

ALL MARION AT TRIAL OF WHITE CAPS.

Mrs. Potter Tells on Witness Stand How Masked Men Invaded Her Home and Dragged Forth McDonald and Herself.

BROKE DOWN THE DOOR

McDonald Gives a Graphic Account of How He Was Smeared with Cement and Feathers and Ridden on a Rail.

(Special to The Evening World.) PLYMOUTH, Mass., Nov. 25.—London had its Jack the Ripper. New York had the Molnueux case, but old Plymouth, staunch bulwark of Puritanism, guardian of the Mayflower relics, cradle of the Yankee, has its "White Caps."

Long before the sun appeared to-day above Cape Cod and crimsoned the marble statue of Miles Standish this historic county seat, encircled with salt brine and valiant memory, began to stir. In the opal light reflected from the Atlantic's bosom and chilled by a breeze that rocked the whalers in the bay, New Englanders flocked hither through highways and byways.

There were rigs, gigs, hacks, spring wagons, buckboards and skilles. Black horses, gray horses, old horses, skittish horses, horses wearing nickel-plated harness, and some with traces of rope. The trotting cars were speckled to the limit, and Ephraim Speck, popular motorman of Brockton, "allowed" he came in "so darn fast" that a flock of partridges sitting on the track could not escape. They were all killed.

Plymouth is proud. Plymouth, you must understand, is a town of 2,000 people, a metropolis. It is here that the Superior Court, presided over by Judge Robert C. Harris, is now trying seven young citizens of Marion, who are accused of stripping James McDonald on the night of August 1 and decorating him with tar and feathers.

Plymouth looks with fine scorn upon the poor benighted folk of Marion, a little town twenty miles distant, and regards them with dignified apathy. The scandal convulses Marion and all the county. But Marion is not alone. "This is the greatest sensation we have had," confided Eli Elizer Heck to an Evening World reporter, "since the Gardner-Howland affair, when Marion lost its greatest preacher and the highest moral school teacher that ever swung a birch."

They "Want' Know." Plymouth is a long way from the Tenderloin. Crime and wickedness are a novelty here. At least they are not flaunted. But when Charles Potter, an honest, upright mechanic of Marion, testified in court yesterday that he found his young wife, Clara, in the hands of the White Caps clad only in her shoes and stockings and a singe-garment word was passed with wire-lass speed and to-day elder mills and corn fields were abandoned in order that Clara Potter's testimony might be heard from her own lips.

"Know Clara Potter?" ejaculated Elizer Heck to the reporter last night as the train pulled into Marion from Plymouth, crowded with witnesses and principals who had been to court. "Well, I s'wore you don't!" The village had assembled en masse to hear the first day's results and when Potter, his wife and James McDonald, the man who was tarred and feathered, alighted together, a cry of indignation rose from 500 lips.

Svengali with a Goatee. McDonald is sixty-five years old, has an squire's girth and wears a goatee. As a Lotherio he would be left at the post in New York. At Marion he is believed to have some uncanny power over women, and the influence of his eye is dreaded.

McDonald was tarred and feathered; this fact is not denied, because Marion believed him too intimate with Clara Potter. It is also alleged that he dispensed apple-jack and other forbidden beverages on the quiet. The outrage was enacted within a stone's throw of the houses of Richard Harding Davis, John Clark, of Chicago, Mrs. Davis's father, Richard Watson Gilder, and many other well-known summer residents.

The town people sympathized with Potter, who is an industrious man of unblemished character. That indignation may be imagined, therefore, when

\$1,500,000 FOR NEW RACE TRACK

Westchester Association Purchases Six Hundred and Sixty Acres Just Outside Long Island City Limits.

TO ABANDON MORRIS PARK.

New Plant Will Cost Vast Sum and Is Expected to Excel Any Race Track in the World—Stakes Are Announced.

The Westchester Racing Association announced this afternoon that it had secured control of a site for a new race track on Long Island near the town of Queens just outside the Long Island City limits, and would begin work shortly on the property.

The new track will take the place of the Morris Park Track, which will pass out of existence on Jan. 1, 1904.

While the Westchester Association was not the purchaser of the land for business reasons, it will shortly buy the tract from those who now hold it and whose names are for the present secret.

The purchase price was \$1,500,000 and it is proposed to construct a race track that will excel any other racing plant in the world.

Will Have 1,000 Acres in All. There are 600 acres in the tract and the plans allow for a seven furlong straightaway course, a mile and a half circular track and a mile training track, besides the usual steeplechase course.

The plans have already been prepared for the tracks and the stands and 400 additional acres will be set aside for stables and training quarters.

The new race track will be situated just outside the Long Island City limits near the station of Queens. It is convenient to the railroad and trolley and will be built with the idea of being a permanent institution.

The State Racing Board recommended that the site be selected and opposed the closing of any tract in the city limit to go to Europe with me. She said yes she would like it very much. So we agreed to go.

Q. Did you ever take a letter to the plaintiff as Mrs. Langer? A. No. Q. How did you address her? A. As Mrs. Reel.

Q. Never as Mrs. Langer? A. Never. Q. Do you swear that you never heard Mr. Langer speak of plaintiff as "my sweet little wife"? A. Yes, I swear it.

Q. Was he at that time the secretary of the Boston and Colorado Mining Company? A. Yes.

The Real Mrs. Langer. Robertson Honey appeared with a doctor's certificate, saying that Carrie Evers was too ill to be in court and testify.

The real Mrs. Langer—Annie E.—who has never taken her eyes from the pretty plaintiff since the trial began, took the stand. She was dressed in deep mourning. Her voice and manner were those of a woman of culture. She was anxious to testify.

Q. Do you know the plaintiff? A. No. Q. Do you know her reputation? (Quickly and emphatically.) A. Yes, sir. (Objection sustained.)

The next witness was Warren B. Smith, member of the Millionaire Club and defendant in this action.

He said he and Cochrane had been to the race together and visited the house kept by Mrs. Evers, where they saw her. "Then I suggested," he said, "having a dinner to eat, so we went to Sharkey's. After supper I suggested to the plaintiff that we should go to my apartment, and she said she would like a hansom and drove over. At my apartment I asked her if she would like to go to Europe with me. She said yes she would like it very much. So we agreed to go."

Q. Did you ask the plaintiff to become your wife at the Savoy in London, or at any other place? A. Never. Q. Did she ever say she would like to about marriage between you and her? A. Yes, she said she would like to.

He separately denied every line of the plaintiff's testimony bearing upon the alleged conversations relating to her marriage. He said he had paid her \$700 or \$800 more than the \$300 she had admitted receiving from him.

Mr. Hummel Takes a Hand. Q. You never introduced the plaintiff to any one anywhere as Mrs. Smith, did you? A. I never did.

Mr. Hummel took the witness, and he admitted that he had two suits of apartments on different floors at the Rutland and a house in Yonkers. He also had a suit in Paris at No. 5 Square de l'Opera.

Q. How did you register at the Metropolitan in Monte Carlo? A. As W. Sutherland. Q. And she? A. As Mrs. W. Sutherland. Q. Then you were known there as man and wife? A. Yes.

Mr. Smith admitted having written the "My dear little Julie" letter in which he said "I send you \$300, will send you \$300 on the first of February and \$300 on the first of each month afterward."

LANGER SUIT IS FOR A FORTUNE.

Means \$300 a Month to Young Woman Plaintiff, \$180,000 Without Interest, If She Lives to Be Seventy.

ELDERLY DEFENDANT RICH.

Case for the Defense Begun with Arraignment of Woman Warren B. Smith, of Millionaires' Club, Took on Trip Abroad.

In opening the defense of his millionaire client, Warren B. Smith, in the suit for breach of contract to pay her \$300 a month brought by the beautiful Julie Reel, otherwise known as "Langer," Carlisle E. Norwood told the jury that the suit, ostensibly for \$600, two monthly payments, was really for a fortune.

The claim of the dashing plaintiff that Mr. Smith agreed to pay her \$300 a month for the rest of her natural life.

As Julie is, according to her own confession, only twenty-three, she has still on the Biblical dictum about half a century to live, having accident. This would mean, at \$300 a month or \$3,000 a year, about \$180,000, without interest.

The Colored Valet's Story. A tall, slender mulatto, William E. Hunt, of No. 24 East Eighty-fourth street, was the first witness for the defense.

He said he was employed as a valet for three years by the late Louis M. Langer. He said he first met the plaintiff at No. 304 West Fifty-fifth street. He lived with Mr. and Mrs. Langer at the Lorenz Hotel, in East Seventy-second street, and at No. 800 Lexington avenue.

Mr. Hummel took the witness. Q. Did you ever take a letter to the plaintiff as Mrs. Langer? A. No. Q. How did you address her? A. As Mrs. Reel.

Q. Never as Mrs. Langer? A. Never. Q. Do you swear that you never heard Mr. Langer speak of plaintiff as "my sweet little wife"? A. Yes, I swear it.

Q. Was he at that time the secretary of the Boston and Colorado Mining Company? A. Yes.

The Real Mrs. Langer. Robertson Honey appeared with a doctor's certificate, saying that Carrie Evers was too ill to be in court and testify.

The real Mrs. Langer—Annie E.—who has never taken her eyes from the pretty plaintiff since the trial began, took the stand. She was dressed in deep mourning. Her voice and manner were those of a woman of culture. She was anxious to testify.

Q. Do you know the plaintiff? A. No. Q. Do you know her reputation? (Quickly and emphatically.) A. Yes, sir. (Objection sustained.)

The next witness was Warren B. Smith, member of the Millionaire Club and defendant in this action.

He said he and Cochrane had been to the race together and visited the house kept by Mrs. Evers, where they saw her. "Then I suggested," he said, "having a dinner to eat, so we went to Sharkey's. After supper I suggested to the plaintiff that we should go to my apartment, and she said she would like a hansom and drove over. At my apartment I asked her if she would like to go to Europe with me. She said yes she would like it very much. So we agreed to go."

Q. Did you ask the plaintiff to become your wife at the Savoy in London, or at any other place? A. Never. Q. Did she ever say she would like to about marriage between you and her? A. Yes, she said she would like to.

He separately denied every line of the plaintiff's testimony bearing upon the alleged conversations relating to her marriage. He said he had paid her \$700 or \$800 more than the \$300 she had admitted receiving from him.

Mr. Hummel Takes a Hand. Q. You never introduced the plaintiff to any one anywhere as Mrs. Smith, did you? A. I never did.

Mr. Hummel took the witness, and he admitted that he had two suits of apartments on different floors at the Rutland and a house in Yonkers. He also had a suit in Paris at No. 5 Square de l'Opera.

Q. How did you register at the Metropolitan in Monte Carlo? A. As W. Sutherland. Q. And she? A. As Mrs. W. Sutherland. Q. Then you were known there as man and wife? A. Yes.

Mr. Smith admitted having written the "My dear little Julie" letter in which he said "I send you \$300, will send you \$300 on the first of February and \$300 on the first of each month afterward."

Q. Why did you write "You will be a great help to me. I want to break the whole thing off. Q. Then why in the same letter did you write "I would esteem it a favor if you would let me know your address, as I would be very unhappy if I thought that you did not want to see me again"? A. Oh, to end the letter.

The fair defendant here immersed her dainty pink nose in tears.

MRS. GORE MURDERED SAY THE AMERICAN DOCTORS.

Their Report to Consul Gowdy Shows that the Fatal Shot Was Not Fired by the Woman Herself, but There Is Some Disagreement Among Them.



PARIS, Nov. 25.—That Mrs. Gore, the pretty American singer, did not commit suicide or meet death by accident, is the verdict of the independent post-mortem examination by the commission of four American doctors appointed by Consul-General Gowdy at the instance of the State Department at Washington, made this morning at the morgue.

The American doctors found that the bullet entered the pupil of the right eye, cutting the lower eyelid, and emerged in the rear of the right side of the head at less than half an inch elevation from the point of entry. The body bore no marks of a struggle and there were no powder marks at the entrance of the wound.

The doctors have been given forty-eight hours in which to consult the official report. Mr. Gowdy, in the meantime, has ordered them not to give any official opinion on the case. He is asking to avoid a clash with the French experts. The report of the American commission will be restricted to the pathology of the wound and the direction of the bullet, with no opinion as to the cause of death.

The four American doctors, Messrs. A. J. Magnin, Edmund L. Gros, Turner and Whitman, were present at the examination, as were also Dr. Souquet (who made the first autopsy), at the request of the French officials, and M. Raquet, representing Mr. Gowdy. The body was brought into the amphitheatre used for demonstrations before the students. Dr. Souquet explained the course of the first autopsy and the American doctors carefully made their own inspection, but they made no new incisions. The skull had been sawed in two parts along the course of the wound.

This permitted the Americans to make measurements to establish the range of the bullet. It was obvious that the range was not greatly upward, as at first announced, but was almost parallel with the earth, indicating the theory that death was caused by an aimed weapon.

Mrs. Gore's Effects. Mr. Gowdy received from the State Department this morning a request from Mrs. Gore's relatives to take possession of her effects. Accordingly he took charge of two trunks, a good deal of music and a little jewelry. The articles showed the simple, refined tastes of the deceased.

The burial place of the remains of Mrs. Gore has been changed to the Bagneux Cemetery, owing to its being unseafarmer. Mr. Gowdy has leased a lot there for five years, during which the relatives of the deceased will decide whether they will remove the body to America.

Serge De Rydzewski was acquitted by the French authorities of all responsibility for shooting Mrs. Gore. He has disappeared. It is thought his friends have him in hiding and will get him back to Russia with all speed.

Maitre Cruppi, the Russian's attorney, says that he has instructed his client to keep out of the way, as he speaks French so badly that he might be misinterpreted if he submitted to an interview.

The lawyer, who was present at the reconstruction of the scene of the tragedy, says that Dr. Souquet enacted the part of Mrs. Gore, sitting at the side of the bed in the position indicated by the prisoner.

It was in taking his card case from the night table that Dr. Rydzewski knocked off the revolver, the heavy butt of which struck the floor and discharged the weapon.

Maitre Cruppi said that when Dr. Souquet, the medical expert, and Gaston Renette, the armorer, were unable to contradict the prisoner's statement, the magistrate turned to him and said: "It is well. You are free."

Her Body a Mass of Bruises. Dr. W. Travers Gibbs, the Society's visiting physician, was sent to the tenement and examined the little girl. He told Magistrate Crane to-day that he had found her left arm and hand covered with contusions, the entire arm being swollen and discolored and the left hand twice the size of the right.

The doctor also found the entire area of her frail little back a mass of contusions and abrasions. On her left thigh and in the region of her thigh he found a large contusion, sixteen inches long and eight inches wide, made up of a large number of smaller contusions. On her left leg there were twelve contusions and abrasions, each one from one half to two inches square, and on her head there were several wounds.

Dr. Gibbs told the magistrate that in his opinion all the wounds and bruises were inflicted by some heavy iron weapon.

CHILD VICTIM OF HIS BLOWS

Nora Reen, Aged Twelve, Tells a Shocking Story of the Brutality of Her Uncle, John Burke.

BODY A MASS OF BRUISES.

Magistrate Who Hears the Case Regrets There Is No Whipping Post or That He Cannot Get a Bigger Man to Lick the Accused.

John Burke, a big, brawny man of middle age, was arraigned before Magistrate Crane in the Yorkville Police Court to-day charged with shocking brutality toward his twelve-year-old niece, Nora Reen. The child, covered with bruises and cuts, could barely support herself on her frail little legs as she leaped to the magistrate a story of how her uncle had beaten her into a state of unconsciousness with a coal shovel, and then had kicked her about the floor.

The prisoner was brought into court by Policeman Foley, of the Eighteenth precinct, and Agent O'Connor, of the Children's Aid Society. Agent O'Connor told Magistrate Crane that last Sunday he had been notified by a little girl living in the tenement at No. 414 East Twentieth street, that her little playmate, who lived in the same house, had been fearfully beaten by her uncle and though she was in a very dangerous condition her uncle would not allow her to have a doctor.

Her Body a Mass of Bruises. Dr. W. Travers Gibbs, the Society's visiting physician, was sent to the tenement and examined the little girl. He told Magistrate Crane to-day that he had found her left arm and hand covered with contusions, the entire arm being swollen and discolored and the left hand twice the size of the right.

The doctor also found the entire area of her frail little back a mass of contusions and abrasions. On her left thigh and in the region of her thigh he found a large contusion, sixteen inches long and eight inches wide, made up of a large number of smaller contusions. On her left leg there were twelve contusions and abrasions, each one from one half to two inches square, and on her head there were several wounds.

Dr. Gibbs told the magistrate that in his opinion all the wounds and bruises were inflicted by some heavy iron weapon.

Child's Story of a Savage. The little girl then told her story. She did not cry or whimper, but spoke in a rather matter-of-fact way as if telling of some ordinary occurrence.

Said: "About 2 o'clock on Thursday morning Uncle John came home and, dragging me out of bed, told me to light the fire and cook him some coffee. I went to the stove and began shoveling in some coal. While I was doing this my little brother, Johnny, who is nine years old, came in the room and Uncle ordered him to go back to bed."

"Johnny began to cry and said he wanted to stay with 'sister.' Then he went to bed."

Speculating on Site. Some of the persons who expected to win big commissions for the sale to the Government of a site for an uptown Post-Office are already doomed to disappointment. Many of the offerings were made without the knowledge of the owners, and are to be thrown out without being considered.

This fact came out to-day at the conclusion of a two hours' conference in the Federal Building between Postmaster Van Cort, Collector Stranahan and United States District Attorney Burnett, composing a sub-commission representing the Attorney-General, the Postmaster-General and the Secretary of the Treasury.

Mitchell Worried by News Strike Settlement is Off.

WASHINGTON, Nov. 25.—News of the statement of the operators in New York that the hearings on the coal strike before the commission named by the President would be resumed was received with surprise here, where it was expected that the whole matter would be settled out of court.

MITCHELL WORRIED BY NEWS STRIKE SETTLEMENT IS OFF.

John Mitchell, President of the Mine Workers; Wayne MacVeagh, representing the coal roads, and others who came to attend to-day's conference were greatly disappointed by the turn the situation had taken in New York.

NEW SUPERINTENDENT OF KINGS COUNTY HOSPITAL.

John F. Fitzgerald, of Rome, N. Y., has accepted the position of Superintendent of the Kings County Hospital, to succeed Jesse T. Duryea. Mr. Fitzgerald has for twelve years been superintendent of the Custodial Asylum for Unteachable Idiots, a State institution at Rome.

ON A CHARGE OF STEALING A TON OF COAL.

Michael Holton, of No. 521 West Twenty-eighth street, was held in \$500 bail in Jefferson Market Court this afternoon on the charge of stealing a ton of coal from Henry Stadlander, a coal dealer, of West Twenty-sixth street.

SUDDEN END TO SETTLEMENT OF THE COAL STRIKE.

Just as It Was Announced a Basis of Agreement Had Been Reached at Washington, the Operators Decide that Hearings Will Be Resumed by the Commission.

"Divine Right" Baer Declares That the Efforts to Adjust the Matters at Issue Out of Court Cannot Result in Anything—Independent Operators Forced This Stand.

Soon after a telegram arrived from Washington to The Evening World this afternoon, announcing that a basis for strike settlement had been agreed upon by President Mitchell and Wayne MacVeagh in that city, President Baer, of the Reading Railroad made an announcement here that indicates that the settlement of the question will be left to the Roosevelt Strike Commission after all.

It looks like a victory for the independent operators who came down from Pennsylvania to-day to protest to the coal Presidents against the settlement of the questions involved in the strike away from the Commission at this time. All of the operators united this afternoon in refusing an invitation to meet John Mitchell and his associates for a talk over settlement of the strike in Washington next Friday.

INDEPENDENTS MADE THREATS.

The independent operators, who control 15 per cent. of the output of the anthracite region, have not been considered thus far in the hearings of the Commission. They assert that they have been unfairly treated, and that it will not be right to make a settlement unless they have something to say about it. If forced into a settlement by the coal road presidents, they threatened to make it warm for the coal-carrying trust.

At a meeting held to-day at No. 68 William street the independent operators formulated their demands. These demands were presented to the coal road presidents at a meeting held this afternoon in the Jersey Central Building. At the conclusion of the meeting President Baer, who had been chosen spokesman by his associates, made this statement:

"BEST TO GO ON," SAYS BAER. "In the midst of the conference a request came from Washington to the operators of both classes asking them to meet Mr. Mitchell and his associates on next Friday at 10 o'clock in the morning. All the parties present then empowered Mr. Baer to deliver the following message to the public through the press:

"The conditions are such that no substantial progress toward an adjustment can be made by the suggested meeting. The general judgment of the operators is that it will be best for the present to go on with the hearing."

This practically puts the coal situation where it was before the sudden adjournment of the Presidential Commission last week. It looks as if the road is not yet clear for settlement.

INDEPENDENTS GIVE OUT A FIGHTING STATEMENT.

In opposing the Presidents of the coal roads, who wish to settle the questions at issue in the strike without further interference on the part of the Commission appointed by President Roosevelt, the independent operators take a stand outlined in the following statement read to a joint meeting of the railroad Presidents and the independent operators held in the Jersey Central Building to-day:

"FIRST—We believe that such a settlement at this time and upon the basis suggested would forever establish the power and perpetuate the injustice perpetrated by the union mine workers."

"SECOND—That such a settlement would be in the eyes of the public a confession that we have heretofore been guilty of all the offenses charged against us."

"THIRD—What we have and believe that you have such a perfect and complete defense to the allegations made by the complainant before the Commission that any money award the Commission could render would be far less than the amount we understand it is proposed to concede especially to miners and their laborers."

"FOURTH—That, aside from any money consideration, this Commission, composed, as we believe, of men that are absolutely fair, unbiased and of unusual experience and good judgment, in their finding will make such declarations as will force many years put a ban upon unlawful practices, oppression of non-union men, unjustifiable demands and other grievances that we have been struggling under since 1900, when the union first took possession of our property."

"On the other hand, this settlement is made now, when not a single witness has been called on our part or on your behalf, it will be an absolute and distinct surrender to the Miners' Union, and the troubles above referred to will not only be continued, but so magnified as to be absolutely unbearable."

"The hearings before the Anthracite Coal Commission present the first opportunity that the coal operators ever have had of presenting their case before the general public, who are really an important third party, since an abstract at least of these proceedings is published all over the United States, and it is the duty that we owe to ourselves as well as to them to prove that the continued and repeated charges of injustice, barbarity and extortion are absolutely unfounded; all of which the individual operators at least propose to do."

"The case as presented already shows such weakness that we believe that they (the miners) were almost disheartened when the suggestions for a compromise were made. We believe that any surrender of our part which would be practically what this compromise would amount to would be by far the most serious mistake ever made in the anthracite coal business."

"We have stated our position signed by twenty-seven independent anthracite coal operators and addressed to the coal presidents, was handed out from Mitchell's office in the Jersey Central Building at the conclusion of the conference. In addition, a copy of an address made by U. D. Simson to the coal presidents, was made public."

Mr. Simson's remarks were along the line of a vigorous plea against any backdown by the coal-carrying roads. He said in part:

Of Interest to Women. A competent ladies' maid renders her services to lady patrons of the Pennsylvania Special on trips between New York and Chicago.

WEATHER FORECAST. Forecast for the thirty-six hours ending at 8 P. M. Wednesday for New York City and vicinity: Rain to-night; Wednesday rain, followed by clear and colder, increasing northeast winds.

The Ladies' Maid. A competent ladies' maid renders her services to lady patrons of the Pennsylvania Special on trips between New York and Chicago.

(Continued on Second Page.)