



GAYNOR OUT OF THE RACE. FINAL WORD TO HALPIN.

Allies Drop His Name—Citizens Union Likely to Join Movement.

Justice William J. Gaynor yesterday took himself out of the race for the fusion nomination for Mayor this fall. Justice Gaynor, after flirting with the nomination for several days, and holding out hopes at times that he would accept the candidacy, yesterday afternoon decisively and finally told William Halpin, president of the Republican County Committee, that he would not accept. As a result the allies have dropped his name, and will look elsewhere for a candidate. Because of the withdrawal of Justice Gaynor's name, and also of negotiations between Mr. Halpin and Robert Van Idershtine, representing the Citizens Union, it is considered probable that the Citizens Union representatives who bolted the fusion conference will return, and that perfect fusion will be effected.

Mr. Halpin received word late yesterday afternoon that Justice Gaynor was no longer to be considered a candidate. Acting upon this information, and guided by the statement issued yesterday by R. Fulton Cutting, president of the Citizens Union, he wrote the following letter to the Citizens Union:

Gentlemen: In further response to the inquiries submitted by you as a committee of the Citizens Union when you met with Judge Brenner and myself on Monday last, I would advise you now that the matter which appears to me to be the best way to resume relations with the fusion conference will not be under the further consideration of the delegates to the conference appointed by the executive committee of the Republican City Committee. I would advise you also without pledges or commitments in respect to candidates' nomination on the city ticket. I trust, therefore, that I may regard the fusion conference of the withdrawal of the Citizens Union from it and also the hope that it will resume relations with the conference, joining with the other bodies in their purpose of Mayor McClellan.

The committee on nominations will hold a session this evening at 7 o'clock in Parlor D R of the Fifth Avenue Hotel, and I trust that the Citizens Union will conclude to authorize its members to attend a session of the conference at that time. This letter was not received by the Citizens Union until this afternoon. No action of the character indicated can be taken without authorization from the committee on nominations of the Citizens Union, and it is not possible to call a meeting of that committee at such short notice. We shall send your communication to our committee as soon as practicable. Yours very truly, ROBERT VAN IDERSHTINE, JOHN W. WEED.

Mr. William Halpin, Chairman Republican City Committee, Fifth Avenue Hotel. Dear Sir: We are in receipt of your letter of the 21st inst. advising us that the matter which appears to me to be the best way to resume relations with the fusion conference will not be under the further consideration of the delegates to the conference appointed by the executive committee of the Republican City Committee and expressing the hope that the Citizens Union will conclude to authorize its members to attend a session of the conference at that time. This letter was not received by the Citizens Union until this afternoon. No action of the character indicated can be taken without authorization from the committee on nominations of the Citizens Union, and it is not possible to call a meeting of that committee at such short notice. We shall send your communication to our committee as soon as practicable. Yours very truly, ROBERT VAN IDERSHTINE, JOHN W. WEED.

The nominating committee of the fusion forces met at the Fifth Avenue Hotel last night, and at the close of its work the full committee was called to order. The committee submitted the names of ex-Senator Ford and Judge Samuel Seabury as candidates for consideration. The Municipal Ownership League supported Judge Seabury and the Republican organization spoke for Mr. Ford. On a resolution it was decided to postpone consideration of candidates until Monday night, and an adjournment was taken until then.

It was said last night that the Citizens Union now favored the nomination of Martin W. Littleton, of Brooklyn. Mr. Halpin was asked whether the Republican organization would accept Mr. Littleton. He replied: "I don't care to anticipate or forecast what the Citizens Union will do. All I can say is that everything will be done to cause the Citizens Union to co-operate, and the name of any man suggested will get due consideration as his merit warrants. We are uncommitted."

No business of importance was transacted at the regular monthly meeting of the Republican County Committee, over which Tax Commissioner Samuel S. Strassburger presided last night in the United Charities Building. In East night the calling of the roll the committee adjourned out of respect to the memory of John J. Hannon, executive member from the 7th District, who died a fortnight ago.

REPUBLICS MAY UNITE. PANAMA AND COSTA RICA.

Overtures for Annexation Made by the Panaman Government.

(From The Tribune Bureau.) Washington, Sept. 21.—The Republic of Panama has made overtures to Costa Rica looking to union of the two nations, and in the opinion of those in a position to speak with authority a coalition is the probable outcome of the negotiations now instituted. The first definite news of the purpose of Panama to propose annexation to Costa Rica reached the State Department yesterday in the form of a communication from United States Consul General Lee, who reported that Señor de la Guardia, Panaman Minister of Foreign Affairs, is about to visit San José, the capital of Costa Rica, with the purpose of negotiating a treaty of annexation to that country. The offer of the Republic of Panama causes no surprise to Costa Rica, and unless accompanied by conditions regarded as impossible by the Costa Rican government will be promptly accepted by that country. In fact, the desirability of union has long been appreciated at San José, although it was deemed good statesmanship to make no suggestion, but to leave it to Panama to realize the advantages to be gained as well as the disadvantages of independence to so small a republic.

Almost as soon as the independence of Panama was recognized, however, annexation to Costa Rica was discussed by the diplomatic representatives of both countries, and the examination of the project went so far at that time that Señor Calvo, Costa Rican Minister at Washington, sounded this government regarding its attitude toward the suggested coalition. The State Department, however, being without official advice from Panama on the subject, did not commit itself.

TO GUARD AMERICAN INTERESTS. It is now assumed that the meeting at Oyster Bay last night, at which the Secretary of State, ex-Ambassador Choate and Senator Lodge were present, was called by the President for the purpose of discussing the report of Consul General Lee and determining to what extent and in what manner the interests of the United States might be involved by such annexation. Of course, this country is vitally interested in any change in the government of Panama, this fact having been recognized by Panama when it accepted the treaty, ceding the canal zone to the United States. Article 24 of this treaty declares that "no change either in the government or in the laws and treaties of the Republic of Panama shall, without the consent of the United States, affect any right of the United States under the present convention, or under any treaty stipulation between the two countries that now exists or that may hereafter exist touching the matter of this convention."

The United States is, therefore, in a position to insist on the absolute safeguarding of its rights, and might, if it saw fit, veto the proposed annexation. Moreover, when the treaty was negotiated Secretary Hay evidently perceived the possibility of Panama's returning in time to Colombia or combining its interests and territory with Costa Rica, and that far-reaching statesman caused to be inserted in the convention with Panama, also in Article 24, the following clause:

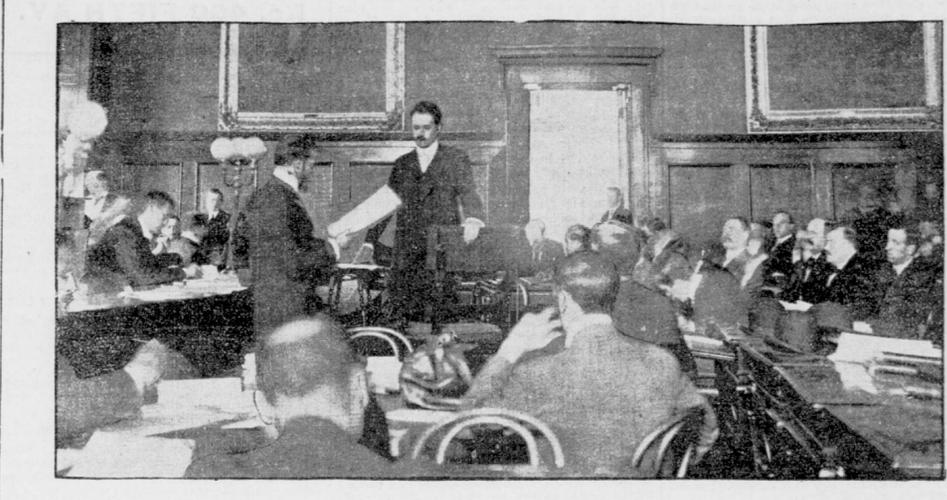
If the Republic of Panama shall hereafter enter as a constituent part into any other government or into any union or confederation of states, so as to merge her sovereignty or independence in such government, union or confederation, the rights of the United States under the present convention shall not be in any respect lessened or impaired.

Minister Calvo said this evening that he was sure the proposal of Panama would be most welcome in Costa Rica, and that, whatever might be the outcome of the negotiations at San José, Costa Rica, which had always sustained the most cordial relations with this country, would, of course, guard the interests of the United States in every way.

"Should annexation occur," said Señor Calvo, "the American people need not be assured by a representative of Costa Rica that my country will do nothing that is harmful to their interests. Annexation, which is doubtless regarded with favor by the people of both Panama and Costa Rica, would be advantageous to both nations. It would double the territory of Costa Rica, increase our credit, and assure to us a powerful influence in Central America. Annexation would give to that country the benefit of our experience in government, of our laws and regulations affecting hygiene, and would soon result in the stamping out of yellow fever and the bubonic plague. Panama would further enjoy the advantages of our educational system, of our excellent commercial relations, and of our advanced ideas generally. The United States would profit by the amalgamation, because the canal would then run through a well governed and peaceful country. Order and tranquility exist in Costa Rica. In all the time that I have represented Costa Rica at Washington, thirteen years, there has not been a single instance of complaint because of a denial of justice by Costa Rica to a citizen of the United States, or, for that matter, of any other country. And yet there is an immense amount of foreign capital invested in Costa Rica."

WOULD AVOID A BOUNDARY DISPUTE. Of undoubted influence in determining Panama to open negotiations with a view to annexation to Costa Rica is the fact that a considerable portion of the citizens of Panama are, Continued on fourth page.

GEORGE W. PERKINS BEFORE THE LEGISLATIVE COMMITTEE INVESTIGATING LIFE INSURANCE METHODS



George W. Perkins before the legislative committee investigating life insurance methods.

ONE KILLED, MANY HURT IN STREET RIOTS. POLICEMAN'S SKULL FRACTURED—HIS PRISONER SHOT DEAD—BOY FIRES INTO CROWD AT PICNIC.

One man killed, a policeman's skull fractured, another man shot through the leg and a woman shot in the foot were some of the features of a riot which resulted last night in an effort of a policeman to keep the sidewalk in front of the restaurant at No. 13 24-ave. open to pedestrians. Hundreds of merry-makers at the picnic of the Harlem Schutzen Bund, at Suber's Harlem River Park, were thrown into panic, last evening, by a young lad who blazed away into the crowd with a revolver, striking one of the picnickers and probably wounding him mortally. A scene of wild excitement followed. Scores of men surrounded the boy, in an attempt to disarm him. He kept them at bay with the weapon, and it was only on the arrival of a policeman that the smoking revolver was wrested from his grasp. Then the crowd, yelling, "Kill him!" closed in and fought madly to get at the boy. The policeman kept the angry crowd back by wielding his night stick right and left. Other policemen hurried to the scene, and saved the boy from falling into the hands of the mob.

While the merry-making was at its height, John Reid, seventeen years old, of Park-ave. and 132d-st., appeared at the box office and asked for admission. According to the police, the lad acted in such a disorderly manner that it was decided by the ticket takers not to admit him. When he turned his men out last night Captain McDermott, of the 53d-st. station, called their attention to many recent complaints that pedestrians had been subjected to insults and annoyance from disorderly crowds in lower 24-ave.

The captain had previously made a special point at that point. He had assigned Patrolman Walter J. Miller to cover that dangerous beat, and he told Miller that he wanted one particularly obnoxious crowd of "cadets, second story lads and knock-out men and their girls" who frequented a restaurant in lower 24-ave. kept under restraint. Between 7 and 8 o'clock Miller got around to the restaurant complained of. Standing in front of it was a gathering of young men and women, and as he approached one of them laughed.

"Get wise to the fresh cop," said one of the "girls," at the same time making a grimace at Miller. Miller walked up to the crowd and, giving two or three of the men a poke with his nightstick, ordered them to move on. They laughed at him. Then he grabbed Jack Klein and started off with him to the station. Klein called to the others to help him and the gang fell on Miller. Somebody hit him on the head with a beer mallet, and he dropped to the ground with a fractured skull. As he lay unconscious men and women began to kick him in the head. Then somebody fired a shot. It was heard a block away by Patrolman John J. Grady, and Probationary Officer Trefsky. They saw the crowds running toward the fight, and they ran for it. Policeman Hefferman, of the City Hall station, who happened to be in the neighborhood, sent in a call for the reserves to 5th and Eldridge sts. stations, and to Bellevue for the ambulances. Grady and Trefsky, the latter a great big fellow, battered their way into the crowd, which was still beating Miller. The gang scattered. Miller managed to get to his knees and grabbed hold of Klein, who turned with an oath, and kicked Miller in the face. He was just about to jump on the prostrate patrolman, when Miller, although half blinded with blood, got out his revolver. He fired twice. One bullet struck Klein between the shoulders. He ran half a block and pitched headlong on his face. He was soon after being taken to Bellevue Hospital. Miller's second bullet brought down two. First, it passed through Max Felderbaum's leg, and, striking the side of the house, hit Florence Smith in the foot.

BRAIN AND ARM BEQUEST. EBEN PLYMPTON IN JAIL.

General Wistar Also Leaves Bulk of Estate to Institute. Philadelphia, Sept. 21.—Under the provisions of the will of General Isaac J. Wistar, the well known financier and railroad man, which was admitted to probate to-day, the bulk of the estate, together with the brain and the right arm of the testator, is bequeathed to the Wistar Institute of Anatomy and Biology of the University of Pennsylvania, which he founded. The estate left by the deceased, according to the petition of the executor and trustee, is given as "personal property, \$100,000 and upward." The actual valuation of the estate, it is said, will amount to over \$2,000,000. The paragraph in the will disposing of his body says: "I bequeath to the Wistar Institute of Anatomy and Biology my right arm, said to be a desirable specimen of gunshot aneurysms, and also my brain, both to be removed by said institute promptly after my death, and I direct my executors, before performing any other act of administration, to cause the remainder of my body to be cremated, and to deposit the ashes in an urn, to be marked and sealed up, in the Mural Crypt in the main hall of the Wistar Institute's museum."

DIED MOURNING FAVORITE TREE. Boston, Sept. 21.—Mourning the loss of a great tree, which stood in front of his house for forty years, Charles C. Bradford was stricken with heart disease to-day and died. The tree's removal was ordered, as it was in a dangerous condition. FALL EXCURSIONS TO ADIRONDACK MOUNTAINS. Tickets on sale to Saranac Lake, Lake Placid, and other important points from September 15 to 30, and returning until October 31. Single fare plus \$1.00 for the round trip. Inquire of New-York Central Agents.—(Adv.) BEARSKIN FOR KERMIT ROOSEVELT. Boston, Sept. 21.—A Gloucester fisherman is to give Kermit Roosevelt the skin of a polar bear shot on an Arctic iceberg.

FIND MISSING MOTORMAN. KELLEY IN QUAKER CITY.

Detectives Have Fugitive of Elevated Wreck Under Surveillance. Philadelphia, Sept. 21.—Paul Kelley, motorman of the elevated train that was hurled over a curve at 53d-st. and 9th-ave., New-York City, on September 11, is under surveillance by local detectives at Edgemont, a small town on the Chester Pike, about fourteen miles from this city. Kelley was found to be missing after the fatal accident and has since been a fugitive. Late this afternoon William C. Williams, member of the firm of Williams Corporation, undertaker, on No. 126 West Market-st., West Chester, was on his way home from this city. He was on a trolley on the Southwestern Traction Company. On the car his attention was attracted by a man in the uniform of a motorman, not one such as the motormen of this city wear, but one that showed distinctly he was from another city. The stranger, who was conversing with the motorman of the car, told the latter in confidence that he was Kelley, the man who operated the ill-fated elevated car in New-York City.

Knowing that Kelley was wanted in New-York, Williams moved to a front seat in the car where he could hear better what the stranger had to say. "It was not my fault," Williams said he heard Kelley say. "It was the switch tender. People ought not to have tried to beat me after the accident. I wasn't to blame. That much I can easily prove." From the appearance of the man, Williams declared it was plain he was laboring under some strong mental worry. His face was sunken and hollow and to all appearances it looked as though Kelley's mind was becoming rapidly unbalanced. Kelley remained on the car until he reached Edgemont, where he alighted and entered a store.

Williams returned to this city and went to the office of the American Detective Agency, and told his story. Superintendent John S. Sumnerill at once took the case under advisement and dispatched Detective Schmittinger to Edgemont. Later he received word from Schmittinger that Kelley had been found. He said that Kelley had again admitted that he was the man who operated the wrecked train, and that he could be found whenever wanted. Schmittinger remained at Edgemont to watch the movements of Kelley while the superintendent informed Coroner Scholer of New-York. Kelley will be put under arrest as soon as word is received from Coroner Scholer as to what course to take.

"There is no doubt," said the superintendent, that the man we have under surveillance at Edgemont is the one wanted in New-York. He admits as much. His description tallies in every respect to that of Paul Kelley. The man is wandering about Edgemont, apparently fearless of arrest, and in a manner that shows clearly he is laboring under severe mental strain. We have him at our fingers' ends whenever we want him, and there is no possible chance of his escape." Speaking of Kelley as a representative of The Tribune, Williams declared that the man, though he acted rather strangely, was not intoxicated. "He looked like a man who is suffering much mentally, and who apparently believed that by confiding his secret to a fellow worker he could enlist the latter's sympathy and probably obtain a place to keep in hiding until the affair blew over," Mr. Williams said.

At a late hour to-night Kelley was still at large. DELCASSE IN ACCIDENT. Former Foreign Minister Thrown Into Ditch from Motor Car. Poix, France, Sept. 21.—While driving an automobile here to-day, M. Delcassé, former Foreign Minister, was thrown into a ditch, owing to the overturning of his machine. The thickness of the mud in the ditch saved M. Delcassé from serious injury.

TELL TALE OF CRUELTY. Sailors Say Officers Caused Death of Three of Ship's Crew. New-Orleans, Sept. 21.—The tramp steamer Galveston, a ship without a country, is anchored across from New-Orleans to-night, and her twenty-three sailors, who are stranded in this city, say that her officers' cruelty resulted in the death by drowning of three of the crew on the trip between this city and Havana. All the charges made by the sailors, who have placed their case in the hands of attorneys here, are denied by the ship's captain, Walter Leech, who admits that three men were lost at sea between Havana and this city, but denies that their death could be laid either to the actions of himself or his officers. The Galveston was built in Germany, but was refused by her prospective owners because she is unable to carry any flag, according to the statements of the sailors to their attorneys.

ONE NIGHT TO CHICAGO. Special tickets to Atlantic City and return from New-York, Jersey City and Newark will be sold every Saturday in September by the Pennsylvania Railroad, including two days' board, at rates of \$10.00 and \$12.00, according to hotel selected. See ticket agents.—(Adv.)

G. W. PERKINS ON STAND. MORE "YEAR END" DEALS.

Profit for New-York Life from Joint Account Transactions.

The following were the most important facts testified to by George W. Perkins, first vice-president of the New-York Life Insurance Company, before the legislative investigation committee. First—That in "joint account" transactions between the New-York Life and various brokers, the New-York Life put up the money and shared the profits with the brokers; that the New-York Life's profits in such transactions had aggregated \$635,932.32 in cash. Second—That the purchase of the New-York Life Insurance Company from J. P. Morgan & Co. for the period during which Mr. Perkins has been connected with both amounted to \$38,804,918.51, and Mr. Perkins's share of profits on these amounted to \$10,412,577, which he had covered over to the New-York Life. Third—That the New-York Life paid J. P. Morgan & Co. \$286.67 for two days' interest on the famous \$800,000 Navigation Syndicate transaction.

Fourth—That the New-York Life still carries a loan of \$500,000 made to E. H. Harriman in January, 1904. Fifth—That the New-York Life loaned \$50,000 to John R. Hegeman, president of the Metropolitan Life Insurance Company, on January 2, 1901; that this loan was repaid on December 30, 1901, just before the annual report to the Superintendent of Insurance was made, and released the next month, and is still outstanding, the rate of interest being 2 1/2 per cent. Sixth—That on December 31, 1902, the New-York Life Insurance Company purchased \$500,000 Chicago, Burlington and Quincy bonds just before making its annual report to the State Insurance Company; that the purchase was from J. P. Morgan & Co., to whom the bonds were resold two months later for no apparent reason.

Seventh—That the deal in New-Orleans Terminal bonds previously developed included a mysterious sale of the \$335,000 bonds to W. S. Fanshawe on December 31, 1903, just before the annual report to the State Superintendent of Insurance was made; that the New-York Life later loaned \$335,000 to Mr. Fanshawe, taking the same bonds as security, and carried the loan until Mr. Fanshawe sold the bonds, when he received one-fifth of the profits of the same.

PURCHASES FROM MORGAN. His Profits Turned Back by Insurance Vice-President.

Insurance routine rather than sensation marked yesterday's session of the Armstrong committee. George W. Perkins, who resumed the stand, spent the whole day in explaining a number of transactions, all of which have been discussed before. His testimony ranged from an explanation of the "joint account" methods of the organization of the insurance agencies. Mr. Perkins was notably milder and less forceful than at his previous appearance, and Mr. Hughes checked his few attempts to take the lead with a certain severity. In fact Mr. Perkins's quiet demeanor was in such contrast to the stumpy speeches of his previous appearance as to cause general comment.

From the point of view of the committee, which is engaged in probing methods as well as scandals, the testimony of Mr. Perkins regarding the "joint account" was regarded as the most important feature of the day. Mr. Perkins testified on this point and maintained through a long series of transactions that in joint account affairs the New-York Life usually put up a sum of money covering the amount of bonds purchased to the account of both the company and the broker sharing in the transaction, shared the responsibility with him for any loss and divided the profits with him, usually equally, in return for supplying, first, the "tip" of the chance to make money on such a proceeding, and, second, his facility for making a market and disposing of the securities. Mr. Perkins showed that these transactions had been profitable for the New-York Life.

Under the head of what Mr. Perkins described as "unfinished business," he testified that J. P. Morgan & Co. had charged the New-York Life \$286.67 interest for that famous \$800,000 "Navigation syndicate deal," in which Mr. Perkins bought bonds for J. P. Morgan from himself as representative of the New-York Life and reversed the proceedings two days later after the report to the State Superintendent of Insurance had been made. A whole series of similar "year end" transactions, subsequently reversed, was developed. One such was a loan of \$50,000 to John R. Hegeman, president of the Metropolitan Life Insurance Company. The money was loaned, repaid and released, and is still outstanding. No adequate reason for this apparent juggling was produced.

TRANSACTIONS NOT CLEARED UP. The Harriman \$500,000 loan was touched on but not cleared up. The mystery attending the unloading of the New-Orleans Terminal "dead horse" account upon the New-York Life by the New-York Security and Trust Company was dealt with only far enough to show that here also there had been a remarkable shifting of possession to a broker and an employment of his cash, covered by a subsequent loan, at the time of the annual report. At the outset of the hearing Mr. Hughes put John F. McCullough on the stand to testify regarding the Hamilton affair. Mr. McCullough, who represented himself as a stenographer of twenty years' experience in "Judge" Hamilton's employ, failed to recall any check transactions, deposits or anything of any importance. He admitted that he might have deposited checks of \$100,000 to Mr. Hamilton's account, but, although he said his own salary was only \$10 a week, these sums had not made any impression on his mind. About the only important fact gathered from his testimony was that Mr. Hamilton also had an account with the Albany Trust Company, and that this account was now below \$200, showing that little of the \$235,000 remained in Albany. There were only two incidents in the day of more than passing interest, one, when Mr. Perkins calmly announced that Mr. Hughes had been a party to the joint account transactions. When the surprise at this announcement subsided Mr. Perkins blandly explained this away by saying that Mr. Hughes's interest lay as a policyholder in the New-York Life. The other was when Mr. Perkins was involved in a long question by Senator Armstrong. The Senator was anxious to know about a certain system

OVER SUNDAY AT ATLANTIC CITY. Special tickets to Atlantic City and return from New-York, Jersey City and Newark will be sold every Saturday in September by the Pennsylvania Railroad, including two days' board, at rates of \$10.00 and \$12.00, according to hotel selected. See ticket agents.—(Adv.)