FINAL RESULTS EDITION.
GREEN EDITION

GUS ROGERS DIES OF APPENDICITIS
MAN SLAIN, GIRL LEAPS INTO RIVER

WEATHER—Fair and cooler to-night and Tuesday.

The EVENING EDITION World.

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FINAL RESULTS EDITION

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SPURNED, BROTHER INSPIRED HAINS TO SLAY, WIFE CHARGES

Murder of Annis and Divorce Action by Captain Revenge of Writer Whose Advances She Repulsed, She Declares.

The charge that T. Jenkins Hains inspired his brother, Capt. Peter C. Hains, to make charges of infidelity against his wife, and finally murder William E. Annis, was formally spread on the records of the Kings County Supreme Court to-day by Claudia Hains, in her answer to the divorce suit filed against her by her husband.

Mrs. Hains charges that T. Jenkins Hains was prompted by revenge and jealousy because she repulsed his advances made while his brother was absent from home. She swears that he told her he would be revenged.

The accusations against T. Jenkins Hains are contained in a long affidavit in which the wife accuses him, her husband and a lawyer named Bennett, of forcing her to sign a confession while she was drugged. She tells of some sensational incidents on the Fort Hamilton reservation on or about last Decoration Day, in which her husband and a pistol figured prominently.

The affidavit becomes public through the handing down of a decision by Justice Carr denying Mrs. Hains's motion for alimony and counsel fees and the custody of her children. The motion is denied on the ground that Capt. Hains is in jail charged with murder and could not be forced to pay alimony, even if an order were issued. The order directs that the children remain in the custody of Capt. Hains's parents at Fort Hancock.

To Be Used by Prosecution.

It is the intention of the prosecution to show that the killing of Annis followed the receipt by Capt. Hains and his brother of information that Mrs. Hains had decided to file the affidavit made public to-day as her answer to the divorce action brought by her husband. In addition to the accusation against T. Jenkins Hains, the affidavit contains charges of a startling nature against Capt. Hains.

In relating the circumstances leading up to the separation Mrs. Hains says in her affidavit:

"On the afternoon of May 29, 1908, I was sitting on the porch of my home at Fort Hamilton, reading a letter from my husband dated San Francisco, when he suddenly appeared before me. He was greatly excited and called to me to run inside the house. He followed me in and imediately accused me of being the mistress of William E. Annis. He said he had received a letter from his brother, T. Jenkins Hains, telling him of my actions.

Hains and Annis Meet.

"I was shocked and surprised and denied the charge, and suggested that he have Mr. Annis come to the house and get at the truth. He agreed, and I called Mr. Annis on the telephone and talked to him for some minutes while my husband stood by my side. Mr. Annis said he could not come down to dinner that evening, but would come later in his car. Then Capt. Hains talked to him for a few moments over the 'phone.

"Mr. Annis came down that night in his auto. Capt. Hains was friendly with him. We went down to Coney Island in his car and were arrested for overspeeding. I retired when we returned to our quarters, but Capt. Hains and Mr. Annis sat up until 3 o'clock in the morning smoking and talking and drinking, and they parted apparently the very best of friends.

Threatened, She Says.

"On the morning of May 31 my husband left the house, saying he was going to see his father. I sat up all night waiting for his return, but he did not get back until 2 o'clock on the afternoon of June 1. I was in bed, tired out and dazed. He entered my room, pulled me from bed by the hair and threatened to shoot me. He had a pistol in his hip pocket. He told me he had seen his brother and had proof that I was the mistress of Annis. I talked to him and tried to pacify him.

"Gen. Hains called later in the day and my husband repeated the accusations to him. Gen. Hains said he would shoot Annis on sight. Later T. Jenkins Hains called at the house with a lawyer named Bennett. I had had

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HER HONEYMOON ONE OF SLAPS AND BIG PIN MONEY

Wife of Rich Young Mr. Burns Tells of 5,000 Francs Balm for Abuse.

Owen Burns, of Chicago and New York, has sued his pretty wife, Dorothy, for divorce, charging that his bride of May 13, 1905, has received too much attention. He names fellow members of the exclusive Calumet Club of Chicago.

Mrs. Burns denies the charge, and to-day May & Jacobson applied to Justice Truax in the Supreme Court for alimony and counsel fee for her. To fix the rate of alimony, it was alleged that Mr. Burns had kept a magnificent establishment, with servants and a chauffeur, and has, since their separation, paid $125 a month for her apartments in Chicago.

Complains of Mother-in-Law.

Mrs. Burns says that her husband often told her his income was over $30,000 a year. She avers he is worth at least three-quarters of a million.

After denying that she was too friendly with any of the co-respondents named by her husband, Mrs. Burns says that their honeymoon was spent in a trip to Salt Lake City and the Pacific coast. Returning to Chicago, they lived for a month at the Hyde Park Hotel, and then came to New York to visit Mr. Burns's sister, Mrs. J. A. Wilkins, who lived in Burns Terrace, Inwood.

There resided Mrs. Burns, seventy-five years old, and the affidavit declares she made it hot for the young bride from the start. Mrs. Wilkins went to Europe, leaving her new sister-in-law in charge of the household, which includes the old lady; Mr. Wilkins and his daughter; X. E. and R. J. Burns, brothers of Owen Burns, and Mme. Beauchesne, companion and governess to young Miss Wilkens and her cousin, Martha Burns.

Complained, Was Slapped.

"My mother-in-law was immediately jealous of me, because I was left in charge, and she quarrelled with me and sought in every way to make it uncomfortable for me, complaining to my husband," says Mrs. Dorothy Burns.

"Once, because I was too ill to go with him on a round of the art galleries he went out and did not return till late at night, but next day he apologized and gave me 5,000 francs for a shopping trip.

"He accused me of flirting with a strange man sitting in a box in a London theatre, and when we were in our room at the Hotel Savoy, he slapped me six times. Next day he apologized and gave me a velvet gown.

Justice Truax reserved decision.

SUNDAY WORLD WANTS WORK MONDAY WONDERS.

MORSE'S POOL TO BOOST PRICE OF ICE TRUST STOCK

John F. Carroll Gives Inside Story of Operation in 50,000 Shares.

SCHWAB AND GATES IN IT

Copper Millionaire Isaac Guggenheim Tells of His Part in the Deal.

Some of the inside history of the pool by which Charles W. Morse attempted to put up the price of Ice Trust stock was revealed this afternoon before Judge Hough in the United States Court, where the former Ice King and Alfred H. Curtis, former president of the National Bank of North America, are on trial, charged with violating the Federal banking laws.

The revelation was begun by John F. Carroll, formerly a power in Tammany Hall, whose name was associated with those of Morse and former Mayor Van Wyck in the earlier history of the ice combine.

Carroll said in his testimony that he joined with Morse and others in a syndicate in 1906, for the purpose of handling Ice stock.

Q. Who managed the syndicate? A. Mr. Morse.

Q. Was that syndicate a pool? A. I suppose you might call it that.

Q. Who was in your pool? A. Mr. Schwab, Mr. Gates, Mr. Isaac Guggenheim, Mr. Charles Barney, Mr. Morse and myself.

Bought 10,000 Shares.

Q. What did Mr. Morse say to you when you joined him? A. He said he saw a chance to make some money out of Ice. I gave him authority through my brokers, Kuhn, Loeb & Company, to buy up to 20,000 shares of Ice. I did buy that much Ice.

A letter dated April 12, 1907, to Carroll, read as follows:

"I will undertake to head a company to purchase from you 10,000 shares of Ice stock at 40, which is to be held by a pool, subject to sale at 60 or over. All above 60 is to be divided equally with you. If the stock is converted into bonds the dividends are to go to the pool. Let me know by to-morrow. I personally will have no share in this transaction."

This letter was signed by Morse. Carroll said he entered the pool and turned over to it the 10,000 shares.

On cross-examination by Mr. MacFarlane, Mr. Carroll said the disposal of the 10,000 shares of his Ice stock was really done at his own request. His brokers felt that he was carrying too heavy a load of Ice securities.

"Was this, then, a favor to you?"

"I wouldn't call it a favor," growled Carroll in a deep bass. "I needed the money and I had to sell."

Copper King in Ice.

Carroll was followed by Isaac Guggenheim, the copper millionaire, who smiled broadly as he mounted the stand. Mr. Guggenheim wore a bright red carnation in his buttonhole.

"In January, 1906," he began, "I went into a pool to purchase 50,000 shares of Ice security, of which my share was 10,000. The others were Messrs. Gates, Barney, Schwab, Carroll and Morse. Mr. Carroll invited me to go into the pool.

"I talked over the matter with Mr. Morse several times. He told me he

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TORONTO RESULTS.

TORONTO, Ont., Oct. 19.—The races to-day resulted as follows:

FIRST RACE—$200; for two-year-old maidens; five furlongs.—La Tosca II., 109 (A. Williams), even and out, won by a nose; Tapioca, 107 (Goines), 8 to 1, 2 to 1 and even, second; Advance Boy, 107 (Connolly), 2 to 1, 1 to 2 and out, third. Time—1.06 1-5. Istrouma, Leonard also ran.

SECOND RACE—Three-year-olds and up; six furlongs; $200.—Abjure, 108 (Goines), 8 to 1, 2 to 1 and 3 to 5, won by a head; Black Hawk, 105 (W. Walsh), 6 to 5, 2 to 5 and out, second; Caltha, 109 (Austin), 7 to 1, 2 to 1 and even, third. Time—1.18 2-5. Night Mist and Autumn Flower also ran.

THIRD RACE—$200; for three-year-olds and upwards; one mile.—Water Lake, 111 (Connolly), 7 to 10 and out, won by one length; Ormyr, 108 (Murray), 10 to 1, 4 to 1 and 2 to 1, second; Renaissance, 109 (Finch), 5 to 2, 3 to 5 and out, third. Time—1.49 1-5. Betsy Binford, Bank Holiday and Revery also ran.

FOURTH RACE—$200 for all ages; seven furlongs.—King Thistle, 107 (Connolly), even and out, won by three lengths; Inspector Purvis, 105 (Knight), 15 to 1, 5 to 1 and 2 to 1, second; Listerine, 107 (Cummings), 10 to 1, 4 to 1 and 2 to 1, third. Time—1.33 2-5. Arveight, Leonard, London and Lady Lass also ran.

GUS ROGERS, THE COMEDIAN, DIES OF APPENDICITIS

Had Been Ill for Two Weeks at His Home in Town.

ONE OF A FAMOUS TEAM.

Well Known to Theatre-Goers Throughout the Country—Maude Raymond His Wife.

Gus Rogers, of the stage comedy team of Rogers Brothers, died this afternoon at his home, No. 200 West Seventieth street, following an attack of appendicitis. His wife is Maude Raymond, a well known vaudeville player, and the couple have two children.

The dead comedian had an attack of appendicitis in Chicago in 1902, but he deferred the operation. He improved, and soon was able to resume his work on the stage. He was taken sick in Utica, N. Y., three weeks ago while touring with the "Rogers Brothers in Panama" Company.

Stars for Ten Years.

Gus Rogers was one of the best known low comedians on the American stage. For ten years the team has starred in musical comedies produced by Klaw & Erlanger. The brothers made a lot of money and carefully invested their earnings in real estate, principally in Manhattan theatre property.

Max and Gus Rogers started their stage career in Austin & Stone's Music Hall in Boston in 1889. They did a German dialect and knock-about act. Then they tried out Tony Pastor's in Fourteenth street this city, and made such a hit that John Kernell signed them for an entire season with his own company.

Some of Their Successes.

Ten years ago—after becoming well known in vaudeville—they were signed by Klaw & Erlanger. They appeared first in "The Round of Pleasure," and later starred in the "Reign of Error," "The Rogers Brothers in London," later Paris, Ireland, Washington, Harvard, and now in Panama.

Gus Rogers was said along Broadway this afternoon to be worth $300,000. This sum he earned and invested. This he made in the last ten years.

MRS. CLEVELAND WITNESS BEFORE THE GRAND JURY

Testifies As to Alleged Letter of Late Husband Indorsing Taft.

Mrs. Grover Cleveland, attired in widow's weeds, was a witness before the Grand Jury this afternoon in the investigation into the authenticity of the alleged Grover Cleveland letter indorsing the candidacy of William H. Taft, which was sold to the New York Times by Broughton Brandenburgh, a magazine writer.

Mrs. Cleveland testified as to her knowledge of the interviews granted by her husband to Brandenburgh at Princeton last spring, and also gave testimony as to the genuineness of the signature appended to the Brandenburgh article.

Other witnesses heard were Dr. Joseph Bryant, for many years President Cleveland's family physician; Richard Watson Gilder, one of President Cleveland's most intimate friends, and David N. Carvalho, the handwriting expert. Two other witnesses, whose identities were not disclosed, also were heard.

Mr. Gilder and Mr. Bryant testified not only concerning the signature of Mr. Cleveland, but as to his political beliefs and principles gained from conversations with him at about the time Brandenburgh alleges he secured the signed statement containing the Taft indorsement. Mr. Carvalho testified as an expert in signatures.

District-Attorney Jerome refused to discuss the Brandenburgh case. When asked if the Grand Jury had concluded its investigation, he said he had no statement to make. Mr. Brandenburgh made a statement to the Grand Jury last week.

GIRL KILLS MAN WHO SCORNED HER, LEAPS INTO RIVER, BUT IS SAVED

Famous Team of Dutch Comedians One of Whom Is Dead of Appendicitis

Nellie Waldron, the Police Declare, Admits She Bought Revolver When Ed McDermott Laughed at Demand That He Marry Her.

KILLED IN SCUFFLE FOR WEAPON, SHE DECLARES.

Sister of Slain Man Heard Quarrel and Shots, and Found Girl Beside Him, She Says—Revolver in Closet Ten Feet Away.

A few minutes after Edward J. McDermott, a youth of twenty, had been shot to death in his home at No. 115 Greenpoint avenue, Williamsburg, this afternoon, a young girl, hatless and coatless, with her long brown hair streaming in the wind, raced down the pier at the foot of Milton street, dodged longshoremen and loungers on the dock and leaped into the East River.

Patrolman Doyle, who was on the next wharf, saw the girl jump, and shouting out to two stevedores to throw the girl a rope he rushed over to the pier.

By the time he got there the girl had come up for the second time and grasped with both hands one of the ropes thrown to her. Then Doyle went down a ladder and got her with a boathook.

The girl was still conscious, and as soon as she recovered from the shock of immersion began to rave. All her rescuers could make out at first was:

"Ed McDermott is home dead—Ed McDermott is home dead. I hope he's gone to heaven, but think he's gone to hell."

She continued to cry this over and over again until Dr. Keyes came from the Eastern District Hospital with an ambulance. He quieted her, and in reply to Doyle's questions she said:

"Ed McDermott, in No. 115 Greenpoint avenue, shot himself twice and is dead."

Revolver in Closet.

Then she was taken to the hospital and Doyle telephoned to his station and recounted to Capt. Aloncle what had happened.

At the hospital the girl gave the name of Nellie Waldron, nineteen years old, of No. 321 Madison avenue, Flushing.

Didn't Know of Tragedy.

Capt. Aloncle and two of his detectives went to the Greenpoint avenue address and forced the door.

They found the body of the dead man stretched on the floor of a little room off the kitchen. He had been shot through the left temple. There was no revolver in sight, but one was found in a closet ten feet from where the body lay. Two cartridges had been exploded.

Sister Found Her There.

The detectives had been in the flat only a few minutes when Mary McDermott, a sister of the dead man, rushed in, accompanied by her father.

She said that she had been in the kitchen when the Waldron girl burst into the place and demanded to see Ed. She found him tying his necktie and immediately rushed at him and attacked him.

"I did not go in," said Miss McDermott, "and they continued quarrelling for several minutes. Then I heard two reports and a heavy fall. I rushed into the room and found her sitting on the floor holding Ed's head in her lap. When she saw me she jumped up and ran out, and then I ran out to find my father."

Both Admits and Denies It.

When the detectives searched the room where the young man was slain they found the girl's coat and hat in a corner beside the closet in which the revolver was found. They also discovered a bullet hole in the ceiling, directly above the body.

Capt. Aloncle, after visiting the girl in the hospital, said that she firs. admitted killing McDermott and then denied it, and that she kept crying out incoherently: "I did it, I killed him;" then, "He did it, he killed himself."

"Finally I got from her," said the police captain, "that she had met McDermott at a picnic a year and a half ago. They fell in love and went together continually. Three months ago she told McDermott he would have to marry her. He laughed at her, and then he and his family moved away and she could get no trace of him."

Laughed at Her.

She hunted for him until last night, when she saw him on Greenpoint avenue. She followed him and learned where he lived. Then she returned to her home in Flushing to get some money. Returning to Williamsburg to-day, she bought the revolver and a box of cartridges.

"She went up to McDermott's flat and found him dressing. She demanded again that he marry her and he laughed at her. Then she drew the revolver.

"At first she said, 'I drew the revolver and shot him,' then she declared that she had told him she would shoot herself, and that in trying to get the weapon from her he had shot himself. She undoubtedly did the shooting, and when she becomes less hysterical I am confident that she will make a full confession."

TRANSFERS IN 3 DAYS OR UTILITY BOARD WILL ACT

Willcox Issues Ultimatum to Third Avenue and Belt Line Officials.

The Public Service Commission to-day took a determined stand against the Third Avenue Railway and the Belt line in the matter of establishing a joint transfer rate between the two roads, and a thorough rate for the convenience of the travelling public.

The Commission issued an ultimatum granting the interested companies three days in which to comply with its order, or action would follow, in which the power of the Commission would be shown.

Promptly at 10.30 o'clock to-day, the hour when the companies were supposed to file their answers to the order of the Commission, that body, after an early-day conference on the transfer situation, confronted a delegation of lawyers representing the two railroads and allied interests.

Chairman Willcox expressed in determined manner the feeling of the Commission because the two railroad companies or the receivers had failed to show a spirit obeying the order of the Commission.

"The returns were to have been made to this Commission at 10.30 to-day," began Chairman Willcox, "and we are here only to find that our order is to be opposed and that neither receivers nor officials have shown a spirit to get together as demanded.

"There is no reason on earth why the order of this Commission should not prevail. We have considered every phase of this subject. You have shown no disposition to get together.

"It is the decision of the Commission that you be given until Thursday, three days, in which to install a joint rate and through route and make answer at a public hearing on that day.

FIRST OF THE AROUND FLEET IN NEW YORK.

The United States battleship Alabama, which, with the Maine, steamed around the world in advance of the battleship fleet, arrived at New York, passing in by Sandy Hook at 3.30 P. M.

MOB IN MOTLEY THRONGS STREET AT FIRE ALARM

Obesity Cure Patients, Chiropodist's Clients and Others in Mad Flight.

There are several establishments for improving one's looks and physical condition in the four-story building at No. 12 West Twenty-second street, where a $2,000 fire occurred this afternoon. At the time all the places were apparently doing a rushing business, and at the alarm men and women who were being treated rushed from the building and didn't stop to think what they would look like among the busy throng of shoppers in that district.

The Charles Burke & Co., glass and china, has a store on the rst floor. On the second floor are Dr. D. Stanley, chiropodist; T. G. Goernes, who makes costumes; the Diane de Poictiers' face powder firm and Dr. Edison's parlors for "obesity treatment." On the third floor is the office of the Home Vibrator Company and the Reborn Company, which advertises to take the wrinkles out of one. The Viena-American Export and Import Company, and the Florence Ostrich Feather establishment, where sixteen girls are employed, occupy the fourth floor.

Charles Porter, elevator boy, discovered smoke rolling up from the basement through the shaft. He went from floor to floor shouting "Fire!"

In a twinkling the patrons and patients of the establishments poured into the halls, crowding into the elevator or running down the stairs. Porter knew of the girls on the fourth floor and took the elevator up, giving first attention to them.

Patrons of the chiropodist, having one or both feet bare, took to the stairs. Following them came men and women clad all ways, from royal robes to clownish suits, from the costume establishment, and then the office of the obesity firm emptied out its patrons, the majority of whom had their coats and vests off, as well as collars and neckties.

This crowd poured into the street and caused excitement among the shoppers.

On the third floor there was an equally mixed up crowd who waited for the elevator in some instances, while others ran down the stairs. The girls in the feather establishment were taken down in the elevators.

The fire had soaked in a pile of excelsior in the basement and caused black smoke to pour through the building and into the street. To get at it firemen had to break through the large plate-glass windows of the store.

GIANT PLAYERS CALL OFF SERIES WITH THE TIGERS

Bresnahan and Donlin Away and Others Will Not Take a Chance.

The Giants and Detroits will not play the series of games proposed for Thursday, Friday and Saturday of this week. This was decided upon at a meeting of the ball players late this afternoon.

Many of the Giant players were in favor of meeting the Tigers in a three-game series, but it was deemed advisable to let the matter drop, as it would be impossible to get some of the star players of the New York Club in uniform. Bresnahan, Donlin and others are away and could not be brought back in time. A game without the leading players in action would be a failure, as New York could not afford to take any chances on being beaten.

The players decided that the public was entitled to the best game that it was possible for the Giants to put up, and that they would be doing the fans an injustice to send out an inferior club to meet the Tigers. This was somewhat of a sacrifice on part of the players as they were anxious to earn the prize money. They would have received the entire gate receipts.

President Brush, Secretary Knowles and Manager McGraw left the matter entirely in the hands of the players, as they are no longer under playing contract.

This means that the Giants have played their last game on the Polo Grounds for the season.