

REBELS CLOSE ON HAYTIAN CAPITAL

POPE HAS RELAPSE AFTER BAD COLD

To-day's Weather—Cloudy; rain to-night.

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SUES SCHWAB TO RECOVER \$10,000,000

Steel Man Has No Title to San Toy Mine, Witherbee Brothers Say.

THEY CHARGE FRAUD.

Collusion Made Acquisition of Stock at Sale Void, It Is Declared.

Charles M. Schwab, former president of the United States Steel Company, and present owner of the Bethlehem Steel Company, was today served with a summons and complaint at his company's New York office, No. 190 Broadway, in a sensational suit brought in the New York Supreme Court to recover a \$10,000,000 Mexican mining property known as the San Toy silver and lead group.

The plaintiffs are two brothers, Alfred E. and Sidney A. Witherbee, of Mexico City, and their attorney is Paul E. De Vere, of No. 5 Nassau street, formerly a partner of Paul D. Cravath and Charles Steele, but who more recently has been known as one of the principal counsel to the banking house of J. P. Morgan & Co.

James P. Hutchinson, of Chicago, a co-defendant with Mr. Schwab, was served on Saturday at the New York Club, No. 20 West Fortieth street. John Kioan, a Pittsburgh promoter, was served in a room at the Waldorf-Astoria, while William A. McCall, Mr. Schwab's lawyer, was served at his office, No. 141 Broadway.

The Sheriff of New York County has been given the job of securing service on the remainder of the defendants, who are: Morris Carnegie, a nephew of Andrew Carnegie; Thomas H. Bowles, former general agent for Willsco of the Mutual Life Insurance Company; Matthew R. D. Owings, former secretary of the Milwaukee Harvester Company; Walter B. Wright, John C. Wright, Frank W. Lewis, Artemus N. Hadley and W. G. Paxton, all of Indianapolis; Richard R. Brown and James E. Brown, of the New York Stock Exchange house of Morris, Brown & Co.; Waldo K. Chase, of Hartford, Conn.; Lawrence Dilworth, William K. Ellis, Donald B. Gillies and Dr. Marshall R. Ward, brother-in-law of Mr. Schwab.

That there was the slightest cloud on Mr. Schwab's title to the San Toy mines comes as a surprise. Since the former steel magnate and his friends announced their ownership of the San Toy group they have increased its capital stock from \$2,000,000 to \$10,000,000 and added huge blocks of the new issue to the public.

Some Buyers of Stock.

An Evening World reporter today was informed by a member of one of the most conservative New York Stock Exchange houses that among the large purchasers of San Toy stock from the Schwab crowd were: Richard Rushton, president of the Fourth National Bank, Philadelphia; Col. Robert M. Thompson, the New York capitalist; Thomas King, former president of the Baltimore and Ohio Railroad; S. Osmond Pell and his brother, Stephen Pell, bankers and brokers; F. Augustus Heinze, the unrepentant copper king, and John Glass, former director in the Mercantile National Bank.

Sidney A. Witherbee was located at the Hotel Manhattan. His brother, Alfred, and he together make twelve feet tall six inches of muscle and bone. "That I am, my brother is the true owner of the San Toy mines and has been since the first incorporation of the company in December, 1891, is a fact," he said in an Evening World report, "but I would prefer you to get particulars from my lawyer.

"I feel very sorry for Mr. Schwab when I consider the position of those who bought San Toy stock from him. They purchased a law suit. All that I care to do is to get the money back, and I have never mined the public, but we have mined the mines in question, and their title rests with us."

The Witherbee complaint, which is how a document of record in the Supreme Court, sets forth a remarkable array of incidents. It alleges first, that "San Toy Mining Company was, as is now is, a foreign corporation, having been duly incorporated under the laws of the State of Maine in December, 1891, with a total authorized capital of

TRAIN COLLISION UNDER RIVER JAMS JERSEY TUNNEL

Passengers Escape in Crash, but Panic Threatened During Long Tie-Up.

FIGHT GUARDS ASIDE.

Throng Crowds Into Tube at Hoboken, Endangering Hundreds Packed in Place.

Thousands of commuters on the Delaware and Lackawanna Railroad and Jersey trolley passengers on their way to business in New York were held up for three-quarters of an hour by a collision in the north tube of the under river Hudson Tunnel at 745 A. M. today.

Although guards at the Hoboken terminals were ordered to inform passengers that there would be an indefinite delay and that there was no use waiting in the depot, the crowd of men and women refused to believe them and surged and pushed into the subway until several women almost had their clothes torn off in the jam. When the crowd, after a wait of three-quarters of an hour, realized that something had really happened, those in front tried to surge back, but the new arrivals from train and trolley who did not know of the wreck shoved forward.

Until Vice-President Fiske, of the Hudson Tunnel Company, took charge of the situation there was danger of a panic. Careful handling of the crowd, however, averted this and everybody got over to work finally, more or less dazed and very late.

The collision was the first in the tunnel and was caused by the brakes on a train of empties refusing to work. The empty train was at the summit of the incline leading to Hoboken when its motorman saw a red danger signal and stopped. At once the train began to slide backward.

The passenger train was coming through the single track tube at a snail's pace and about six hundred yards behind. The motorman of the empty train switched on his brakes as it began to slide back, but they refused to work and he crashed into the front car of the passenger train with such force that its forward steel vestibule was dented.

There were only twelve passengers on the train and they kept their heads though, badly shaken up.

The cars struck on his brakes as the result of the crash, which was a sharp one, they were only dented.

After the accident the motorman of the dead train said that he was proceeding up the steep incline when he saw a danger signal ahead. He put on his brakes, but instead of working properly he felt the train beginning to run backward. He tried with all his power to make the brakes work, but was unable to control them.

"The Hoboken-New York tunnels have been operated about ten months," said William G. McAtee, President of the Hudson River Tunnel Company. "This has not been an accident, but it is one in them since they are opened for traffic. This fact speaks well for the service, particularly as regards care in operation so as to safeguard against accidents."

ANTI-SALOON CRUSADER SEES THE GOVERNOR.

Vigorous Campaign Planned, but Hughes Conceals His Position in the Matter.

(Special to The Evening World.) ALBANY, Nov. 30.—Rev. F. C. Iglehart, of New York, representing the Anti-Saloon League, had an earnest talk with Gov. Hughes today about anti-saloon legislation. He said the league was much annoyed by the reports that the Governor would take a hand in the League's crusade for local option. He assured the Governor that those reports did not emanate from officers of the league.

The Governor gave the clergyman to understand that no one knew what his position is on this subject. After the interview, Rev. Mr. Iglehart said: "The Anti-Saloon League will pursue a vigorous campaign next year for some form of local option, but just what the limitations will be has not yet been decided. We hope the Governor will help us. We wish it understood, however, that the Governor and the league have had no understanding on the question."

That some kind of excise reform will be recommended by the Governor generally believed at the capital.

HIPPO PETE IS "CONNED" INTO NEW QUARTERS AT BRONX ZOO

After Two Weeks of Vain Strategy Big Behemoth Is Moved Into Two Rooms and Bath in Elephant House by Building Him Into Huge Trap.

Pete, the Bronx Zoo hippopotamus, was outgeneraled by his crafty keepers this afternoon and removed, against his inclinations, from his old quarters in the antelope house to his new two-room and bath flat in the elephant pavilion. For two weeks past every expedient known to animal trainers and handlers has been unsuccessfully tried upon Pete.

But he stuck to his rather constricted apartment in the antelope house like a civil service employee to a job. He seemed to like the antelope house. Director Hornaday, having prepared for Pete in the new elephant pavilion, the finest lodging ever for a hippopotamus, was naturally irked at the peevish and ungrateful disposition of his open-faced charge.

An old animal handler, with an inventive turn of mind, having read of the unsuccessful efforts to dispossess Pete, went up to the Bronx Zoo a few days ago and viewed the situation. He found the attendants trying to lure Pete to a big crate outside the antelope house with a trail of hay and vegetables.

Couldn't "Con," Pete. "That ain't no way to lure a blood-sweating behemoth of the Nile," said the old animal handler to Director Hornaday. "You can't 'con' a hippo. He knows that line of hay and vegetables is part of a scheme to get him away from a place he knows to a place he don't know anything about. You've got to combine strategy and force."

Hearkening to the old animal handler, Director Hornaday called his carpenters and set about the construction of a three-sided box twelve feet long. The box had no top or bottom—only one side and two ends. Sunk in the bottom

STRIKE BREAKERS START FOR PERTH AMBOY; RIOT IS FEARED

Strikers Plan to Turn Back 1,000 Men Sent From Here to Brickyards—Troops Ordered to Remain on Guard All Night.

One thousand strike-breakers for the brick yards and pottery works around Perth Amboy left the foot of Cortlandt street at 5 o'clock this afternoon in two barges which have been tied up there since Saturday. One barge has been fitted up for sleeping quarters and the other for eating and living.

Two hours before the barges were to have departed the last of the 1,000 strike-breakers were taken aboard and 300 heavily armed special deputies were on the barges guarding them. The expedition is under the direct command of a private detective who has been recruiting the strike-breakers since Saturday.

DETECTIVE BLACKJACKED BOY, CROWD OF WITNESSES DECLARE

Victim Arrested in Special Sessions Struck Over the Head as Hundreds Look On—Grand Jury and Bingham to Take Up Charges.

Members of the Grand Jury, lawyers and on-lookers to the number of 100, witnessed what several told Assistant District-Attorney Kressler was a brutal and unprovoked assault on an eighteen-year-old boy by Central Office Detective Ramsberg today.

The boy afterward gave District-Attorney Jerome an account of the alleged assault. His affidavit will be presented to the Grand Jury and to Commissioner Bingham tomorrow. He gave the name of Harry Levy and his address as No. 1472 Madison avenue.

MISSING GIRL IN A CELLAR. ELEVATOR FALLS WITH NINE.

Police Told Her Mind Was Affected by a Love Affair. Bertha Vaght, twenty years old, of No. 457 Fifth street, Brooklyn, was found in the cellar of a house at No. 429 Fifth street this afternoon by tenants. She was weeping and said men had been pursuing her.

She was taken to the Fifth street police station and an ambulance sent for. The girl has been missing from home for several days and, according to her friends, her mind had been affected by a love affair. The police on being told this had Miss Vaght sent to the Kings County Hospital.

Giant Hippo of the Bronx Zoo It Took Two Weeks to Move



'Rich Men Stop Sending Flowers to Actresses When Hard Times Come and Stay Home With Their Wives.'

That's the Reason, Florist Fleischman Explains, Why His Business Fell Off and a Receiver Was Appointed

"When the rich men of Wall street suffer reverses the first thing they do to economize is to stop sending flowers to women," says Joseph Fleischman, who for years has conducted floral establishments in New York, one in the Hoffman House and one in Fifth avenue, and against whom an involuntary petition in bankruptcy was filed today by Alexander Gutman and other creditors.

"The flower business, when there are our brokers and bankers, is the first to suffer and the last to recover," he continued. "For your rich man will gradually cut out all the luxuries he has been providing for the favorites of the footlights and his first step toward recuperation is to stay home in the evenings with his wife."

Had to Protect Patrons. Joseph Fleischman has had many irons in the fire. He said today that he had \$250,000 invested in the Fleischman baths at Sixth avenue and Second street, which went into a receiver's hands last week and that the only reason he could ascribe for Gutman, who is a wholesale florist, and a few other creditors whose claims do not amount to more than \$70,000, forcing his floral business into bankruptcy was

because they got nervous when they read of the failure of the baths. "I've conducted a big business for many years," he said, "and I have never gone to law to collect a bill. Why? It's simple. My patrons have been rich men, prominent men, and if I went into the courts and it got into the newspapers through me that one of these men had been sending flowers to other women than his wife my other patrons would say: 'Why, look what Fleischman has done! He's not a discreet man—if he tells on So-and-so he'll tell on us,' and they would withdraw their custom. No, sir, it was better to lose a little money."

Not "Broke," Law's Unfair. "But I'm far from a broke man," he continued. "I've a telegram that came this morning from Chicago telling me to draw on a certain man for \$100,000. Under the unfair law it doesn't matter how wealthy a man is, if a creditor presents a bill for a small amount that can be forced into bankruptcy. That is what happened to me."

"You know the kind of a dog that eats out of your hand and bites you in the shin? That's the answer. But I'll pull through, all right."

Robert C. Morris was appointed receiver for the Fleischman Floral Co., with a bond of \$250,000. The liabilities are stated to be \$20,000 and the assets \$10,000.

POPE HAS FEVER, AND OFFICIALS FEEL ANXIOUS

All Audiences With the Pontiff Have Been Suspended Because of His Illness.

ROME, Nov. 30.—Because of a severe cold, the Pope has suffered a relapse which is causing some anxiety. Owing to a slight fever he is obliged to remain in bed. Doctors Petacci and Marchisava visited the Holy Father, and after a careful examination announced that if proper care were taken, with thorough rest, they felt sure that no complications would arise.

All audiences have been suspended, including those of Archbishop Giannone and Bishop Allen, of Mobile. A special representative from Portugal today expected to present the Pope with gifts from King Manuel in honor of the recent priesthood jubilee, but because of the Holy Father's indisposition these plans were countermanded.

The Correspondenza Romano, the organ of the Vatican, says today that the Pope is much better and that he may leave his bed this afternoon. He expects tomorrow to leave his private apartments on the third floor of his palace and come down to the business quarters on the second floor.

The slight indisposition which afflicted the Pope several days ago continues. His doctors have advised him to rest for an entire week, and for this reason all audiences will be suspended.

REBELS MARCHING ON HAYTI'S CAPITAL AND MASSACRE FEARED

Foreign Envoys Have Warned Gen. Simon's Army That Order Must Be Maintained at Port au Prince.

GOVERNMENT TROOPS DESERT AND INHABITANTS FLEEING.

President Nord Alexis Refuses to Resign, and Ties His Soldiers Together So They Can't Meet the Enemy.

PORT AU PRINCE, Nov. 30.—The fear that the rebels will enter Port au Prince and loot the city has thrown the people into an extreme condition of panic.

All the stores and business houses are closing and putting up their shutters. Men are protecting their residences by barring the doors and windows, and every foreigner in the city has put up over his property the flag of his nation. The markets are deserted.

"MISS DASH" TOO VAGUE IN DIVORCE, GOULD COMPLAINS

Frank J. Objects to Wife's Amended Papers in Her Suit, Asks Court to Cut Them.

Motion was made before Justice Scharby in the Supreme Court today to strike out of the third amended complaint of Helen Margaret Kelly Gould for absolute divorce from Frank Jay Gould several allegations as irrelevant and redundant and by which Frank J. Gould feels aggrieved.

A lawyer from De Lancey Nicol's office made the motion. He said the complaint, which has been carefully hidden in the many proceedings in the case, consists of twenty-three allegations, each in a paragraph, and that his motion was to strike out eleven of them.

The House at Cape Breton. He poked fun at what he called "the real estate deed description" of a certain notorious house alleged to have been visited by Frank Gould at North Sydney, Cape Breton. This description was as follows:

"A two-story frame house, Queen Anne style of architecture, the third of fourth from the corner of the street that runs from Front street, which runs along the water front to the railway station, and situated on the second street west of and running parallel with Front street and at right angles with the street from Front street and the station."

Objection was made to another paragraph, charging improper conduct by Gould with a woman who is set down as "Miss —" and to another, alleging that Frank J. Gould first met "Miss —" at a fashionable restaurant on Fifth avenue.

The lawyer also objected to a paragraph charging that Gould had his valet engaged a room adjoining that occupied by "Miss —" on one side and his own on the other, and through which Mr. Gould had access to the apartment of "Miss —" and used it as a passage to her room "on or about the autumn of December of 1896 or January, 1897," on the ground that what Mr. Gould's agent did could have no bearing on the case.

As to "Miss —" By the use of the dash in these paragraphs

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