

MRS. BURDICK WINS IN FIGHT AGAINST HER HUSBAND'S WILL

Objected to the Clause Placing Their Children in the Care of His Friends and Her Lawyer Will Now Have Custody of Them.

Subpoenas Have Been Served on Many of Buffalo's Fashionables to Testify at the Inquest To-Morrow—A Double Funeral for Pennells.

PRINCIPAL WITNESSES SUMMONED TO APPEAR AT BURDICK INQUEST.

Mrs. ALICE HULL BURDICK, wife of Edwin L. Burdick.
Mrs. HULL, mother-in-law of Burdick.
Miss MAGGIE MURRAY, servant in the Burdick house.
Miss KATIE KOENIG, servant for Burdick.
Mrs. GERTRUDE BARNARD PAINE, wife of Dr. S. T. Paine.
Miss MARY CUNNINGHAM, Mrs. Paine's friend.
CARLSON, the Swede roomer in Mrs. Paine's house.
Mrs. J. B. WARREN, co-respondent in divorce case.

Miss LIZZIE ROMANCE, servant in Pennell house.
Patrolman MEYER.
Hackman DELAHUNT.
Hackman JEDDO.
DR. SETH T. PAINE, of Batavia.
JOHN OOD, who sold the cocktails to Burdick.
Dr. WILLIAM M. MAKAY, the first man to see Burdick after the murder.
Dr. EARL G. DANSEY, medical examiner.
JOHN HOLLAND, Detective HOLMLUND.

(Special to The Evening World.)

BUFFALO, March 13.—When the carefully guarded will of Edwin L. Burdick was presented to-day for probate it was bitterly opposed by Mrs. Burdick. She particularly objected to the fourth section of the will, which named Burdick's friends, Risley Tucker and Charles S. Parke, as the guardians of his three children.

The opposition was successful, and her attorney, Frederick B. Hartsell, was named in their stead. This is considered to be a big victory for Mrs. Burdick.

The will, which was written by Burdick himself less than six weeks before his tragic death, is in effect as follows:

First—I direct the payment of all my just debts and funeral expenses.
Second—I give and bequeath to my sister, Mrs. Lillian B. Willett, of Canastota, N. Y., the sum of \$1,000; and to my mother, Harriet P. Burdick, of Buffalo, N. Y., the sum of \$1,000, and to my aunt, Miss Maria P. Lewis, of Canastota, N. Y., the sum of \$500.

Third—I give, devise and bequeath all the rest, residue and remainder of my estate, both real and personal, of every description, to my three children, Marion Burdick, Carol Lewis Burdick and Alice Hull Burdick, to be divided equally between them, share and share alike, and in case either of my said children shall die before the age of twenty-one, I direct that the share of her so dying shall be equally divided between the surviving children, share and share alike.

Fourth—I nominate and appoint Charles S. Parke and Risley Tucker to be guardians of the persons of my three children, and Augustus B. Kellogg, George H. Dunston and George C. Miller to be the joint guardians of the estate of each of my three children, and I direct that all funds and securities belonging to each of my children shall be received, held and paid out by them jointly as such guardians.

Fifth—I nominate and appoint as executors of this, my last will and testament, Augustus B. Kellogg, George H. Dunston and George C. Miller.

THE PENNELL FUNERALS.

The funerals of Arthur R. Pennell and his wife were held from the family home, No. 208 Cleveland avenue, this afternoon. Aside from thirty members of the Erie County Bar Association named on Thursday to represent the association at the funeral, the only persons present were the closest friends and relatives.

The two caskets rested side by side on biers in the parlor. At 1:30 o'clock Rev. Dr. Frank S. Fitch, of the First Congregational Church, read from the fifteenth chapter of I. Corinthians.

After reading the entire chapter Dr. Fitch made a few general remarks. He spoke very briefly and made no personal allusions whatsoever to either of the dead persons. The ceremony was concluded by an informal prayer delivered by Dr. Fitch.

The bodies will be shipped to Brunswick, Me., to-night, where they will be interred in the Pennell family plot. Brunswick was Mr. Pennell's boyhood home. His relatives and a few intimate friends will accompany the bodies on the journey.

SUBPOENAS SERVED BROADCAST.

Subpoenas have been served broadcast among the members of the Elmwood Dancing Club and the Red Jacket Golf Club. They will meet with neither charity nor consideration on the witness-stand at the inquest to-morrow, says the examining Magistrate.

The scandals which the police believe led up to the Burdick murder will be laid bare in the hope that a breakdown in court, a confession, a fight to avoid the public inquisition may develop the clue that will put the police on the right track toward discovering the murderer. The police are in desperate mood and will spare no one's feelings. They prac-

(Continued on Second Page.)

SEEK CRIME IN GRAVE OF HAGAMAN.

Body of Millionaire, Who Died After Being Attended by "Dr." Flower, Is Turned Over to Chemists for Analysis.

STRANGE DETECTIVES WATCH

Acting Under Orders from District-Attorney Jerome Chemists Are Reticent About What Appearance of Body Indicates.

(Special to The Evening World.)

POUGHKEEPSIE, March 13.—The body of Theodore Hagaman, who died under peculiar circumstances at the Waldorf-Astoria, New York City, two years ago, was disinterred to-day and the vital organs removed for chemical examination to ascertain, if possible, whether his death resulted from the causes set forth in the death certificate.

There is a suspicion that he may have been poisoned. His brother Isaac alleges that none of the members of his family was admitted to the sick-room while he was ill. His death involves "Dr." R. C. Flower, who induced Mrs. Hagaman, now Mrs. Delabarre, to invest \$350,000 in the mining enterprise on account of which Flower was arrested. "Dr." Flower was his physician.

Dr. Otto Schultz and Prof. Rudolph Withaus, of New York, had charge of the disinterment and autopsy. While they were engaged in the work in the office of the Rural Cemetery, three strange men arrived at the scene and mingled with the crowd of natives who hung about in morbid curiosity. The men tried to peek into the windows to see what was going on, but were thwarted by Dr. Schultz, who drew the curtains. One of the men was recognized as a Pinkerton detective. He and one of the others admitted that they were detectives, but refused to say why they were there or by whom they were employed. They pretended not to be acquainted with each other. There is little hope for the other twelve men who were working in the mine, unless they can make their way to the surface.

The autopsy lasted three hours. All the organs of the body were removed and taken away by Prof. Withaus. Neither he nor Dr. Schultz would say a word as to the result of their work or what the appearance of the body indicated, explaining that they were under orders from the District-Attorney of New York not to reveal anything found by them.

The investigating party arrived from New York this morning. In addition to the two physicians and Isaac Hagaman, it consisted of Stephen Bevins, the New York undertaker, who buried the body; James Hall, who embalmed it; Robert Graham, a local stenographer, and the detectives.

They found the grave already open. The casket containing the body of Theodore Hagaman was taken out and driven in a wagon to the offices of the cemetery. It was opened there and Isaac Hagaman identified the body as that of his brother. He wept at the sight. He was corroborated in his identification by the undertaker and embalmer. The body was said to be in a comparatively good state of preservation.

Dr. Withaus then proceeded, with the help of Dr. Schultz, to remove the organs necessary for the chemical analysis to determine the presence of poison in the body. It is known that arsenic is there because that was used in the embalming fluid.

GOING TO RAIN TO-MORROW.

And the Day After, of Course, Since It Will Be Sunday.

It's going to rain to-morrow and probably Sunday, says the Official Weather Forecaster, so you had better hustle out to-day and get your money's worth of this sunshine.

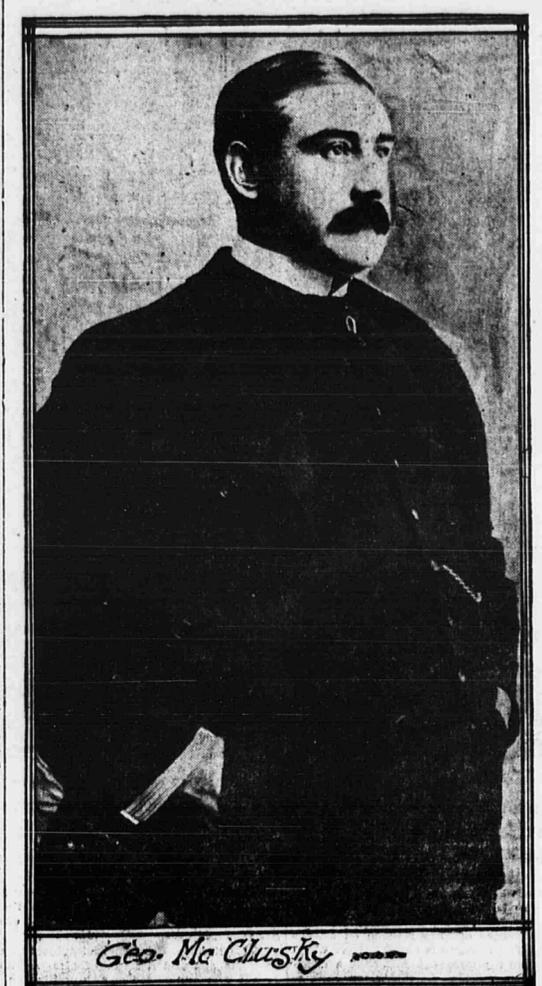
"This is not a harbinger of spring," the weather man said. "This is Simon pure spring—a little in advance, but spring just the same. A few days of this and the trees would begin to bud. But the rain is coming to-morrow, and as near as I can see now we will have another disagreeable Sunday."

To-day every park, avenue and boulevard is alive with people enjoying the spring sunshine.

WEATHER FORECAST.

Forecast for the thirty-six hours ending at 8 P. M. Saturday for New York City and vicinity: Fair to-night, Saturday rain; light to fresh variable winds, becoming easterly.

INSPECTOR M'CLUSKY, WHO AGAIN CONTROLS DETECTIVES.



Geo. McClusky

15 MAY BE DEAD IN WRECKED MINE

Explosion Imprisons Workers in Illinois Colliery, and Bodies of Three Victims Recovered Points to Fate of More.

LITTLE HOPE FOR OTHERS.

CHICAGO, March 13.—Fifteen men may have lost their lives in an explosion in a mine at Cardiff, Livingston County, this State. In a telegram received by Secretary Ryan, of the United Mine Workers' Union, three bodies are reported as being recovered so far.

There is little hope for the other twelve men who were working in the mine, unless they can make their way to the surface.

NEW YORK WOMAN IN STRANGE PLIGHT

Found Apparently Demented in Fall River, She Talks Incoherently of Big Robbery.

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WARSHIPS OFF TO HONDURAS.

Americans in Peril Through Activity of Rebels, and on Calls from Consuls Department Hurries Squadron to Scene.

GOVERNMENT FORCES LOSE.

WASHINGTON, March 13.—A despatch was received at the State Department to-day from William C. Weld, United States Vice-Consul at Ceiba, Honduras, announcing that Ceiba had been captured by the revolutionary forces and suggesting that a United States warship be sent to Honduras waters. The despatch bears date of March 12.

A request also has come for similar protection from the United States Vice-Consul at Puerto Cortez.

Acting Secretary of the Navy Darling late this afternoon sent a cablegram to Admiral Coghlan to proceed to Honduras with his squadron to protect American interests there.

PANAMA, Columbia, March 13.—Cable advice received here from Honduras by way of Salvador, say that the departments of Copan, Gracias, Intibucal, La Pas, Comayagua and Paraiso are in the hands of the troops of Gen. Bonilla, the President-elect of Honduras, who is marching on Santa Barbara. The forces of President Sierra, of Honduras, it is added, occupy the capitals of the departments of Tegucigalpa, Choluteca and Valle.

Clothing-Maker Assigns.

Simon R. Lewengood, manufacturer of clothing at Nos. 132-134 Wooster street, to-day assigned to Isaac Straus, of Platzeck & Stroock, of No. 320 Broadway, are the attorneys for the assignor.

DAUGHTER FINDS HER MOTHER DEAD FROM GAS ASPHYXIATION

Mrs. Mary Vidal, of No. 213 West One Hundred and Fortieth street, mother of two beautiful daughters, sixteen and eighteen years of age, was smothered to death by gas this afternoon in her children's room.

Florence, the eldest, complained of being ill to-day and stayed home from work. Mrs. Vidal was found in her daughters' room unconscious. The gas which Florence had left burning was out, but the cook was open. Both windows and door were open, and it is settled that it was not a suicide.

LATE RESULTS AT NEW ORLEANS.

Fifth Race—Latson 1, Irving Mayor 2, Denny Duffy 3. Sixth Race—Velasquez 1, Baymor II. 2, Kiss Quick 3.

SULLY GETS OUT OF THE COTTON PIT.

Bull Leader Took No Interest in To-Day's Trading, but Denies the Report that He Has Abandoned All Speculation.

CHANGES ENTIRE POLICY.

Heretofore He Has Constantly Insisted that Prices Were Going Higher, but Now Refuses Even to Say He Is a Bull.

It was reported on the Cotton Exchange to-day that Daniel Sully, the bull leader who has been fighting so hard to keep the market up, has concluded that the attempt cannot be successful and is going back to Providence. He was in the pit only a short time to-day and bought no cotton, where previously he had taken all that was offered, no matter whether on a rising or falling market.

Mr. Sully was seen this afternoon by an Evening World reporter and asked if it was true that he contemplated abandoning speculation on the New York Cotton Exchange and going back to Providence.

"There is absolutely no truth in it," replied Mr. Sully.

"Is it true that you are no longer a bull in cotton and believe that the market is going down?" he was asked.

"That is a question I must refuse to answer," Mr. Sully responded.

Not Like the Former Sully.

Hitherto he has never hesitated in reiterating his belief that cotton would go higher and expressing a willingness to buy all he could get. He has repeatedly announced that there was a shortage in the market and that the mills would eventually have to buy from him at his own price.

The practical retirement of Sully from the market to-day had the effect of making his followers feel uncertain of their ground. It was noted that there had been buying because Sully was buying and shorts who were covered did not sell. Most of Sully's support during the session. The market opened strong, but without support from the bulls went off from 10 to 15 points within shortly after noon, when outside buying and shorts taking profits caused a rally.

No confirmation could be found for a report that Sully had been selling cotton secretly in an effort to unload some of a tremendous load they are long on. Most of Sully's support comes from Providence, R. I., and most of his credit is there.

Where Does Sully Stand?

Of course, it is impossible to tell just where Sully stands on the market. Reports of his operations have been greatly exaggerated, but in the time since he took hold of the bull end of the market he has made extremely heavy purchases, sometimes because he thought the price was right, sometimes because he had to buy to keep the market from going to pieces.

Theodore Price, the bear leader, was also a small factor in the market to-day. As a matter of fact Mr. Price is laying back waiting to see if his price cotton will come true and allow him to cash heavily on his judgment. What ever has happened to Sully Mr. Price continues to be a consistent bear. Late this afternoon he issued a long statement designed to show that the movement of cotton for the second week in March, 1903, is larger than it has ever been before, and this despite bad roads and floods in the South and Southwest.

Bought 200,000 Bales.

In boosting the market it is estimated that Sully accumulated close to 200,000 bales of cotton for March delivery. In cotton dealing it is not necessary to pay for the cotton until it is delivered. March deliveries are now being made and Sully is paying for the cotton he bought.

For this March cotton he bid as high as 10 1/2, or \$11 3/4 a bale. March cotton is selling to-day for 9.50, or \$4 1/2 a bale, representing a loss of \$1 1/2 a bale between buying price at the highest quotations and the market value at this time. Of course Sully did not buy all of his March cotton at the top price, but it is not believed that he is any ahead of the game on this option, and he has tremendous deliveries of May and July to take care of. On paper he is a heavy loser on these options.

BROOKS MAY GET OUT AS A RESULT OF HIS SETBACK

Inspector Who Permitted Gambling Houses in the Tenderloin to Flourish Under His Sway as Chief of Detectives Is Suddenly Deposed by Police Commissioner Greene To-Day.

HIS PLACE IS FILLED BY MAN WHO RULED THE BUREAU BEFORE.

Explanation Offered by the Accused Head of the Detective Bureaus of the Greater City Did Not Satisfy the Commissioner—There Is a Rumor Now that Brooks May Hand in His Resignation.

For his failure to suppress Tenderloin gambling-houses Inspector Brooks was removed from the head of the Detective Bureau of Manhattan and Brooklyn to-day and Inspector George McClusky was appointed to the place. McClusky was formerly in charge of the Detective Bureau.

Capt. Charles L. Albertson, of the Eldridge Street Station, was made Acting Inspector and sent to the Fifth District to take the place made vacant by McClusky's promotion. Inspector Brooks is now Borough Inspector of Manhattan, Bronx and Richmond. Headquarters rumor has it that he will resign.

While it was expected that the Commissioner would deal harshly with Inspector Brooks such a drastic setting down was not anticipated by the rank and file. The Inspector was given charge of the Detective Bureau on Jan. 7 and was censured in two months.

His humiliation grows out of his failure to close the gambling-houses of Lou Betts and Mike Maher, in the Tenderloin. These houses were raided last Saturday night on evidence obtained by sleuths from Indianapolis and Kansas City, brought to New York by Commissioner Greene. The next day Inspector Brooks was called upon to explain why he did not get evidence against these places within fifteen days after specific orders had been given on Feb. 2.

INSPECTOR BROOKS MAKES REPLY.

In a voluminous reply, delivered to Commissioner Greene yesterday, the Inspector explains that he got policemen from outlying precincts and picked out the smartest men he could find in the Detective Bureau, but none of them could get into gambling-houses for evidence.

Then he assigned a policeman supposed to be remarkably clever who was recommended by a city Magistrate, and this policeman failed. He got a man from Jersey City who spent two weeks loafing around the Tenderloin trying to be invited to a gambling house, and not an invitation did he get.

The Inspector admits that he had a force of 7,000 men to choose from, but he submitted to the Commissioner that very few of these men are available for getting evidence against gambling houses "owing to their general appearance and lack of knowledge of the ways of the gambling fraternity."

Inspector Brooks also says that to get evidence it is necessary for policemen to pose as residents of another city, and so few of them have ever been outside of New York that 7,000 available men shrink to an insignificant figure.

The Inspector intimates that an extremely small proportion of the men of the force have anything more than a hazy idea of where Kansas City or Indianapolis or other Western cities are, to say nothing of being able to talk about them. Again, a policeman in a short time acquires mannerisms that can be spotted in a second by the wise gamblers.

DETECTIVES CAN'T FOOL THEM.

Members of the Detective Bureau, the Inspector says, are so well known that to try to fool gamblers with them is out of the question. And, besides, they are kept busy with other work that is just as necessary as is the suppression of gambling-houses.

In reply to the report of Inspector Brooks, Commissioner Greene handed him the following note when he reached headquarters to-day:

March 13, 1903.
Sir: Your report of March 12 has been carefully considered. It shows a complete failure on the part of the Detective Bureau under your charge to obtain evidence against a certain class of well known criminals. Your explanation of the causes of this failure is not satisfactory, and you will be relieved from the charge of the Detective Bureau.
Respectfully,
F. V. GREENE,
Police Commissioner.

BROOKS TAKES IT TO HEART.

Inspector Brooks was crestfallen when he left Headquarters. He had expected that his explanation would be satisfactory.

"All I can say is," he answered, when asked what he thought of his reduction, "that I have worked night and day to make a success of Commissioner Greene's administration. I think my report speaks for itself."

Capt. Albertson, the new Acting Inspector, was one of the men who were sincerely hated by William S. Devery. The Big Chief never overlooked a chance to humiliate Albertson, and his promotion comes to him in the nature of a reward for repeated snubs and slights in the days of Tammany power.

Inspector McClusky said he didn't mind that the date of his appointment was Friday, the 13th.

Commissioner Greene was asked if Capt. Langan would now be transferred from the Detective Bureau. He replied:

"There is no order at the present time to remove him."

When District-Attorney Jerome was informed of the transfer of Inspector Brooks he exclaimed:

"It is an opportunity for a man to do good work."

He refused to discuss Inspector Brooks' transfer or the appointment of Inspector McClusky further.

To Cure a Cold in One Day. All the Latest News Quizzes. Many a Delightful Dish. It is served in the dining-rooms of the Pennsylvania Railroad. They are attached to Western and Southern trains.

The Route Westward. Pennsylvania Railroad follows the shortest way trails of the red men over the Alleghenies and across the prairie. Many beautiful views.

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