

GREAT FIGHT FOR LIFE OF HARRY THAW BEGUN

After an all Day's Session Examining Talesmen Two Men Were Accepted as Jurors.

QUESTIONS ASKED BY JEROME

Wife, Mother and Two Sisters of the Accused Man Were at His Side—Thaw Was at Times Very Indifferent as to What Was Going on in Court.

(By Associated Press.)

NEW YORK, Jan. 23.—The curtain was rung up today for another act in the tragedy of real life on the Thaw-White scene. The setting was not the gay all night restaurants of the Tenderloin, where the principal actors in the tragedy were once familiar figures. It was not the roof garden crowded with the summer revelers who on a fateful night clinked glasses in rhythm with the orchestra and lent largely to merry scenes which were suddenly hushed into a silence of horror as three pistol shots cracked and a noted architect lay dead at the little round table where he had been chatting with friends. The story of the drama was brought down to the grim court room scene where twelve men are to sit and render a judgment which may mean either the taking of another life, this time by the state, or a determination that Harry K. Thaw was justified in the claim that he shot the man who had "ruined his wife." There may be a third decision, that Thaw was insane at the time he committed the crime in demagogical insanity.

The long awaited trial began this morning shortly before 10:30 o'clock and when an adjournment for the day had been taken about 5 p. m., there were two jurors in the box. A third juror had been accepted and sworn, but he was excused in the closing moments of the day's session, the reason for the action being of a private nature and was not made public.

Nineteen of the 200 talesmen who were summoned were examined before the day closed. Nearly all of them seemed anxious to serve and a small percentage was excused for cause. The challenge in nearly every instance was of a preemptory character and about evenly divided between the prosecution and the defense. The examination of the first twelve men called was followed with the keenest interest as it was thought the line of questioning by the attorneys for Thaw would develop the character of the defense. It was disappointing in this respect. The defendant's counsel seemed perfectly willing to accept any juror who satisfactorily answered the questions by District Attorney Jerome, who personally conducted the examination. The defense peremptorily challenged two talesmen, however, who gave their business as architects. Mr. Jerome asked each talesman in turn if he would be influenced by the so-called higher or unwritten law to the exclusion of actual laws of the State as they would be laid down by Justice Fitzgerald. There was none to say he would not accept the court's ruling as to all questions of law.

The Question of Insanity.

On the question of insanity as an explained to each talesman that the law excused only those persons who were laboring under such a defective reason as not to know the nature or the quality of the act committed, or even to know that the act was wrong.

"That is the law," declared Mr. Jerome. "Now would you import into your conclusion any imaginary form of insanity you might have in mind or that might be suggested to you, to the exclusion of the law that will be laid down to you by the court?"

In reply the talesmen said in turn that they would be guided solely by the court. Thaw's counsel entered objections only to certain forms of the question propounded by Mr. Jerome along this line. They declared they had no objection to the question in principle.

Questions Asked of Talesmen.

The usual privilege of talesmen who declare their conscientious scruples against capital punishment was missing today. On the other hand, however, every talesman examined said he had formed or expressed an opinion in the case. All admitted, however, that their opinions were based on newspaper reports and these had been so conflicting from time to

time as to make their opinion susceptible of change by the actual evidence. The talesmen were asked if they knew Thaw's friends, or White's or anyone connected with the case.

They were asked if they were in Madison Square Roof Garden the night of the tragedy, if they had friends in Pittsburg, or if their sympathy or emotions would affect their fair minded judgment. The examinations by District Attorney Jerome and by Thaw's counsel varied a little on essential points. The presence of three noted alienists in the court room as prospective witnesses for the prosecution created some comment.

Thaw Indifferent at Times.

Thaw sat during the day at the table set apart for his counsel. At times he seemed to take a lively interest in examination of the men summoned to decide his fate, leaning well forward and holding his hand to his ear to catch every word that might fall from the lips of the talesmen. Again he would seem listless and his eyes, deep set and having something of a stare, roved about the court room. His face was pallid doubtless due to his seven months' confinement in the Tombs. Thaw is fully six feet in height and is quite thin. He wore a dark blue sack suit and had a plaid ulster coat.

His Family With Him.

Just behind the prisoner sat several members of his family gathered here for the trial. They had arrived before the prisoner was summoned for the morning session and greeted him with a smile as he strode past on the way to his seat. With his eyes resolutely to the front, Thaw did not see his mother or his wife until he was almost upon them. Then his sober face broke into a quick smile and he bowed graciously. Mrs. Wm. Thaw, the prisoner's mother, was the first of the family to arrive. She was dressed in black and wore a heavy black veil, her white hair showing in striking contrast against the sombre costume. She sat with her eyes fixed upon her son and spoke but seldom to her children during the long afternoon session. She threw back her veil to see and study the faces of the prospective jurors as they were called to the stand. The Countess of Yarmouth, who was Miss Alice Thaw, followed her mother.

Her gown was of brown cut with coat effect. The brown hat was of fur and a heavy brown veil covered her face. But the countess, too, after she had become more accustomed to her surroundings, pushed aside the veil which had hidden her features.

Brother and Sister Much Alike.

There was a decided murmur in the court room as the spectators noted the striking resemblance between the countess and the prisoner. The lines of her face were more delicate and the features daintily moulded, but they seemed to make the resemblance all the more striking. Mrs. George Lauder Carnegie, another sister of the defendant, came in with the countess and there was a lively craning of necks to catch the first glimpse of Mrs. Evelyn Nesbit Thaw around whom the storm of great trial will rage. She quickly appeared with May McKenzie, the actress, who has been her sole companion since the night of the tragedy when the artist's model, wife of Stanford White's slayer fled to Miss McKenzie's apartment. The younger Mrs. Thaw was dressed in dark blue and wore a plain dark hat which was almost entirely covered by a white tulle veil.

Mrs. Thaw Looked Well.

Not once during the day did Mrs. Thaw remove the veil, but her features were plainly discernable and there was about them much of the beauty which caused her to be so wildly sought as a model by noted artists. Her mass of hair made a pretty setting for the ivory of her cheeks. She seemed to take earnest interest in the examination of the talesmen and was constantly nodding her head as to give assent to some mental conclusion she had reached.

Hardly once during the day did Harry Thaw take his eyes from the front and look at his relatives. His brother, Edward Thaw, and brother-in-law, George Carnegie, sat almost at his elbow.

The family party was escorted to waiting automobile cabs at the end of the day by a squad of policemen. Quite a crowd loitered about the building to catch a glimpse of Mrs. Thaw and others.

Aside from the members of the family, there were only four women in the court room and these were newspaper writers. The attendance today was confined to newspaper people and jury talesmen.

The jurors who remained in the box when the day was done and who were turned over to a bailiff who will have them in charge until the end of the trial were Deemling B. Smith, a retired manufacturer of umbrellas, and Charles H. Ficke, an employe teamster. Both men are married and have families. Smith is about 55 years old and Ficke about 45. The trial will be resumed tomorrow at 10:30 and there will be two daily

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LARGE AMOUNTS FOR RIVER AND HARBORS

Hampton Roads and James River Get Substantial Appropriations and Improvements.

LARGEST EVER MADE BY CONGRESS

One Hundred and Seventy Five Thousand Dollars Will Be Expended in Deepening the James—Norfolk Harbor Receives a Very Large Appropriation.

(By Associated Press.) WASHINGTON, D. C., Jan. 23.—The River and Harbor appropriation bill will be reported to the House tomorrow by the committee on rivers and harbors and will carry an appropriation aggregating \$83,466,138. Of this sum \$34,631,612 is cash available between July 1, 1907 and July 1, 1908, and \$48,834,526 is authorized for continuing contracts, no time limit being fixed as to when it shall be expended.

This bill is a record breaker in size, exceeding by many millions the amount allowed for river and harbor improvements by any other Congress.

Among the items in the bill are: Norfolk harbor and its approaches \$37,825; Channel from deep water in Hampton Roads to Norfolk \$282,000 cash and continuing \$870,000; Hampton Roads \$12,500; City harbor \$25,000; York, pool and Pamunkey rivers and Occoquan and Carters' creeks \$49,000; Rappahannock river \$77,729 cash and \$90,000 continuing; James river \$175,000; Neuse and Trent rivers \$30,000; Waterway between New River and Swansboro \$17,000; Cape Fear river at and below Wilmington \$165,000 cash and \$250,000 continuing; South Carolina: Winyaw Bay \$30,000 inland waterways between Charleston Harbor and opposite McClellansville \$75,290; Charleston \$25,000 Waccamaw river, N. C. and S. C. and Little Pee Dee river S. C., \$20,000; Santee, Wateree and Congaree.

GREAT SPEED OF AUTOS

Ten Mile Race Made In Seven Minutes and 42 Seconds.

MOTOR CYCLE MILE IN 46 SECONDS

American Machines Were Clearly Outclassed in Most of the Races on the Ormond Beach Course Yesterday—Big 100 Mile Race Today.

(By Associated Press.) ORMOND, DAYTONA BEACH, FLA., Jan. 23.—Four events were run off today, the second of the fifth international automobile tournament.

The twenty mile event for American touring cars only was won by Perlman, in 22 minutes, 32 4-5 seconds, considered unusually fast time for a fully equipped touring car from a standing start. Four cars started in this event, but two did not finish, one having clutch trouble and the other being distanced.

The ten mile event, open to all weights and powers, was won by E. B. Blakely in a gasoline car in seven minutes 42 2-5 seconds. A steam car finished second, just ten seconds behind the winner. In this event Mariot, driving the record making steamer of last year blew out both cylinder heads and it was thought put out of all future events, but repairs have been made and he will start in events tomorrow.

Twenty mile international touring

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PRESIDENT URGES SUBSIDIES FOR SHIPS

Sends a Special Message to Both Houses of Congress on the Subject.

DEVELOP SOUTH AMERICAN TRADE

Says That United States Trade Ships Touching at Ports are Few and Far Between—Claims That Mississippi Valley Would Be as Much Benefitted as Coast Towns.

(By Associated Press.) WASHINGTON, D. C., Jan. 23.—President's Roosevelt's message in support of ship subsidy was received and read by both Houses of Congress today.

After the reading in the House, the message was referred to the committee on Merchant Marine and Fisheries, from which a mail subsidy measure has just been reported.

In the Senate the message was sent to the committee on Commerce. The President calls attention to the necessity for enactment of legislation to help American shipping and American trade by encouraging the building and running lines of large and swift steamers to South America and the Orient.

State aid to steamship lines, the President says, is as much a part of the commercial system of today as state employment of consuls to promote business. The President discloses the bill now before the committee and says it would surely be discreditable for us to surrender to our commercial rivals the great commerce of the Orient, the great commerce we should have with South America, and even our communication with Hawaii and the Philippines.

"The urgent need of our country's making an effort to do something like its share of its own carrying trade on the ocean," the President says, "has been called to our attention in striking fashion by the experience of Secretary Root on his

TWENTY KILLED IN MINE

The Names of Only Two of the Dead are Known.

THE REMAINDER WERE FOREIGNERS

Explosion Stopped the Air Fan and It is Unlikely That Any of the Imprisoned Men Will Be Rescued Alive—Four Bodies Recovered.

(By Associated Press.) TRINIDAD, COLO., Jan. 23.—Twenty miners, according to the most authoritative information available this evening, lost their lives as a result of an explosion which occurred early today in the Colorado Fuel and Iron Company's coal mine near Primero, twenty miles west of this city.

Two of the dead are Frank Hobart, miner and R. J. Lumley, fire boss. The names of the other men have not been learned, as the shift boss who checked up the men who went into the mine last night is missing.

All the men except Lumley were foreigners, most of them being Italians.

The explosion stopped the air fan which was not repaired until late today and there is little chance that any of the men in the mine are alive. Late advices are that the mine is severely wrecked. The reamur party has penetrated 300 feet and recovered four bodies.

Uncle Sam is too big to play pean-ut diplomacy.

recent South American tour. The facts set forth by Mr. Root are striking, and they cannot but arrest the attention of our people. The great continent to the south of us, which should be knitted to us by the closest commercial ties, is hardly in direct communication with us at all, its commercial relations being almost exclusively with other people. Between all the principal South American ports and Europe, lines of swift and commodious steamers subsidized by their home governments ply regularly. There is no such line of steamers between these ports and the United States.

The Country Far Behind.

In consequence our shipping in South America ports is almost a negligible quantity. For instance, in the year ending June 30, 1905, there entered the port of Rio Janeiro over 3,000 steamers and sailing vessels, from Europe, but from the United States no steamers and only seven sailing vessels, two of which were in distress.

Our commercial competitors in Europe pay in the aggregate some twenty-five millions a year to their steamship lines—Great Britain paying nearly seven millions. Japan pays between three and four millions. By the proposed legislation the United States will pay relatively less than any one of our competitors pay.

South American Trade.

"As far as South America is concerned its aim is to provide from the Atlantic and Pacific coasts better American lines to the great ports of South America than the present European lines. The South America Republics now see only our warships. Under this bill our trade friendship will be made evident to them. The bill proposes to build large sized steamers of sixteen knot speed. There are nearly two hundred such steamships already in the world's foreign trade and over three fourths of them now draw subsidies—postal or admiralty or both.

"The bill will encourage our shipyards, which are almost as necessary to the national defense as battle-ships and the efficiency of which depends in large measure on their steady employment in large construction. The proposed bill is important to our navy because it gives a considerable fleet of auxiliary steamships, which is now wholly lacking, and provides for an effective naval reserve. The bill provides for 14 steamships subsidized to the extent of over a million and a half from the Atlantic coast, all to run to South American ports. It provides on the Pacific coast for twenty two steamers subsidized to the extent of two millions, and a quarter, some of these to run to South America, most of them to Manila, Australia and Asia. It is remembered that while the ships will be owned on the coast, the cargoes will largely be supplied by the interior, and that the bill will benefit the Mississippi valley as much as it benefits the seacoast."

CONGRESSMEN HAVE CHANCE TO TALK A LOT

Pension Bill Gives Them an Opening to Let Loose the Flood Gates of Oratory.

(By Associated Press.) WASHINGTON, D. C., Jan. 23.—This was a day of oratory in the House on the Pension Bill, affording an opportunity to a number of Republicans to make speeches not only in behalf of the bill itself but on the tariff and on the San Francisco incident.

On the latter subject Mr. Hayes of California insisted that all California desired was to be permitted to continue American and that the Chinese exclusion law should be made to apply to Japanese coolies.

Mr. Grosvenor of Ohio occupied an hour and a half in a discussion of the tariff.

Mr. Crumpacker of Indiana and Mr. Taylor of Ohio spoke on pension legislation of a general character, both having bills before the pension committee tending to broaden the scope of existing pension laws.

A spirited controversy arose over an effort to have the pension agencies of the country reduced from eighteen to nine. The provision was sharply antagonized by members representing districts in which agencies would be removed.

BRITISH BEGINNING TO CHANGE OPINION

Believe Swettenham's Letter In- advised But Santion the Motive That Prompted It.

ARMED MEN NO RIGHT ON ISLAND

President Roosevelt Writes to the British Legation That He Considers the Incident Closed—Colonial Office Now Has Copy of the Letter Swettenham Sent to Admiral Davis

(By Associated Press.)

LONDON, Jan. 23.—The Colonial office is now in possession of official advices from Sir Alexander Swettenham, the Governor of Jamaica, concerning the exchange of letters between himself and Rear Admiral Davis, but the extent of these advices and whether or not they contain an apology or extenuating circumstances has not been disclosed. It appears that the imperial authorities requested the Governor of Jamaica to send them a copy of his letter to Rear Admiral Davis. This now has been furnished, and it shows that the letter as sent out by the Associated Press was to all intents and purposes a correct copy.

No Excuse Say Officials.

What the British government and people condemn is the tone of the letter to Rear Admiral Davis, the foreign office having declared that there was "no excuse for such language from an official to the officer of a friendly nation engaged in a work of humanity."

But on the question whether or not Governor Swettenham was justified in asking Rear Admiral Davis to withdraw his armed forces from the island British opinion inclines to hold that the governor acted clearly within his rights.

President Dismisses Incident.

WASHINGTON, D. C., Jan. 23.—The President has finally dismissed the incident connected with the refusal by Governor Swettenham of Kingston of aid from Admiral Davis as was shown in a letter addressed by Acting Secretary Bacon to Charge de Affairs Howard. Among other things the letter says:

"I can only repeat to you in this more formal way, what I said personally last evening, assuring you of the cordial spirit shown by your government. It is especially gratifying to the President to feel that it has been possible for this country to show in any practical way, however small, its friendship to a community of your people in a time of such suffering and need."

Another Quake at Kingston.

KINGSTON, JAMAICA, Jan. 22.—(Tuesday)—Two earthquake shocks, the heaviest since the destruction of January 14, were felt here at 2 o'clock this afternoon. Several buildings were thrown down and there was great alarm among the people. No one was injured.

MR. SCHMELZ OFFERS IMPORTANT AMENDMENTS

By-laws of Exposition Company Probably Will Be Changed in Several Particulars.

Several important amendments to the by-laws of the Jamestown Exposition Company were offered by Mr. George A. Schmelz at the meetings of the directors of the company in Norfolk Tuesday afternoon.

Probably the most important amendment (provides that the directors shall meet monthly instead of quarterly, in order that they may keep in touch with the exposition work. Other changes provide for elections to fill vacancies on the executive committee by the directors; that the executive committee shall not expend more than \$25,000 without authority from the directors; that the board of governors shall not spend more than \$10,000 without the approval of the executive committee; that no salaries shall be changed without ratification by the directors, and that the executive committee shall, within ten days after its election, nominate six holders of common stock and one State commissioner to serve as governors of the company.