

MAY NEVER CONCLUDE HER TESTIMONY TO THE COURT

Evelyn Nesbit Thaw is on the Verge of a Nervous Collapse, Only Her Love For Her Husband and Her Desire to Aid Him Keeping Her Up

Attorney Delmas Will Endeavor to Introduce as Evidence the Will of Thaw to Show He Was Not Mentally Responsible--Strange Clauses in the Will Show That He Feared Stanford White and That He Knew of His Ruining Girls--Such Unfortunates Are Provided For in the Will.

New York, Feb. 9.—When the trial of Harry Thaw is resumed on Monday, counsel Delphin Delmas will seek to place in evidence the will of the Pittsburger with a view to proving, by its strange and fantastic provisions, that when the will was drawn up on the night of Thaw's marriage to Evelyn Nesbit, in April, of 1905, he was not mentally responsible because of the persecution of Evelyn.

for the prosecution of his murderer, should it be established that he did not die from natural causes. This provision of the will mentions no name, but a codicil makes it evident he feared White.

sum of his income, which was to revert to the Thaw estate in the event of her death. An astonishing feature of the will is that Thaw makes Mrs. Chas. J. Holman, the mother of Evelyn, a beneficiary.

Delmas contends that to introduce the will with its strange provisions will bear out every plea of the defense for the killing of White—justification, self defense and insanity. Delmas is confident the will will be placed in evidence, Monday.

The document covers sixty pages which vary from three inches to two feet in length. The will was written on a typewriter with numerous intertentions in Thaw's handwriting.

Nothing but the courage of a woman fighting for the life of one she loves keeps Evelyn from complete collapse. After the session of court, yesterday, she hurried to her apartments in the Loreain and there broke down, and sedatives were necessary to quiet her.

Evelyn Thaw visited her husband for two hours today in the toms. While she was there with Harry, lawyers Gleason and Peabody called and there was a short conference.

Charles Owens, under subpoena by the state in Thaw trial, was arrested today for intoxication. He was reprimanded and dismissed.

Island navy yard, on their way to work. Men were tossed about in all directions, cut with glass and injured by splintered wood. A score of injured were taken to nearby hospitals.

SEVEN MINERS

Suffocated by Smoke From Burning Timber in Pennsylvania Coal Mine.

Wilkes Barre, Pa., Feb. 9.—Seven bodies of miners had been taken out of the Wilkes Barre Coal company at 5 this morning, the men being suffocated to death by the burning of timber in the mine. One other man is believed dead in the mine.

The fire started in an unknown manner in the timbering. Those beyond fire, who didn't rush through the smoke and flames when first warned, were trapped and smothered to death.

BOMBS AND EXPLOSIVES

Found When Girls, Students in Moscow Seminary Were Arrested.

St. Petersburg, Feb. 9.—With the arrest at Moscow of eight girl students at the Moscow female seminary and a number of men, the police believe they have located the center of the terrorist propaganda which resulted in the death sentences for Gov. Alexandrovsky, of Penza, who was assassinated yesterday, and other officials. Bombs and a large quantity of explosives were seized.

ELLIS WILL CONDUCT THE ATHENS INQUIRY

Columbus, O., Feb. 9.—Under instructions from the governor, Attorney General Wade H. Ellis will assist in the investigation of the death of William J. Barnes, a patient of the Athens State hospital who, it is alleged, was killed by three attendants.

ANOTHER "INTERNATIONAL INCIDENT."

SIXTY INJURED

Trolley Cars Collide at a Railroad Crossing--A Score of Victims Taken to Hospitals.

Philadelphia, Pa., Feb. 9.—Two trolley cars collided this morning at the Pennsylvania railroad crossing on South Broad street, and sixty people were injured. The injured were all employees at the League

SAN FRANCISCO DELEGATION ARRIVES AT NATIONS CAPITAL

Conference Between the President Mayor Schmitz and the School Board of Frisco is Arranged for This Afternoon--An Agreement is Probable.

Washington, Feb. 9.—Mayor Schmitz and the school board of San Francisco, who were summoned here to discuss the Japanese school question with President Roosevelt, arrived in Washington at 3:35 o'clock yesterday afternoon. Their train was twenty-four hours late.

These children could now be admitted to the white schools if the delegation agree to make the concession which the president will ask, Mayor Schmitz replied.

That would be simple enough. We would abolish the oriental schools, and then under our law, the enforcement of which is explained in the discretion of the school board, the Japanese would be entitled to admission to the white schools.

Representative Hayes, as chairman of the California delegation, has arranged with Secretary Loeb for the delegation to meet President Roosevelt tomorrow afternoon. Secretaries Root, Taft and Metcalf will participate in the conference.

While the Californians profess that they are of a "free mind" and willing to make concessions it can be stated on the highest authority that the delegation's purpose is to insist that the president must have a direct understanding with the Tokyo government for the exclusion of Japanese coolies before they will agree to abolish the oriental schools of San Francisco and admit the Japanese children to the white schools.

Washington, Feb. 9.—Mayor Schmitz, accompanied by representatives Kahn and Hayes, of California, called at the White House today and made arrangements for a general conference with the president at 3 o'clock this afternoon, at which all visitors, together with the secretary of state and secretary of the navy, as well as California senators and representatives will participate. Afterward the mayor had a long talk with Root at the state department.

BONI WILL STILL FIGHT FOR GOULD MILLIONS

Paris, Feb. 9.—Count Boni De Castellane, the former husband of Anna Gould, does not propose to give up his wife and her millions if he can prevent it. The first steps in this direction were taken today, when an appeal in his behalf was filed.

SCHWAB WILL GIVE HIS SISTER \$2,000,000

Pittsburg, Feb. 9.—Friends of

FRISCO TRAIN WRECKED TWO PERSONS KILLED

Mobile, Ala., Feb. 9.—Two persons are reported killed and fifteen injured in the wrecking of a Frisco passenger train early this morning, near Pratt City. Details are unobtainable.



"The rear admiral's compliments to the governor, and will he please be informed that we are on hand to save him!" "The governor's compliments to the rear admiral, and will he please take the trouble to read our bloomin' sign!" —Triggs in New York Press.

UNITED STATES WARSHIPS ORDERED TO CENTRAL AMERICAN WATERS

Conflict Between Nicaragua and Honduras Seems Inevitable and the United States Takes Steps to Protest America and American Interests.

One Cruiser and a Gunboat Sent to the Scene of Trouble and Within a Day Ample Protection will be at Hand--Mexico and the United States will Urge Peace and Officials Upon the Scene Believe Counsel will be Accepted.

Washington, Feb. 9.—Carrying out the wishes of the state department, that a couple of American naval vessels be kept in Central American waters, the navy department has dispatched the gunboat Mar'etta to Greytown, in addition to the cruiser Chicago, which has been sent down the west coast to Acapulco, Honduras, so that within a day or two there will be an American warship on each side of the scene of the threatened trouble.

regular channels is limited. Also, they will, of course, protect any American property that may be endangered.

Consul William E. Alger, at Tegucigalpa, Honduras, communicated yesterday with American Minister Coombs in Guatemala city (he being also accredited to Honduras) that the opinion at Tegucigalpa was that war between Honduras and Nicaragua was almost inevitable. The officials here, however, do not take any such pessimistic view, and believe that the combined efforts of Mexico and America will, without offending the pride of Central American republics, result in convincing them that their differences can be settled without recourse to arms.

Without admitting the accuracy of the statement from the City of Mexico, that at the instance of the

Washington government the Mexican diplomatic representatives in Central America had been instructed to bring pressure upon the governments to which they were accredited. It was said at the state department today that correspondence had been exchanged between the department and the Mexican government to this end.

The Washington government regards itself as bound under the treaty of San Jose and the Marblehead pact to offer good offices to prevent warfare between the Central American republics, and as Mexico is under similar obligation the two are trying to arrange a program whereby Mexico will act for both countries.

Attention is called to the fact that Nicaragua was not a party to the San Jose treaty, assuming that the settlement of disputes between the Central American republics by arbitration was already sufficiently provided for in the treaty of Cordoba, concluded several years before. This fact, however, does not in the opinion of the officials here, relieve Honduras and Salvador from a responsibility to abide by the San Jose treaty and if Nicaragua of her responsibility under the treaty of Cordoba. If she cannot resist an appeal by Mexico supported by the United States to adjust the present trouble by arbitration. Meanwhile, it is probable that both sides and particularly Nicaragua will be tempted to desist from any increase of armament or concentration of forces on the borders.

WANAMAKER'S HOME DESTROYED BY FIRE

The Mansion Which Situated in a Suburb of Philadelphia Was Considered One of the Finest in the City--Loss is Estimated at \$1,500,000

Philadelphia, Feb. 9.—Lyndhurst, the country home of John Wanamaker at Chelton Hills, near Jenkintown, was destroyed by fire last night. The loss is estimated at \$1,500,000.

These two paintings are valued at \$250,000.

Though no statement has been received from Mr. Wanamaker as to the loss, it is authoritatively stated that it will reach \$1,500,000. The house cost \$1,000,000, and it contained furniture, bric-a-brac, tapestries and paintings which Mr. and Mrs. Wanamaker have been 40 years in collecting.

Mrs. Wanamaker's collection of Venetian glass was regarded as one of the finest. The furniture was the most serious loss. There were 50 rooms in the house, and each was furnished in the distinctive style of some period in the world's history.

Many of the furnishings were from the homes of royalty and cannot be replaced.

The collection of tapestries was almost as valuable as the paintings.

RECORDS MISSING FROM ATTORNEY GENERAL'S OFFICE

Evidence Secured Against the American Ice Company a Albany Files Been Gone for Two Months and Efforts to Locate Them Have Proven Futile.

Albany, N. Y., Feb. 9.—All the evidence on which was based the complaint of Attorney General Mayer against the American Ice company for dissolution of an alleged monopoly of the ice business, served on Dec. 20, has disappeared from the attorney general's office and cannot be found.

The missing evidence includes the original report, about 31 typewritten pages, made to Attorney General Mayer by J. R. McNeill, the expert accountant, who made an examination of the ice company's books and "44 voluminous and bulky exhibits in amplification thereof."

In an affidavit made public by the attorney general tonight, Mr. McNeill swears that while he retained in his possession a duplicate copy of his report he "did not retain, nor has he ever had in his possession copies of the exhibits attached thereto, and no copies thereof were ever made to his knowledge and deponent cannot make up or reconstruct said exhibits."

Mr. McNeill swears that at the office of the defendant company there was shown him books, documents, agreements, memoranda, etc., which he examined briefly but did not have time or opportunity to copy. He declared he merely made pencilled notes, and in certain instances made copies of short extracts.

Mr. Jackson said that he has served a demand upon the American Ice company for access to its books and records so as to replace the lost evidence and that the company had asked until Monday to answer.