



## COUNCIL ADOPTS BATTLE ABBEY SITE

### Rejects Substitute Asking State for Soldiers' Home Grounds.

## TRIANGULAR LOT FINALLY WINS

### Richards Offers Resolution to Reduce Size of Council, Providing for Paid City Fathers Under Bond, With One Alderman and Two Councilmen From Each Ward.

EFFORTS to change the location selected for the Confederate Battle Abbey, or to shift to the State the burden of providing a site, proved unavailing in the Common Council last night, the body by a vote of 28 to 10 adopting the Finance Committee report, offering to the trustees the triangular plot at the intersection of Monument Avenue, Franklin Street extended, and Cleveland Street.

This action was only reached after long debate, and the rejection by a vote of 13 to 21 of a substitute offered by President Peters requesting the Governor to recommend to the General Assembly the grant of a sufficient plot in the Soldiers' Home grounds, the substitute providing that in the event the Legislature fails to provide the site, then the city would proceed to condemn the triangle.

### Peters Opposes Report.

The Finance Committee report was called from the table by Mr. Buford, who briefly favored its adoption. President Peters relinquished the chair to Mr. Pollock, and led the opposition, arguing that it was too far out; that the triangle is not large enough, and that if the Abbey is to be in the West End at all, it should be in the Soldiers' Home grounds.

He explained the provisions of his substitute, suggesting that under its terms the City Attorney might at once begin the condemnation proceedings. Before they are completed or the money paid the Legislature will have acted, and should it fail to offer a site the city could then proceed to condemn the triangle. If the triangle is not needed, he said, the condemnation proceedings could be dismissed or the triangle acquired as a park. Mr. Peters said he had it on good authority that the Governor would recommend to the Legislature the Soldiers' Home site, and that he had assurances that it would be acceptable to the trustees and to Lee Camp.

Mr. Ratcliffe opposed delaying the matter, saying that the best committee in the Commonwealth had agreed that Monument Avenue was an ideal location for anything dedicated to the memory of the Confederacy, and that further delay would indicate a lack of confidence on the part of the Commonwealth. He made a further reference to the fact that several committee reports have recently been rejected in the Council, and alluded to the fact that "one committee is now proceeding in a most unsatisfactory manner."

Mr. Barber, the dissenting vote in the Finance Committee, favored the Peters substitute as a saving to the city of \$25,000, saying that he felt certain that the Legislature would adopt it at once.

### Call It Undisputed.

Mr. Mills argued that if the city is to give a lot it should not be put in the position of going to the Legislature and asking it to assume the burden; that there is no assurance that the trustees would have any objection, and that the two local members had spoken in favor of the triangle. Dr. Reade agreed that it was an undignified attitude for the city to offer a location and then fail to provide it, but he said that the city offers that the State of Virginia to provide one.

Mr. Pollard said that the two resolutions would accomplish much the same thing, since if the trustees when they meet later in the month do not like the triangle the city offers they may petition the Legislature for the Soldiers' Home, without the city taking any offense or being put in an embarrassing attitude. The city might in that event dismiss its condemnation proceedings or by the triangle, which preference was still Monroe Park, but since that was impracticable, he thought the triangle the next best. "There is no business or dignity or liberality in our petitioning the State to do something we have offered to do ourselves," he concluded.

Mr. Garber spoke in favor of a central location, saying that the Council is "dumping everything in the West End." Mr. Umstead closed the debate, declaring that the city is in honor bound to provide a site. He favored the Rosenbath Road, but had found that impossible, and was willing to agree on the triangle.

### How the Vote Stood.

The vote on the Peters substitute to ask the State for a part of the Soldiers' Home tract was as follows:  
Ayes—Messrs. Barber, Watkins, Davie, Don Leavy, Fuller, Garber, Gentry, Hobson, J. C. Powers, J. T. Powers, Tucker, Whitehead and Peters—13.  
Noes—Messrs. Billee, Goshen, Buford, Cuthbert, Ferguson, Green, Hirschberg, Huber, Lynch, Mills, Mitchell, Pollard, Pollock, Ratcliffe, Reade, Richards, Richardson, Rogers, Selph, Umiauf and Wise—21.

The vote recurred at once on the original report of the Finance Committee directing condemnation proceedings of the triangle lot as a location for the Battle Abbey, the result being 23 to 6, the negatives being Messrs. Davis, Don Leavy, Garber, Gentry, J. T. Powers and Umstead. Mr. Burke was the only absentee.

### Reduction in Membership.

On the roll-call, Mr. Richards, of Marshall Ward, offered a resolution directing the City Attorney to prepare and submit to the Legislature through the Richmond representatives certain amendments to the charter of

## CHAIN OF CRIMES MAY BE UNEARTHED

### Insurance Policies Heaped on Members of Wardlaw Family.

## THREE SISTERS UNDER SUSPICION

### Said to Have Hypnotic Power, Which Lured Ocey Snead and Her Three Cousins to Death. This Theory First Figured in Virginia Case.

NEW YORK, December 6.—Insurance companies made public today a mass of evidence which showed that the death of Mrs. Ocey W. M. Snead came at the very moment when the Wardlaw family was about to be overwhelmed with the pyramid of policies heaped on various members of the family. It was also pointed out that the body of young Mrs. Snead was found dead in a bathtub in a lovely New Jersey home on the very day that ended the Wardlaw family's two-weeks' lease of the house.

Not only was the insurance on this girl's woman about to lapse because of a staggering load of loans obtained to pay premiums, but the family was found in a chain of insurance on three brothers, cousins of the dead woman, all of whom have died or disappeared mysteriously.

On the life of the bathtub victim there were discovered to the eight, ten, policies, aggregating \$22,000. Maximum loans had been made on all of them. Two, furthermore, were threatening to lapse on account of a failure to pay premiums. And at the very time that the insurance companies were threatening to wipe out insurance for failure of the payment on premiums the family was practically starved to death.

### All Were Starving.

There was not a bite to eat in the Orange house the day that the body of young Mrs. Snead was found in the bathtub. On that day, New York City, the mother, Mrs. Martha Eliza Wardlaw, was furnishing alone in a little room at No. 468 West Twenty-second Street, and her aunt, Mrs. Mary Snead, was living on Broadway at No. 225 West Twenty-second Street. The victim's mother, Mrs. Caroline B. Martin, was missing. Mrs. Virginia Wardlaw, her aunt, who was arrested for murder, admitted that she was furnishing as she was given her first meal in jail.

Four policies on young Mrs. Snead were taken out by the New York Life. This amounted to \$12,000. One was taken out in 1900 for \$2,000, one in 1901 for \$5,000, and two of \$5,000 each in 1902. On the \$2,000 policy \$444 was borrowed, and on each of the \$5,000 policies there was a loan of \$520, making a total of \$2,504.

In keeping up the premiums of these policies the Wardlaws had had such a struggle that several meetings they had called on or more of them to lapse, later picking them up with extra payments to meet cumulative interest.

In the Equitable there are three policies on the dead woman aggregated to \$10,000. One is a \$5,000 endowment sort, having a face value of \$4,000. All of these policies are subject to the maximum loans. In the "Travelers", of Hartford, there is a \$5,000 policy on the young woman, on which there are the largest possible loans. In addition, there are said to be two other policies in other companies for \$2,500, making a grand total of \$25,000.

### Beneficiary in All.

The beneficiary in all these policies is Mrs. Mary Elizabeth Wardlaw, the aged grandmother of the dead woman, who is eighty-four years old, and said to be in the complete control of her three black-velvet daughters. The old woman since the tragedy has lived in absolute seclusion with Mrs. Mary Snead, her daughter, in a young woman, on which there are the largest possible loans. In addition, there are said to be two other policies in other companies for \$2,500, making a grand total of \$25,000.

### Hypnotism Alleged.

Testimony was brought out in this suit which strengthens the charge that the Wardlaw sisters, Virginia and Caroline, possessed hypnotic powers, which they exerted upon those whose lives were insured in their favor or in the name of their gentle mother. The wife of John Snead, for example, accused Virginia Wardlaw of having turned him against her by "artifice, fraud and other wiles." She alleged that in the presence of Virginia John was "slay in a potent haze."

One instance is cited in particular of Virginia's apparent hypnotic power over her nephew John. He and his wife were living at Lynnville, Tenn., happy and contented, when Virginia Wardlaw and Mrs. Caroline Martin came and began to throw a spell about him. As a result they completely alienated his affections from his wife, and with them he departed to Chattanooga, Va., where Miss Virginia had a school. The abandoned wife said that she went after her husband and brought him back to Lynnville. The oath will be administered to the jury to-morrow.

## PHENIX IS LOOTED BY ITS PRESIDENT

### Insurance Company Believed to Be Loser by Million Dollars.

## INVESTIGATION NOW BEING MADE

### It Is Alleged That George P. Sheldon Has for Many Years Systematically Robbed Concern of Which He Was the Official Head.

NEW YORK, December 6.—The Phoenix Insurance Company, of Brooklyn, is under investigation for irregularities which it is believed have impaired its surplus of about \$1,000,000 to have resulted in conditions which Superintendent Hitchcock, of the State Insurance Department, laid before the district attorney today for possible criminal action. It is charged that President Sheldon has overdrawn his salary, that he has unloaded doubtful securities on the company, and that he used the company's assets as collateral to secure his own personal expenses.

In a formal statement issued to-night Mr. Hitchcock admits that the present investigation is still uncompleted. George P. Sheldon, a member of many clubs and an active member of the laws and legal committee of the national board of fire underwriters, one of the best known insurance men in the country, has been president of the Phoenix since 1887, and it is charged that under his administration the annual reports of the company made to the Insurance Department during the last ten years and probably longer, are false in more than one particular.

The Insurance Department alleges that it finds that questionable securities originally sold to the company by Mr. Sheldon have, year after year, passed through his hands, and by this method have been concealed in the annual report. Speculative accounts have been maintained by President Sheldon, according to Mr. Hitchcock, in at least five or six houses, and the assets of the Phoenix have been put up as collateral to cover his operations. It is charged also that for several years the president's salary was overdrawn, and that he is now in full to October 1, 1910.

During the past seventeen years, it is alleged, members of the State Insurance Department, whose duty it was to supervise the company, have accepted collateral loans from it, made to him by President Sheldon in amounts varying from \$40,000 to \$100,000. The Phoenix Insurance Company, of Brooklyn, does a fire risk business, and is incorporated for \$1,500,000, and is credited with a surplus of \$1,010,453.

Mr. Hitchcock says that in the judgment of the Insurance Department the directors who have approved him (President Sheldon) to do as he has done are equally responsible to the public for the acts committed. It might be said that the Phoenix Insurance Company is really George P. Sheldon's, and that the directors have seemingly never objected to his operations.

Mr. Hitchcock says the Phoenix Company has not been examined for nearly twenty years. It was announced that at a meeting of the board of directors held to-day President Sheldon was removed from office, and that in his stead E. W. T. Gray, formerly auditor of the Continental Insurance Company, was elected president.

### Critically Ill.

GREENWICH, CONN., December 6.—George P. Sheldon, president of the Phoenix Insurance Company, of Brooklyn, is critically ill at his home. The Maple hospital, where he is confined, says he may not recover. He is too ill to talk, or even hear of business.

Mr. Sheldon is suffering from myocarditis, a form of the muscular tissues of the heart.

## CALHOUN ACCEPTS HE WILL TAKE DIPLOMATIC POST AT WASHINGTON, D. C.

WASHINGTON, D. C., December 6.—Announcement was made at the State Department to-day of the appointment of William J. Calhoun, of Chicago, as minister to China. Mr. Calhoun has accepted the post, and the Chinese government has indicated its pleasure in receiving him.

In appointing Mr. Calhoun to the Chinese post, the State Department selected a man of wide experience and one well qualified to fill that very important post, which requires a statesman's calmness and a diplomat's diplomatic qualifications. Mr. Calhoun is a well-known corporation lawyer of Chicago, and from 1898 to 1902 he was in diplomatic work during his career, notably when, at the request of President McKinley, he investigated conditions in the asphalt companies and President Castro of Venezuela for President Roosevelt. For two years he was a member of the Interstate Commerce Commission. Mr. Calhoun is sixty-one years of age, and a native of Pittsburgh, Pennsylvania.

## STORM OF APPLAUSE GREET'S CANNON AND HIS CARNATION

### Then Gavel Descends and House Is in Order.

## CONGRESS BEGINS ITS 61ST SESSION

### Early Adjournment Taken by Both Branches Out of Respect for Departed Members—Bailey Enlivens Meeting of Senate—Taft's Message Will Be Read To-Day.

WASHINGTON, D. C., December 6.—The Senate and House of Representatives convened today for the first regular session of the Sixty-first Congress, but the day's proceedings were in great part of a social nature, and practically no business was transacted.

Brief as was the Senate's thirteen-minute session, it was marked by an unsuccessful effort on the part of Senator Bailey to defeat the passage of the usual resolution that the daily session begin at noon, suggesting that the Senate should convene instead at 2 o'clock. Mr. Bailey said he would like to see the Senate hold night sessions in order that Senators might devote the day to individual business. No objection was offered when a similar resolution was introduced in the House.

A joint committee was named by both houses to wait upon the President and to inform him that Congress was in session and ready for any business he might wish to lay before it. The President's response will constitute his annual message, the reading of which will consume practically all of tomorrow's session of the two houses.

The House session continued forty minutes, during which W. W. McCredie, the new representative from the Second Washington District, who succeeds the late Francis W. Cushman, was sworn in. The greater part of the session was taken up by the roll call.

Although only 341 members responded to their names, almost a full membership appeared on the House floor, and there were few among them that did not have one or more bills to offer. These included one by Representative Garner (Pennsylvania) for an investigation by Congress of the entire customs service, particularly in regard to sugar frauds recently brought to light; one by Representative Hitchcock (Nebraska) for the establishment of postal savings banks; one by Representative Mann (Illinois) for "Federalized" money; one by Representative Hamilton (Michigan) for Grant Statehood to New Mexico and Arizona.

### Galleries Crowded.

There were the customary crowds in the galleries of the two houses, and the usual scenes attending an opening day of Congress were re-enacted on the floor. There were many members and the minority were there, and conversed amiably, all of the bitterness engendered by the tariff fight of last summer apparently having been forgotten by the time they entered the chamber.

A round of applause greeted the speaker when he entered the chamber with his customary red carnation. For a moment he stood in his place nervously fingering the gavel. While the applause was subsiding the gavel descended with a resounding left-handed "wack."

"The House will be in order. The chaplain will offer prayer."

The blind chaplain of the House, the Rev. Henry N. Cowden, offered the prayer in which he implored the divine blessing upon the members of Congress, especially the Speaker and the President and his advisers. He prayed for the protection of the President and his Cabinet "from all personal enemies, from all traitors, from all designing men." The chaplain in alluding to the tragic death of the late Representative De Armond, of Missouri, who was burned to death in his home, prayed for consolation for his colleagues, friends, and especially the stricken wife and children.

### Read for Business.

For the next ten minutes or more the chamber was again filled with chatter while the roll was being called. The Speaker announced that as 411 members had responded to their names, a quorum was present and the House was ready for business. Further action was deferred until the committee from the Senate was received to announce that the Senate was in session and ready for business, and that a committee had been appointed to wait upon the President. Representatives Dalzell, of Pennsylvania; Bennett, of New York; and Clegg, of Ohio, were appointed by the Speaker to join the Senate committee in this embassy. Another committee was named to wait in like manner upon the Senate.

Representative Jones, of Virginia, informed the House of the death of his colleague, from the same party, who had offered a suitable resolution, which was agreed to. A similar resolution, offered by Representative Clark, of Missouri, announced the death of David A. De Armond. It was also agreed to.

W. W. McCredie, the new representative from Washington, elected in the special election, was introduced and presented his credentials and was shown in.

## Appointed Minister to China



WILLIAM J. CALHOUN

## REQUISITION FOR JUDGE WILLIAMS WOULD VIOLATE SPIRIT OF LAW

### Prosecuting Attorney Asks for Papers for Arrest of Virginian.

### NO DECISION IS REACHED Governor Glasscock III at Hot Springs, and Is Considering Matter.

Prosecuting Attorney Robert W. Smith, of McDowell county, W. Va., has made application to Governor Glasscock, of Virginia, for the person of Attorney-General-Elect Samuel W. Williams. Judge Williams is under indictment in McDowell county on a charge of felonious assault committed in the chair of a jury at noon to-day.

The galleries were crowded to the doors long before the hour of assembly. A round of applause greeted the speaker when he entered the chamber with his customary red carnation. For a moment he stood in his place nervously fingering the gavel. While the applause was subsiding the gavel descended with a resounding left-handed "wack."

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### State Officials Don't Believe Directors Will Elect Member of Board.

### NO SUCCESSOR TO SUPERINTENDENT Morgan Will Be Named for Several Days.

Friends of James B. Wood, president of the Board of Aldermen, were rather surprised yesterday when they heard his name mentioned in connection with the election of Superintendent of the Penitentiary, made vacant by the death of Major Morgan.

Public men, and especially State officials, freely said that the selection by the board of directors of one of its number would be subversive of the spirit of the Constitution and in direct conflict with the modern ideal of higher politics. In the old days it grew to be the custom for the Legislature to elect members to State offices within its disposal and for City Councils to elect their members to city offices.

This abuse, beginning in a small and harmless way, grew to such proportions that the best judgment of the State demanded a constitutional provision forbidding such procedure. The Constitution, however, has not been amended to prevent such a practice, and it is generally understood that if the papers reach Governor Swanson, legal form he will sign them.

Judge Williams has stated that he would return to Welch to be tried, but friends have recently cast a doubt upon his action in this respect, and it is presumed that this talk has reached the ears of the McDowell county prosecuting attorney.

### Trial in January.

Upon learning of his indictment, which was found during his late campaign for the attorney-generalship, Judge Williams wrote to Mr. Smith, saying that he would return for trial at any time. Some time elapsed before this was answered, Mr. Smith saying in a newspaper interview that he had been away; that Judge Williams' trial would come up at the January term, and would be fixed for any day which would suit the Virginia lawyer, and that he resented talk to the effect that Judge Williams could not get justice in his county. It had been feared that the people of that part of West Virginia, who are strongly Republican, might, without intending to be unjust, be swayed to some extent by political feelings.

In answer to a telegram sent by The Times-Dispatch last night to Charleston, W. Va., a statement was made by General E. L. Boggs, secretary to the Governor, that Governor Glasscock had neither granted nor refused to grant the requisition for Judge Williams. It was stated that the Governor is giving the matter serious consideration and will not act hurriedly.

Judge Williams was indicted as a result of a personal difficulty in a courtroom, when he is said to have been passed. The Virginian picked up an inkstand and threw it at Judge Sanders, who was formerly a member of his State's Supreme Court. It was at first thought that Judge Sanders

## TO BUILD FREE VIADUCT OVER BROAD STREET

### Virginia Railway and Power Company Seeks New Franchise.

## PROPOSES MANY BIG EXTENSIONS

### Petition States That Growth of Population and Changed Conditions Make Necessary Re-arrangement and Enlargement of Street Car Routes.

PROPOSING the construction of a free viaduct over Broad Street from Lee and Chatham Hill to the main section of the city, the rearrangement and extension of its trackage to meet the growth of the city, and a new blanket franchise covering the operation of all of the street car lines in Richmond, the Virginia Railway and Power Company last night presented an extended petition to the Common Council asking that an appropriate committee be given authority to confer with representatives of the company to ascertain as far as possible the wishes and requirements of the various sections of the city in regard to street car service and extensions.

The paper was referred to the Committee on Streets, with instructions to report the result of its deliberations by ordinance, resolution or otherwise to the Council.

The petition sets forth in some detail the manner of granting the various separate franchises under which the street cars of the city are now operated, and states that at that time conditions were entirely different.

New territory has been taken into the city, the population has greatly increased, and conditions imposed in the existing franchises are declared to have been found by actual experience to be either obsolete or of such a character as to be so onerous as to be a detriment to the city, and to be without corresponding benefit to the community.

### Free Broad Street Viaduct.

In regard to a Broad Street viaduct the petition states directly that the company is willing to submit to the City Council a franchise for the viaduct, which, when completed, the property of the city as a free highway to the public.

While the petition states that the growth of population and change in routes of travel have rendered new lines desirable, no specific routes are mentioned, that being one of the items to be considered in a conference between representatives of the company and a Council committee. It is known, however, that the company is willing to construct a new line to bisect the new West End somewhere between Broad and Main streets, in a line with Harrison, running probably out Hanover or Stuart Avenues, thus rendering accessible to car service a large area now from five to seven blocks from any through line.

It has also been stated in Council committees that a line out Broad Street Road, probably to Tilden Street, and thence south, is projected, thus opening up the annexed portions of Lee and Clay streets west of the Boulevard and adjoining a line to the proposed site of the Battle Abbey. Another projected line is a continuation of the tracks now laid to the Fair Grounds on over the main line of the Richmond and Potomac Railroad to the Hill Monument, where it will join the Lakeside Line, and so on to the proposed Joseph Bryan Park, and perhaps beyond, rearrangement of the city's population, and the fact that the city is now in a position to cut out overlapping and paralleling lines, and secure better service. The rearrangement of routes consequent on the building of a Broad Street viaduct has not been fully outlined.

### Conflicting Franchises.

The petition of the Virginia Railway and Power Company sets forth in some detail that on August 25, 1895, certain rights and privileges to operate street cars upon certain of the streets of the city were granted to the Richmond Traction Company, and that by subsequent ordinances these rights have from time to time been enlarged and qualified in various ways; that on December 1, 1898, certain rights and privileges were granted to the Richmond Passenger and Power Company, which have since been enlarged and qualified in various ways; and that on August 17, 1901, certain rights were granted the Westhampton Park Railway Company, subsequently merged with the Virginia Passenger and Power Company.

Certain other rights have been granted from time to time by the county of Henrico for the operation of street railways on certain streets and roads, and by the extension of the corporate limits of the city, portions of the trackage of the company, built under Henrico county grants, are now in the city limits.

### Litigation Now Ended.

In July, 1904, following the institution of a series of suits in the United States district courts, resulting in the appointment to take over the properties and franchises of the Richmond Passenger and Power Company, the Virginia Passenger and Power Company and the Richmond Traction Company, and from July 16, 1904, to June 30, 1905, the properties were operated by William Northrop and Henry T. Wickham as receivers, under order of the court.

An order of interest on certain bonds, an order was entered for foreclosure and sale of all the properties and franchises, and all of the properties were sold on May 16, 1905, to the Virginia Railway and Power Company, a corporation organized under the laws of Virginia to acquire these rights and properties. This sale was confirmed, and the lines passed to the new company on June 30 last.

After reciting all of this history of the franchises and legal difficulties of its predecessors, and the formation of