PATRICK ASKS TEST BE MADE AT THE MORGUE

Appeals to Gov. Higgins for a Weird Demonstration There.

A SCIENTIFIC GAMBLE.

Wants Accurate Analysis of Effects of Embalming Fluid on Lungs.

EXPERTS TO MAKE IT.

Extraordinary Request in Keeping with Condemned Lawyer's Long Defense.

Albert T. Patrick's life may depend upon a scientific gamble that he has put up to Gov. Higgins. Invested on every other side by barriers of judgments and decision, the condemned lawyer makes this last appeal to the State Executive: He offers to stake his life on the result of an experiment to be conducted in the Morgue of this city, all of the medical and other experts who attended his trial to be present.

By this experiment Patrick is convinced that he can prove that the congestion of the lungs shown in the autopsy upon the body of Millionaire Rice was caused not by chloroform, but by the embalming fluid that was injected into the body. The condemned lawyer only asks that Gov. Higgins and the local authorities allow his counsel and medical experts to experiment upon the bodies of two poupers, injecting embalming fluid into them under the same conditions that prevailed in the case of the aged Mr. Rice.

Then, if the embalming fluid does not reach and cause a congestion of the lungs, the condemned man will give up his battle for life and freedom. He will make no further appeal for reprieve or delay of execution he promises, but walk stolidly on the day set to the little room beyond the iron door.

Opens a Wide Field.

Never in the history of medical jurisprudence has such an experiment as is now proposed to Gov. Higgins even been suggested, and as a result of this experiment, if it is carried out, the scientific world may be compelled to conduct their autopsies and consequent deductions along entirely new lines.

Charles F. Jones, who was valet for the aged millionaire Patrick was convicted of slaying, made three separate statements concerning the death of his employer. He first declared that Mr. Rice had died from natural causes; later he suggested that death was due to mercurial poisoning, and finally at the trial he testified to having chloroformed the old man at the direction of the attorney.

The uncorroborated testimony of Jones furnished the prosecution with its theory of murder. The medical testimony assisted in evolving and presenting to the jury this theory. Dr. Donlin, Coroner's physician who performed the autopsy on the body of Mr. Rice, testified that the lungs were congested and co-extensive.

He said that this condition could result from a number of diseases, but not in the case of the dead millionaire, as there were no other symptoms of disease.

Dr. Donlin gave it as his opinion that the condition of the lungs showed the cause of death, and that the congestion had been caused by "some irritant—inhalation of some irritant gas or vapor." Dr. Donlin was asked:

"Would the embalming fluid, assuming it was used after death, through the arteries, have any effect upon the lungs?"

Ruled Out by Recorder.

Recorder Goff ruled this question out on the ground that it opened an entirely new field of speculation that would drag out the trial to extraordinary length. Prof. Witthaus, the chemist, testified that there was not enough mercury in the system of the dead millionaire to cause death.

Dr. H. P. Loomis, a pathologist, was called, whereupon Cantwell & Moore, counsel for Patrick, managed to drag into the case the question of the embalming fluid. The pathologist first testified that he knew of no disease that would cause a congestion of the lungs co-extensive with the lungs themselves. Then he said:

"Embalming fluid injected through the brachial artery could never reach the lungs. It might reach the heart, but it could never get through the heart; that is, I don't believe it could, though it might reach the valves of the heart. It could reach the brain. It would bleach the brain—make it lighter in color."

The witness, after going into this subject at great length, concluded that, finding no other cause, he believed an irritant poison such as chloroform had caused Mr. Rice's death.

Since the lawyer's sentence and imprisonment at Sing Sing, his counsel employed experts to make experiments, and they now declare that the theory of Dr. Loomis has been utterly upset. They only ask for an opportunity to prove this by experiments to be performed at the Morgue in the presence of Dr. Loomis, Dr. Donlin and the other medical experts.

He Won Forgiveness.

(From the Chicago Journal.)

"It has come to my ears," remarked Miss De Playne, "that you said my face would make a man climb a fence."

"Yes, that's what I said," replied the diplomatic one; "but, of course, I meant if he happened to be on the other side of the fence."

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SOME OF THE CANDIDATES FROM AMONG WHOM WERE PICKED 12 AMERICAN BEAUTIES

TOOK HIS PICK OUT OF 100 BEAUTIES

Jake Shubert Only Needed Twelve and the Other 88 Are Somewhat Ruffled.

"A thing of beauty is a joy forever." Yes, but Keats didn't know quite all there was to learn on the beauty proposition. Jake Shubert, who was surrounded by 100 American beauties and near-beauties on the stage of the Lyric Theatre to-day when they answered his "ad," offering $50 a week for a show girl, can give the lamented poet pointers on "beauts" and beauty that would fill volumes.

It was a wild morning around the Lyric, but didn't keep the "real society girls in disguise" from stealing away from popper and mommer and answering that "ad" for "the twelve most beautiful girls in New York, said girls to appear as show girls in "Mexicans." Previous experience unnecessary."

There were just one hundred of the twelve most beautiful women in New York hovering around Paris—that is to say, Jake Shubert. This means that there are just eighty-eight American beauties saying, oh, such things! about somebody's pull and somebody's bad judgment.

A Real Society Girl.

There was no doubt that the twelve show girls chosen were "winners." There wasn't any doubt, either, as to the first most beautiful woman in New York chosen. And hist! She is a really truly society girl, in spite of the fact that the press agent says so.

Her name is Fidelia Allen and she lives in Central Park West. She has a real peaches-and-cream complexion, big blue eyes, golden brown hair, a lovely mouth, white teeth and a perfect figure. Added to this she has the air of a real society girl who can wear the much-advertised show-girl costumes without falling all over herself. Even a press agent couldn't go far wrong talking about Miss Allen.

Oh, and to be sure, all the others of the twelve girls chosen are society girls, too. Of course! Here are their names. Adjectives would be exhausted in describing all of their charms.

Florence Seamons, prominent in Bronx society; Gertrude Betts, who lives on the upper west side; Amelia La Fontaine, of the Virginia family of Fontaines; Mabel Brooks, Sadie Mellis, Celia Hersfield, Jeannette Troery—Jeannette says she's in society, you bet your life—Mulvania Maurice, Grace Grass, who isn't as green as her name; Miss Robbins and Miss Woodhull. Miss Robbins and Miss Woodhull refuse to give their first names on account of their blue blood connections.

Two In Reserve.

Then there are two more girls, Dorothy Waldron and Bertha Armstrong. They came in late, but their charms were too much for Mr. Shubert, so he accepted them, always bearing in mind the fact that two of the others might at any time marry a Pittsburg millionaire and retire from the stage.

All of the chosen beauties were good to look upon. All of the comments of the rejected were not good to hear.

The struggle began sharp at 11, though long before that hour Forty-third street looked like a department store window advertising a bargain sale of purple suits and ermine scarfs. There were automobiles and handsom cabs and pet dogs enough to fill a press agent's dream.

Some of the real society buds who had never been on the stage before brought their mammas along. One blond Venus blushed with embarrassment when asked to pose for her picture.

"Marie's just down to see what this job really means," said one mother. "If she has to wear tights, oh, mercy, I'd never consent to her appearing on the stage. Marie must wear skirts—she wears them so well."

Some of the "society buds" who had never been on the stage before looked like a convention of Rice's ex-spear carriers. But they all got the same sweet smile from Paris Shubert, though they didn't know the significance of the black cross that went beside a candidate's name.

"That cross means there's hope," explained Mr. Shubert to an Evening World reporter, as he smiled approvingly on the graces of a plumb blonde person with melting eyes. "I never saw so many beautiful women—all at once, I mean—in my life. There are so many of them it's a shame to lose them. I'm going to engage a bunch for the new Casino show."

N. B.—The twelve chosen ones left by auto and cab route.

P. S.—Miss Cecilia Hersfield is a member of Park Slope society in Brooklyn. The candidates will join the "Mexicana" company in Baltimore.

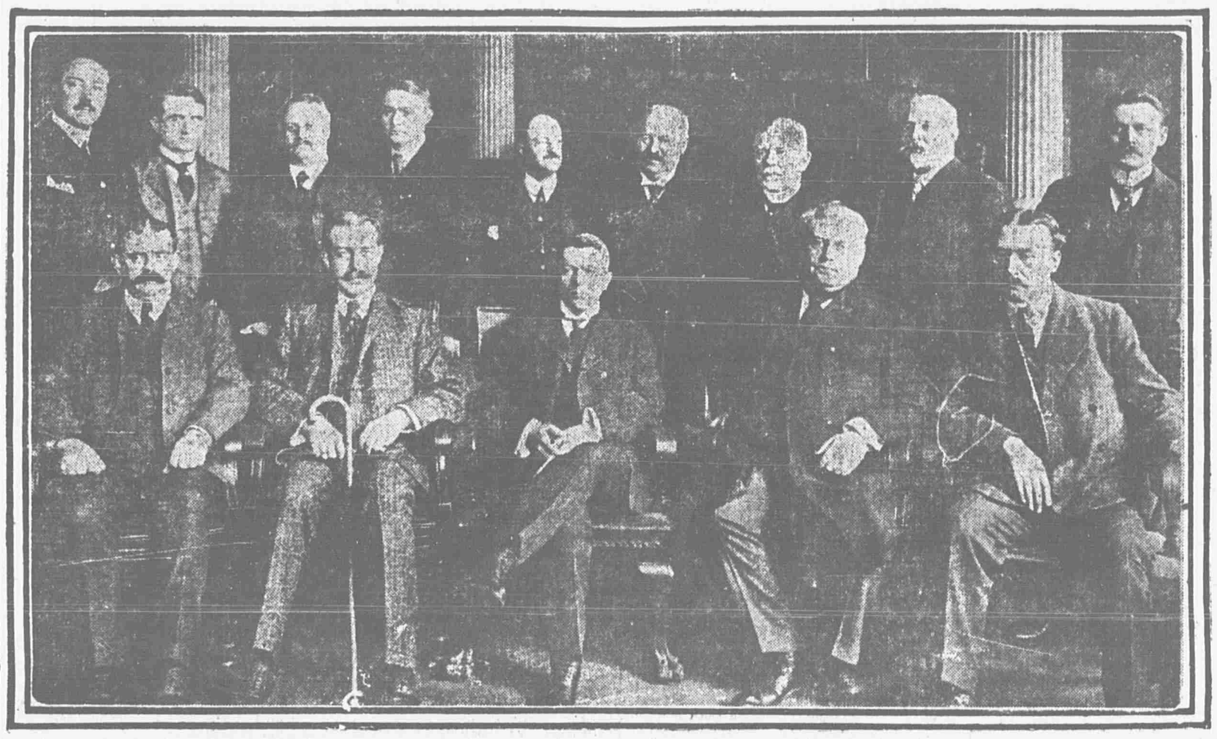
MUST PAY CITY LABOR RATE.

Senate Bill Brings Corporations with Public Contracts Into Line.

(Special to The Evening World.)

ALBANY, Jan. 17.—Senator Quinn introduced a bill to-day compelling corporations obtaining franchises or contracts from the city to pay employees not less than $2 a day, the rate of wages which the city is required to pay. Refusal to comply with the law will result in a forfeiture of the franchise or termination of the contract.

MAYOR M'CLELLAN AND HIS CABINET.



Reading from left to right the upper row are Street-Cleaning Commissioner Woodbury, Fire Commissioner O'Brien, Charities Commissioner Hebbard, Secretary Frank O'Brien, Dock Commissioner Bensel, Park Commissioner Herrman, Water, Gas and Electricity Commissioner Ellison, Tenement-House Commissioner Butler, Health Commissioner Darlington. The lower row from left to right are Correction Commissioner Lantry, Police Commissioner Bingnam, Mayor McClellan, Corporation Counsel Delany and Bridge Commissioner Stevenson.

MAYOR'S CABINET HOLDS ITS INITIAL MEETING

The first meeting of Mayor McClellan's new cabinet, composed of the heads of all departments, was held today in the Council Chamber of the City Hall. From the Mayor's standpoint it was entirely successful and meetings will be continued sem-monthly until the city's administration is placed upon a business basis.

It looked for a time as if a cloud would settle upon the gathering, and the fact was noted by everybody but the Mayor. Members of the cabinet had been restlessly counting heads and to their horror discovered that up to the last moment there were exactly thirteen in the room. Some were about to suggest the bringing in of Sergt. Kennel, who guards the Mayor's door, to break the unlucky number. Then the tread of heavy footsteps was heard in the corridor. The door opened and there loomed up the ponderous form of the Corporation Counsel.

"Saved," was the glad cry from all. Mr. Delany did not know why everybody grasped his hand so fervently, while the Mayor was simply dumb with surprise. Later he learned how narrowly he had escaped destruction.

Those who attended the meeting were: Frank J. Lantry, Commissioner of Correction; John H. O'Brien, Fire Commissioner; General Bingham, Commissioner of Police; Moses Herrman, Commissioner of Parks and President of that Board; Dr. Thomas Darlington, Commissioner of Health; R. W. Hebbard, Commissioner of Charities; W. R. Ellison, Commissioner of Water Supply, Gas and Electricity; James H. Stevenson, Commissioner of Bridges; Edwin J. Butler, Tenement House Commissioner; Dr. John McGaw Woodbury, Commissioner of Street Cleaning; J. H. Bensel, Commissioner of Docks; Corporation Counsel Delany; the Mayor and his private secretary, Frank M. O'Brien.

For a full hour behind closed doors the cabinet held council. Each Commissioner was asked for an account of his stewardship. The work that is at present going on was gone into in detail. Then each Commissioner told how much more money was needed in addition to that already in the budget to carry out the work of the year.

Dr. Darlington made a strong impression when he told what he wanted to do with a half-million dollars which had been struck out of the budget, and Fire Commissioner O'Brien told why he wanted $300,000 for new apparatus and hose. Everybody had something to say, and finally the meeting adjourned with everybody in good humor. No one was anxious to talk on its conclusion. The Mayor, however, had this to say:

"It was the most successful meeting of its kind that I ever attended. I learned more and we accomplished more in one hour than we ordinarily accomplished in twenty-four. I am more than satisfied."

"Do you know that Mr. Delany saved you from destruction to-day?" the Mayor was asked.

"Why, no. How was that?"

"Until he arrived there were just thirteen in that room," he was informed.

"Great heavens!" the Mayor cried, raising his hands in well simulated horror. "I never thought of it. So that was why they all rushed around him. Well, it was a great meeting and we will have lots more like it."

After the meeting most of the Commissioners called individually upon the Mayor.

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KATZENJAMMER TWINS DIVORCED BY COURT

Ed and Lizzie Blondell Will No Longer Appear Together on Stage.

"Ed and Lizzie Blondell" will no longer appear in team work on the variety stage, nor be features on the playbills, for when Justice Dowling, of the Supreme Court, signed a decree of absolute divorce in favor of Elizabeth A. Bluestein against Levi Bluestein on the recommendation of Referee Benjamin S. Parker, he broke up the "Katzenjammer Twins," and they will never again appear together in "Through the Centre of the Earth."

LEFT ALMSHOUSE TO DIE FROM GAS

The Relative Who Secured Fisher's Release Did Not Care for Him.

Released from the almshouse at the request of one of his relatives, Herman Fischer, an aged derelict of the Bowery, found himself homeless, for those who had taken him out of the only shelter he knew refused to care for him. With the last money he had he engaged a room in the Occidental Hotel at the Bowery and Broome street and asphyxiated himself.

From letters left by the suicide it appears that he was once a wealthy man. He spoke in one of the letters of $5,000 he gave to a niece as a wedding present. This woman, he asserted, secured his removal from the poorhouse, and then, when he went to her for aid, practically turned him from the door.

Fischer registered at the Occidental late last night and secured a cheap room. His attire was shabby and he had evidently been suffering from the cold. The clerk did not know that underneath the shabby coat the old man had coiled around his body about 40 feet of rubber hose of the sort through which gas is conveyed from a chandelier to a table lamp.

One end of the tube he fastened to the gas jet in the room. Then he turned on the poisonous fluid, propped himself up against the pillows, fastened the other end of the tube so that it could not fall out of his mouth and composed himself to die. A chambermaid found him late to-day.

The letters left by the suicide were addressed to his daughter, Mrs. Dr. Gibbins, of No. 1308 Bushwick avenue, Brooklyn, of whom he was evidently very fond; Mrs. L. Beassler, of No. 204 Eldert street, Brooklyn, and Mrs. Schneider, of No. 146 Wagner avenue, Jersey City.

DIED OF SCARLET FEVER.

Micheal Fergan Was a Passenger on the Kroonland.

The Kroonland, of the Red Star line, which arrived to-day, experienced some severe weather, but no great damage was done.

On Jan. 8 Michael Fergan, a steerage passenger, died of scarlet fever.

On the 7th a son was born to Mrs. Martha Neumann, a steerage passenger. The family are from Bessarabia, and came to settle in the West.

Passengers on the Kroonland were: H. W. Harris, United States Consul at Manheim; Mr. and Mrs. C. S. Klipatrick, who have been studying miniature painting in Paris; Mrs. Henry L. Geissel and the Very Rev. Victor Day.

LICENSE OF ONE LABOR BUREAU IS REVOKED

Employment Exchange Put Out of Business by Commissioner Bogart.

Commissioner of Licenses John N. Bogart to-day revoked the license of the Merchants' Employment Exchange, of No. 315 Washington street, Brooklyn.

For a long time Commissioner Bogart has been receiving complaints about the concern. Nearly all were of the same character, and showed, according to the Commissioner, the meanest kind of cheating. Scores of victims whose stories were investigated testified that the "exchange" took fees on the promise of securing them positions. Then they were sent to places where no positions existed, and on demanding a return of their money were threatened with an iron bar.

Inspector Thomas Whalen was sent to investigate. He received specific instructions at the start to represent himself as a poor man looking for employment. The manager of the place was a man named Nolan, six feet high and built in proportion. The specialty of the "Exchange" was to supply help to hotels and liquor stores—waiters, bartenders and porters.

When Whalen visited the place he said he would be glad to work at anything and a fee of $3 was demanded. This was paid and the inspector was sent to a saloon, where it was claimed a porter at good wages was needed. On calling at the saloon the proprietor became angry.

"I wish your employment agency would not be bothering us in this manner," he said. "You are about the tenth one looking for that job. There is no vacancy here and there has not been one in months."

Whalen went back to the "Exchange" and demanded the return of his $3. For an swer, he says, Nolan reached under his desk and produced an iron bar nearly two feet long.

"If you don't get out of here in a hurry," he says Nolan said, "I will knock your brains out with this."

The inspector discreetly fled, carefully closing the door after him. He reported his facts to Commissioner Bogart, who promptly issued subpoenaes. It was only when Nolan saw Whalen at the investigation that he knew he was an inspector.

"A nice sneak you are," Nolan cried. "You represented yourself as a poor man."

"What a nice show a poor man would have with you," was the retort.

Then the license was revoked. It is the first decision of the Commissioner in employment agency cases and more are to follow.

ACTRESS PUTS OUT FIRE.

Miss Victor Extinguishes Blaze in Clothing and Speaks Lines.

AUGUSTA, Ga., Jan. 17.—A panic at a local theatre was probably averted last night by the coolness of an actress when, during the parting scene in the third act of "Mozart," the light clothing of Miss Josephine Victor, one of the company, became ignited from a candle on the stage.

Reaching down, she extinguished the flames with her hands, which were burned badly, and continued her lines without interruption.

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To Automobilists

There is an article in the January number of

Munsey's Magazine

entitled "THE AUTOMOBILE IN AMERICA," which is worth your reading. It is not a mere perfunctory rehash. It says something and means something. The January Munsey is still on sale at all newsdealers'.

The DECEMBER MUNSEY contained an article on "WHAT THE AUTOMOBILE HAS DONE FOR FRANCE." If you have not read it, do so. You cannot afford to miss it. Your newsdealer can get you the December Munsey or you can get it from the publishers.

The Frank A. Munsey Company, 175 Fifth Avenue, New York.