



PANORAMA OF THE CITY AND BAY OF NAPLES AND MOUNT VESUVIUS.



NEAR RATE AGREEMENT WORK ON AMENDMENT.

President Consulting Republican and Democratic Senators.

Washington, April 6.—Senator Tillman made another attempt to-day to have a date set for the vote on the rate bill, and although he was unsuccessful there are indications that the present situation will not be greatly prolonged.

The fact is that the conservative Republicans, including Senators Aldrich, Crane, Knox, Spooner and others, are now at work on a court review provision which will be a combination of the Knox and Spooner amendments, and for which, when finally perfected, they expect the support of a large majority of the Senate.

It is expected that Senator Bailey will again advocate his amendment restricting the power to grant an injunction against decisions of the Interstate Commerce Commission to the higher courts, but that if, as is regarded probable, he is unable to convince any large number of his colleagues of both the constitutionality and the expediency of adopting his proposition, he will commit himself to the policy advocated by the conservative Republicans.

Senator Rayner spent some time at the White House this morning and on reaching the Senate said that he had been conferring with the President on rate legislation, intimating that he had been sent for by the Executive.

The President explained to some of his callers to-day that in consulting Democratic Senators regarding rate legislation he was merely pursuing a consistent policy of viewing the Hepburn bill as an economic, and not a partisan, measure.

Following the visit of Senator Rayner at the White House Senators Allison, of Iowa, and Nelson, of Minnesota, had a talk with the President. They, too, discussed the rate situation.

SUIT OVER \$13,000,000.

Tennessee Railroad Properties and W. H. Thompson Estate Involved.

St. Louis, April 6.—Suit was filed to-day in the Circuit Court by H. Clay Pierce and J. C. Van Blarcom against the William H. Thompson Trust Company, executor of the estate of the late W. H. Thompson, who was president of the Bank of Commerce and treasurer of the World's Fair.

The possession and division of Tennessee Railroad property, valued at about \$13,000,000, is involved in the suit.

Mr. Van Blarcom succeeded Mr. Thompson as president of the Bank of Commerce, and Mr. Pierce is chairman of the board of directors of the Waters-Pierce Oil Company.

The petition alleges that in February, 1902, Van Blarcom, Pierce and Thompson entered into an oral agreement to promote and finance the Tennessee Central Railway and acquire and operate several properties belonging to that company.

Following this agreement, the petition alleges, the three pooled interests and acquired other stocks and bonds of the Tennessee Central property, and borrowed money to do so. The petition states that many of the notes are yet unpaid.

MOTHER LOVE HER PLEA.

Parent Sinned to Educate Daughter, Who Faints in Court.

Pittsburg, April 6.—"I made the first false step of my life for my little girl. For love of her I let go of everything that I might have means to provide her with an education. What I am I am for her sake, and she does not know of her mother's disgrace."

This was the testimony given by Mrs. Lizzie Lambert Walters in court to-day in the habeas corpus hearing begun by her husband, William J. Walters, to recover possession of their fourteen-year-old daughter. As the mother told the story of her love for her daughter, a love so great that it had driven her into a life of shame, the young girl sat with horror-stricken face and listened. Then, with a scream, she fell to the floor in an agony of hysteria and the hearing was stopped while she was carried from the courtroom unconscious.

Walters married his wife in Johnston in 1890. Six years later he left her and went West, where he obtained a divorce. He is an expert mining engineer in Portland, Ore., and worth, according to his testimony, hundreds of thousands of dollars.

The mother's story was the most tragic listened to in court for years. After struggling for several years to maintain her child honestly, a year ago last November she began a life of shame and maintained her daughter at the fashionable Franklin Academy.

Mrs. Walters stated on the stand that she would kill her husband if he secured the custody of the girl.

PALM SUNDAY AT ATLANTIC CITY. Special tour via Pennsylvania Railroad. Leaves New York Saturday, April 7. Rate \$10 or \$11, inclusive two days hotel board.—Adv.

PANIC NEAR VESUVIUS.

VILLAGERS IN FLIGHT.

Column of Flame a Thousand Feet High—Lava's Rapid Flow.

Naples, April 6.—The inhabitants of the villages near Mount Vesuvius are in a condition bordering on panic. Many homes have been abandoned for the open air, although there has been a thick fog all day and the atmosphere has been dense with volcanic ashes and the fumes of subterranean fires. The churches are crowded day and night with people praying for deliverance from an impending peril, signs of which are heard and felt in explosions which resemble a heavy cannonading, and in the tremblings of the earth, which are constantly recurring.

The main stream of lava proceeding from Vesuvius is 200 feet wide, and it advances at times at the rate of twenty-one feet a minute, the intense heat destroying vegetation before the stream reaches it. The peasants of Portici, at the west foot of Vesuvius, cleared their ground of vineyards and trees in the effort to lessen the danger from fire, and resisted the progress of the lava to their utmost. The population of Boscotrecase, on the southern declivity of the mountain, have sought safety in flight, and Bosco Reale, to the eastward, is also threatened. Women of this village, weeping with fright, carried a statue of St. Anne as near as they could go to the flowing lava, imploring a miracle to stay the advance of the consuming stream.

The scene at night is one of mingled grandeur and horror. From the summit of Vesuvius there leaps a column of fire fully a thousand feet in height, the glare lighting the sky and sea for many miles. Occasionally great masses of molten stone, some weighing as much as a ton, are ejected from the crater.

The village of Torre del Greco, which has been eight times destroyed and as often rebuilt, is again threatened, and the inhabitants are in extreme terror.

Signor Matteucci, director of the observatory, is working indefatigably. He has had military engineers establish telephonic connection between the observatory and points within the zone of volcanic activity. The director said this evening that, although the eruption presented a grave menace, he did not believe it would reach the villages. Indeed, he said, the present activity was not altogether unaccompanied with good, for if it had not come to pass a violent and sudden eruption, having a far wider radius, might have occurred.

The main mass of lava has divided, one stream threatening Ottajano, a commune of 20,000 inhabitants, and the other Torre del Greco, which has a population of 20,000.

From the new crater, which is twenty feet in circumference, the lava has moved two miles and a half in the direction of Pompeii. Hot mud, ashes and black sand are also ejected, which mixed with rain produce the so-called caustic rain which is damaging to vegetation. Although the showers of cinders here have diminished, people can be seen holding up umbrellas as protection against the ashes.

Torre del Greco is a flourishing town standing on one of the lava streams of 1861, which destroyed two thirds of the older town. The lava streams of 1872 and 1874 also caused the town great damage. The eruptions of 1877 and the eruptions of 1880 were even more destructive. Every April a large fleet of boats leaves Torre del Greco for the coral fishing off the coast of Africa and Sicily, returning in November. The polishing of coral is the chief industry of the place.

Boscotrecase is the usual starting point for travelers who wish to make the ascent of Mount Vesuvius from the south.

Ottajano is at the northeast base of the mountain, twelve miles east of Naples.

SHOW COURAGE AT FIRE.

Club's Manager and Cook Risk Lives in Saving Others.

Portland, Ore., April 6.—Fire to-night destroyed the upper story of the Chamber of Commerce Building. The entire floor was occupied by the Commercial Club. A high wind blew dense clouds of smoke toward the northwestern corner, where crowds of men and women escaped by means of the fire escapes.

Firemen took men and women from the upper stories of the burning building by means of the fire-escapes and ladders. Homer Hullock jumped from the eighth story into the court and was instantly killed. Another man was fatally injured by jumping.

Thomas Richardson, manager of the Commercial Club, and one of the cooks did heroic work in saving the employees of the club. Richardson and the cook gathered the employes together and assisted them in jumping into the lifelines. Richardson worked his way later to the seventh floor, where he was rescued. He was severely burned. The cook was burned about the face and hands.

SNAKE KILLED SEEKING SALVATION.

Causes Panic at Meeting—May Have Escaped from Bronx Park.

A big snake of the cobra species was killed last night in the Salvation Army meeting hall, at No. 512 East 158th street, after it had driven almost a dozen women into hysterics. An "old-timer" was giving testimony, when Miss Sophia Roser, of No. 130 East 138th street, shrieked with pain. Women rushed to her side and, looking down, saw the reptile crawling away from her. It had eaten a hole through her shoe, she said. The snake crawled about the women, hissing and throwing its head forward and its mouth wide open.

Both men and women jumped on their seats, and the captain in charge of the meeting called for a hymn. He did not know what had caused the excitement, but supposed that the "old-timer's" testimony had caused some woman to faint. The women continued to shriek and the snake crawled about determinedly. Patrolman William Hagen hurried to the hall and, after some difficulty, crushed the snake's head. The police think the snake escaped from the Bronx Zoological Park.

"SHE SITS FOREVER IN THE SUN."

There was sunshine part of each of three and fifty-seven (57) days last year at Colorado Springs; the New York Central Lines ticket you via Chicago, Cincinnati or St. Louis to Colorado, Utah, California and the Pacific Coast.—Adv.

MAGYARS MAKE PEACE

REJOICING IN AUSTRIA.

Concessions by Both Countries—Dr. Wekerle Premier.

Vienna, April 6.—Peace between the crown and the Hungarians has been concluded. The Parliamentary crisis is over. Premier Fejervary has resigned, and Alexander Wekerle has been appointed Premier, with a mandate to form a conciliatory Cabinet for Hungary. This action marks the end of fourteen months of controversy, always of an acute and often of a bitter nature, between the throne and the coalition parties. Both sides express satisfaction with the result.

The news of peace is received with rejoicing in both halves of the monarchy, every one being heartily tired of the struggle, which had had such a disastrous effect on the financial and economic situation in Hungary. The compromise, which came unexpectedly, was chiefly due to the efforts of the coalition, who feared a period of absolutism if the elections were not held before April 9, as prescribed by the constitution. The Fejervary Cabinet welcomed the overtures of the coalition, and an agreement was speedily reached. Hungary can now return to her normal political existence. The elections will be held within the proper time, and parliamentary government being re-established, the crown will get the recruits wanted, the army funds for military service will be voted, and the customs tariff and commercial treaties will be ratified by the Hungarian Parliament. The commercial union with Austria is assured until 1917.

Francis Kossuth, the coalition leader, to-day expressed himself satisfied. He said the result was not a victory for either party. Herr Kossuth announced that he would not enter the Cabinet, but would remain the leader of the Independence party. Count Apponyi also will not enter the Cabinet.

Count Andrássy and Herr Kossuth were received in audience by Emperor Francis Joseph to-day, and afterward conferred with Premier Fejervary. The Emperor approved the proposal that Alexander Wekerle be chosen to form a new government.

It is expected that the appointment of the new Ministers and the proclamation of elections will be announced on April 8.

Under the terms of the agreement the Emperor-King assents to the formation of a new Cabinet by the coalition to carry out the elections under the old limited election law this month, and to hold a session of Parliament in May. The government guarantees to pass the budget of 1905-'06, and also to re-submit the military and investment bills and international commercial treaties, and to maintain the status quo between Austria and Hungary. The new Parliament will be asked to pass a bill adopting general suffrage, and will then be dissolved, allowing the election of a new Parliament under the general suffrage system to deal with the military demands and rights of the crown under the constitution. The government, after the universal suffrage election, will be formed in conformity with the desires of the majority of Parliament.

It is probable that the Emperor-King, after a year's absence, will visit Budapest on April 9 in order to swear in the Wekerle Cabinet.

Dr. Alexander Wekerle was born in 1844. He entered the Department of Finance in 1870. In 1886 was Assistant Minister of Finance and was appointed Minister of Finance in 1889. From 1892 to 1894 he was president of the Council of Ministers.

SETTLE \$7,000,000 CASE.

Schandin Will Contest Amicably Arranged, Says Attorney.

Milwaukee, April 6.—The \$7,000,000 Schandin case has been settled out of court. George P. Miller, an attorney, made this announcement on behalf of all parties in Judge Halsey's court this afternoon.

Mr. Miller said that while the case had been adjusted to the satisfaction of all parties concerned, he requested that it be continued until next Monday in order that the terms agreed upon may be reduced to writing. The case was therefore put over until that time.

STRIKE OF SEAMEN AT HAMBURG.

The Bluecher Unable to Leave Port—Movement Spreading.

Hamburg, April 6.—The strike among the seamen, which began several days ago, has assumed serious proportions. The stevedores have partly joined the strike, and preparations are being made for a general strike next week. The sailing of the Hamburg-American liner Bluecher, which was set for yesterday, was delayed.

WEAVER SUES DURHAM

Philadelphia Wants \$5,000,000 Returned by Filtration Contractors.

Philadelphia, April 6.—Civil proceedings were begun to-day by the city against the contractors and former city officials interested in the construction of the municipal filtration plant to recover \$5,000,000, which sum is alleged to have been wrongfully retained by the defendants.

A bill in equity was filed with the prothonotary of the Common Pleas Court by City Solicitor Kinsey and ex-Judge James G. Gordon, Mayor Weaver's private counsel. Those named in the bill are Israel W. Durham, formerly Republican leader of this city; State Senator James P. McNichol, Anastasia McNichol, his wife; Daniel J. McNichol and John M. Mack, all of whom were at one time members of the contracting firm of Daniel J. McNichol & Co.; William C. Haddock and Peter E. Costello, former directors of Public Works, and John W. Hill, former chief of the Filtration Bureau. The bill is sworn to by Mayor Weaver.

The bill is in the form of a paper book of more than four thousand pages, containing the history of the filter plant contracts and setting forth in detail the mass of evidence gathered showing the alleged wrongful acts of the defendants.

The bill is expected to give the public the facts upon which the Mayor and his counsel rely to prove the charges that have been made from time to time against D. J. McNichol & Co. It is the first of the civil suits to be begun by the city since the beginning of the investigation into the construction of the filters, and many of the statements contained in it are along the line of the report made by the Filtration Commission and signed by Major Cassius E. Gillette as chairman of the commission just before the election last November.

HISTORIC HOUSE SOLD.

Dey Home, at Preakness, Was Once Washington's Headquarters.

Passaic, N. J., April 6.—The Dey home, once Washington's headquarters, at Preakness or Bloomburg Manor, was sold under mortgage foreclosure proceedings this afternoon by Sheriff Charles Bergen of Passaic County. Albert French, vice-president of the American Chemical Company, of No. 26 Broadway, New York, purchased the house for \$5,600. He lives in Montclair.

Mr. French's mother was a great-great-granddaughter of Colonel Garret Dey, who built the house. Mr. French intends to make a summer home out of it. Its previous owner was William Belcher, the missing Mayor of Paterson. Mr. French was the only bidder. The house was built in 1740.

General Washington occupied the house July 1 to 29 and October 8 to November 27, 1784, making his official home where he had previously been a guest.

FOLLOW SMOKE TRAIL.

Darlington Orders Out Fifty Inspectors—Hopes to Stop Nuisance.

Health Commissioner Darlington gave orders yesterday that fifty inspectors be sent out to-day to ferret out every case of violation of the smoke nuisance ordinance. The orders given to the men were that directly they discovered an offender steps were to be taken at once to hale him to court. Hitherto it has been the practice that inspectors first report the violation to headquarters, but as this entailed a certain amount of delay, Dr. Darlington told the men to go ahead on their own responsibility.

CHARGE FRAUD IN CHICAGO VOTING.

Municipal Ownership Advocates Say Recount Will Give Them the Victory.

Chicago, April 6.—Charges of fraud in the returns upon the municipal ownership proposition, voted on last Tuesday evening, and the County Corporation Counsel Lewis and the County Court and the election commissioners will be asked to investigate the matter.

It is asserted that in forty-one precincts the returns upon all of the three propositions relative to municipal ownership show exactly the same vote, and this is said to be an impossibility.

It is said by the advocates of municipal ownership that a recount will show a gain of 8,000 votes for the proposition, and these, together with the same loss for the negative votes and an error of 1,000 votes already found in the footing of the vote in the 10th Ward, will give the immediate operation proposition sufficient votes to become effective.

NOT TRUE, SAYS ODELL.

DENIES MEETING REPORT.

Rumor Said He Would Gather Committee to Show Control.

State Chairman Odell at the Fifth Avenue Hotel last night said that the dispatches from Albany alleging that he was going to call a special meeting of the State Committee to demonstrate his control of the organization were untrue.

"Did you see the story?" he was asked. "Yes," said Mr. Odell; "I read the same story in two evening papers. It would be very interesting if true."

"Is it untrue?" he was asked. "It is absolutely untrue so far as I know anything about the conditions," said Mr. Odell. "No one has asked me to call a special meeting of the committee in the immediate future, and I know of nothing that would warrant calling together the committee at this time."

"Colonel Dunn, of Binghamton, is quoted as saying that immediately following the adjournment of the Legislature the committee will meet and elect a new chairman," it was suggested.

"That also is important if true," said Mr. Odell with a good-natured grin.

The state chairman talked with various leaders about the reappointment of the Senatorial districts, and he had long conversations on the telephone with Senator Page and Assemblyman Burnett.

Two of his callers yesterday were Abraham Gruber and John H. Gunner, both hitherto adherents of President Parsons in the county committee.

"I have looked at both reappointment plans," said Mr. Gruber, "and I am free to say that I prefer the one got up by Mr. Halpin and I state chairman. It strikes me as a fairer all-around plan than the other. I do not see why there should be any contest over the adoption of a plan if one plan is manifestly superior to another its merits ought to be, and I believe will be, recognized by the executive committee. I doubt whether Mr. Parsons will urge the adoption of his plan after he examines the other plan and finds that it is better than the one formulated by Mr. Wilson and himself."

The state chairman will be in town to-day, and to-night he will attend the dinner at the Savoy Hotel in honor of Senator Elsieberg. Probably he will make a speech.

"It is not true," said William Halpin, formerly president of the county committee, "that our reappointment plan makes Senator Page's district a Democratic district. It is not radically changed in its political complexion. I believe that the plan we have been preparing will have the unqualified approval of at least twenty-two of the district leaders."

President Parsons of the county committee was in town yesterday on account of the death of his youngest child in Washington this week. Mr. Parsons returned to Washington last night. It is expected that the county executive committee will meet on Tuesday or Wednesday of next week.

PANIC IN PALM GARDEN.

Brave Chef Saves Two Men When Steam Pipe Bursts.

Two men, the engineer and fireman, were severely scalded and burned by the bursting of a 6-inch steam pipe last night in the boiler room of Pabst's Palm Garden, No. 256 to 260 West 125th street. Immediately following the bursting of the pipe the whole building was plunged in darkness and the big garden and balconies became filled with steam. The four hundred persons in the place became panic-stricken and made a wild scramble for safety.

The injured men were Michael Lehnert, the engineer, of No. 79 Harrison avenue, Westchester, and Valentine Detz, the fireman, of No. 267 West 133rd street. They probably owe their lives to the bravery of August Sufing, the chef, who volunteered and made a search for the men, who were found to be missing after the accident, after the police had declined to go until the steam had cleared away. Both men were seriously scalded about the face and hands.

Fully five thousand persons gathered in front of the building and the reserves had to be called out to keep order.

WILL NOT DECIDE ON NATIONAL AIR.

Secretary Bonaparte Says Question Is One for Congress to Settle.

Washington, April 6.—Congress must decide whether the United States needs a new national air. Secretary Bonaparte has advised Julius I. Lyons, of New York, that after consulting with other members of the Cabinet, he has decided that national air is a subject for legislative consideration, and does not fall within the province of members of the Cabinet.

Mr. Lyons sought the co-operation of Mr. Bonaparte in a movement to give a prize for a suitable national air to replace the "Star Spangled Banner" and "America."

OPERATORS MAY YIELD

HOPE FOR ARBITRATION.

May Agree to Submit Whether There Are New Phases.

The prevailing impression yesterday was that the anthracite operators will on Monday refuse the arbitration proposition of President Mitchell, but may be willing to arbitrate the question whether or not there are any new facts which were not covered by the award of the Anthracite Strike Commission.

A meeting of the anthracite operators will be held in this city to-day in the office of the president of one of the anthracite companies to consider the answer to be given to Mr. Mitchell's proposition. It is thought that this meeting may be attended by operators outside the allied companies, so that every anthracite interest may be represented.

President David Wilcox of the Delaware & Hudson Company in his latest pamphlet on the anthracite situation says that the only question open is whether there are any new facts which raise new questions beyond the scope of the Anthracite Strike Commission's award. He also says that no such new facts have been made public, and this may open the way for arbitration as to whether such facts exist.

None of the coal presidents would talk on the subject yesterday. E. H. Thomas, president of the Lehigh Valley Railroad, said that he would not discuss the question of what reply would be made to Mr. Mitchell before such reply was made.

President Baer of the Philadelphia & Reading Coal Company sent from Philadelphia a denial of a statement attributed to him in a published dispatch, in which he is made to say that he had made a canvass of the operators and found them opposed to arbitration. In his denial he says that he had no statement whatever on the subject.

"There is nothing in the story," he said. "The independent operators are in session, and even if I were so inclined, which I was not, I could not authorize such a statement as was attributed to me."

President Detwayer of District 7 of the Anthracite Mine Workers, who is a member of the board of conciliation of the Anthracite Coal Strike Commission, and would be one of the arbitrators if the anthracite operators accept the arbitration proposition as it stands, discussed the question of the arbitration proposition when seen at the Ashland House.

"The presidents of the coal carrying roads," he said, "have for some time been propounding you the awards of the strike commission. We now propose to arbitrate with the agent of the commission created—the conciliation board. As the operators have all along refused that board, I do not see how they can refuse to arbitrate the existing differences."

It was stated that it was a question whether Judge Gray would be willing to act as an umpire or appoint an umpire. In such case he would be practically arbitrating the awards of his own board.

President Mitchell sent the following telegram yesterday in reply to John H. Winder, president of the Ohio operators, who suggested arbitration of the differences between the miners and soft coal operators of Western Pennsylvania, Ohio, Indiana and Illinois:

Telegram forwarded from Indianapolis received New York City: "I have no authority either to accept or decline the proposition you make to arbitrate differences between bituminous operators and miners. The International executive board United Mine Workers of America will convene at Indianapolis the 17th inst., at which time your telegram will be laid before it and the decision communicated to you."

In reference to the soft coal situation, Mitchell said he was pleased with it.

"From the papers," he said, "I see that not a colliery in Indiana is working. They will not be working until the operators sign our scale."

It was learned that many soft coal agreements may be signed if there is an anthracite strike which will not be signed if there is an anthracite settlement.

President W. R. Sweet of the Empire Coal Mining Company, No. 1 Broadway, which has interests in Clearfield, said yesterday:

"I believe if there is an anthracite strike the Clearfield operators will sign the mine scale, as the price of soft coal will then go up. If there is no anthracite strike they could not afford to sign it."

The complaints of the New York coal dealers that they are getting no anthracite from the sales agents of the companies were borne out by some of the sales agents yesterday. With the exception of the Lehigh Valley company, the companies are shipping little or no anthracite to New York at present. The reserve held by the companies would be devoted largely to providing for the wants of poor people in case of a long strike.

ASK PRESIDENT AGAIN.

Ohio Coal Operators Would Welcome Arbitration Committee.

Cleveland, April 6.—Ohio coal operators will meet here to-morrow to discuss the strike situation.

The proposition of John H. Winder, chairman of the Ohio operators, that President Roosevelt appoint an arbitration committee, will, it is believed, meet with the approval of the operators. The operators are threatening to operate their properties as non-union mines. The object of to-morrow's meeting is to formulate strike plans.

Washington, April 6.—President Roosevelt has received a telegram from John H. Winder, president of the bituminous operators of Ohio, a duplicate of which was sent to President Mitchell at the White House to-day. It was stated that the telegram was sent to the President for his information; that no reply is expected, and none will be sent.

CHECK TO HIGH COAL.

Boston Official Suspends Company's License—Extortion Alleged.

Boston, April 6.—Secretary of State William M. Olin to-day suspended the license of the Metropolitan Coal Company, of this city, which has been charged with fixing extortionate prices on coal since the coal strike movement was begun.

Secretary Olin does not actually find, however, that the prices are extortionate, and he does not revoke the license on that complaint. He concludes that there is a fair question as to whether the price of coal as recently fixed by the company is not exorbitant and excessive, and he suspends the license under the statute which permits him to take such action "for just and sufficient reasons." Secretary Olin believes that the entire question is one for the judiciary, and his finding is in the nature of probable cause, so that the question may be considered by the Superior Court, to which the coal company now has the right to appeal.

Secretary Olin reports that he found no evidence of a monopoly or of a general agreement