

# MAYOR GAYNOR'S LITTLE SCHOOL, SKEETERBORO, N. Y.

Did It Turn Out Better Scholars Than the Public Schools of New York City? The Evening World Makes a Test in the Mayor's Childhood Educational Institution and in an East Side School. It Is an Absorbing Comparison.

## SEE EVENING WORLD (ALL EDITIONS) TO-MORROW.

WEATHER—Rain to-night and probably Saturday.

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### FINAL EDITION.

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"Circulation Books Open to All."

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## TELLTALE LOCK ADMITTED AS A LINK IN THE EVIDENCE IN TRIANGLE FIRE TRIAL

### Prosecutor Bostwick Wins His Point After a Long Legal Battle.

### WAS TWICE RULED OUT.

### "Shot Bolt" Furnishes Strong Evidence That Washington Place Door Was Locked.

Judge Crain, in Part V. General Sessions, this afternoon allowed the lock in the door that barred the escape of the girl operators from the Triangle Waist Company fire of March 25, 1911 to be introduced in evidence. Twice before during the day the Court had refused to admit the exhibit as testimony against Isaac Harris and Max Blanck, who are on trial for manslaughter in the case of Margaret Schwartz, one of the 147 who died in the fire.

This piece of metal containing the lock, and known as "People's Exhibit No. 10," constitutes the strongest physical proof of the prosecution's case. For two days Assistant District-Attorney Bostwick fought a legal battle to get it before the jury. Repeatedly he was ruled out. He came back like a bulldog in the face of an almost hopeless fight and won the crucial point.

It shows conclusively, he contends, that the ninth floor door of the Washington Place side of the factory where many girls died, was locked when the panic-stricken employees threw themselves against it to escape from the flames.

At the opening of the session to-day Judge Crain denied a motion of the defense to strike from the record all testimony relative to the fire escapes on the Asch Building below the eighth, ninth and tenth floors.

This important ruling gave the defendants notice that they would be held accountable for any obstruction that might have prevented the factory girls from getting to such means of egress as the building afforded.

### TELLS ABOUT FINDING THE LOCK ON NINTH FLOOR.

Joseph Sabino, who found the piece of wood containing what purports to be the lock of the ninth floor door, was asked what he found while working in the building on April 10.

"I found a piece of wood," he said, "he indicated a piece about five feet long and had started to say that he was going to throw it away when somebody told him to show it to John D. Moore. Then he identified the bit of wood and the lock he had found."

"Where did you find that bit of wood?"

"On the ninth floor about four or five feet from the door."

On cross examination he said a policeman had directed him to the work and that Mr. Moore had given him a pay check for the job.

Pietro Torchia, who was working with Sabino, said he saw Sabino find the piece of wood and lock on the ninth floor and he identified them.

"Police Officer Flynn, who was on duty at the Asch Building after the fire, said he was on the ninth floor when Sabino and Torchia found the door panel. He testified that he saw the men take it from a pile of rubbish."

"Under what instructions were you there?" asked Mr. Bostwick.

"Mr. Moore told me to watch the men at work."

Q.—By the Court: Where were these men working at the time? A.—On the ninth floor on the Washington place side.

Q.—How far was that from the door? A.—Diagonally about eleven and one-half feet.

Max D. Steuer, cross examining, said Mr. Moore had stated the distance to be between twenty feet, and asked if the policeman was sure of the distance. The witness said that was his recollection. Then he was excused and told to bring his memorandum book to court.

John D. Moore was recalled. He said he went to the Asch Building March 27 and was there every day except March 28 and April 1 until the finding of the lock on April 10.

"On the morning of April 10 what

## "SHUT UP OR QUIT!" IS THE ULTIMATUM MADE TO BARNES

### Republican Leaders Say He Has Put a New Fracture in G. O. P. Machine.

### SUCH A FOOLISH TALK!

### His Roosevelt Interview, They Say, Puts Him on Par With "Fingy" Conners.

"Shut up or get out."

That was the blunt notice served upon Republican State Chairman William Barnes by State Committee men William H. Daniels, former State Treasurer John G. Wicker and other up-State Republicans who called upon the State chairman to-day to find out into just how many factions Mr. Barnes hoped to smash the Republican State machine.

It was pointed out to Mr. Barnes by these critics that instead of harmonizing the party as he had promised to do when he assumed his new office he was swiftly battering it into smithereens.

"Where we had but two factions when Mr. Barnes took hold of things we have at least three now—the Barnes, the Roosevelt and the Taft factions. One more and we might as well retire from the political business," said one of the visitors.

"Get some good man as your standard bearer or get out of business," was the way it was put up to Mr. Barnes. "Take either Mr. Roosevelt or Mr. Taft, but don't try to stand alone for it means your political finish outside of Albany County."

### REMINDED HIM OF AWFUL WARNING TO "FINGY."

It is understood that the visitors reminded Mr. Barnes that but a little more than a year ago a State Democratic Chairman, William J. Conners of Buffalo by name, had talked just a little too much and as a result had a majority of his own committee call a meeting to depose him. Mr. Conners, it will be remembered, merely said that Charles F. Murphy of Tammany Hall made Supreme Court Judges pay for their nominations "and that he would prove it." However, Mr. Conners decided not to prove it and after he made a lengthy retraction he was allowed to retain his seat.

The spectre of Mr. Conners' escape from removal has been held up to Mr. Barnes by his visiting committeemen.

"Barnes has either got to shut up or get out," said one of the visitors to The Evening World. "He has had these outbursts before, but now he is a State leader, and the tactics by which he used to rule Albany County won't go in the entire State."

That there is a strong movement on foot throughout the State to repudiate the leadership of Barnes was apparent from talks with the various leaders who were in the city to-day. It was generally agreed that Barnes had not made good.

### SAYS THEY HAVE LOST CHANCE TO WIN OUT.

"The party was united in the fight to get back the Assembly. Now Barnes has thoroughly disrupted it again," they said.

Mr. Barnes wasn't allowed to go unadvised about the unpopularity of his published remarks about President Taft.

Mr. Daniels, one of the leaders from Erie County, was asked if Mr. Barnes's dislike for Mr. Taft struck a resounding chord in the western end of the State.

"You can say for me," said Mr. Dan-

(Continued on Second Page.)

## ECKERT'S WILL, CONTESTED BY SON, UPHELD BY COURT

### Surrogate Declares Late Head of Western Union Was Not Unduly Influenced.

### YOUNGER SON WINNER.

### Property Valued at From \$1,000,000 to \$3,000,000 Goes to Thomas T. Eckert, Jr.

Surrogate Cohanlan late to-day dismissed the contest brought by James Clendennin Eckert to upset the will of his father, the late Gen. Thomas T. Eckert, for many years president of the Western Union, and sustained the will as a valid instrument entitled to probate.

Clendennin Eckert contested the will, under which he received only \$50,000 outright, while his brother, Thomas T. Eckert Jr. received the bulk of the estate. He charged his father had been unduly influenced by Thomas T. Eckert Jr. and that at the time of the execution of the will his father was of unsound mind by reason of his age and physical and mental infirmities.

In a long opinion the Surrogate said there was not the slightest evidence of any undue influence on the part of T. T. Eckert Jr. or any one else. He said the evidence clearly showed that Gen. Eckert knew all about his property and affairs and was fully capable at the time of the making of the will.

### COURT DISREGARDS CLAIM OF THE ALLEGED WIDOW.

The Surrogate said in arriving at the conclusion he did that he utterly disregarded the testimony and the claim of the alleged widow, Marie L. Davis, or Dore, whose claim, in his opinion, arose solely from the hallucinations of a disordered mind.

Gen. Eckert left an estate variously estimated at from \$1,000,000 to \$3,000,000. During the trial of the contest before Surrogate Cohanlan, lasting several weeks, there was evidence of the bitter feeling between Clendennin Eckert and his younger brother, Thomas.

Gen. Eckert in his will bequeathed the property known as Carlton Terrace at Elberon, N. J., to Miss Joanna Eckert, the beautiful young daughter of Clendennin Eckert. To his brother, William H. Eckert, and to his niece, Mary P. Taft and Alice B. Hamlin, he left \$5,000 each; to Richard G. Page Jr., his private secretary, he left \$100,000 outright. The \$50,000 bequest to James Clendennin Eckert was left in trust, while the residue of the estate went to Thomas T. Eckert Jr.

### MAY LOSE EVEN THE \$50,000 BY THE CONTEST.

The will provided that in the event of a contest by James Clendennin Eckert the share he was to receive should be cut off entirely. It was with a full appreciation of this clause in the will that Clendennin started a contest. His lawyers announced during the trial before Surrogate Cohanlan that no matter how the case was decided by the Surrogate it would be appealed.

### 'INDICTED FOR \$400,000 LEATHER STOCK SWINDLE.

On evidence supplied by the Federal authorities the Grand Jury to-day returned indictments alleging grand larceny against Henry R. Raymond, Herbert Parker and Adam Hoch.

Raymond was arrested in the District-Attorney's office. Parker and Hoch had not been found up to a late hour this afternoon.

The indicted three professed to be interested in a new process of tanning leather invented by Hoch. They sold stock, it is alleged, to the amount of nearly \$400,000. The Post-Office authorities got after them and they were indicted on charges of using the mails to defraud. The Government alleges that the process was a myth. At present the accused are out on bail.

Owing to the crowded condition of the calendars of the United States Courts there is little possibility of the cases against Raymond, Parker and Hoch coming to trial for a year and a half or two years. It is presumed that the District Attorney was called into the case for this reason.

## Lillian Graham and Ethel Conrad In Court as Prosecutor Lashes Them



## PICTURE FILM FIRE PUTS GIRLS IN PERIL, BUT ALL ESCAPE

### Rush to Stairway Just Before Explosions Shake West Side Building

A plant for developing moving-picture films and a piano factory in the same building formed a combination, at 11 o'clock to-day, that gave the firemen a hard battle on the west side. A fire started in the film developing place and spread to the piano factory. Two alarms were turned in and probably \$50,000 damage was done by fire and water.

The building at the northwest corner of Thirty-seventh street and Eighth avenue is six stories high and variously occupied. The Rottschild Twenty-Five Cent Store has the ground floor. The second floor is vacant. The three top floors are occupied as a factory, assembling room and store room by the E. Leina Piano Company, except the front part of the third floor which was given over to the Federal Picture Film Company. In the rear of the building is an annex occupied by J. F. Hayes as a storage warehouse.

Half a dozen girls and as many men were at work in the film developing plant when an electric light globe exploded and pieces of hot glass fell on a film that was being rolled on a spool.

Eleanor Lasker of West Twenty-seventh street, 4 o'clock Island. The sensitive film caught fire and burnt its length with a dash. Then other films, hanging in long rows from the ceiling to dry, began to go off like a bunch of firecrackers.

"Run everybody," yelled John Mulcahey, one of the employees. The girls had been often warned to run in case of fire. They left everything behind. As the last person out slammed the door the first explosion occurred.

Although the girls escaped injury they lost their wraps and handbags and hats. One of them is Isaac Malloy, who was the Queen of the Carnival at Coney Island, and left here for Algeria.

The fire was confined to the third and fourth floors, but the rest of the building was thoroughly soaked. Warnings of the fire were given the tenants by enter the building. They returned to work after gulping down some outside fresh air. Deputy Ross, because of the flimsy character of the buildings in the neighborhood turned in a second alarm.

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## BURNING STEAMER GREAT SEA SIGHT FOR CRUISER'S MEN

### Explosions Rend Chesapeake as Chester Passes—Crew of 29 Believed Rescued.

BOSTON, Dec. 15.—The burning of the London tank steamer Chesapeake, New York for Algeria, in mid-ocean on Dec. 10, and the probable rescue of the crew of twenty-nine, was reported here to-day by the scout cruiser Chester upon her arrival from Tripoli.

Capt. Decker of the Chester stated that last Sunday evening she sighted the Chesapeake abandoned. An unknown bark was seen about the same time nine miles distant, and the officers of the Chester concluded that the crew of the burning tanker were on the sailing vessel.

The Chester was steaming along at high speed about half an hour after sunset when the eastern horizon became illuminated, and half an hour later the cruiser came up to the Chesapeake. The entire forward part of the steamer as far as the bridge was in flames, and explosions were frequent as the fire reached the various tanks. The steamer was well down by the head and listed to port, and in the opinion of the officers of the Chester she did not long remain above water.

The steamer was in latitude 38.19 north and longitude 46.58 west, or more than 150 miles south of the regular steamer lane from New York to the Mediterranean.

The steamer Chesapeake is owned by the Anglo-American Oil Company of London, a subsidiary of the Standard Oil Company, and left here for Algeria Dec. 10, and is of 2,856 tons net register.

### Red Cross Seals.

At the office of the Red Cross Christmas Seals to-day a letter containing \$500 was received from John D. Roike, former ordering Red Cross Seals. Mr. Roike, the sales manager, said this was the largest single order received, though there had been several \$100 orders. He said that more than fifteen hundred mail orders have been received this year.

### \$10 Men's O'Coats & Suits, \$4.95

THE "KUM" Clothing Corner, Broadway, Cor. Barclay St., opp. Post-Office, will to-day and Saturday the balance of their Men's O'Coats and Winter Suits, in black, blue, blue stripes, brown, gray and dark mixed worsteds, all sizes, worth \$10 in any other store, only \$4.95 to-day and Saturday.

FOR RACING SEE PAGE 2

## KING GEORGE WELL IN DELHI AS STORY OF MURDER SPREAD

### Excitement in London Quelled Only When News of Durbar Doings Was Cabled.

DELHI, Dec. 15, 12 Noon.—The King, Emperor and Queen-Empress to-day laid the first stone of the new capital of India which, as was proclaimed after the Durbar, is to be Delhi. There was a brilliant assemblage of ruling princes, governors and state officials.

The foundation stone simply bore the date 15-12-11.

Their Majesties both are enjoying splendid health in spite of the great fatigue they have undergone during the lengthy ceremonies of the Durbar.

LONDON, Dec. 15.—A vague rumor that King George had been assassinated at Delhi in India spread like wildfire through London early to-day. Nobody knew where it first arose, but it created immense excitement in the city and west End.

This was only allayed when a despatch from Delhi timed 11.45 midday was received, simply announcing the carrying out of the royal programme and not mentioning any untoward incident.

The reports of news in the Delhi Durbar camp had been so grossly exaggerated and the disaffection among a small section of the Indian natives had been brought so prominently to public notice in the newspapers recently, that nothing that might happen during the sojourn of the King-Emperor in India.

Officials at the India Office could not account for the rumor. They had had no intimation of an incident of any kind and declared that the fire which occurred last night in a tent close to that of the King was of slight importance and was of a purely accidental nature. It was only when these announcements were made public that the general excitement relaxed.

As far as it is possible to ascertain, the totally unfounded rumor of the assassination of King George at Delhi was started by a local telegram sent to a newspaper office late last night inquiring if there was any truth in a report that the sender had heard of the assassination of the King. The contents of the telegram spread among the employees at the post-office and eventually became known throughout the city, where the rumor caused the greatest consternation.

## STOKES CASE JURY OUT SEEKING A VERDICT ON GIRLS WHO SHOT

### Court Eliminates Attempted Murder Count, Leaving Charges of Two Degrees of Assault Alone to Be Determined.

### BUCKNER DENOUNCES STOKES AS WELL AS DEFENDANTS.

### His Character Despicable, but Not an Excuse for Attack, Prosecutor Declares.

Justice Marcus, in the Criminal Branch of the Supreme Court, late this afternoon charged the jury in the case of Lillian Graham and Ethel Conrad, tried for shooting W. E. D. Stokes. The charge followed a remarkable summing up by Assistant District-Attorney Buckner, in which he denounced Stokes as a "roue" and a "wily old man who knew better than to get himself into a breach of promise case, and in other unparading terms. He still demanded that the girls be convicted, irrespective of the person they shot.

## AGREEMENT NEAR IN THE RUSSIAN PASSPORT AFFAIR

### Washington Hears of Tentative Plan for a Modification of Restrictions.

WASHINGTON, Dec. 15.—A report spread at the Capitol to-day that the efforts of the State Department to procure more liberal treatment for American-Jewish citizens in Russia had resulted in a tentative agreement for a modification of the Russian restrictions which might prove a satisfactory solution of the vexed question.

Color was lent to the report by the fact that members of the Senate Committee on Foreign Relations successfully fought off yesterday an effort to secure immediate consideration in the Senate of the House resolution abrogating the treaty of 1852 with Russia. The members of the committee promised that a report on the resolution would be forthcoming by Monday.

After the Cabinet meeting to-day Secretary Knox denied that an agreement had been reached, but indicated that the negotiations still were in progress.

### SLAYERS' DRIVER INDICTED.

### Alleged Chauffeur of Robbers' Taxi Charged With Murder.

Joseph J. Keating, a chauffeur, arrested early this week charged with driving the car in which the murderers of Adolph Stern escaped from Jacoby's jewelry store at Sixth avenue and Thirtieth street, was indicted to-day by the Grand Jury after Assistant District-Attorney Nott had presented the case against him. The indictment charges murder in the first degree as an accessory.

Martin Garvey, under indictment as one of the principals in the crime, will be put on trial before Justice Marcus in the Criminal Branch of the Supreme Court next week.

World Building, Turkish Baths, Barber and manicure, Chiropodist in attendance. 44 Park Row.

Justice Marcus eliminated all possibility of convicting the girls of attempted murder by withdrawing that count from the indictment at the beginning of his charge. He told the jury that the District-Attorney had eliminated this count by the manner in which he had chosen to present the plea. In other words, there was no premeditation upon which to base an attempted murder charge.

The Court restricted the jury to the second and third counts, which charge respectively, assault in the first degree, with intent to kill, and assault in the second degree, with intent to do bodily injury.

Justice Marcus laid great emphasis upon the fact that the only thing the jury was to decide was the question of just defense. All the other issues, he said, were important only as determining the credibility of witnesses.

The jury retired at 4.15.

While waiting for the jury to return Miss Conrad gave way to tears for the first time since the trial began. Miss Graham shook violently with nervous tremors and sobbed without cessation, but Miss Conrad merely cried quietly into her handkerchief for a few moments and then dried her eyes and sat staring into vacancy. Both girls were taken to the Sheriff's office after the jury had been in deliberation a few minutes.

The jury sent for the exhibits and the documents in the case.

But, by comparison, the denunciation of Stokes was nothing to the scathing Mr. Buckner dealt to the two girl defendants. Their plot was extortion, pure and simple, he said. The method was that successfully practiced by Ethel Conrad, whom he termed the suggester and prime mover, by turns.

Mr. Buckner began summing up by outlining what he called the "three defenses" the jury was to consider.

"There are two defenses," he said, "offered to you, and one more for your judicial consideration. The first defense is that the defendants are women; the second that Stokes is a roue, and the third is self-defense."

"In considering the first defense you must remember that you give your verdict to me, as the people's representatives, when you were accepted as jurymen, that you were men, that you would be swayed by no sentiment of that sort. You are going to stick by your word, aren't you? You are going to keep your promise to me and the State of New York. I know it is difficult, but you must."

"As for the second defense that has been offered to you by the other side, how absurd it is as an argument for the acquittal of these women. They have blackened Stokes's character in every possible way, in order to support the assumption that because he was a