MINNOCK TELLS HIS STORY

DESCRIBES IN DETAIL ALLEGED ASSAULT ON HILLIARD.

CREDIBILITY OF THE WITNESS ATTACKED BY MR. WELLMAN, OF COUNSEL FOR THE DEFENCE.

In the trial of Jesse R. Davis, a Bellevue Hospital nurse, charged with killing Louis H. Hilliard, a patient, the prosecution put what is considered to be its most damaging witness upon the stand yesterday. He was Thomas J. Minnock, who was in the hospital at the time of the alleged assault by Davis upon Hilliard. Minnock had gained access to the hospital as a pretended patient, but his real purpose was to get material for a story to sell to a newspaper. On cross-examination he confessed that stories which he had previously written for newspapers were fictitious, though purporting to be true. He also admitted that in statements which he made to the Coroner who held the inquest on Hilliard's body, he, the witness, "forgot" to mention one of the most graphic and horrible incidents of the story which he now tells, and also that his account of another part of the alleged assault on Hilliard was only partly true.

The case is being tried in Part II of General Sessions, before Judge Cowing. Assistant District Attorney Franklin Pierce has charge of the prosecution. Francis L. Wellman, Charles Simms and H. B. Anderson are counsel for Davis. The examination of Minnock was conducted by Mr. Pierce as follows:

Q.—Did you see Hilliard when he entered the pavilion? A.—Yes.

Q.—Was Davis there then? A.—No, Dean was acting head nurse in his place.

Q.—What nurses were with Dean? A.—Marshall and Donnelly.

Q.—What time did you get up on Wednesday? A.—Between 10 and 12 o'clock.

Q.—Who were the nurses that day? A.—Davis, Dean and Marshall.

Q.—Did you see Hilliard at the dinner table? A.—Yes.

Q.—Did he eat? A.—He ate a little.

Q.—After dinner what occurred? A.—A lot occurred before dinner.

Q.—What occurred before dinner? A.—Superintendent O'Rourke came in and made the rounds with Davis. He noticed Hilliard and said: "You have been getting a pretty good licking." "No," said Hilliard, "I have been scratched." Before this Davis got all the patients on the benches and said: "If any of youse sons of —— dare open your mouths or say anything about your treatment here you will get a good licking." Davis asked if anybody else had anything to say. I said I would give a lecture, and I told them I was a great friend of the Prince of Wales and Queen Victoria and had a system of gambling. After dinner Dr. Wildman came in and Davis said: "We have a very violent patient here." Wildman said: "Well, you know what to do with him." Davis said: "We did, and it don't seem to do any good."

Q.—Did you observe any violence on the part of Hilliard? A.—No.

Q.—What was he doing? A.—He was walking up and down and was very restless.

By Juror No. 9—Did you see anything on Hilliard's part that would admit of his conduct being characterized as violent?

Mr. Wellman objected, and the question was withdrawn. Minnock resumed his testimony, saying:

On the afternoon of December 12 I was ordered down to the other end of the hall when Dr. Fitch came. He saw Mrs. Hilliard when she came to visit her husband. Later he saw Davis pushing Hilliard out of the office by the shoulders. Hilliard then sat down on a bench. After Dr. Fitch left Davis came out of the office and went to the bathroom and stayed there a quarter of an hour. Then he came out and sat down on the table. He was there about half an hour and then his head dropped over and he slept about an hour.

TELLS OF CHOKING WITH SHEET.

Minnock then showed on a diagram where the table was placed for supper and where he and Hilliard sat at the east end of the table opposite each other, and then continued his evidence as follows:

Hilliard was ordered several times by Dean and Marshall to eat his supper. Finally he sat down. There was apple sauce, crackers and tea. He was ordered by Marshall to eat. Davis was in the office. Marshall said, "Go on, eat your supper. Do you want what you got last night?" Hilliard said in a low voice, "No, no." Davis came out and said, "What, he won't eat? Damn him, I will make him eat," and hit Hilliard on the head. Hilliard arose and ran around the end of the table into Dean and Marshall. They grabbed him and Davis came along and threw Hilliard to the floor and placed his knee on Hilliard's breast and grabbed Hilliard by the throat and held him there about two minutes, while Marshall and Dean held Hilliard's hands. Hilliard began to kick. Davis, still with one hand on his throat, tried to hold his legs. Then he took his hand from Hilliard's throat and said:

"Will you eat now?" Hilliard replied, "No, no, never!" Davis said, "Damn him, I will make him eat. Go get a sheet." Some one got a sheet and Davis put it around Hilliard's neck and twisted it. Then taking it off he said, "Will you eat?" Hilliard gasped, "Ain't you ashamed; ain't you ashamed?" Davis twisted the sheet again and one of the nurses said, "Give him a chance."

Then Davis placed Hilliard on a bench, and Davis put the sheet again around Hilliard's throat and braced himself against the bench and twisted the sheet tighter and tighter. Then he loosened it, and twisted it again and loosened it. "Will you eat now?" asked Davis. "No; never," said Hilliard. Davis twisted the sheet again, and, loosing it, said, "Will you eat?" There was no reply, and Hilliard's head sank and his hands fell at his side. Davis grabbed him by the back and they carried him to the shower bath and turned the shower on him and tried to stand him under it and he collapsed. While taking Hilliard to the bath Marshall ordered all the rest of us to the other end of the room. I began clearing the table, and while handing the dishes to Ann McDermott I peeped in and saw Hilliard in the shower bath. They had Hilliard in the bath about five minutes. Then they carried him by the back, his clothes dripping, his head bobbing up and down on the floor, to his room. Davis then came out and ordered us all to bed. My room was the first room near the office.

Q.—What did you see or hear there? A.—I heard Davis say, "Dean, come here. I think this fellow is dying." Dean went past my room on a run. Then both came by on a run. Davis came out with a long tube, Dean with a bottle. Davis went into the office and I heard him telephone to Dr. Moore. "Hello! There is a man dying here in Ward No. 29. Come over." I saw Dr Moore and Davis go in the room, and when they came out I heard Dr. Moore say, "Well, you know what to do in a case like that." Next morning Davis said, "We have to remove that patient to another ward. We don't keep violent patients here."

Q.—What did Davis do that day? A.—He telephoned a number of times to the Morgue, inquiring if the autopsy had been made on Hilliard. Davis called Dean to his office, and I heard him say: "Dean, how are we going to fix this?" Then Davis said, "Dean, tell Marrhall to come here." Marshall went in, and closed the door.

Then I told Davis that I was from "The Herald" to get a story, and that I could not get to Ward's Island, as Superintendent Blake and I belonged in England and he would know me, so I wanted to get out. Davis turned white, and, turning to a nurse, said, "Restrain that man." Then they began to treat me pretty nicely. Davis asked me if I didn't want a bath. He had the private bathroom fixed up for me and I took a bath, and Davis asked me if I did not want to sit up in my room. They gave me magazines and oranges. Davis called me into the office and said: "Minnock, you keep your mouth shut and say nothing, and don't write this story and I will be your friend. If you do I will be your enemy. Remember, Minnock, you are not out of here. We have the power of life and death here."

Minnock next told of his efforts to communicate with people outside. He finally was taken on Saturday morning to Magistrate Hogan's court, and was discharged. Minnock illustrated how Davis manipulated the sheet with which he is alleged to have chocked Hilliard, and the witness was then turned over to Mr. Wellman. The cross-examination proceeded as follows:

Q.—You published the story of your life in "The Bridgeport Herald" on December 2? A.—It was not the story of my life. It was an imaginative story dealing with hypnotism.

Q.—You dealt with facts and dressed them up to make the story more interesting? A.—Yes.

Q.—I ask you whether you were ever a human pin cushion in Chicago?

The Judge—Excluded.

Q.—Did you meet a man in Chicago and ask him to change his name to Santonelli and travel through the country giving fake hypnotic exhibitions? A.—I was never in Chicago in my life.

Q.—Were you Santonelli's confederate? A.—I travelled with him to expose him in "The New-York Journal," and I did so.

Q.—Not until after you had a quarrel with him? A.—I had no quarrel with him.

Q.—Didn't you have your picture published in the newspapers with your lips sewed up under a hypnotic spell?

The Judge—Excluded.

Q.—Didn't you have your picture published, crucified?

The Judge—Excluded.

Q.—Didn't you have your picture published in "The Journel" with a sheet twisted about your neck? A.—I did not. I wrote the article, but did not pose for the picture.

Q.—Did you know Simon Carleton? A.—Yes, I exposed him before the Medical Aid Society.

CROSS-EXAMINED AS TO HIS CAREER.

Q.—Were you connected with a doctor in Bridgeport, for whom you gave hypnotic exhibitions? A.—That was an imaginative story.

The Chief of Police of Bridgeport was asked to stand up, and pointing to the chief, Mr. Wellman said to the witness:

Q.—When did you first see this man? A.—When I was arrested in the Atlantic Hotel in Bridgeport, Conn., where I was with my wife.

Q.—She was not your wife then? A.—Yes, she was.

Q.—You were arrested for trying to drug the girl and get her to New-York? A.—Yes.

Mr. Pierce—Counsel knows the witness was acquitted on that charge.

Q.—Were you allowed to go on your promise to leave the State? A.—I deny it.

Q.—There was another young man with you? A.—A college chum.

Q.—He was not married to that girl? A.—No.

Q.—When were you married? A.—I don't remember.

Q.—How many years ago? A.—I don't remember. I was married twice—the second time in church. I can find out the date.

Q.—About when were you married? A.—It may have been five or six or seven years ago.

Q.—Sadie Cook was not your wife when you were arrested? A.—She was.

Q.—If Sadie Cook was your wife at the time you were arrested, why did you go to the Chief of Police at Bridgeport and ask if anybody was looking up your record? A.—Because my wife told me people had been up there trying to bribe her to come to New-York and testify against my character.

Q.—Where is your wife now? Is she in a foundry, supporting her child without your help? A.—She is not.

Q.—Have you acted as a professional witness? A.—I did not. I was a private detective.

Q.—Were you a witness in the Gilmartin divorce case, and did you afterward try to sell out to the other side? A.—I told them that it was blackmail.

Q.—Were you in Toms River in 1895 or 1896 under the name of Neiff? A.—I was sent there under that name.

Q.—What names have you gone under? A.—Neiff, my foster mother's name; Grace, my grandfather's name; McDonald, when I entered Bellevue, and McFossil, the name I assumed in writing stories.

Q.—Where are you working now? A.—For "The Commercial Advertiser."

Q.—"The Herald" denied that it employed you? A.—Yes.

SAYS HE FORGOT SOME THINGS AT FIRST.

Q.—You had no story of this alleged assault on Hilliard when you came out of the hospital, and four hours after you saw the account of the autopsy you wrote a story about it and sold it to "The World"? A.—I did not know that Hilliard was dead when I left the hospital, and I intended to go and tell Mr. Keller about it, but when I saw that the man was dead I made a statement and sent it to the Coroner.

Q.—Did you sell the story to "The World"? A.—After that.

Producing Minnock's affidavit, sent to the Coroner, Mr. Wellman asked:

Q.—Is there anything about a sheet there? A.—No, I had forgotten that.

Q.—When did you recollect it? A.—When I made the second affidavit before the Coroner.

Q.—Is there a word about a sheet in the second affidavit? A.—It may not be there.

Q.—Did you forget it? A.—I must have.

Q.—Do you mean to ask this jury to believe that after witnessing that horrible scene you forgot it? A.—I was excited and in a hurry, and it escaped my memory.

Q.—Did this incident of the choking of Hilliard with a sheet escape your memory the first time you went on the stand at the Coroner's inquest? A.—It did not.

Q.—You were recalled at the inquest? A.—Yes.

Q.—It was on the recall that you told of the sheet? A.—Yes.

Q.—Why not at your first examination? A.—It escaped my memory.

Q.—Did you have your first affidavit before you when you made your second affidavit? A.—I did not. I had a newspaper clipping.

Q.—You had made up a story, and you had to have the clipping to remind you what you had made up? Was not that it? A.—No, it was not. I used the clipping at the suggestion of the Coroner's clerk.

Q.—Why did you omit from the second affidavit a statement contained in the first? A.—The clerk was in a hurry to get home.

Q.—Why did you say before the Coroner that on Wednesday afternoon Hilliard was weak and hardly able to walk about, and then say this morning that he was walking about all right? A.—He was weak at first, when he came out of his room, but when he got going he was as lively as ever.

Q.—Now, as to that fall. You said that when they released him he took a few steps and fell violently to the floor. Was that true or not? A.—It was partly true.

Q.—But you swore to it that it was all true? A.—I was mistaken. He did not fall violently.

Q.—What did he do then? A.—They set him on a bench.

Q.—But you swore that he fell again? A.—I thought that you were through that part. He fell several times, and then they set him on the bench.

Q.—Was he feeble? A.—Yes.

Q.—But you just swore that he was all right? A.—You just led me into that.

The court adjourned until 10:30 this morning. Before Minnock went on the stand William Rosensohn, ambulance surgeon at Bellevue, testified that when he was taking Hilliard to the hospital he was led to look at Hilliard's face, arms and neck, because he said he was healthy and he did not appear so, being thin and weak looking. He saw no marks on Hilliard, however. Richard Bateman described putting the restraining belt on Hilliard at Gouverneur Hospital. He denied that any violence was used in handling Hilliard, and said he had no injuries when he was left at Bellevue. Richard K. Donnelly, who was one of the nurses in the pavilion for the insane at Bellevue Hospital when Hilliard was admitted, testified to the reception of the patient at the hospital on December 11 at 4 p. m. He said that he saw no marks on the patient when he was received.

Donnelly's testimony as to what was done to Hilliard on the night of his reception at Bellevue was as follows:

Hilliard refused to eat and I called Dean. Dean slapped Hilliard twice on the face. Hilliard turned and tried to strike back. Dean seized him and threw him on the floor and Marshall took hold of the patient. I got the belt; Dean suggested a shower bath. We stripped him in the corridor.

Q.—Did you see any marks on his face or body? A.—I did not.

Q.—Up to supper time did Hilliard manifest any violence? A.—No, sir.

Q.—When did you see him again? A.—In the morning, restrained in his bed.

Q.—Was he violent? A.—No.

Q.—Where did you see him again? A.—I saw him walking up and down the corridor.

Q.—Was he violent? A.—No.

Q.—Did you see any violence on Tuesday night? A.—I did not.

Q.—You were there? A.—Not all the time.

Q.—How late did you see him? A.—About 12:30 on Wednesday.

On redirect examination Donnelly said he saw no one put his knee on Hilliard's breast that night, and he was looking straight at him when he was stripped and saw no bruises on Hilliard.

DIRECTORS OF NORTH AMERICAN TRUST.

Edwin Thorne, H. S. Black, Horace Andrews, of Cleveland, and Allen McCullough were elected to the directory of the North American Trust Company yesterday. Stanley L. Conklin and Samuel M. Jarvis, whose terms had expired, retired from the affairs of the company. Mr. Jarvis and Mr. Conklin have been actively connected with the North American Trust Company since 1893, when the latter concern took over the assets of the Jarvis-Conklin Mortgage Company. The new bank which was started several weeks ago in Havana by interests identified with the North American Trust Company will take over the banking business of the company's present branches in Cuba.

VALENTINES FILL THE POST.

THE OLD CUSTOM AS STRONG AS EVER, WITH MODERN MODES OF EXPRESSION.

Old customs die but slowly. Some of them have never died at all yet. Often they are alive long after they are generally supposed to be dead. Nobody who has enough faculty of observation to look in the shop windows supposes that the custom of sending valentines is dead, but many suppose that it is dying, and do not hesitate to proclaim their ignorance. They think that valentines are little used because they themselves no longer either send or receive them. In other words, being no longer young, they think that the world has grown old. There used to be a story in the reading books about some little peas in a peapod, and they were green and the pod was green, and they thought that the whole world was green. And after a time they turned yellow and the pod turned yellow, and they said: "The whole world has turned yellow." And so these self-contained persons say: "I have not sent a valentine or received one these twenty years; the world has forgotten its pleasant old customs."

What have such persons to say when the superintendent of general delivery at the Postoffice declares that all this month the mails have been exceptionally heavy and that yesterday they broke the month's record? Does that sound as if St. Valentine had lost his grip? The superintendent of general delivery is not the only man, however, who could give an expert opinion. Ask any florist. Valentines without words are fashionable now, and they are logical, too. For it is ancient tradition that a valentine should be anonymous, and if you do not know who is talking to you, what difference does it make what he says? A bunch of violets can say it just as well as a stanza printed in pink, under an embossed heart, with dripping blood, seen through a window in a paper lace canopy, tied with a blue ribbon.

Or ask the confectioners. Boxes of bonbons are another fashion for valentines. They can be had a little cheaper than flowers, and they do not go up in price just because it is St. Valentine's Day, as flowers do. They are put up in heart-shaped boxes, if desired, of the color of blood, or pale blue, if the case has not gone far enough to warrant the deeper dye. Flowers and bonbons are a blessing to the swain who is short of words. They tell so much and they are so impossible to misunderstand. Of course, there is the inconvenience that a thing which may mean anything may also mean nothing, but that is just the state of mind which many a thoughtful young man would wish to express, and, though words are most excellent at times for concealing thoughts, they are in general not to be compared with silence for that purpose. For silence merely conceals the thought, while words, in trying to conceal it, are more than likely to misrepresent it.

Thus the custom remains with a change of mode. But the old modes remain, too. You can get the real old paper lace valentines, if you want them, and you can even get the genuine old comic valentines, if you want them. You cannot get them at the first class stationers, but that was not where you got them when you were a child, if you will take the trouble to remember. Go to the same kind of place where you went then, and you will find them, and you will be astonished to find how classically vile they still are in color and tone, and yet how up-to-date in subject.

And this is not all. There is reason to believe that as many as four, and possibly six, young men in New-York City wrote genuine love letters—not good ones, but as good as they knew how to write—yesterday.

THE TUNNEL NEEDS GUARDING.

NO POLICE ATTENTION HAS BEEN PAID TO THE PLACE WHERE MRS. PRYOR DEFENDED HERSELF AGAINST A HIGHWAYMAN.

The attack upon Mrs. W. R. Pryor on the stairs leading from the Park-ave. tunnel at Thirty-eighth-st. by a highwayman on Wednesday afternoon has served to call attention again to the fact that the police have not guarded the tunnel stairways properly for years. Mrs. Pryor is not the first woman who has been attacked and robbed by a highwayman on the winding and hidden stairway at Thirty-eighth-st., as The Tribune told yesterday, and footpads have lain in wait for victims at other stairways leading from the tunnel recently. Attempts at robbery on the stairways have been numerous enough to show that better police protection was needed, but Police Inspector Harley said yesterday that only one policeman has been stationed at a time in Park-ave., and he spends most of his time patrolling the sidewalks, from Thirty-fifth-st. to Forty-second-st., where he could hear no outcry from one of the tunnel stairways.

There has been no special post for policemen in the tunnel for a long time, and citizens were saying yesterday that they thought it was surprising that there have been so few robberies on the tunnel stairways. The fact that somebody has not been robbed every week in the tunnel seems to have given to the police officials the hope that better protection there was not needed. That Mrs. Pryor was able to make such a plucky fight, and pursue the thief far enough to cause his arrest and recover her stolen purse, has been regarded by some of the police authorities as a mitigation of the crime. There have been some manifestations of a desire to excuse the thief, because he declared his wife was without proper food, and had urged him to steal. Many New-Yorkers said yesterday that Hynes, who went about the business of robbing a woman by trying to beat her into insensibility with a bludgeon in a secluded place, doubless is a hardened offender, who deserves to be sent to prison for the longest possible term.

Police inactivity, indicated by frequent robberies in the city, has been causing much comment recently. Many night assaults have not been reported in the newspapers, because the victims of the assaults have been unwilling to have notoriety, and the police have encouraged secrecy whenever they have been informed of such assaults. It will not surprise some citizens to hear that some of the police are protecting some of the footpads, and perhaps sharing in the proceeds of robbery.

FOR CHANGE IN CITY HALL TUNNEL LOOP.

EXECUTION OF THE AGREEMENT—DIVERTING CANAL-ST. SEWER.

The Rapid Transit Commission made arrangements at its meeting yesterday afternoon to have a representative at the hearing on the Brooklyn extension before the Board of Aldermen to-day. President Orr executed the agreement providing for a change in the plans for the City Hall loop. The Board approved a requisition for $654,000 for work and tools for January.

Chief Engineer Rogers says that work on the tunnel is progressing satisfactorily, as shown by the weekly charts of work done exhibited in the rooms of the Commission. One of the most difficult problems before the engineers was the diverting of the Canal-st. sewer from the East to the North River. Work on this has been going on since October. The excavation under Chatham Square has been completed without any impediment to traffic or tearing up of the street. For over two hundred feet under Chatham Square an excavation has been made under the pillars of the elevated road.

There are now, at a rough estimate, about two thousand men at work along the line of the tunnel. When the work will be in full swing, about the middle of summer, probably ten thousand men will be at work on the tunnel.

SUSPENDED FOR SIX MONTHS.

METROPOLITAN ASSOCIATION PAYS HEED TO ACCUSATION BROUGHT AGAINST A MEMBER.

At a meeting of the Registration Committee of the Metropolitan Association of the Amateur Athletic Union, held last evening at the Astor House, William Rodenbach, a member of the West Side Athletic Club, was suspended for six months, because of alleged attempts to defraud and the use of bad language.

Thomas Nevins, George Schley and Rodenbach acted as judges at the games of the West Side Club on February 9. Rodenbach is accused by Nevins with having asked him to give one of the competitors in the record for the shot-put, a friend of Rodenbach's, an extra foot in the measurement by tape, that he might win the record. Nevins refused to do this, and declares Rodenbach became abusive. The suspension against Rodenbach will be reduced to two months in case he apologizes to Nevins through the committee.

THE ACTORS' FUND BENEFIT.

The stage of Daly's Theatre will be busy all next week with the many rehearsals for the Actors' Fund benefit, on March 1. Miss Mary Mannering is rehearsing her one act play, with Mrs. Whiffen and Dorothy Tennant. The Twelfth Night Club is rehearsing Grant Stewart's skit, "An Appeal to the Muses," with the Misses Amelia Bingham, Blanche Bates, May Robson, Minnie Dupree and Bijou Fernandez. In addition to this, Captain Marshall's comedy, "The Shades of Night," which is to be played by William Courtenay, Grant Stewart, Alison Skipworth and Miss Cecilia Loftus, is to be got ready. Miss Beatrice Herford, De Wolf Hopper and the "Florodora" sextet are to contribute, and "The School for Scandal" scene is also in rehearsal, with William Thompson, Charles Richman, Guy Standing and Miss Hilda Spong.

VACCINATION'S SUCCESS.

DOCTORS TELL INTERESTING INCIDENTS ILLUSTRATING ITS EFFECTIVENESS.

An unusually interesting meeting of the section of Pediatrics of the New-York Academy of Medicine was held last night at the academy. It was interesting not only to the physician but to the average layman, as the topic of discussion was "Vaccination."

One of the papers was read by Dr. Frank S. Fielder, of No. 33 West Ninety-third-st. The subject of his paper was "Vaccination Clinically Considered." In it he referred to the duration of the immunity from effective revaccination which is conferred by vaccination, and spoke about the resident physician on North Brother Island, whither all persons suffering with smallpox and all smallpox suspects are removed by officials of the Board of Health. The story he told about this physician clearly showed how vaccine virus acts upon some constitutions, or, rather, does not act. He said that the physician was successfully vaccinated about eighteen years ago and again about ten days ago. In the recent outbreak of smallpox in this city this physician came in almost constant contact with persons afflicted with the disease.

HE WAS JABBED MANY TIMES.

He never at any time showed any signs of fear, or expressed a dread that he might be stricken with the disease on account of meeting daily and hourly persons so afflicted. At that time he had only once been successfully vaccinated, and that vaccination had been made eighteen years ago. He had had vaccine virus injected into his arms about thirty or forty times since the first successful vaccination, but it did not take on any of those occasions. He was practically immune against the disease. He was, however, successfully vaccinated about ten days ago, as before said.

Dr. Fielder also told another story to illustrate better the remarks he had made on the subject of the duration of immunity to effective revaccination and immunity of persons who have been successfully vaccinated, from smallpox. He said that there was a man among the patients on North Brother Island, twenty-five years old, who had been vaccinated about two years ago, and had had an exceedingly mild attack of smallpox. The man's wife was also a patient on the island. The speaker said that he did not know whether or not she, too, had been vaccinated about two years ago, but he had been told that she did not have smallpox in its worst form.

Dr. Fielder further said that complete natural immunity to vaccination was practically unknown. Among the complications arising from vaccination infections such as erysipelas, cellulitis, septicæmia, etc., became more rare as methods of preparing virus improved, and more care was used at the time of vaccination and in the subsequent management of the case. Generalized vaccinia, aside from cases in which the eruption is spread by auto-inoculation, was rare. The duration of immunity to smallpox which is conferred by vaccination was extremely variable, and in the presence of an epidemic the fact of recent successful vaccination was only presumptive evidence of immunity. Of persons successfully vaccinated within five years few would contract the disease, but some would, though they would probably have varioloid instead of smallpox.

IMMUNITY ABOUT TWO YEARS.

The duration of immunity to revaccination which is conferred by vaccination was also extremely variable, and probably brief (two years or less in a larger proportion of cases) than had been supposed. Revaccination afforded protection against smallpox as fully as an attack of the disease protected against a subsequent attack. Dr. Fielder also said that a person who had been successfully revaccinated was much less likely to contract or to die from smallpox than a person who had been vaccinated only once.

Continuing, Dr. Fielder said that vaccine virus should be subjected to rigid physiological tests before issuance. It should be retested every month as long as it was on sale. The virus from each animal should be kept by itself and numbered. It should be known by the number when issued, so that it could be called in after retests had shown that its efficiency had ceased. He thought that vaccination shields often did more harm than good.

Other papers were "Preparation of Vaccine," by Dr. John H. Huddleston, of the Board of Health, and "Specific Organisms in Vaccine," which was written by Dr. Anna Wessels William, and was read by another person, as she could not be present. Drs. Louis Fischer, William E. Young and C. Herrmann also read papers. Dr. Herrmann's subject was, "A Simple Apparatus for Modifying Cow's Milk." He showed the apparatus. Many photographs illustrating the various papers were exhibited. Dr. Huddleston showed photographs of the vaccine laboratory of the Health Department. Among those who took part in the discussion were Drs. W. A. Dunckel, F. H. Bartlett and William L. Stowell, the chairman of the meeting. The majority of the physicians who spoke were opposed to the use of vaccination shields. Dr. Bartlett praised the Board of Health for the splendid results he had obtained by the use of vaccine virus prepared by it.

"QUEEN LAVINIA" TO BE TRIED.

DATE FOR GRAND LARCENY CASE SET PEREMPTORILY BY THE RECORDER.

Recorder Goff yesterday set for trial peremptorily for February 19 the case against H. Lavinia Van Westervelt Dempsey, who is known as "the Queen of the Holland Dames," and is charged with grand larceny in the first degree.

"Queen Lavinia" was arrested March 9, 1900, charged with stealing $500 from Robert Troup, manager of the company playing "The Patriot Spy," the drama written by Miss Dempsey, in which she was the star. The company was out only a little while and disbanded. It is charged that Troup gave $500 as security for the place of treasurer, and that Miss Dempsey refused to return this money. The case was called in June, and the bail was forfeited. More bail was furnished and the case was reinstated.

GOOD PRICES FOR TROTTERS.

ONE TEAM BRINGS $5,000—MASCOT, ONCE PACING CHAMPION, SELLS FOR $1,000.

The "400" horse sale was continued at Madison Square Garden yesterday, beginning at 10 o'clock. The crowd in attendance consisted almost entirely of horsemen, owners of racing stables, breeders and trainers.

J. W. Horner, local reinsman, secured the prize of the sale last night when he got the crack trotting pair, Marion Messenger and Maggie, for $5,000. Both of the young mares have stepped inside the 2:20 mark in races and have shown much faster time in private work.

There was applause when the team came out. A. M. Carr, of Butte, Mont., started the bidding with an offer of $1,000. In $500 jumps the team went to $3,500, "Ed" Tipton and Mr. Horner being the contestants. The bidding narrowed down to Mr. Horner and Mr. Carr, but the former stayed the longest and secured the pair for $5,000.

Monopole and Amakin, one of the champion Speedway teams, were sold to P. L. Bryce, of Newark, for $1,600. This is the team of pacers that "Bob" Fitzsimmons tried to buy recently.

Among the other sales were the following:

Team of pacers, Monopole, ch. g., 11, by Leicester—Robin, and Amokin, blk. g., 7, by Ambassador—Scotia Queen; P. L. Bryce, Newark, N. J. $1,600
Team of trotters, Master Delmar, b. g., 8, by Delmar—Lady Hill, and Mar Boy, b. g., 7, by Delmar—daughter of Ben Franklin; A. M. Carter, Butte, Mont. 1,000
Tiger Tom, trotter, b. g., 7, by Fred S Wilkes—Wilkie McGregor; A. Johnson, city 700
Starnurg, pacer, b. g., 6, by Nuthurst—Gallantie; Dr. H. D. McGill, city 1,200
A. B. C., pacer, b. g., 1894, Mephisto—Birdie Stevens; John A. Atwell, St. Louis $1,025
Queen Alfred, trotter, b. m., 1891, Alfred G.—Alis Star, Harry Fancher, agent, New-York City 750
Flare Up, pacer, b. m., 1894, Charles Derby—Flash; W. H. Snyder, Brooklyn 700
Mascot, ex-champion pacer of the world, record 2:04, b. g., 1885, Deceive—Miss Delmore; Dr. F. H. Flagg, New-York City 1,000
Daniel, pacer, b. m., 1893, Alcander—Topsey; J. W. Horner, New-York City 2,100
Laura W., pacer, ch. m., Alcander—not stated; S. H. Knox, Buffalo 1,600

The total sum bid for the ninety-eight head sold during the day's sale was $37,720, an average of $384 90 each.

PHILIPPINE LOCAL GOVERNMENT.

COMMISSION TO ORGANIZE THE PROVINCE OF PANGASINAN.

Dagupan, Province of Pangasinan, Island of Luzon, Philippine Islands, Feb. 14.—The United States Philippine Commission arrived here this afternoon, and will organize a provincial government to-morrow. The Commissioners were received by a crowd of people and bands of music, and were conducted to the United States Army headquarters. Welcoming speeches were delivered on the way through Pangasinan.

General MacArthur has informed the Commission that the Province of Tayabas is sufficiently pacified for provincial government; also that the pacification of the other southern provinces, Batangas, Laguna de Bay and Cavité, will be hastened if provincial government is begun.

The Commission will organize Tayabas on its way south.

There is a possibility of a postponement of the southern voyage, as the United States transport Sumner, assigned to the Commission, is in drydock.

PEKING SITUATION MORE GRAVE.

PROSPECTS OF AGREEMENT MORE REMOTE THAN EVER.

London, Feb. 15.—The Tien-Tsin correspondent of "The Standard," telegraphing yesterday, says:

The situation in Peking is again becoming complicated, and the prospects of a settlement are more remote than ever. It is reported that the signatures of the Chinese plenipotentiaries to the peace conditions are not in correct form.

It is believed that Sir Ernest Mason Satow will take decisive early action. Count Von Waldersee is reported to have sent an ultimatum to the Imperial Court. All appearances indicate that China's immovable obstinacy is merely intended to facilitate the active preparations she is making for a renewal of hostilities in the is making for a renewal of hostilities in the

RUSSIAN POLITICAL POLICE ACTIVE.

ARREST OF PROFESSOR MELUKOFF—MANY HOUSES SEARCHED.

St. Petersburg, Feb. 14.—Since the Czar's return from Livadia the political police have displayed unusual activity. There have been many house searches and arrests, particularly in the last fortnight. This energy occasions uneasiness, and rumor accounts for it by fables regarding conspiracies. Professor P. N. Melukoff, the celebrated historian, author of a three volume "History of Russian Literature" and of a "History of the Period of Peter the Great" and editor of the Russian edition of the Ferman Encyclopedia, now being issued, was arrested on Monday.

Professor Melukoff was dismissed, several years ago, from the Moscow University, for liberalism. He was afterward professor of world history at Sofia. Recently he returned to St. Petersburg.

Among others arrested, or whose houses have been searched, are litterateurs, lawyers, men students, women students and workingmen suspected of Socialism.

A thousand copies of an illegal book are reported to have been found at one place.

Fresh disorders are occurring at the University of Moscow. Three hundred and eight students assembled there on Monday and proclaimed, in the name of all their comrades, that they would not follow the prescribed courses of study.

THE "COUNT" HELD IN $1,000 BAIL.

ANOTHER WOMAN SAYS JEWELRY WAS MISSING AFTER HIS VISITS.

The Italian who says he is Michael Angelo Salvatore Mario Valeno, Count di Veschitte, but whose name on the police blotter reads Angelo Baleri and who was arrested on Wednesday night on the complaint of Mrs. Martha H. Brown, a widow, of No. 206 West Fifty-second-st., charged with the larceny of a diamond ring valued at $185 and with attempted blackmail, was arraigned in the West Side court yesterday morning. Baleri was held in $1,000 bail for the hearing to-morrow. Mrs. Brown was in court.

Among those in the court when the Italian was arraigned was an expensively dressed woman, who said she was Mrs. Alexander McNaughton, of No. 438 St. Nicholas-ave. She said she was a cousin of Senator Hanna. She explained that she had come to court to see if Baleri was a man who had called on her daughter. After his visits had ceased she had found that jewelry valued at $500 was missing. When the prisoner was brought out of the pen the woman rushed up to him and exclaimed:

"Oh, sir, your musical ability and singing of 'The Palms' shall never be forgotten. Don't you know me?"

The "Count" said he did not know the woman, but she insisted that he was the man.

BARKER'S WIFE VISITS JAIL.

HOLDS LONG CONVERSATION WITH HER HUSBAND—KELLER GREATLY DEPRESSED.

The bulletin issued by Dr. James A. Exton and Dr. A. A. Strasser, of Arlington, yesterday, in the case of the Rev. Mr. Keller, who is at his home, No. 160 Beach-st., Arlington, in a critical condition, was as follows:

The Rev. John Keller passed a comfortable night. He is much depressed from the prognosis made known to him by his attendants yesterday regarding the ultimate recovery of his vision. Should his physical condition continue to improve as it has for the last few days his recovery can be assured.

Dr. Exton said late last night that there had been no change in Mr. Keller's condition since the statement that was issued earlier in the day. Neither Dr. Exton nor Dr. Strasser will give any further information.

It was learned yesterday that the prosecution had found a new and important witness to the shooting in the person of a man who was passing down Midland-ave. when it occurred. His name had not been mentioned in connection with the affair before. He was going to the Greenwood Lake Railroad station to take the same train that Mr. Keller intended to take on the morning of the shooting. This witness paused only long enough to see that the wounded man was getting assistance.

The case of Thomas G. Barker, accused of the shooting, will not be presented to the Hudson County Grand Jury to-day. This was decided upon yesterday afternoon by Prosecutor Erwin, after receiving information that the minister's condition was steadily becoming worse. Barker was not disturbed when informed by a friend yesterday of the minister's serious condition. He seems to be indifferent whether the indictment against him is for murder or assault with intent to kill.

Mrs. Barker visited her husband yesterday afternoon. She drove from Arlington in a coach with Miss Germond, and arrived at the jail in Jersey City at 3:15 o'clock. A young man, representing the lawyers retained for Barker, awaited their arrival, and they were promptly escorted to a waiting room of the jail. Barker was brought from his cell, and husband and wife embraced and were silent for several minutes. They then occupied chairs in one corner of the room, and conversed for an hour and a half. Miss Germond and the young attorney talked together in the opposite corner of the room. There was an affectionate leavetaking. Mrs. Barker and Miss Germond hastened back to the coach. They refused to talk with any one and were quickly driven away. The young man contradicted the story that Barker had said he was glad when informed that Keller would die.

SHERIFF'S JURORS DINE.

MARK TWAIN'S LETTER OF DECLINATION AROUSES LAUGHTER.

Mark Twain declined to attend the annual dinner of the third panel of the Sheriff's Jury at the Hotel Savoy, but his letter giving his reasons for not attending was read to the diners, and caused much laughter. The humorist said, among other things:

I will not go where any Sheriff's Jury is ambushed. I would rather flee to Porto Rico, where alone a suspected person is safe. For there he is a citizen or a foreigner, or both, or neither, in the eye of the law, and can shift around under those various disguises faster than any Sheriff can follow him.

The Chinese Minister also sent a letter of declination, but it was a perfectly harmless missive, and, as one of the diners said, was "distinctly disappointing in that it did not charge Sheriff Grell with the commission of any egregious error."

About three hundred persons attended the dinner, among whom were J. Pierpont Morgan, William Rockefeller, General Avery D. Andrews, John D. Archbold, E. C. Benedict, John Fox, the Rev. Dr. John R. Paxton, Judge Francis M. Scott, Judge Henry A. Gildersleeve, Judge David McAdam, Judge Rufus B. Cowing, Judge James A. Blanchard, Judge James Fitzgerald, William M. Schwenker, foreman; Sheriff William F. Grell, Thomas L. Feitner, Judge James M. Fitzsimons, Bernard J. York, Judge James A. O'Gorman, Recorder John W. Goff, Judge Warren W. Foster and Judge Joseph E. Newburger.

Martin W. Littleton acted as toastmaster. John R. Van Wormer made a speech. The souvenirs were leather gripsacks, of the full business size. A vaudeville entertainment followed. Here is the menu:

Oysters.
Cape Cod.
Soups.
Clear green turtle. Bisque of shrimps.
Hot.