

A Wisconsin live stock man recently testified before the Interstate Commerce Commission in Chicago that he shipped cattle to-Chicago by the way of St. Paul, three hundred miles further than by a direct line because it was cheaper that

This is but one of the many paradoxes of freight rates which Ray Stannard Baker will explain in his series of papers entitled "The Railroads on Trial," the first number of which, "The Railroad Rate," will be begun in the November McClure's

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- S. S. McCLURE COMPANY 44-60 East 23d Street NEW YORK

ploye of the State Excise Department in candidate for the Republican nomination for Municipal Court judge in the Sixth District, and was defeated.

Simon Donovan, former Ropublican Superthe Twelfth Assembly District. George A. Green, Republican-caudidate for

the Assembly in the Twelfth District. Jesse D. Frost, former president of the

committeeman of the Sixth Assembly District and clerk in Judge Van Wart's court. Noah Tebbets, former Republican alderman from the Elevanth Assembly District, and Republican candidate for the same of-Rudolph C. Fuller, tormer Republican Sen-

ator and leader of the Eleventh Assembly Adolph L. Kline, Republican alderman of

the Eleventh Assembly District. Naval Officer Robert A. Sharkey, Republican leader of the Sinteenth Assembly dis-

Stapleton and Kapper at Work. The Democratic General Committee has trial his client would win again. not yet succeeded in getting all of the names attached to the municipal ownership petitions in Brooklyn and Queens nominating Justice Joseph A. Burr for the judicial place he now occupies, but the leaders believe that they have sufficient evidence on errors prejudicial to the defendant. which to go before the Board of Elections and have Justice Burr's name taken off-

ough and Queens. In their efforts to have Justice Burr's name taken off the Municipal Ownership ticket in Brooklyn and Queens, Former Assistant Corporation Counsel Luke D. Staple-Kapper, who appear for the general committee, intend to lay great siress on the fact that in many instances the same names fact that in many instances the same names of the papers, and, second, if he did not go mittee, intend to lay great siress on the papers, and, second, if he did not go mittee, the papers and, second, if he did not go mittee, the papers and, second, if he did not go mittee, the papers and, second, if he did not go mittee, the papers and, second, if he did not go mittee, the papers and, second, if he did not go mittee, the papers and, second, if he did not go mittee, the papers and, second, if he did not go mittee, the papers and, second, if he did not go mittee, the papers and, second, if he did not go mittee, the papers and, second, if he did not go mittee, the papers and, second, if he did not go mittee, the papers are papers. ton and former Assistant District Attorney

petitions. It is very likely that the protest of the Democratic General Committee of Kings County against the placing of Justice Burr's name on the municipal ownership ticket, will be heard by the Board of Elections to-morrow. It is the intention of the General Committee to take the matter to the highest are found to consist mainly of statutes of court in the state if peressary to secure an the State of Maryland, ordinances of the court in the state if necessary to secure an adjudication of the questions involved.

The Republican leaders in Brooklyn, many

of whose names appear on the municipal ownership petitions nominating Justice Burr on the Hears't ticket in Brooklyn and Queens, were greatly alarmed after they read the disclosures brought out in the Eagle resterday connecting the Republican organization here with the attempt to have Justice Burr nominated on the Hearst ticket on "fake" patitions. .:

The Democratic General Committee does not intend, it was announced to-day, to content itself with the mere protest to the Board of Elections against the placing of Justice Burr's name on the Hearst ticket here and in Queens.

Indictments Threatened.

The Democratic managers in Brooklyn, it was learned to-day, have evidence that many of the names, which appear on the Brook-lyn and Queens municipal ownership peti-tions were written in the same handwriting. They are going to pursue their investigation to ascertain whether these names were signed with the consent of those who appear to have subscribed to the petitions. If the Democratic party managers find these names were signed without consent, they will probably take steps to have the men responsible for getting up the petitions and falsifying the names indicted, the offense being, they say, an indictable one.

It was said to-day that many of those whose names, as announced in the Eagle yesterday, appeared on the Brooklyn municipal ownership petition stand ready when the time comes to make affidavits that they did not sign the petition at all. Mr. Kapper said to-day that the argu-

ment for the Democratic General Committee will be on the section of the election law which forbids any one from taking part in the nomination of two men for the same

"The election law," said Mr. Kapper, forbids any voter from joining in making more than one nomination, whether at the primary of his own party or on an independent certificate of nomination, the intent of the law being that when a voter has exercised the right of participating in his party primary, he is not to be permitted to pitch in and nominate an independent candidate." Mr. Kapper said that no attack will be made on the municipal ownership emblem as an emblem. It is conceded that Mr. Hearst, Mr. Ford and Mr. Stokes have the right to use the emblem which they have selected, but Justice Burr has no right to go on their ticket, Mr. Kapper said, on the atrength of the petitions on which he was

MC KANE SAYS HE'S BANKRUPT.

Schedules Assets at \$150; Liabilities, \$85,000.

Announcement was made to-day that James McKane, a well known business man in the Gravesend section, and a brother of the late John Y. McKane, had filed a petition in Sankruptcy in the United States District Court in this borough. The petition asserts that the debts amount to about \$55,000, chiefly in promissory notes. The assets, according to the petition, amount to \$150.

The filing of the petition interests many leben, is the sole legatee. of the residents in Sheepshead Boy and ____ Gravesend. McKane, it was understood, was the principal owner of the Galveston Flood spectacle at Coney Island, and was in exectlent shape financially. He has been a leading bullder in that section for many years, and one of the big jobs he had was the building of the Atlantic Yacht Club's summer home at Sea Gate. It was said recently that Mrs. McKane, who was a daughter of Paul Hauer, one of Comey's pioneer herel pien, had put \$23,000 ft the Galveston Flood show, but was anxique to withdraw the money if possible.

VERDIGT FOR \$1,000,000 HAS BEEN REVERSED.

cision of Lower Gourt In Menges Case.

Suit Was Brought by Morris C. Menges | Bishop Hawaweeny Was the Center of Against Louis Fitzgerald, President of Mercantile Trust Co.

The Appellate Division of the Supreme Court this afternoon handed down a decision that almost blasts the hopes of Morris station, when a hundred Syrians, who had C. Menges and his attorneys, as it upsets been to the Butler street court as spectators a verdict in his favor of \$1,000,000, the largest ever given in a law suit in this coun- the Syrian Bishop Raphael Hawaweeney ty and, perhaps, in the United States. Mr. figured as one of the alleged assailants, were Monges is a well known character in Brooklyn, where he has many friends. The defendant is General Louis Fitzgerald, presideut of the Mercantile Trust Company, and a director of the Equitable Assurance Society before the reorganization of the lat-

The Appellate Division reverses the verdict of the jury and sends the case back for a new trial. An opinion forty pages long was handed down by Justice Miller in support of the majority opinion, and Justice Brooklyn.

John H. Kemble, Republican, who was a Rich dissents in a thirty-page opinion in ly dressed, and well-to-do Syrian business which Justice Hirschberg concurred.

The verdict was secured by Mr. Menges in June, 1904, before Justice Spencer and a jury, after a trial that lasted many days, Osborne had sent to Magistrate Dooley an visor. John D. Gunther, Republican Alderman in and in which many eminent financiers appeared as witnesses.

that he had performed certain services for Republican county committee.

Samuel H. Andrews, active in the Republican party in the Seventeenth District and an employe of the Board of Elections.

T. D. Mosserop, Republican, former supervisor of records and still holding down a Republican ion somewhere.

General Fitzgeraid in connection with the Western Maryland Railroad, for which General Fitzgeraid in connection with the purchase by a syndicate of the Western Maryland Railroad, for which General Fitzgeraid in connection with the purchase was called and caused promised. If the purchase was made to pay Mr. Menges the sum of \$1.000,000. Mr. Menges the sum o General Fitzgerald in connection with the W. H. Calder, Republican representative and leader of the Twelfth Assembly District.
William H. Tappey, former president of the Logan Club, a Republican organization.
William H. Allen, Republican president of the Logan Club, a Republican organization.
William R. Allen, Republican president of taken by the form the jury's verdice to the stream of the

taken by the defendant and the case was The crowd about the desk separated, and it argued in May last. Since that time it has became evident that the turn things had been awaiting a decision. The lawyers for taken was not at all to the liking of the Mr. Menges are two young Brooklynites, William H. Stryker and William F. Haggerty. The total amount of the judgment against the story spread to the sidewalk in advance the defendant amounted to \$1,142,510.72.

The story spread to the sidewalk in advance of the Syrians, who were making their way

Lawyer Haggerty, when seen by an Eagle reporter this afternoon, said that his client had the right to appeal to the Court of Appeals, but that he would probably go to time to read the opinion of Justice Miller, and Butler streets. nor the dissenting one of Justice Rich. Neither had he had time to confer with his client and the other lawyers in the case. He was confident, however, that on another Justice Miller, in his decision, says in

"I am unable to agree with the conclusion that the verdict is amply supported by the evidence, and that the record presents no

"The testimony of the plaintiff does tend to establish a definite agreement of the de- drawn and the officers plunged into the Municipal Ownership ticket in this bor- fendan to pay a million dollars, conditioned only on his becoming in any manner interested in the purchase of the road or the securities, but it is very difficult to spell he sat in the clerk's room without opening such an agreement from the testimony. According to the testimony the defendant promised two things only-first, to look into

this information (that the Mayor of Baltimore was resolved to sell the city's con-trolling interest in the Western Maryland Railroad) wasof a confidential nature, collected by him at large expense and labor, Doubtless the jury were impressed by the mass of exhibits, which upon examination City of Baltimore, and public reports of

the road "Assuming that the evidence presented a juestion for the jury and that we would not be warranted in disturbing their verdict upon the facts, there is yet, in my judgment an insurmountable obstacle to the affirmance

of this judgment.
"I confess that after a most careful serulny of the charge I have been unable to detect the slightest resemblance between the ause of action submitted and the one aleged.

"In my judgment the jury were misled by this charge (of the presiding justice) in respect to a vital point in the case, but this discussion must demonstrate that it is at least a matter of speculation whether they were, and where conceded error has been ommitted, which we cannot say was harmless, it is our duty to grant a new trial,"

Justice Rich, dissenting, says in part: "If the agreement alleged in the complaint was made, it was broken beyond question, for the defendant admits that he was interested as a member of the syndicate that ac-quired the road, and the court expressly stated that the breach of contract to which it referred was the defendant's failure to pay the million dollars.

'In determining whether the verdict of the jury is against the weight of evidence, we should take into consideration the business methods of the parties. * .* After becoming possessed of the plaintiff's infor-mation, the defendant had only to turn the project down to save himself from liability. "The charge relating to the agreement followed closely the allegation of the complaint, and we are unable to agree with the suggestion that the court presented to the jury a different issue from the one raised

BROKERS WANT RECEIVER.

by the pleadings."

Haight & Freese Unable to Do Business | Krajor While Litigation Is Pending in Courts.

Blumenstiel & Blumenstiel, attorneys for George G. Turner and Harvey Watson, who are the surviving directors of the Haight & Lord Melbourne Freeze Company, applied to Supreme Court Justice Stover, in Manhattan, to-day, for the apopintment of a receiver of this company. which has been doing business as bankers and brokers, in Temple Bar, Court and Joralemon streets, 53 Broadway, Manhattan, with two branch offices in that borough and

others in Boston and Philadelphia. It is alleged that the nivers of the company, located in its various places of bust-ness, amount to about \$200,000, subject to Brother of Late Politician in Petition litination pending against the company, it will be unable to continue its business with profit and meets its obligations, and by reason of these proceedings in other juris- | Race King dictions the corporation requests that the receiver be appointed in order that the property be equally divided among all its Justice Stover reserved decision.

> F. W. WOLLEBEN'S WILL FILED. The will of Frederick W. Wolleben, who died September 28, was filed in the Surrosale's office this morning. The estate is Ostrich valued at \$10,600. The widow, Mary W. Wol- Palette

For Infants and Children. The Kind You Have Always Bought

Signature of Chat H. Hitchers

BELLIGERENT SYRIANS

Appellate Division Upsets De- Gathered in and Around Butler Street Court This Morning.

40-PAGE OPINION HANDED DOWN RIOT AVERTED BY CAPTAIN.

the Excitement and Was Rushed Out of Harm's Way.

A riot was only averted by the forethought of Captain Zimmerman of the Butler street and witnesses in the assault case in which coming out of the court room about noon to-day.

It was confidently expected by the Syrians of both warring factions, that the case would certainly come to a hearing to-day. Yesterday, when the Blahop and his followers failed to appear Magistrate Dooley forfelted the bonds of the six men charged with attempted assault. This expectation drew a large crowd to the court room. Many were inside and many more lined the curbs about the Court House. Rich Syrian women, finemen, and some from the professional classes of the Syrian colonies were on hand.

Ex-Assistant District Attorney James W affidavit that he was unable to appear in court on account of imperative legal en-The claim of Mr. Menges, in brief, was gagements in the Supreme Court in Manhattan. This was whispered about the court

many who had come from Manhattan and other parts of the city to witness the trial. of the Syrians, who were making their way

to the street. Captalu Zimmerman was a spectator in the courtroom, and sent a patrolman to his station house. A dozen bluecoats soon appeared trial again. Mr. Haggerty had not yet had at the entrance to the courtroom on Court Just how the row started is not quite clear.

But, as if by magic, men rushed together like maddened animals, ready, to gore and blte. Bishop Hawawceney was one of the men who came out of the court with the band of Syrians. Several men rushed at him but were turned aside by some of his followers who had gathered about him as a body guard. He was partly pushed, partly dragged to a Court street car that was passing at the time, safely getting aboard. The policemen did the rest. Sticks were The one man who maintained his composure was Bishop Hawaweeney. For over an hour was entirely unruffled by the happenings in which he bimself was the central figure. Last night over 100 Syrians came over from Manhattan and stationed themselves in the vicinity of the Amity street police station. Acting Captain Brophy of that station took them in hand with his reserves dispersing the crowd and served notice that

LOCHINVAR WINS.

cinct where trouble might be expected.

they would be summarily dealt with in case

a disturbance was started. Captain Brophy

doubled the patrol on all streets in his pre-

Race Track, Jamaica, L. I., October 20-Chart, first race:

Chart, Brst race:
Lochinvar, 105 (Hell), 5 to 1 and 3 to 1.
Raibert, 105 (W. Buchanan), 20 to 1 and 10 to 1.
Emergency, 10 (Gewell), 7 to 2 and 5 to 5.
Caraphine, 110 (J. Martin), 8 to 5 and 4 to 5.
Freebooter, 103 (Romanellt), 10 to 1 and 4 to 1.
Suffice, 105 (Miller), 12 to 1 and 4 to 1.
Monacodor, 113 (Malln), 50 to 1 and 20 to 1.
Jack McKeon, 103 (Drolette), 100 to 1 and 40 to 1.
Monte Carlo, 103 (O'Connell), 15 to 1 and 6 to 1.
Breadciath, 103 (Garner), 13 to 5 and even.
Ninnerquaw, 103 (Wiley), 15 to 1 and 6 to 1.
The race was ween by Lochinvar, Poller

The race was won by Lochinvar. Ralbert nished second and Emergency third. Time,

1:14.
The start was poor, the favorite, Czaraphine, being left at the post. Emergency, Minnesquan and Lochinvar raced in front in close order to the far turn, where Lochnvar went to the front and holding his lead to the end, won handly by three parts of a length from Raibert, which came fast at the end and got the place, three lengths before Emergency. Second race-Handicap, all ages; one mile and a sixteenth. Spring, even and 1 to 4,

JAMAICA ENTRIES.

first; Jocund, even, place, second; Ceder-strome, third. Time, 1:47 1-5.

(Special to the Eagle.) Jamaica Race Track, October 20-The entries for the races here to-morrow are as follows:

First tace-For I year olds and upward; selling; with 179 selded, of which 109 to the second and 199 to the third. Six furlongs. 90 Astarita rapple toyal Window 161 Belle of Portland 162 164 Mad Muliah 162 28 Bell Indian 28 100 Consideration Fecond race-For I year olds and upward; selling; with \$500 added, of which \$100 to the second and \$50 to the third. One mile and a sixteenth. Name, Bronge Wing ... Name. .. 113 Arrahgewan Celtage Maid ... Shenandonh Antimony 155 Yorkshire Lad 10 h. C'etticat of which 100) to the second and

Third race-The Occasie Stakes, for 2 year olds \$100 to the third. Five and a half furlance Wht. Name 112 Zenap 112 Zenap 113 Inschedient 119 Sufficiency Incobite ... he Tamaqua Handteap; for all added, of which \$250 to the recages: with 15.50 added, of which 155 to ond and 155 to the third. Six furiongs, Name. Wht. Name. Wht Name 111 Diamend Flush 161 Invantation 164 King Petter 162 Fear Kune Gold Rose ... Furtian True Wing 100 Pethorn Fifth page. For maidens 1 years old; selling; with 150 added, of which the to the second and 150 to the third. One nile and a sixteenth, Roentzin Luiter 1/2 Father D. Sixth care. For all agen; handlesp; with \$500 added, of which \$100 to the second and \$50 to the

M. O.'S INDORSE KUCK. The Earle vester fav amilted to say that the Municipal Ownership party had indersed the Republican candidate for Alderman in the Fifty-third Aldermante District, which is in the Eighth Assembly District, 'Charles I. Ruck, the Republican candidate, was found to be entisfactory to the Municipal Ownership leaders and his indersement tol-lowed Wednesday night. This gives Mr. Kuck the strength of both parties in hix district.

A SMART tailor-made Light Overcoat, silk unfinished Worsted, will cost averagely \$65. Its equivalent at Brokaw's will cost averagely \$30. The cloth and the silk will be positively as good. probably better; the pattern an exclusive one; the fit perfect; the workmanship, without a flaw. Draw your own inference.

NEW YORK.

SAYS JUDSON STOLE STOCK.

Our Light Overcoat range is

\$16 to \$40.

Subway Station at Our Door.

ASTOR-PLACE-AND-FOURTH-AVENUE

John Jacob Astor and Cornelius Vanderbilt Figure in International

The names of John Jacob Astor and Coriclius Vanderbilt were dragged to-day into the case of William B. Franklin and George I. Scott, composing the firm of Franklin, Scott & Co., who are sulng Joseph H. Hoadley, the president of the International Power Company; Joseph Leiter of Chicago and Cyrus Field Judson to recover \$68,500, which the plaintiffs allege they lost in operating in International Power stock for a pool consisting of the three defendants, on April 30, 1902, which has been on trial before Justice Amend and a jury, in the Supreme Court Manhattan, for the last fifteen days.

Joseph H. Hoadley's cross-examination by Lawyer Edward Louis Mooney, counsel for the plaintiffs, was continued this morning. and he told of how the stock which Judson had charge of on a trust account from him and Leiter vanished, "Judson told me," said Mr. Hoadley, "that he had about sold all the stock to John

Jacob Aster and Cornelius Vanderbilt." "At what price?" asked Mr. Mooney.
"At the price the stock had reached at that time-\$140 a share."

"When was that?" "As near as I can say, It was about April 16, 1902. If that was not the date, if was whatever day the stock touched \$140 a Mr. Hoadley was then asked by Lawyer

Mooney if Judson had authority to sell the 5,900 shares of stock which Hoadley and Leiter have declared belonged to the three of them, in shares of 2,300 each, to Astor and Vanderbilt. "No," said Mr. Hoadley. "My understanding was that arrangements had been made that I could sell all that stock to Mr. Astor

and Mr. Vanderbilt.' Mr. Mooney inquired of Mr. Hoadley if he had ever demanded his stock from Judson. For a time, the witness said, Leiter did not respond to his request to take up his share of the stock, but when he got ready to do so, the bottom dropped out of the market and they found out that Judson had stolen the stock.

PLENTY OF WATER TO BE HAD.

New Owners of Kouwenhoven Basin Offer to Furnish 7,500,000 Gallons a Day to Brooklyn.

Following, closely the widespread discussion of the water supply for the Borough of Brooklyn comes an offer, made public through the columns of the Eagle to-day, to supply the city with 7,500,000 gallons of water The offer is made by the Mc-Laughlin Real Estate Company, who have just purchased the old Kouwenhoven farm, a

the purity of its well water.
The old wells that were driven on the property still exist after a period of nearly two centuries. In one spot is an excava-tion that was used to get water for General Howe's British troops during the Revo-

lutionary War.

The purity of the water rivals that of the Flatbush water works. The supply is said by the Department of Water Supply. Gas and Electricity, to be, at a conservative estimate, not less than 7,500,000 gal lons a day. Other engineers have esti-mated that the amount of water that can be pumped from this underground atream will amount to at least fifteen or twenty

millions of gallons daily. The Flatbush supply is about 2,500,000 gallons daily. Some persons have claimed that the Kouwenhoven supply would endanger the Flatbush works, but experts state that the two are drawn from different underground sources.
The present owners offer, through the

Eagle, to furnish this supply to the city far cheaper than less pure water is now being purchased. An additional saving will also be effected by the fact that the new supply is within 5,000 feet of the city's water mains and the connection could be made at a small cost.

PATHETIC SCENE IN COURT.

Italian Accused of Murder, Set Free, Says He Will Pray for Judge Aspinall.

Antonio Gambino, at whose trial for the murder of Nicola Savona on March 2, 1905, the jury disagreed, was released by Judge morning, on motion of the District Attorney | play a game with the buttons, to have the indictment dismissed.

There was a pathetic scene when the judge told the Italian that he was free. The man had not expected anything of the kind and was dazed by the good news. He threw his arms in the air and burst out crying. In broken English he told the judge that he would pray for him. Aspinall made the man promise to go back to linky.

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VIGTIM OF SOUVENIR HABIT | ITALIAN THEATER HELPS ROBBED HOTEL ST. REGIS.

Hilda Austin Took Silverware and Cut Glass While Employed: as Nurse.

Detective Found Stolen Goods Packed in Clearly a Violation of the Law, but Barrels in a Storage Ware-

Declaring that she had been a victom of the "souvenir habit" and had intended no wrong, Hilda Austin, a pretty nurse, was arraigned in the Yorkville police court, Manhattan, this morning on a charge of stealing silver and glassware, to the value of \$31, from the Hotel St. Regis. So impressed was in his little theater on Union street. He arrest, with the truth of her story, that at his suggestion Proprietor Hahn sent word and arrested him for running a Sunday show to court that he would be glad if the prisoner was discharged. As the offense was other places of amusement which were paygrand larceny, however, Magistrate Walsh had no alternative but to hold Miss Austin in \$1,000 bail for General Sessions, examinaion having been waived.

There is some reason, according to a the prisoner was irresponsible when she forced to resort to the use of drugs to conto-day her nerves were all unstrung and tember. before she was called to the bar she went

self. She chose the occupation of a trained nurse. After graduating at a training school n London she came to this city and went

to live with a Mrs. Hongland, at 251 West One Hundred and Twenty-sixth street, Mauhattan. Mrs. Hoagland had known her when she was a little girl in Ireland. Miss Austin registered at Mount Sinal

considerable practice among guests of the large hotel. It was in this way that she went to Mrs. George Blumenthal, wife of he well-known banker, when she was taken ill at the St. Regis, early in September. Soon after she was installed at the hotel, the management began to miss articles of silverware and glass from the floor on which Mrs. Blumenthal had her rooms. An investigation was made, but without success. never occurred to the hotel detectives to suspect the demure little nurse, who was so

Two weeks ago to-day Mrs. Blumenthal had so far recovered as to require the serv-ices of a nurse no longer. When Miss Austin left the hotel the thefts stopped also. This coincidence set. Detective Kennedy to thinking. He finally traced the nurse to ber Hariam home, where he confronted her last evening with evidence of her guilt. At first, according to the story the detective told in court, she denied that she had ever taken a thing that did not belong to her from the hotel, but finally broke down and confessed. "Don't arrest me, don't arrest me," she implored. "I was not responsible for what I

I was only a victim of the souvening Kennedy had her placed under arrest, however, and taken to the East Sixty-seventh street station, where there is a matron. Then he went to a storage warehouse on East Fifty-seventh street and searched a room which the girl had rented. Packed in two barrels and a trunk, he declared in court, he found a lot of silver, crockery, glass, clothing and fine linen. He picked out what belonged to the St. Regls, which was as tract of many acres, immediately north of follows: Two pepper and salts, one silver Paerdegat basis, and embracing a territory cream pitcher, one silver sugar bowl, one famous for more than a hundred years for silver tea-strainer one cut glass pitcher, thirteen glasses, two silver spoons, one fork, one butter knife and a pair of sugar tongs. These he produced in court to-day. When Miss Austin was first arrested she

declared that her right name was Mary Weston and that she lived on DcKalb avenue. Brooklyn. She evidently, made this statement with the hope of concealing her real identity, as Mrs. Hoagfand said that the prisoner had made her home, with her since her arrival in this country, except when she was out nursing.

BOY DYING IN HOSPITAL.

One of Party of L. I. City Schoolboys Probably Fatally Hurt by

Joseph Sullivan, 13 years old, a Long Island City schoolboy, is believed to be dying in St. John's Hospital there, as the result of injuries received while playing a game with campaign buttons. It was stated at the hospital this morning that Sullivan's condition was serious. Coroner Leonard Ruoff was at the hospital shortly before noon to-day, and took his ante-indrtem statement. Sullivan was injured on Tuesday afternoon in front of Public School No. 1, at Jackson avenue and Ninth street. A party of boys were playing in from of the school, when a passing stranger threw them a couple of handfuls of campaign buttons. There was a wild scramble for them, an dwhen the last button had been gathered up the boys dispersed, and later several, including Sullivan, Aspinall in Part II of the County Court this met in front of the school and began to Sullivan, it appears, who very successful, and he about cleaned out his associates and

that ended the game. Then the boys began to fool and one of them grabbed George Conaty's cap and threw it to Sullivan and he ran with it and Conaty gave chase. The police say that Sullivan was tripped up close to the curb line and that when he fell his stomach struck the sharp edge of the stone. The injured boy was taken to his home at 131 Jackson avenue and Dr. P. J. McKeown, the family physician, called and after he had exemined the boy advised his removal to St. John's Hospital. An ambulance removed the lad to that institution and yesterday an operation was performed on his atomach, but his condition has not been at all favorable to recovery.

Detective Peddergant of the Hunters

Point precinct, arrested young Consty, as Sullivan in his ante-mortem statement said that Conary had tripped him up. Conary is Club?" he was asked, il years old and resides at 133 Tenth street. "I am a member of The police found that John Maloney, 11 years old, of Seventh atreet, was one of the boys them for business reasons. Yes, I am a present at the time and he told them that member of the Union League Club, but I Conaty was arraigned in the Long Island City police court this morning and the hear-

TO MEET PARK COMMISSIONER.

ing put over until this afternoon. He says

that he had no intention of injuring Sullivan

as they were all having a good time to-

Next Tuesday morning at 10 o'clock. the sion. Prospect Park, to protest against the the Democratic party into camp, and I could macadamizing of the speedway on Ocean pay truthfully that I believed in Republican Parkway, and to request the use of the said tenets. But I am a Democrat and always speedway for light harness horses,

No Reason Why Its Proprietor Should Be Punished for Running Sunday Shows.

WENT INTO HYSTERICS IN COURT | BIG THEATERS UNMOLESTED.

Tighe Will Consider Pulvidenti's Case.

Assistant Corporation Counsel Wilson was half, hearted in his prosecution of Carlo Pulvidenti, in the Adams street court this morning, for Signor Pulvidenti, he seemed to believe, was promoting peace in the Italian colony when he gave Sunday performances the hotel delective, who caused the girl's did not see, and he said so to Magistrate Tighe, why the police singled out Pulvidenti when the Orpheum, Hyde & Behman's and ing maybe more than that of the Italian and not giving a more moral show were permitted to go unmolested. The indications were that the prosecution against Pulvidenti came from local police headquarters and that Destatement made in court, for believing that tectives Vachris and Mealli went to Pulvidenti's place at 101 Union street to close the took the articles. Mark Alter, her lawyer, place up under orders from somebody higher said that she was ill with diphtheria last up. And while they were witnessing a most June and, that the disease had left her in innocuous show the band was playing in the such a weakened condition that she had been Orpheum and Hyde & Behman's and other theaters in the town and there were no potinue her work. When she entered court licemen about. That was on the 3d of Sep-

The detectives told, in the Adams street into hysterics. Then, too, the articles she court this morning, just what they saw in stole were of small value compared with Pulyidentl's little show house on Union what she might just as easily have taken, had street. The price of admission, they exshe been actuated by the ordinary motives plained, varied from 5, 10 and 15 cents, just a half rate as compared with the "ten, twent" Miss Austin is a remarkably handsome and thirt' houses. They described the oung woman, about 33 years old. She was show in detail, and told how there was a born and brought up in Ireland, where her | nice little, well behaved marionette army to family was wealthy and highly respected, show the daring doings of Charlemagne, Fifteen years ago her father, who was a mainly affeld, and a Charlemagne in wood, merchant, failed in business, and it became with wooden joints, to flop around in the necessary for the daugther to support her- most lifelike way. Charlemagne and his doings took up 90 minutes of the performance, and then a graceful little Spanish woman, robed in the costume of Carmen, and who spoke Italian like a Neapolitan, sang three dainty little songs. That was followed by a one act comedy, "The Lovers of Loretto," in which three swarthy Italians and the graceful little Spanlard acted as the cast. Hospital as a nurse, and soon came to have There was nothing immoral about the performance, the detectives declared, although that went without saying when Charlemagne and such a trim little Castalian was concorned, and the officers intimated that there was no disorder and that Black Hands, if there were any in the audience, were happy in their temporary innocence.

But the evidence was dead against the show. The performance was given on Sun-day, and that was clearly a violation of the law, and a distinct menace to the peace and here was no fear of them filling up with cheap wine and plotting to shoot and stab, as "is their nature to" sometimes. Captain Charles Formesa, of the Hamil-

on avenue station, was questioned by the magistrate and said that the place was perfectly orderly and was really an agency for good order in the community, since it was in he heart of the Italian settlement, where cople were turbulent, and if they stayed on the street trouble was likely to come. "The show," said the captain," in answer to Magistrate Tighe, "is not different in general effect from that at the Orpheum and other places in Brooklyn on Sunday night." at the request of the police commissioner. 'Or course," he continued, "there can be no question upon this evidence that these people were violating the law. The charter says that it shell not be lawful to exhibit on the first day of the week to the public in any building, garden, grounds, concert New York any interlude, tragedy, comedy, opera, ballet, farce, negro minstrels, negro

room, or any room or place in the City of r other dancing, or any entertainment on the stage, or any part or parts therein, or place is really a help to the order of the community, but that does not change the law. Of course, we all know that as appears by the testimony, other places are running a number of acquaintances and the funeral in this city, such as the Orpheum, Hyde and will be provided for and a decent interment Behman's and other playhouses, Sunday nights, and aithough I have never been at a performance I am credibly informed that there is really no distinction between that performance and the performance we have here, in point of law. Just why a prosecution is made against this place, and not against the other larger and more pretentious places. I do not understand, and, of course, it offends our sense of fairness."
"The police claim, I understand, that one

reason was that the Orpheum and the other places paid \$500 for a theatrical license, whereas this place paid but \$25 for a common show license, but that, of course, is absurd. However, all this may be, it does not change the law, and we are here simply to enforce the law as we find it, and under the evidence I cannot see that your honor can do anything else than hold the de-

fendant for the Sessions."
Magistrate Tighe said: "Of course, the dea about the license is absurd. No one can have a license to break the law. . These other show houses, the Orpheum and Hyde & Behman's and the others are running every Sunday night without molestation, and why the police should prosecute this defendant I am at a loss to understand. The place is helpful to the order of the community and really a honefit to these people. I am soing to examine the authorities pretty carefully on this ouestion, and decision is reserved until Monday morning."

WEED SAYS HE'S A DEMOCRAT.

Weed, candidate for Alderman on the Democratic ticket from the Eighteenth Assembly District, is a member of the Union League Club, which is a distinctly Republican organization. Several members of the club have called attention to the fact and have asked the question whether the well known ceterer was such in politics as well as la businese.

larly enrolled, and had been a Democrat all his life. He was in some doubt about his attitude during the free silver campaigns, but in local politics said that he had never initered, "Are you a member of the Union League

the district," replied Mr. Weed. "I am in Sullivan was tripped up, but that it was all have not been in the clubbouse for five years. "Do you still pay your dues and keep up "Why, yes. I am in the club for husiness.

"I am a member of every organization in

pasons, and of course I pay my dues. "Hear long have you been a member?" "About ten years. Ever since I have been in business here," replied Mr. Weed. "When you applied for membership were you not required to declare that you were a

Republican? "I really don't remember, it was so long committee from the Parkway Driving Club, Pleasure Drivers Association and Bay Ridge that I had to say that I believed in the Driving Club will meet Park Commissioner tenets of the Republican party. That was Michael J. Kennedy at the Litchfield man- shout the time when the free silver men took

MISCELLANEOUS.

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CASHIER CLARK CONFESSED.

Before Suicide, Wrote Paper Supposed to Involve Pennsylvania Politicians and Business Men.

Pittsburg, October 20-There were very few depositors around the Enterprise National Bank to-day. A meeting of the board of directors was to have been hold this afternoon, but a statement from National Bank Examiner John B. Cunningham that it would be some time before anything definite could be learned, necessitated a postponement un-

til some time next week. As the investigation proceeds it shows that Cashler Clark, who committed suicide, was interested in many corporations and that his associates were prominent men. Startling revelations are being made as to the manner in which the dead cashier managed the moneys of the bank. Some of the directors, on the strength of what has been discovered, intimate that Clark was a defaulter to

a large amount. It is believed that President Frederick Gwinner and the wealthier men of the bank's directorate will make some effort to get control of the Santa Fe Central Railway and the Pennsylvania Development Company, which concerns are so much involved in the bank's affairs. By doing this as individuals the directors may hope to save themselves, f they are compelled to make good to the state any shortage in the funds. It is further believed that the depositors will lose

nothing. Funeral services over the body of the late cashler were held this afternoon at the family residence, Bellevue. Only the immediate relatives were in attendance. It was reported this afternoon that among

the private papers of T. Lee Clark, the dead vashier, of the Enterprise National Bank, is complete confession of the operations which brought about his ruin and the closing of the bank. This confession, it is said, narrates minutely all the steps in the proccedings attending the securing of the bank's funds and how the loans were made, to-gether with the names of the politicians conerned.

The paper is said to have been found in the vault of the bank and is now in the hands of Bank Examiner Cunningham, temporary, receiver, but so far as known the directors pact the demure little nurse, who was so security of the community. Privately, while of the bank are not aware of its nature. An faithful in her attendance on the patient, he knew it was against the law, Magistrate effort was made to communicate with Mr. and who had a frank cheerful word for all he knew it was against the law, Magistrate effort was made to communicate with Mr. and who had a frank, cheerful word for all Tighe was in sympathy with the defendant, Cunningham regarding the alleged confesfor he knew that when a parcel of Italians sion, but without success. He was not at were engaged in such pastoral enjoyment the bank to-day or at his office in the Federal Building.

OLD POLICY MAN A SUICIDE.

Body of William Present Found on the Long Meadow in Prospect

William Present, an old time policy degler Mr. Wilson said that he appeared in court driven out of the business and tacing indictment by the Grand Jury, shot himself some. time during the night on the Long Meadow. in Prospect Park. His body was found there, this morning, by a policeman of the park precinct. The pistol with which the shooting had been done was lying near his hand and a wound in the abdomen had evi-

dently caused instant death. The officer reported the matter to the station and the body was taken there, while a message was sent for an ambulance in order any equestrian circus or performance of to have the testimony of a medical expert jugglers, acrobats or of rope dancing, and a that he was lifeless. There was no question violation of the law is a misdemeanor. The about the identity, for the man had papers captain of the precinct has testified that this in his pocket which indicated that he was William Present, of 80 Smith street. The remains were taken to the morgue pending their being claimed by friends. Present had will be provided for and a decent interment will be given.

Three weeks ago Present was held for tho Grand Jury for selling policy and that preved on his mind. For years he had been immune from punishment and though arrested again and again he managed to escape imprisonment. But about a year ago he got is first penalty. He was sent to [all for twenty-nine days and after that he was more careful. He was 60 years old and one of the oldest men in the game in Brooklyn. He had been in the old days one of the licuten-ants of Andy McClennan, who was the boss of policy in Brooklyn for a while and who had headquarters unmolested by the police, except in times of sudden outbursts of virtue Present had a little shop on Smith street, which he kept under the guise of a shoe

Present was married and a queer thing about him was that he had not spoken to his wife for thirty years. They were married thirty-three years ago and three years, after the wedding they separated, neve to meet again, it is believed. But she lived in the immediate neighborhood of his store and went up and down Smith street, probably, thousands of times. In all that period Present intimated that he had never seen her and the chances are that she did not care to try to see him. He lived practically alone, but he was known to most people in the neighbrhood of the new local police headquarters which is not a stone's throw

HEARST, 825 OUT OF 832.

It was learned to-day that William St Straw Vote Reported From Hollis Shops of L. I. R. R.

One of the most extraordinary test votes ever taken in this city was that made yesterday at the repair shops and factory of the Long Island Railroad Company at Holits. With a view to determining the favorwin business.

When asked to-day if he was a bona fide ployes for mayor, some of the men rigged up bemocrat Mr. Weed said that he was regulated a ballor box and word was sent around that all mon who had registered and were envote was by secret ballot. There are about nine hundred men in the shops, it is said, and of these there were \$32 entitled to vote throughout the city. The counting of the ballots ferulted as follows: Hearst, 825; McClellan, 5; Ivins, 2,

THE CHARLEST HOUSE OF AN INCHES HAVE A YOUR LIVER

may be torpid from excessive coffee drinking.

Postum

and note the change. "There's a Reason."