TO WATCH OVER FOOD

PURITY MUST BE SHOWN.

Thorough Inspection Provided for by Senator Heyburn's Bill.

Washington, Dec. 2.—Federal control of foods, drugs and liquors, for the purpose of securing their purity, is provided for in a comprehensive bill to be introduced in the Senate at an early date by Senator Heyburn, of Idaho. Jurisdiction of the government over these articles is declared in the measure when they become articles of interstate or foreign commerce, and a penalty of a maximum fine of $500 and one year's imprisonment is provided for violators of the regulations set forth.

It is made unlawful to sell or manufacture any article of food, drugs, medicines or liquors which is adulterated or misbranded or which contains any poisonous or deleterious substance. Its terms prohibit the introduction into the United States or its insular possessions from a foreign country of foods, drugs and liquors which are not pure or are misbranded.

To ascertain the purity of foods, drugs and liquors, both of foreign and domestic manufacture, jurisdiction is given to the secretaries of the Treasury, of Agriculture and of Commerce and Labor to prescribe uniform rules for the examination of foods, drugs and liquors, such examination to be made by the Bureau of Chemistry of the Department of Agriculture. In case an article is found upon examination to be adulterated, notice is to be given to the party from which the article was obtained by the Secretary of Agriculture and a hearing arranged for. Should the hearing develop that the provisions of the bill have been violated the Secretary of Agriculture is at once to certify the facts to the proper United States District Attorney.

It is made the duty of each District Attorney to whom the Secretary of Agriculture shall report any violation of the provisions of the bill, or to whom any health officer of a State, Territory, the insular possessions or the District of Columbia shall present satisfactory evidence of such violation, to prosecute without delay in the proper courts of the United States for the recovery of the fines and enforcement of the penalties.

It is also provided that no dealer can be convicted under the terms of the bill when he can establish a guarantee signed by the wholesaler, jobber, manufacturer or other party residing in the United States from whom he purchased the articles, to the effect that the article is not adulterated or misbranded within the meaning of the proposed act.

It is made a misdeameanor to refuse to sell samples to agents of the government. Process of libel is provided where impure articles are seized in transit, or where they are on sale in unbroken packages, the result of which may be an order of the court for the destruction or sale of the goods. Provision is made in such case that, upon payment of the cost of the proceeding and the furnishing of a bond that the goods shall not be disposed of contrary to law, the owner may obtain possession.

The measure is not to be construed to interfere with commerce wholly within a State, nor with the exercise of the police powers of the several States.

The measure defines what shall constitute misbranding and adulteration in the articles over which it assumes jurisdiction.

WANT PURE FOOD LAW.

Mass Meeting Passes Resolution Asking Congress to Act.

A meeting in support of pure food, under the auspices of the New-York Section of the Council of Jewish Women, was held last evening in Mendelssohn Hall, West 40th-st. The speakers were W. B. Heyburn, United States Senator from Idaho and chairman of the Senate Committee on Manufactures; P. J. McCumber, United States Senator from North Dakota and a member of the Committee on Manufactures; Dr. Harvey W. Wiley, chief of the Bureau of Chemistry, United States Department of Agriculture; Nathan Straus, Dr. Ernst J. Lederle, Major Louis L. Seaman and Miss Alice Lakey.

Senator Heyburn asserted that the person or corporation that puts on the market poisonous or adulterated foods, medicines or beverages is as guilty of a crime as the man who places poison in a spring. He said that public sentiment should become so aroused on this matter that neither the United States Senate nor the House of Representatives could overlook its demands.

Senator McCumber stated that $3,000,000,000 worth of adulterated products were purchased in this country annually. He said he believed the only way to remedy this condition was by enacting a national pure food law, and then with the cooperation of pure food legislation by the various States of the Union the root of the evil could be reached. The Senator argued that unless the manufacturers and not the retailers were held responsible nothing effective could be accomplished.

Dr. Wiley also made an earnest appeal for the passage of a national pure food law.

Nathan Straus confined his remarks mainly to the question of pure milk supplies. Mr. Straus said:

Recently I met one of our prominent butchers and asked him to tell me something about the conditions of the cows that were brought to be slaughtered for this market. Though he would not allow me to use his name, he sent me the following letter, which I will read to you.

"On the 9th of this month we purchased 111 cows at the stock yards, 60th-st. and North River, this city. We slaughtered these cows the same day and found that twenty-seven had tuberculosis and were condemned by the Bureau of Animal Industry. These cows came from Westchester County.

"Our experience in past years has been that out of the cows bought in the local market here known as milch cows the number condemned by the Bureau of Animal Industry is about 10 per cent."

Another fact which has recently come to my knowledge is that on one of the greatest dairy farms in this State, stocked with high bred, registered cows, more than a hundred had to be killed because they had developed consumption. This occurred on a farm where to my personal knowledge the most scrupulous cleanliness prevails, and where everything is conducted on most scientific principles of sanitation. If I had been asked: "Is there any milk brought to this market fit for use in its raw state?" I should have unhesitatingly recommended the milk from this farm as the best. This proves to me conclusively that there is no milk fit for general use in its raw state.

I will now cite one case of a public institution where the death rate of children was so high that it became a public scandal. This was on Randall's Island. Though the city had its own herd of cows, which were kept on the island, carefully tended and apparently in perfect health, they did not succeed in reducing the death rate below 44 per cent. At that time I was president of the Board of Health. After I had resigned from this office I installed on the island a complete plant for the pasteurization of milk.

In the very next year of its operation the death rate of children made the astonishing drop of from 44 to 20 per cent. Remember, there was no other change made in either diet or in hygiene in the management of this institution during this first year. Last year the rate was reduced to the still lower figure of 16.5 per cent.

The latest scientific researches as revealed by Professor von Behring prove that "the milk fed to infants is the chief cause of consumption in adults." This is quoted from Professor von Behring's new book, and in continuation he says: "This assertion will at first sight be surprising, but the chain of evidence is so strong that I have not the least hesitancy in building on it my entire plan for the suppression of consumption." The most deadly of diseases, correctly called the "white plague," could be rooted out by such a simple precaution as pasteurizing all the milk. Does it seem possible that any one should ever use it in its raw state?

At the International Tuberculosis Congress, held in Paris about a month ago, it was declared that the transmission of bovine tuberculosis to the human system had been fully established, and that the universal acceptance of that fact by the medical world was one of the most valuable results of that congress.

"The Evils Resulting from the Adulteration of Drugs" was the subject of the address by Louis L. Seaman. Miss Alice Lakey spoke on "Pure Food Essentially a Woman's Question," and Dr. Ernst J. Lederle, ex-Commissioner of Health of New-York City, also spoke in favor of pure food legislation.

At the conclusion of the meeting a resolution was adopted asking Congress to pass a pure food measure.

S. P. C. A. NOT INFORMED.

Acted When Told of Suffering Horse, Superintendent Says.

Superintendent Hankinson of the Society for the Prevention of Cruelty to Animals explained yesterday how it was that a horse suffering from spinal meningitis could lie in agony in Park Row from 7 p. m. until 1:30 a. m., which happened on Friday night, as was told in yesterday's Tribune. Mr. Hankinson said that the society knew nothing of this case until 11:40 p. m., as was shown by the night blotter. At that hour, according to the record, Policeman Dolan, of the 5th Precinct, called up and told about the horse. Dolan said that the horse belonged to the Communipaw Coal Company, of Jersey City, and a foreman was in charge. The foreman had sent for a veterinary, and the policeman said he would let the society know the result of the examination and what was to be done with the horse. At 1 a. m. the society was informed that an ambulance was wanted to remove the horse. The ambulance driver's record showed that he arrived on the scene at 1:45 o'clock, but the horse had been taken away a quarter of an hour before.

Mr. Hankinson says that the society receives a great deal of undeserved censure because people think that it should send for horses just as soon as they drop, yet do not consider it necessary to inform the society that an accident has happened. At the same time, when they do telephone, they do not remember that the movements of the ambulance cannot be excessively rapid, owing to its weight and general cumbersomeness. Besides, it is frequently busy when a call is sent in and cannot answer at once. The society, he says, is doing its best and has no apologies to offer for its conduct or its work.

In connection with this last statement of Mr. Hankinson's, the society's blotter, he says, shows that the first call concerning the horse in Park Row came from Policeman Dolan at 11:40 o'clock. Without questioning the transcript from the blotter, the fact remains that a Tribune reporter called up the society's rooms at 26th-st. and Madison-ave. at 11 o'clock and informed the person who came to the telephone of the presence of the horse in Park Row and the animal's condition. This person replied in a far from courteous manner that the society had no one to send around to see about the horse and that nothing would be done about the case. A few minutes later the reporter called up again. This time the society's agent was insufferably rude. When Mr. Hankinson says that the society has no apologies to offer, the remark does not show that he is aware of these occurrences.

TO KEEP CHILDREN FROM THEATRES.

Brooklyn Police Ordered to See That Law Is Strictly Enforced.

Acting on a complaint of the Society for the Prevention of Cruelty to Children, of Brooklyn, Borough Inspector Cross has issued a general order to all the police commanders in Brooklyn and Queens to see that the law against allowing children under sixteen years of age to attend theatrical performances, unless accompanied by their parents or guardians, is strictly enforced. They have been told to tell the managers of the theatres that the law must be observed, and notices to that effect have been posted in the playhouses.

Although many attempts have been made to enforce the law since it was enacted, they have all ended in failure, and the law has not been observed at all recently. The great trouble is that there is always some kindly disposed person who is willing to pose as the parent or guardian at the request of the urchins.

RECTOR HOLDS ALOOF FROM REVIVAL.

Believes His Parishioners Would Leave Services Unsatisfied and Unimpressed.

Elizabeth, N. J., Dec. 2.—The Rev. Dr. H. H. Oberly, rector of Christ Episcopal Church, which has one of the most fashionable congregations in the city, has made a statement, through "The Chronicle," the official church publication, in which he says that his church will take no active part in the revival services which will begin here tomorrow. Other Episcopal churches of the city are preparing for the revival, and meetings will be held in some of them. The Rev. Dr. Oberly says:

Such services, with extemporaneous prayer, unfamiliar phraseology and foreign modes of thought, would be unedifying to people accustomed to sobriety and stateliness in worship, to restraint in emotion, to the lofty diction of the prayer book and to the prominence of doctrinal and sacramental teaching. If such people, laying aside their principles and convictions, were to attend the union services they would come away unsatisfied and unimpressed.

The rector of this parish, while in entire sympathy with the spirit of the movement, cannot conscientiously take part in the union services. Earnestly desiring, however, that he and his people may have the benefit of this great effort of faith, he has offered to co-operate according to the methods of the Church.

The rector of Christ Church, however, has arranged for some special ministers and a change in the usual programme. He advises his parishioners to pray for the success of the revival. Dr. Oberly said to-night that he had received from Bishop Scarborough an unsolicited letter, in which the Bishop commends the position taken by him in the matter.

TO RESTRAIN DEPUTY COMMISSIONER.

Union District Messenger Company Asks Continuance of Wire Cutting Injunction.

Deputy Commissioner Farrell of the Department of Water Supply, Gas and Electricity having ordered the wires of the Union District Messenger Company removed in East New-York, counsel for the corporation applied to Justice Maddox, in the Supreme Court, Brooklyn, yesterday, for a continuance of a temporary injunction restraining the Deputy Commissioner from taking any action in the premises.

Assistant Corporation Counsel Covert said that the wires, which were strung carelessly, were in a dangerous condition in many places. They had been ordered down, he added, because the company had secured no franchises from the city authorities. Counsel for the company maintained that a franchise was not necessary, as authority to string the wires in East New-York had been obtained from the State legislature.

Justice Maddox said that if the conditions existed as declared by the Assistant Corporation Counsel, Deputy Commissioner Farrell had a perfect right to interfere. The question as to whether the company had a proper franchise would have to be settled by a trial, he added. Papers were submitted and decision was reserved.

EDWARD DUDLEY KENNA RESIGNS.

Child's Death, It Is Said, Caused Retirement of Santa Fe's Vice-President.

Chicago, Dec. 2.—Edward Dudley Kenna, first vice-president of the Atchison, Topeka and Santa Fe Railroad, has resigned. Mr. Kenna is spending an indefinite period in Europe, and to-day sent his resignation to President Ripley by cable. His retirement from the railroad world is said to be due largely to the loss of a favorite child while Mr. Kenna and his family were in Paris a few weeks ago. The death of the child is said to have affected Mrs. Kenna's health, and Mr. Kenna has decided to remain with her indefinitely in the south of Europe.

Mr. Kenna has been with the Santa Fe since 1895, when the United States Court appointed him solicitor for the receivers of the property. On reorganization of the property, Mr. Kenna was made first vice-president and general solicitor.

No steps have been taken as yet to fill the vacancy made by Mr. Kenna's resignation.

UNIVERSITY ALUMNI DINNER.

The annual dinner of the New-York University Alumni Association will be held at the Hotel Manhattan on December 20, at 7 o'clock in the evening. Among the speakers will be Willis Fletcher Johnson, DeLancey Nicoll, former District Attorney of New-York County, Rupert Hughes, William H. McElroy, and J. Mayhew Wainwright, member of the New-York Assembly.

"77"

Dr. Humphreys' Seventy-Seven breaks up Grip and

COLDS

First.—Some persons are cured of a Cold by "77" almost from the first dose; these are the clean livers, whose system responds promptly to medical treatment.

Second.—Other Colds yield slowly but surely; these are careless people or high livers whose system is clogged by over-indulgence in good things.

Third.—Are the stubborn natures, the Cold seems to grow worse; but the effect of "77" is cumulative and after a tussle the Cold disappears as suddenly as it came.

☞A book on Dr. Humphreys' System of Cure mailed free.

Humphreys' Homeo. Medicine Co., Cor. William and Ann Streets, New York.

STRIKERS ATTACK GUARD

STAB AND KICK HIM.

Three "Entertain" Watchman at American Can Company Building.

Three strike sympathizers made a savage attack yesterday at the American Can Company's building, No. 447 West 14th-st., on Charles H. Scott, of Jamaica, Long Island, a special policeman on guard at the building. Scott seemed likely to be killed, but the police arrived in time to save him. The striking housesmiths and their sympathizers have apparently selected this building, where they pulled down a derrick last week, as the centre of their attacks.

Scott, who put up a stiff fight, was stabbed in the groin and otherwise severely injured. He was taken in an an ambulance to the New-York Hospital after the affray. His three assailants, who were arrested after a fight with the police, gave their names as Edward Lynch, No. 623 East 16th-st.; David Marks, No. 544 East 14th-st., and Edward McShea, No. 430 East 14th-st. Marks is accused of firing three shots at Scott from a revolver, none of which took effect. Lynch is charged with doing the stabbing and also with firing a revolver at Policeman Frank Meriwether, of the West 20th-st. station, when he tried to arrest him.

As far as could be learned, the trouble began by the three men entering the 14th-st. entrance of the building and calling Scott abusive names. Scott ordered them out and attempted to enforce his order, when he was knocked down by Marks and all three began kicking and striking him. He struggled to his feet and fought in self-defence, the four men struggling to the sidewalk. A large crowd collected, and Policeman Meinranken, hearing the noise, rushed to the building, where he found Scott on the ground and the three men kicking him. He called on the three to surrender, but they closed with him and he had to call on people in the crowd to assist him. Lynch had to be clubbed almost into unconsciousness before he would submit.

The reserves of the West 20th-st. station had to be called to bring about order. The three prisoners were placed formally under arrest on charges of assault, and Lynch was taken to the New-York Hospital a prisoner. Scott was also taken to this hospital.

The attack on Scott was reported by Post & McCord at a special meeting of the employers' strike committee yesterday afternoon. Lewis Harding, of the emergency committee, said last night that Post & McCord identified Marks as an old employe of the firm.

The employers say that the same terrorists who controlled the union in the days of Sam Parks are in control again. They managed, it is said, to get rid of the new men when the old and the new union were amalgamated a year and a half ago.

The strike committee decided yesterday to open an agency at 14th-st. and 5th-ave. for the hiring of strike breakers to man Post & McCord's contracts. Two more of the tied up buildings are to be manned on Tuesday.

Union officials denied any knowledge of the attack or of the men who perpetrated it.

Post & McCord yesterday advertised $1,000 reward for information leading to the arrest and conviction of the person or persons who injured and destroyed derricks and other property at the American Can Company Building last Wedensday.

TO OFFER REWARD IN TODD CASE.

Attorney for Ingersoll Lockwood Will Conduct Separate Investigation.

Mark Alter, the attorney of Ingersoll Lockwood, the former attorney of Mrs. Margretta Todd, expects to go to Philadelphia some time to-day to investigate Mrs. Todd's death. He hopes to get some information that has escaped other investigators. He said yesterday that at the beginning of the week Lockwood will probably offer a reward for information leading to the solving of the mystery of Mrs. Todd's death. Mr. Alter refused to say how much the reward would be, but said that it would be moderate and within Mr. Lockwood's means.

TRAIN KILLS THREE IN TUNNEL.

Several Others Injured Through Failure to Inform Them of Danger.

Three men are dead, another is in an exceedingly critical condition and three more are likely to be crippled for life as the consequence of the blunder of some one, which permitted a passenger train to plough through a gang of Polish trackmen who were at work in the Jersey City tunnel of the Erie Railroad a few minutes before midnight Friday night.

The men were at work repairing the westbound track about midway in the tunnel, and were not conscious of the fact that the eastbound track was blocked by derailed freight cars at the west end of the tunnel. An eastbound train on the westbound track did not disturb them until it was too late for them to escape, and they were hurled by the pilot from the track.

The order had been given to use the westbound track in the tunnel for all trains, but the warning, it is said, was not conveyed to the gang of trackmen.

HOLDS BEST'S CONTRACT LEGAL.

Appellate Division Sustains Justice Maddox's Judgment on Williamsburg Bridge Cars.

The Appellate Division of the Supreme Court, Brooklyn, has handed down a decision upholding the judgment of Justice Maddox in refusing to grant an injunction restraining Bridge Commissioner Best from carrying out the terms of his agreement or contract with the Brooklyn Rapid Transit Company and the Metropolitan company for running cars across the Williamsburg Bridge. He held that the commissioner had not given away any franchise to the companies, as alleged by the Allied Boards of Trade, which brought the suit, but had merely entered into an agreement, which he could revoke at any time when it might seem to be for the best interests of the public.

CHESHIRE ALUMNI TO DINE.

The annual dinner of the alumni of the Cheshire Academy will be given at the Hotel Astor on December 7. The president of the association, Major General Joseph Wheeler, will preside. Cyrus Le Rue Munson will be toastmaster. The speakers will include Bishop Edwin S. Lines, of Newark; Dr. Flavel S. Luther, president of Trinity College, Hartford, Conn.; Professor Roland J. Mulford, Judge James B. Dill and Professor Andrew D. Phillips, dean of Yale University.

ADMIRAL CHESTER ORDERED HOME.

Washington, Dec. 2.—It was stated at the Navy Department to-day that Rear Admiral Chester, who is on his flagship, the Minneapolis, has been ordered to proceed to Hampton Roads. The admiral informed the department that upon leaving Gravesend he would sail for Hampton Roads by way of St. Michaels, Azores. He is under no orders to stop there, and it is thought at the department that his intention is to stop for coal.

TAGGART, WOODSON AND GUFFEY HERE.

Chairman Thomas Taggart of the Democratic National Committee is in town. Urey Woodson, of Kentucky, secretary of the committee, is at the Hotel Belleclaire, with his family, and Colonel J. M. Guffey, the Pennsylvania member, is at the Holland House, accompanied by Mrs. Guffey, a son and two daughters. Chairman Taggart, wearing his most expansive French Lick smile, in the Waldorf lobby last night denied that the presence here of three at this time indicated a political conspiracy of any sort. "Merely a coincidence," was his comment. "My family came with me for the Thanksgiving holiday, and as for political news there's nothing doing."

LAWYER SENT TO SING SING.

Harry Rottger, a lawyer, twenty-eight years old, whose home is in Jamaica, was sentenced yesterday by Judge Humphreys, in the Queens County Court to seven years at hard labor in Sing Sing Prison. Rottger pleaded guilty on November 24 to a charge of grand larceny in the first degree. In pronouncing sentence Judge Humphreys said that the prisoner deserved no leniency. In doing what he had done, the court said, Rottger, being a member of the bar, knew that he was committing a criminal offence, and his plea that he had intended to return the money misappropriated by him was no palliation of his crime.

BAIL FOR PAUL KELLY.

Gang Leader Released After Secret Examination.

Coroner Goldenkranz yesterday held an examination of Paul Kelly, otherwise Tony Vacarelli, late proprietor of "Little Naples," a dance hall in Great Jones-st., and head of the Paul Kelly gang. It was expected that the examination would be public, as such proceedings usually are, but reporters, and even counsel for Kelly and other prisoners in the case, were forbidden to be present. They were informed that the proceeding was merely a preliminary examination to get at the facts of the murder of William Harrington in Kelly's place some time ago.

Kelly was released on bail last night by the Coroner, accepting the surety of Antonio Cardone, of No. 191 Elizabeth-st., who offered his property at Nos. 1 and 3 Hancock-st. to cover the $1,000 bail necessary. Kelly left the station house, saying he was going home to his wife.

Mark Alter, counsel for Bernard Escotta, bartender in "Little Naples," who is a witness in the case, demanded that he be allowed to be present, but Coroner Goldenkranz refused him entrance.

Kelly, after leaving the coroner's room, made a statement, in which it appeared that an attempt had been made to put him through a sort of "third degree," but that he refused to answer all the questions put to him.

The coroner also had before him Escotta, the bartender; Charles Dirks, a waiter, and Asa Gardner, a laundryman, who were in "Little Naples" when Harrington was killed. After examining them he decided to release Gardner, but he held Kelly, Escotta and Dirks in $1,000 bail and committed them to the House of Detention to await further inquiry into the murder.

Escotta's bail was afterward reduced to $100, which was furnished by Carl Schultz, of No. 82 2d-ave. Kelly's and Dirks's bail was not changed, and they went back to the House of Detention.

Counsel for the witnesses were indignant at what they termed Coroner Goldenkranz's "highhanded proceeding" in making their examination private.

MR. GAYNOR ARBITRATOR.

Hears Discussion Between Labor Union and Employers' Association.

Acting in his capacity as a citizen, and entirely outside his duties as an official of the Supreme Court, Justice William J. Gaynor sat as an arbitrator of a dispute between the members of a labor union and an association of their employers in the library of his home, at No. 20 8th-ave., Brooklyn, yesterday. Each side was represented in the argument by one of its members, and both declared that the decision of Justice Gaynor, who had been agreed upon by both sides, should be final. It will be given on Wednesday.

The dispute was over the interpretation of a clause in an agreement enterd into in September between the Master Steam and Hot Water Fitters' Association of Employers of the City of New-York and Local No. 11 of the Amalgamated Sheet Metal Workers' International Alliance. The clause provided that one apprentice or helper should be employed for every two journeymen. The employers hold that the spirit of the agreement is lived up to when the ratio between the total number of men and of apprentices employed by any one company is as 2 to 1. The workmen contend that the clause applies to outside work, as well as shop work, and that an apprentice should be sent with every two men on outside work.

The workmen were talking of striking for what they believed to be their rights, when it was suggested that the dispute be submitted to arbitration. The men suggested Justice Gaynor as arbitrator, and the proposition was accepted by the employers. By agreement with the justice, representatives of each side met in his house late yesterday afternoon. Ashby Knight presented the case of the men, and Henry G. Gombers argued for the interpretation of the agreement held by the employers.

HOPPER ASKS FREEDOM.

If Reappointed, Will Insist on Having No Interference.

Isaac A. Hopper, Superintendent of Buildings, was asked yesterday whether he expected to be reappointed on January 1, and in response he made a statement as to his own attitude in the matter. Mr. Hopper has been much wearied by the raillery to which he has been subjected since the publication of a story that he vaulted over a box rail at the West End Theatre, where his club had a theatre party last Wednesday night, and danced about the stage with an actress. He denounces the story as absolutely false. The statement made by Mr. Hopper is as follows:

I really do not know whether I shall be reappointed or not. I will say this, however, that if I do remain here it will be on condition that the intention of the charter be carried out, and that as Superintendent of Buildings, I will be left free to carry out the building laws and ordinances without any interference such as we had last spring by the President of the Borough.

The charter puts the responsibility of the selection of the Superintendent of Buildings on the Borough President, but the responsibility for carrying out the law rests entirely with the incumbent of this office, who would be the one to be convicted and punished for neglect or improper execution of the duties devolving upon him.

The office of Superintendent of Buildings is the most important appointment in the borough. To hold the position, the charter requires a ten years' experience as an architect or builder. No other place in the gift of the Borough President has any such specific requirement. This bureau is full of hard work, has great responsibilities, and the office of superintendent should be filled by a man who knows his business and has the confidence of the public. He should not be interfered with in the details of the work of the office.

I repeat that I do not know whether I shall be here after the first of the year; but if I am, it will be on the conditions that I have just stated.

CAR CRASHES INTO BROUGHAM.

Carriage Overturned But Occupants Escape with Slight Injuries.

Dashing at full speed down the incline in Lexington-ave. from 38th-st. last night, an electric car crashed into a covered brougham occupied by William R. Martin, a wholesale clothing merchant, of No. 114 East 36th-st., his wife and his niece, Miss Elsie Martin, overturning the vehicle, but causing injury only to the driver, Frederick Dodge, and one of the horses.

The brougham was crossing Lexington-ave. at 37th-st., when Dodge noticed the car coming at full speed down the steep incline. Lashing the horses he tried to cross the tracks before the car reached the corner. Before the vehicle cleared the street, however, the car struck one of the hind wheels with such force that it was turned completely over.

Dodge was thrown headlong from his seat to the pavement, sustaining a severe wound over the forehead. Mr. Martin and the women escaped injury, but all were shaken up and suffering from shock.

According to Mr. Martin the motorman of the car, John Cunningham, of No. 121 East 105th-st., had apparently lost control of the brake, but the police of the East 35th-st. station say the tracks were so slippery that the car was carried down the incline by its own momentum.

The Martins were on their way to a "coming out" reception in honor of a niece, Miss Catherine Hall, of No. 124 East 38th-st., when the collision occurred.

It was at first thought that Mrs. Martin had been injured, and the family physician, Dr. Keyes, who lives in East 34th-st., was hastily summoned. He found that Mrs. Martin was suffering from hysteria and shock. Her husband and her niece were uninjured, while Dodge had an ugly gash over his right forehead. The nigh horse had both legs cut and a shoulder bruised.

WRANGLE OVER BABIES' BEAUTY.

Rival Mothers Nearly Come to Blows in Office of Country Fair.

There was almost a fight at the registration bureau of the Country Fair baby show, at No. 1,433 Broadway, yesterday. Two mothers, Mrs. Catharine Corrigan and Mrs. Marie Immermann, both of the lower East Side, appeared to obtain entry blanks for their babies, and, in the presence of a score or more mothers the two women became greatly agitated over the relative beauty of their children. At one time it looked as if some one would lose a handful or two of hair, but the combatants were finally quieted.

It was announced yesterday that the managers would give bankbooks to the first twenty-five babies that were on hand at the registration bureau tomorrow morning.

FIND OFFICER GUILTY OF MURDER.

Captain in Virginia Regiment Sentenced to Eighteen Years in Penitentiary.

Norfolk, Va., Dec. 2.—After having been out more than ten hours, the jury in the trial of Captain Edward W. Jones, 71st Virginia Regiment, charged with the murder of Maude Cameron Robinson, returned a verdict of murder in the second degree to-night, fixing the penalty at eighteen years in the penitentiary. A motion was made for a new trial.

DEATH WAITED VISITORS.

Dynamite, Powder and Weights Failed to Trap Marshal.

Chicago, Dec. 2.—Events following the disappearance of John A. Thompson, a wealthy and eccentric Swede, have greatly excited the village of Hobart, Ind. When Marshal Busse and Village Trustee Wilde went to Thompson's bachelor house on the outskirts of Lake Station yesterday they narrowly escaped being blown up by dynamite.

A woman named Helen Fritche held a mortgage on the Thompson house, which he declined to satisfy. Last week she determined to foreclose, and so informed her agent, Charles Seydel, who met Thompson in Hobart and told him of Mrs. Fritche's determination. Thompson remarked: "Well, there will be a hot welcome for you when you do come." For more than a week Thompson had not been seen and his house was closed and the blinds drawn.

Wilde and Marshal Busse went to the farmhouse to investigate, both officials believing Thompson had killed himself. Busse was about to break in the front door, when he says he was seized with an intuition to get away from the door. Coming to a side window, the men climbed cautiously into the house.

They were unable to find any trace of Thompson, but in the hall leading to the front door were found several pounds of dynamite. The pile was connected with the front door by a wire leading to an electric battery. An intruder would have exploded the mass by opening the door.

Black powder was strewn in every room in the house, and wires led from the front door to explosives in all directions. To make death more certain, over every door from the outside, in both house and barn, heavy weights were suspended, designed to fall if the door was opened.

DRIVERS' LOCKOUT OFF.

Team Owners' Association Abandons Fight for Open Shop.

The abortive lockout of the Truck Owners' Union declared by the New-York Team Owners' Association, which was supposed to have gone into effect last Monday, was officially declared off last evening. There are two hundred and fifty truck owners in the association, employing about five thousand truck drivers, and only twelve of them obeyed the lockout order on Monday. One or two others locked out their men from day to day until thirty-seven had obeyed the order. The pressure of their customers, who did not want a general strike in the holiday season, proved too much for the team owners, who began to take the locked out men back.

The lockout was declared to force the union to declare off a strike of the drivers which had been in existence for seven weeks against Thomas Orr for the closed shop. In anticipation of the order being obeyed and all sort of trouble happening, the captains of all the police precincts had been instructed to have all their reserves in readiness, but since Monday everything has been quiet along the wharves.

As the lockout proved a failure, Thomas Orr yesterday, with the consent of the Team Drivers' Association, capitulated and made a closed shop agreement with the union. The strike was then declared off and shortly after the lockout was officially declared off by the New-York Team Owners' Association, after an agreement, the terms of which neither side was willing to state, had been reached between the associations.

Thomas Orr admitted yesterday that the strike and lockout were off.

ATTACKS THE NEBULAR HYPOTHESIS.

Prof. Chamberlain Explains His "Accretion Theory" Before Teachers' Convention.

Chicago, Dec. 2.—In an address at the opening session yesterday of the annual meeting of the Central Association of Science and Mathematics Teachers, Professor Thomas Crowder Chamberlain, of the University of Chicago, outlined his recently announced "accretion theory" of the earth's origin. This, if accepted by scientists, would overthrow the so-called "nebular hypothesis" and do away with most of the ideas commonly held concerning the origin of the earth and the other planets.

According to the "nebular hypothesis," or Laplace theory, which has been held for more than a century, the earth and the other planets originally were masses of molten matter thrown off from the sun by its whirling motion and gradually cooled to their present condition. This theory Professor Chamberlain attacks on the assumption that the sun never had a whirling velocity sufficient to throw off such bodies.

Professor Chamberlain's theory is that a disturbance was caused in the sun by the near approach of, or collision with, some other body, which drew off projections of nebulous matter from the sun and gave them a rotary motion by its own attraction as it passed. These particles of matter then gradually gathered together to form the planets.

The internal heat of the earth, says Professor Chamberlain, developed by compression as the body grew. The theory that the moon once had an atmosphere, he asserts, must also be abandoned.

The meeting of the association is attended by five hundred teachers of science and mathematics from the Central States.

TAKES ACID ON YACHT.

Overdose Saves Life of Ironworker Who Attempts Suicide.

Henry Wenkelman, a foreman in the J. L. Mott Iron Works, 3d-ave. and 131st-st., who lives at No. 287 Willis-ave., The Bronx, attempted yesterday evening to kill himself on board his sloop yacht the Gale, which was anchored off Willow-ave., in the Bronx Kills. The attempt proved unsuccessful and Wenkelman is in the Lincoln Hospital a prisoner.

According to the police, the young man rowed out to the yacht shortly after 6 o'clock yesterday evening, climbed aboard and then swallowed the contents of a six-ounce bottle of carbolic acid. The pain of the burning acid caused him to rush up and down the deck of the Gale so frantically that his actions attracted the attention of William Burk and James Renner, who jumped into a small boat and rowed out to the sloop. When they tried to climb on board, however, Wenkelman threatened them so savagely that they drew off in alarm and returned to the shore, where they hunted up Patrolman Gannon, of the Alexanuer-ave. police station.

When the policeman and Burk climbed on the deck of the yacht Wenkelman appealed to them to let him die, and had to be roughly handled before he would submit to being bundled into the boat and rowed ashore.

Dr. Allen, of Lincoln Hospital, said that an overdose of the acid was all that saved Wenkelman's life. Wenkelman's brother told the police that despondency because of physical infirmities was probably responsible for the attempt at self-destruction.

COLBY LEAVES ACTIVE BUSINESS.

Because of his political labors, State Senator-elect Everett Colby, of Essex County, N. J., has retired from active membership in the firm of Herrick, Hicks & Colby. The firm has been reorganized under the same name, with Mr. Colby as special partner.

CHILDREN BUILT

The Certain Way to Grow Healthy, Sturdy Children Is by Intelligent Feeding.

An Iowa mother tells of the naturally correct instinct of her five-year-old boy. She says he thinks there is nothing equal to Grape-Nuts for breakfast.

"When he was a little baby he was puny and pale, and to find the right food to properly nourish him was a difficult problem. When he got to be about twelve months old we commenced using Grape-Nuts food in our family and I began feeding him a little moistened with milk. We all liked Grape-Nuts, but he liked it especially well.

"It agreed with him. He began to grow plump and rosy, and for years he has scarcely eaten a breakfast without a dish of Grape-Nuts, and he usually eats nothing else. He wants it and will take no substitute. He has never been sick and to-day is a remarkably robust child, with a fine muscular development, and a quick, active brain—by far the healthiest and strongest, even if he is the youngest, of my five children.

"All this I attribute to his regular use of Grape-Nuts food." Name given by Postum Co., Battle Creek, Mich.

There's a reason. Read the little book, "The Road to Wellville," in pkgs.

The Financial World.

Activity and strength continue to distinguish the security market—but in spots, rather than uniformly. Conservative counsel continues, too. Some danger elements show—not immediately threatening, perhaps, but of consequence sufficient to call from careful students of the situation warnings that the prudent will not intentionally ignore.

Million share days have ceased to be large days—and commission house (public clientage) business relatively insignificant. The vast volume of daily totals divides twixt speculative members of the Exchange itself and coteries of outside millionaire traders—equally professional. The traditional unit of 100 shares disappears; he is no longer a creditable buyer or seller who bothers with less than thousands—10,000 share executions productive of no wonder. Truth is that in many quarters, in many respects, it has become a plunger's market. It is easy to locate a score whose ordinary complement of stocks, whether long or short, passes 100,000 shares—not investment lines, but commitments speculative wholly. In this phase of the Wall Street situation is explanation of much that becomes abnormal—much of the warrant for the caution which old fashioned folks are preaching.

Some friends of the market (confident that ultimately the market is bound to have much further betterment) are, for the very reason that they are friends of the market, impressed by the sound sense of what conservatives are urging. Any character of stocks can be put up by manipulative rushes, by outbursts of tremendous buying; but securities so put up—only to be played for a transient rise—cannot be expected to stay up, deserted carelessly by the forces that lifted them. And there is too much of this sort of thing just now in evidence.

The Street is jammed with "points" and "tips." Most are fables foolish utterly. Solid markets have different foundation. Only passing superficial characteristics, doubtless, are these now showing; for strong men are sometimes subject to fevers—and fevers subside; but, none the less, while they do intrude they are discouraging and not to be treated as welcome and helpful. For fevered patient there must be sometimes choice between rest, or—exhaustion.

This view is not bearishness, it is but sobriety—as to ignore certain too evident new features in the market would be not bullishness but bunco.

Underlying conditions do not induce doubts of the intrinsic quality of the business situation. What material changes occur are changes toward improvement. Good times records spread the country over—commercially and financially, agriculturally and industrially, we are in stronger position to-day than ever before in history. Prosperity is all pervasive. It is not because of anything having to do with basic conditions that prudent observers are disturbed. Those elements in the market to which exceptions are taken, constituting reasons for caution, are of ultra-speculative sort altogether. They are foreign to what constitutes the real market; they are intrusions, they are handicaps from which a naturally moving market must be free. Their conspicuousness adds to the danger of the hurt they can do; and their continued persistence cannot fail to produce a reaction which might for a time prove embarrassing to enthusiasts refusing to recognize detrimental possibilities.

Just as was emphasized in this review a week ago, every natural condition is helpful—only those that are unnatural, fabricated, are troublesome to critics who are candid. What is warranted is not bearish disposition at all—but a discrimination which shall weigh intrinsic value, which shall consider how stocks measure on their earning or dividend bases, dividends present or fairly in prospect.

To proceed in Wall Street discriminatingly is only to proceed as practical business men proceed elsewhere—uniformly proceed if success is to be accomplished. Scant difficulty confronts discriminating purpose. It is no severe task to determine the safe side of financial affairs. The test of earnings and dividends is ample test and readily commanded. Old time fashions of mystery are fortunately not the habit now. Only a few blind pools are able nowadays to maintain public favor. Open corporation accounting, already customary, promises to be an actual requisite for any property, however strong its directory.

And as has here been urged over and over again, the New-York Stock Exchange list is fairly crowded with bargain opportunities for buyers of stocks who insist, however thoroughly, upon applying the intrinsic value test. It is not necessary that such value, to be recognized, must be already scheduled upon the dividend list—for such a rule would eliminate much of what even most prudent authorities sensibly regard as legitimate and fair foundation for investment. Such a rule rigidly followed would have precluded the possibility of reaping any of the vast profits which have come to buyers of Omaha, for example—Omaha which under Vanderbilt control spent out of current earnings hundreds of thousands of dollars per year through a long period while disbursing nothing in dividends—a maintained Vanderbilt policy whose sequel (whose unavoidable result) was the establishment finally of a permanent earning capacity and attending dividends which give to Omaha shares a market value of 200—and virtually the entire capital stock locked away by the most conservative investors of the country. Such a rule would preclude favor from Nickel Plate wherein has prevailed throughout recent years the same Vanderbilt policy pursued with Omaha—20 per cent or more of gross earnings