch, at Kramer's, the florist, 916 F st. nw.—Adv.

HUGH L. BYWATERS AND BURRELL F. BYWATERS,
Brother and Father of William F. Bywaters, Who Was Shot to Death by James and Philip Strother.

FIRE-ESCAPE LAW PASSED; NO OPPOSITION

Senate Follows Example of House, Modifying Act of 1906.

The Senate this morning passed the fire escape bill, which was passed by the House February 25. It was put through when called up by Senator Gallinger without opposition. Senator Hale asked for an explanation of certain features of the measure, but did not oppose them.

The bill is amendatory of the act of March 19, 1906.

Another bill passed by the Senate today provides for the amendment of the Metropolitan police act. It provides that should the number of privates of class two or class three be reduced by any catastrophe, any vacancy thus created in class three shall be filled by the promotion of privates from class two who, in the order of their length of service, have nearest attained five years of service. Other provisions respecting the filling of vacancies are made by the measure.

COMMANDANT ASSASSINATED IN SIBERIA

ST. PETERSBURG, Feb. 28.—The town commandant of Krasnoyarsk, Siberia, has been shot twice and killed in the street here. The assassin escaped.

Seventeen persons condemned by court-martial for participating in the recent rising at the Tukum have been shot.

The police have not found any trace of the man who placed an infernal machine on the track of the train which was to bring Grand Duke Nicholas Nicholievitch from Tsarskoe-Selo to St. Petersburg.

Disorders have broken out among the convicts at the Akatui silver mines, Transbaikalia, Southern Siberia, on account of the strict discipline. One hundred and fifty high political offenders have been placed in chains and many, including Mlle. Maria Spiridonovo, who shot and killed the chief of secret police, Luzhenoffsky, at Tamboff, and other women have been removed to prisons used for the confinement of common criminals.

Among the prisoners at the Akatui mines are Sasoneff, the assassin of Minister of the Interior Von Plehve, and Karpovich, who killed Minister of Public Instruction Bogoliepoff.

LECTURE ON LUTHER MARTIN BY JUSTICE ASHLEY GOULD

The Bar Association of the District of Columbia has sent out cards of invitation to a lecture to be delivered at 8 o'clock this evening by Justice Ashley M. Gould, of the District Supreme Court, on Luther Martin, the celebrated Maryland jurist. The lecture will be delivered in University Hall, George Washington University, Fifteenth and H streets northwest.

BIG GOLD BRICK FROM HARRIMAN TO ROCK ISLAND

NEW YORK, Feb. 28.—While E. H. Harriman finished his testimony yesterday the Interstate Commerce Commission in session here is still hot on his trail. They will first of all investigate further the most glaring incidents of Harriman finance yet brought to light.

This has to do with the thirty-four-mile branch of the Chicago & Alton railroad near Springfield, Ill. From one Wall Street point of view everything was done to make it a complete railroad. The Chicago and Alton issued more stock. On top of the stock bonds were issued covering the branch line, the bonds were sold and the money disbursed. Only one little detail was overlooked. The roadway was never built.

In the investigation today Mr. Felton was dismissed and G. W. Hilliard, controller of the Rock Island-Frisco system, was recalled.

Story Told in Figures.

According to the books of the C. & A., Mr. Hilliard said the total capitalization since Harriman bought the road had been raised to over $125,000,000, less $7,000,000 contingent liabilities. The capitalization had been increased from $39,000,000 to apparently $118,000,000 out of which only $18,000,000 was in reality spent on the property.

Referring to the sale of $40,000,000 bonds to the stockholders of which the syndicate composed of E. M. Harriman, Mortimer Schiff, George J. Gould, and James Stillman represented 97 per cent at 65, the Rock Island controller said that the books disclosed that 25 per cent had been called October 10, 1899, from which about $9,000,000 was secured.

On May 7, 1900, 55 per cent was called, briging in $21,998,000, making a total secured of $30,802,482 representing 80 per cent of the $40,000,000 bond isesue. Of this $20,802,482 cash, $8,607,055 was raised to pay off prior lien bonds and about $6,500,000 to pay the 20 per cent dividend.

Rock Island Got Gold Brick.

When the Rock Island people bought the line they got the stocks and the bonds, but no tracks, no cars, no locomotives, and no money.

This revelation has made the commissioners eager to ask Harriman what is a railroad anyhow? Wall Street is by no means unanimous as to the effect of these revelations. The large Harriman folowingl sees the stock market demoralized and gilt-edge securities striking new low records every day.

There is, however, a conservative element in the Street which believes the exposure will be of eventual benefit. This element is of the opinion that Harriman and his associates are riding for a fall and if they had gone on unchecked there would have been a real panic and not a mere stock flurry as at present. No real American interest, they say, is likely to be affected by wholesale squeezing out of water from Harriman stocks.

Conservatives Are Hopeful.

It is further pointed out by this element that the insurance revelation instead of causing a panic, resulted in a healthier condition of business and the placing of insurance business on a sounder basis than it had been in years.

They hope the same result will follow in connection with the real railway interests in the country.

Thus far the water squeezing process has consisted merely in a reduction of stock values. There are few financiers who advocate the calling in of some of the inflated stock issues where values have fallen below 25, and where the stock has never paid any dividend, and the issue of a much smaller quantity of new stock in place of this inflated stock.

This would be an exact reversal of the Harriman process, but a few optimists are today thinking it is possible. The recommendations of the commission to Congress are likely to take up some such line of argument.

The Commissioners concluded their testimony in the Harriman case today. It was announced that some further evidence might be presented later, but this winds up the hearing in New York.

EXPERT BAFFLES JEROME

Dr. Evans Explains Thaw's Condition In 1903.

Exhaustive Inquiry Into His Knowledge of Insanity.

Several [illegible]

NEW YORK, Feb. 28.—Today's proceedings of the Thaw trial developed a cross between an insanity inquest and a farce. Dr. Britton D. Evans, the defense's insanity expert, was the only witness, being recalled for cross-examination by the State. The enmity existing between the doctor and the prosecutor is personal, and neither makes any attempt to conceal his feelings. Today each strove to his utmost to belittle and ridicule the other, yet so skillful was each that the court was powerless to stop the obvious baiting.

Defense Gets the Honors.

The morning session closed with the case just where it had begun. Insomuch as Jerome had failed to break down the testimony of the expert in any of its essentialities, the honors of the sesston went to the defense.

Buried in a mass of technicalities, befuddling questions, and evasive answers was the line of Jerome's endeavor, an attempt to break down the alienist's opinion expressed in direct examination and based on a hypothetical question, that Thaw was insane at the time he shot White.

Thaw's Letters the Storm Center.

The storm center of the whirlwind of words was the batch of letters written by Thaw to Attorney Longfellow and to Evelyn Thaw, and which Dr. Evans admitted had influenced him in arriving at the conclusion that Thaw was insane.

The net result of the district attorney's half day's endeavor was an admission by Dr. Evans that the letters in themselves were not sufficient to warrant him in thinking Thaw insane.

Dr. Evans Ready for Fray.

Dr. Evans was called as the first witness. He came in with a bright, smiling face, showing no signs of lost sleep reading the exhibits. When he took the witness stand Jerome asked if he had brought the book on "Physiology of the Mind," which he was asked to bring.

The expert said he had brought it, but left it in his overcoat pocket in the anteroom. He was excused while he got it.

The alienist had several notebooks and papers in addition to the specified volume.

Jerome and Dr. Evans locked horns almost as soon as the examination began. Jerome tried to force Dr. Evans to give "yes" or "no" answers to certain questions and this the witness declined to do. Again and again the same questions were repeated, and Dr. Evans parried them with evasive answers.

Examination of Dr. Evans.

Dr. Evans was questioned as follows:

Q.—Have you examined the will and codicil?

A.—I have, as well as I could. I have also read the letters.

Q.—You had the photographic copies when you went home?

A.—Yes.

Q.—Did you examine each one of those photographic copies from beginning to end?

A.—Yes; I did so after having read the typewritten copies.

Q.—Do you know when these photographic copies were made?

A.—No.

Q.—Have you, since last night, read the codicil and will?

A.—I have done the best I could. I have not given them the attention I would like, because I didn't have time.

Q.—Have you carefully read the will and codicil?

A.—I have done the best I could.

Q.—That doesn't answer my question—have you read every word?

A.—Yes.

Q.—Do you know to which the photographic copies are addressed

A.—I believe I do. I had to assume a great deal or else remain in ignorance of the addressee, because I could get no positive evidence from some of the photographic copies.

"Read the question," said Jerome.

Refuses to Answer Offhand.

"I understand the question," said Dr. Evans. "You want me to answer 'yes' or 'no' to a complex question, which I cannot do in justitce to myself, and I