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NIGHT EDITION

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FORTY-FOUR VOTES AGAINST THE TUNNEL?

Board of Aldermen Postpone Fight Until Next Tuesday, but Opposition Claims a Big Majority.

BOTH SIDES DODGED ISSUE.

Although Mayor Low Sent a Message Favoring Pennsylvania Franchise, It Is Asserted More Republicans Now Oppose It.

Without taking a test vote and after very little debate the Board of Aldermen this afternoon postponed consideration of the Pennsylvania tunnel franchise until next Tuesday. This was done after a message from Mayor Low urging action had been read.

Before the Board met it was asserted that the opponents of the franchise would insist upon immediate consideration. This would have necessitated a suspension of the rule requiring a two-thirds vote. Fifty-three votes would have to be cast to suspend the rules.

The opposition may have found it impossible to get so many votes. At any rate, they made no protest against postponement for a week.

What will be done with the franchise when the board meets next Tuesday is still problematical. Before and after to-day's meeting it was asserted that the Aldermen are now divided in this way:

For the Tunnel	22
Against the Tunnel	44
Doubtful	13

From a poll taken in the Board while it was in session this afternoon the following is the present attitude of the individual members on the franchise:

FOR THE FRANCHISE.

McInnes, Howland, Dowling, Lyell, Parsons, Goodman, Meyers, Owens, Leitner, Peck, Longfellow. Total—22.

Downing, Walsh, Hebert, Lessig, Wirth, Blake, Downtown, Haffen, Cromwell, Cassidy.

AGAINST THE FRANCHISE.

Kennedy, Foley, Higgins, Marks, Sullivan, Gilkin, Forges, Harburger, Doull, Metzger, Richter, Donohue, Toomey, Gaffney.

Gutman, Mc[illegible], Schapiro, Plotz, P. J. McCaul, [illegible], Hirschberger, [illegible], Bridges, Walter, Stewart, Diemer, Malone, Lundy, Gillen, [illegible], Brenner, Wenz, Geffner, Meloy, Gilsen.

Mathews, Jones, Baldwin, Florence, Coggey. Total—44.

DOUBTFUL.

Cantor, Devlin, Holmes, Ware, Behrmann, Holler, Dickinson. Total, 13.

Bennett, Alt, Schrotzer, McCarthy, Willett, Shea.

The poll was taken by a non-partisan committee of the Board. The poll shows that several Republican members have rallied to the opposition to the tunnel.

Big Crowd Present.

The great public interest in to-day's meeting was reflected in the large gathering of Democratic and Republican politicians. Assemblyman Sam Prince, who made a speech in opposition to the tunnel at the public hearing of the committee on Nov. 26, came early and occupied a seat in the body—by courtesy.

When Mr. Fornes called the meeting to order it was observed that he had a new gavel. The old one went to smash at the last meeting of the board. Alderman Harnischfeger, of the Bronx, made these remarks in private at the appearance of the new gavel:

"I see the President has a new bung-starter. The Pennsylvania Railroad is a little ahead in its bestowal of Christmas gifts."

Crank Threatens Earthquake.

A man more daring than Alderman Harnischfeger was heard with effect from the gallery. He arose while the roll was being called and pointed a long, bony finger at the Chairman and shouted: "If this tunnel franchise is approved and the tunnel built it will be destroyed by a great earthquake."

While Sergeant-at-Arms Dawson was making a beeline for the gallery the stranger exclaimed: "The earthquake will come with the second visitation of Christ. You can verify my statement by referring to chapter 18, verse 16, of Revelations. I am"—

Then the Sergeant-at-Arms reached the man and dragged him struggling in-

(Continued on Second Page.)

EXPLOSION BLOWS MINERS TO DEATH.

Carelessly Dropped Stick of Dynamite Causes Death of Four Men and Injury to Many Others in the Shaft of a Colliery at Wilkesbarre.

WILKESBARRE, Pa., Dec. 9.—Four men were killed and ten injured, three probably fatally, by the explosion of a box of dynamite in No. 5 mine, of the Lehigh and Wilkesbarre Coal Company, at South Wilkesbarre, to-day.

THE DEAD.

HUMBLE, ROBERT, carpenter, aged fifty-five, married.
JONES, ARTHUR, company hand, twenty-eight, single.
PHILLIPS, MATTHEW, miner, thirty-six, married.
M'GLYNN, JAMES, laborer, thirty-five, married.

FATALLY INJURED.

George Knorr, Charles Stafford and Thomas Evans.

SERIOUSLY INJURED.

Neil Sweeney, John Austin, Dominick Hart, James Peckems.

The men had lowered into the shaft, which is 110 feet deep, a box of dynamite. When the bottom of the shaft was reached Phillips took the box off the carriage. It slipped from his hands and fell to the ground.

The concussion exploded the dynamite and the twenty men who were in the immediate vicinity, getting their tools in readiness to go to their respective chambers, were hurled in all directions. The woodwork at the bottom of the shaft was also torn and scattered about. As soon as possible word was sent to the surface and a rescuing party was sent down.

The mine has the reputation of being the most gaseous in the entire region, and at first it was feared that the gas had exploded and that a score of miners had been killed outright. Fortuntely, however, the gas did not explode.

The dead and injured were brought to the surface as soon as possible. Phillips was mangled almost beyond recognition. McGlynn had his arms torn off. The injured were wrapped in blankets.

TEARS SHED AT STRIKE HEARING

Pathetic Story Told by a Miner Employed by Markles Arouses the Sympathies of Commissioners and Spectators.

JUDGE GRAY PLAINLY MOVED.

(Special to The Evening World.)

SCRANTON, Pa., Dec. 9.—President Roosevelt's strike commission heard more to-day of the deplorable conditions in the Hazleton region, particularly under G. B. Markle & Company.

Henry McGonigal, one of the employees of this company, who was evicted in 1887, told how it occurred, saying that it was because he served on a committee which presented to the Markles a number of grievances. Five others were evicted at the same time.

P. D. Gallagher, a miner for G. B. Markle & Co., explained the system of being a company miner. He showed how since the strike ended the company has discriminated against him to such an extent that he is now able to earn only 50 to 60 cents a day instead of $2.27 a day as before the strike. The place he works is so "hard" that the men would not work it on contract.

How the Pay Was Cut.

They worked as company miners at $2.27, with their supplies supplied. After the strike the company would not allow them to work as company miners; they had to take it on contract. He can now under this plan only make 60 cents a day. He has to pay 35 cents a gallon for oil and 30 cents for blasting paper to the company, while in Hazleton he can buy them for just half. The Commission tried to find the cost of powder in the open market.

The operators said it was $1.25 and the mine workers 95 cents.

Fresh from the grave of his wife, who died after catching cold while being evicted by G. B. Markle & Co., Henry Cole, an old miner, came before the commission this morning and told his pathetic story. His wife was sick when the eviction took place and caught more cold. She died on Friday and was buried yesterday. Cole worked nineteen years for Markle & Co. and never had any trouble with his employers, but thinks his recent difficulty was the result of his having served on a relief committee during the strike. He was horribly hurt in the mines at various times, having every bone in his body broken.

"Every one," he said, "except my neck, and that was hurt. My skull was fractured, I had nineteen stitches in my head, all my ribs were broken and my arm is crooked. All the fingers on my hands were broken, my legs were smashed—this one is no better than a wooden one. I lost an eye in the mines and I've got a glass one. I cannot see out of it."

Spectators Moved to Tears.

He said that when he was confined by his injuries the company never gave him any money, and that when his fellow-workers raised for him $167 the company deducted from it his rent, coal and grocery bills. Supt. Smith gave him $10 for his injured leg.

While he was being evicted he appealed to the Sheriff to let him stay overnight in order to get some place for his sick wife and her mother, who is over 100 years old, but he was put out on the road in the rain. His wife grew worse and died in his arms last Friday night. The mother-in-law was prostrated and she is now dying.

As Cole told his story many of the spectators wept. Bishop Spalding was visibly affected. Assistant Recorder Mosely wept openly, the tears streaming down his cheeks.

Judge Gray said, as the witness concluded, "That's all—and enough."

It Makes Time.

The Pennsylvania Special enables the business man to save actually four hours; but he may pursue his business duties en route. *

RUNAWAY AUTO AND CAR COLLIDE

Windows Smashed, Women Passengers in Panic, and Traffic on Broadway Line Is Blocked.

SIX THOUSAND SHIVER.

Six thousand men and women shivered until they were numb and blue for an hour and a half this afternoon as the result of an automobile crashing into and entangling itself with a Broadway car shortly after 12 o'clock.

The auto-truck belonged to one of the big downtown department stores and was bowling along eastward on Twenty-sixth street when all of a sudden it got beyond the control of its driver, John O'Brien, and racing madly from Fifth avenue to Broadway, following a zigzag course, ran full tilt into a moving Broadway trolley car. The force of the collision broke every window in the car and threw its occupants, who were mostly women, into a panic, though none of them was injured. In colliding with the car the wheels of the self-moving truck became entangled with the fender and dashboard of the car in such a way that it took an hour and a half to free it.

As a result traffic along Broadway was held up for an hour and a half, and before long a hundred cars between Fourteenth street and Fifty-ninth street were huddled together in a congested line.

Even when the motive power is on, the slim, little electric radiators in the surface trolleys generate only sufficient heat to make the cars comfortable on an ordinarily cold day. When the power is off they give out absolutely no heat at all. The result was that these stalled cars, which averaged about sixty passengers, soon were like cold-storage boxes, the commingling breaths of the passengers giving forth the only available heat.

For the first few minutes of the blockade the passengers sat in shivering silence. Then, as the cars kept getting colder and colder, they began to exercise themselves in abusing the road and its managers. Finally they resorted to swinging their arms in the narrow confines of the cars, with the result that this improvised friction, when the flying arms flew wild, wound up in several personal encounters. The women, unused to this masculine method of enlivening the circulation, got up and stamped about, frequently steering on each other's toes. This also led to heated remarks on the part of the feminine passengers whose toes suffered, so that by the time the cars finally started some of the old warmth had been restored.

NEW POSTAGE STAMP IS ODD.

Just Issued and First to Bear a Woman's Head.

WASHINGTON, D. C., Dec. 9.—Stamp collectors and curio enthusiasts are enthusiastic over the new eight-cent stamp just issued by the United States Government, bearing for the first time in the Government's history the portrait of a woman.

The stamp, which has been placed on sale in the post-offices of the country, has the likeness of Martha Washington, similar to that on the old Martha Washington one-dollar bill. Bank notes and bonds bearing the portraits of women have been printed before, but never stamps.

SAYS HE PUT DRUG IN BEER

Used Bromo-Seltzer, the Boy Declares, Then Stole Old Man's Pocketbook and Bought a Bicycle.

STUDENT OF MOLINEUX CASE.

Young Westphal's Remarkable Nerve Breaks Down Under Repeated Questioning—From His Admission the Mystery May Be Solved.

Having admitted that he put bromo seltzer in the beer which George F. Leyh drank and then died, Robert Westphal, the fourteen-year-old office boy, is expected by the Brooklyn police to make a clean breast to-day of his entire connection with the death of his aged and wealthy employer.

Both the police and the Coroner are convinced that the boy is still withholding a great deal and that what admissions he has made are only semblances of the real truth.

Bottle of Poison Found.

There is some reason to believe that the poison which caused Leyh's death was bi-sulphide of mercury, one of the deadliest known to chemistry. In Leyh's store there was a bottle of this chemical. It was marked "poison." It stood on a shelf beside a bottle of cyanide of potassium, also marked "poison."

The potassium is in large crystals and could not be readily used in beer. The mercury is a powder and resembles very much the sediment in the bottom of the bottle from which Leyh drank the fatal beer.

The bottle holds four ounces. A little of it is gone. The cork appears to have been removed with a knife and part of the powder poured out—perhaps as much as an ounce. A tenth of that would kill. Although the police were made aware of the existence of this bottle and its possible bearing on the case they did not take the trouble to remove it. Any one interested and who had access to the store could have destroyed it if he so wished. No one has done so; the bottle is there yet.

The story which Westphal has been telling without deviation at least fifty times a day to police, Coroner, detectives, reporters and members of Mr. Leyh's family was finally broken down through the good fortune of Detectives Donlin and Miller in discovering that Westphal had purchased a $27 bicycle on the night of the day Leyh died. The purchase was made at a sporting goods store in Williamsburg. With foresight that won the admiration of the police Westphal had ordered the salesman not to deliver the bicycle to his home until Christmas Eve.

Denied Making Purchase.

The detectives went at once to Westphal's home and took him to the store. When confronted by the proprietor, who had sold him the bicycle, he denied making the purchase. But the proprietor's wife also identified him, and then he gave in.

"Where did you get the money?" asked the detectives.

"I found a purse containing $27.08 in front of the First National Bank, Broadway and Kent avenue," was the ready response. Then the detectives took the boy to Police Headquarters, where Capt. Reynolds and Inspector Druhan showered him with questions for an hour. They made him admit that the purse belonged to old man Leyh.

Found Pocketbook on Floor.

When Leyh was carried up stairs the boy says he found his pocketbok on the floor, where it had slipped from the old man's pocket.

This admission gave the police an opportunity to make Westphal a prisoner. On account of his age, he was turned over to the Children's Society and locked up in the institution in Schermerhorn street over night.

The boy was held on the charge of grand larceny in the Adams Street Court to-day, to give the police time for further investigation.

Capt. Reynolds, of the Brooklyn detective department, said to-day that Westphal was one of the most remarkable prisoners he ever had to deal with.

What has impressed the police is the similarity between the Leyh poisoning incident as he describes it and certain points in the Molineux case. The boy, who is said to have been a cigarette fiend, was so absorbed in the Molineux case that he neglected his business and Mr. Leyh had frequently to snatch the newspaper from him. When he told his first story of the poisoning he modelled it largely on the evidence in the Molineux case. The introduction of bromo-seltzer is another echo of the Molineux case.

ODELL WORKS ON MESSAGE.

As a Consequence He Will Not Go to Washington.

ALBANY, N. Y., Dec. 9.—Gov. Odell has definitely decided not to go to Washington this week, owing chiefly to pressure of work upon his message.

He has completed the first rough draft, and is consulting with those especially interested respectively in the several recommendations of the message.

Washington Could Cross Now.

(Special to The Evening World.)

BORDENTOWN, Dec. 9.—The Delaware River is frozen over from the Pennsylvania to the Jersey shore.

Chosen by the Busy Man.

The Pennsylvania 20-Hour Special offers unparalleled service to Chicago. It leaves New York and Brooklyn daily. *

ROBERT WESTPHAL, THE BOY SUSPECT IN POISON MYSTERY

RIDERS FALL IN BIG RACE.

Mischievous Boys Throw Tacks in Front of Men in Six-Day Race at Garden and Spill Results.

PACE KILLS OFF SPRINTERS.

SCORE AT 5.15 O'CLOCK.

	Miles.	Laps.
Breton—Darragon	799	4
McFarland—Maya	799	4
Stinson—Moran	799	4
Bedell—Bedell	799	4
Newkork—Jayobson	799	4
Butler—Turville	799	4
Leander—Floyd Kreb	799	4
Barclay—Franz Kreb	799	3
Keegan—Petersen	799	3
Galvin—Root	799	3
Doerflinger—Heller	789	0

The long-distance cyclists at Madison Square Garden were in the same relative positions late this afternoon that they have held since Monday morning. The seven leaders are watching each other so closely that it is next to impossible for any team to get the coveted lap. Breton and Darragon are really the only men who have tried to steal

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MANACLED ON TRIAL FOR LIFE.

Tobin, the Beheader, Breaks Loose in Court and Desperately Tries to Reach Assistant District-Attorney Clarke.

FOUR MEN OVERPOWER HIM.

With a spring that carried him clear across a table four feet wide "Butch" Tobin, the murderer on trial for killing and beheading Capt. Craft, in the Empire dive, in West Twenty-ninth street, tried to reach and assault Assistant District-Attorney Clarke, in Justice Davy's Court to-day.

The quickness of Deputy Sheriff Van Deesten and prompt action on the part of the court officers was all that saved Mr. Clarke from what would doubtless have proved severe injury at the hands of the infuriated prisoner.

Tobin was quiet during the proceedings yesterday, after a commission of alienists had reported that he was sane, and his demeanor to-day was normal until Mr. Clarke began his opening address to the jury. Then Tobin began to fidget in his seat and glare murderously at the Assistant District-Attorney.

Although Van Deesten was keeping close watch, he was utterly unprepared for the catlike movement with which Tobin bounced from his chair and across the table. But, quick as it was, Van Deesten was after him, and with a tackle that would have done justice to a star football player, he brought Tobin to the floor.

The murderer cursed at the top of his

(Continued on Second Page.)

JEROME GETS OUT WARRANTS; MAY RAID TENDERLOIN TO-NIGHT.

After a long conference between Justice Wyatt, of the Court of Special Sessions, District-Attorney Jerome and Assistant District-Attorney Sandford a warrant was issued by the Justice and placed in Mr. Sandford's hands. It is rumored that another raid will be made in the Tenderloin to-night.

BICYCLE RACE LEADERS' 6 O'CLOCK SCORE.

Breton and Darragon	820 1	McFarland and Maya	820 1
Stinson and Moran	820 1	J. Bedell and M. Bedell	820 1
Newkirk and Jacobson	820 1	Leander and F. Krebs	820 1
Butler and Turville	820 1	Barclay and Fr. Krebs	820 0
Keegan and Peterson	820 0	Galvin and Root	820 0

LATE WINNERS AT NEW ORLEANS.

Fifth Race—Glennevis 1, Harry 2, Canyon 3.

NIXON PLEADS FOR SHORTER HOURS.

Lewis Nixon, ex-leader of Tammany, argued before the Civic Federation for shorter hours. He said that he had tried it in the last four years and, while it had cost him between $40,000 and $50,000 a year, he was still in favor of the reduced time for workers. "This question," he went on, "will be settled by evolution and not by law." He ended with a plea for good wages. Mr. Cleveland left at 4.30 in order to catch a train, and was unable to speak, as he had intended. He will not be present to-morrow.

ALDERMEN VOTE TO SPEND $100,000 ON COAL FOR POOR

City Fathers Forward Resolution to the Board of Estimate, Requesting that Comptroller Be Empowered to Invest That Amount in Fuel.

Coldest Dec. 9 in Twenty-six Years Brings Misery and Suffering to Thousands, and Relief Is Badly Needed to Keep Disease and Death Away.

The Board of Aldermen to-day voted unanimously to forward a resolution to the Board of Estimate and Apportionment requesting that the Comptroller be empowered to spend $100,000 for coal for distribution among the poor.

Alderman John T. McCall introduced the resolution, which went through with a rush. The Alderman stated that the poor were unable to procure coal in quantities sufficient to heat their homes.

He suggested that the Board of Estimate and Apportionment authorize the issue of corporate stock to cover the cost of the coal. Not a dissenting vote was recorded against the Alderman's resolution.

To-day is the coldest Dec. 9 in New York City on record since Dec. 9, 1876. On that day the temperature reached 8 degrees, the same as to-day.

CITY'S SHIVERING POOR BEG FOR COAL; SUPPLY FAR FROM EQUALS DEMAND.

Winter's grip on the city is so strong to-day that it is murderous. Men are actually freezing to death. While the sun shines in a glorious sky, a bitter wind, that bites and cuts and stings, screeches through the streets and makes the people fairly fly for refuge wherever it may be had.

The sad thing about the situation is that these refuges are so few. There are more desolate, dreary, freezing homes in New York to-day than ever before. The coal famine, about which there was so much talk when the days were wet and muggy, is now a grim reality.

Children in thousands and thousands of tenements are crying to their parents for warmth that the parents cannot buy. Coal has soared beyond the reach of many who in ordinary times never knew what it was to be without a fire.

Even the Rich Suer.

Even the well-to-do and the rich are suffering. Coal is so scarce that it is difficult to get at any price. Speculators control the situation. The smaller retailers are buying of them at $9 a ton because they cannot buy of the operators at any price. All over town the retail price by the ton is $10, and one is lucky to get a ton at that price. The poor who have 15 or 50 cents to spare are spending it for bags and pails of fuel and dragging it on their bowed backs to their homes.

At every coal yard on the east side and on the far west side where coal was being sold by the bag or pail there were groups of poor people with pinched red faces buying what they might. Many of the burden bearers were little, poorly clad, shivering children, whose thin bodies could not be warmed by even the exertion of dragging a fifty-pound bag of coal through the streets.

At the yard of Joseph Gordon & Sons, No. 230 East Forty-second street, they were burning wood in the office. The shoemaker's children had no shoes in other words, for they had sold the only two loads of coal they had been able to buy. They had to send two tons of soft coal to the Empire Theatre to keep the theatre from shutting down to-night. Mr. Gordon said that the situation was really most critical.

Ernst Bros., No. 218 East Forty-fourth street, managed to buy from speculators at No. 1 Broadway two tons of coal from a barge which lay at the foot of East Forty-fourth street. They paid $9.50 a ton for it and sold it to the poor by the bag fifty pounds to the bag, for 25 cents. The rest of the coal in the barge is presumably being held for higher prices.

Coal May Be $11 a Ton.

This is only the second day of the cold snap, and retailers expect prices to go higher. Many of them are selling coal, delivery in ten days, at $10 a ton.

WEATHER FORECAST.

Forecast for the thirty-six hours ending at 8 P. M. Wednesday, for New York City and vicinity: Fair and not quite so cold to-night; Wednesday fair with rising temperature; fresh north to northeast winds.

THE TEMPERATURE.

Midnight	17 degrees.
3 A. M.	13 degrees.
6 A. M.	12 degrees.
7 A. M.	11 degrees.
8 A. M.	9 degrees.
9 A. M.	8 degrees.
10 A. M.	12 degrees.
11 A. M.	14 degrees.
12 M.	13 degrees.
1 P. M.	16 degrees.
2 P. M.	18 degrees.
3 P. M.	20 degrees.

INTENSE COLD IN NORTHERN NEW YORK

Saratoga	30 below
Amsterdam	22 "
Utica	18 "
Ogdensburg	23 "
Schenectady	22 "
Fishkill Landing	12 "
Catskill	10 "
Saranac Lake	25 "

They expect to see the hardest time New York has ever experienced unless there comes a let up in the weather.

People are not the only creatures who are suffering. The poor horses are having a hard time. The frozen streets are so slippery that they are falling everywhere. Many of them are not properly shod, so quickly did the cold come down, and the force of horseshoers is not sufficient to keep up with the demand.

The thousands who came over the Brooklyn Bridge this morning centred a shivering gaze on the big thermometer in front of the Pulitzer Building. Just one gaze was sufficient, and, drawing their wraps closer about them, they hurried on.

This cold wave is of Manitoba manufacture. There it sent the mercury to more than thirty degrees below zero. The thermometer makers of Germany and New York make a special kind of thermometer with the bulb as far below zero as possible for that region.

Then a wind, which was first recorded as a hurricane at Chilkoot Pass, picked up the cold wave in Manitoba and hurried it southeast. To-day it had spread

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