

Kings. Two years ago Murphy and McClellan were on friendly terms, and Voorhis was reappointed. The Kings County organization recommended Maguire for reappointment. The Republican County Committee recommended Commissioner Page, and the Kings County Republican organization recommended Colonel Dady.

With the fight on between the Mayor and the leader of Tammany Hall there is little probability that Commissioner Voorhis will remain in the board. Commissioner Voorhis voted in favor of giving the election advertising to the Hearst papers.

Depriving Charles F. Murphy of a personal representative in the Board of Elections will be a hard blow at the prestige of Mr. Murphy as leader. A clash is expected over the appointment. Tammany will claim the right under the law to recommend a man for the place. The Mayor will disregard the recommendation if the man named is a so-called Murphy man.

The Mayor's appointee, whoever he may be, will take the oath of office and begin his term, and probably Murphy can do nothing to prevent it.

Mr. Brady's successor will be an anti-Murphy Tammany Hall Democrat. There are plenty of men in Tammany Hall anxious to get the place. The salary is \$7,000 a year.

It is the steady hammering the Mayor is giving Murphy that is disintegrating him as leader of the Tammany organization. Every time that the Mayor appoints a commissioner the new man understands that Murphy has had nothing to do with the appointment, and that he is not beholden to the leader of Tammany Hall. Nothing hurts the head of Tammany like that.

The Mayor also has a Republican place to fill in the tax office, Commissioner Strasbourger having resigned last summer.

Corporation Counsel Ellison yesterday sent Commissioner Page of the Board of Elections an opinion in relation to the designation by the board of the various papers in which were published the notices of the recent election. After reviewing the case, Mr. Ellison says:

I am clearly of the opinion: That the Board of Elections performed its duty when it designated "The Sun," "The World," "The Times" and the "Staats-Zeitung" to publish the election notices provided for in Section 19 of the Election Law of the 4th day of October, 1906.

That the designation of "The New York Daily News," "The New York American," "The Telegraph" and the "Morgen Journal" under the peremptory order of the court on October 8, 1906, was illegal, null and void because done under the command of a peremptory mandamus, which order granting such peremptory mandamus has since been reversed.

Mr. Ellison then says that the board should rescind its resolution first designating "The Sun," "The World," "The Times" and the "Staats-Zeitung," and also rescind its resolution designating "The Daily News," "The New York American," "The Telegraph" and the "Morgen Journal," and then pass again its resolution designating the first named papers. Referring to the bills for work done by the papers friendly to Mr. Hearst, Mr. Ellison says:

The bills of the newspapers designated under the peremptory mandamus of the court should not be certified for payment. All such bills should be rejected because the order under which they were so designated has been reversed and payment of such bills ought not to be sanctioned by the Board of Elections in any manner whatever. It is intolerable that newspapers under the circumstances disclosed should be permitted or aided by public officials to draw money out of the treasury of the city until their right to payment shall be established in a court of law.

SOME HOT SHOT FOR "LONG PAT."

John H. Delaney Preparing Affidavits to Prove McCarren's Treachery.

John H. Delaney and his "Kings County Democratic party" are preparing affidavits showing



The Whole World of Music Is Waiting for You

SCHUMANN has said: "A person who is not acquainted with the latest works of literature is considered devoid of culture. Oh, that in music we were equally advanced." What the invention of the printing-press accomplished for the diffusion of literature is now being done for music by the invention of the Pianola and

The Pianola Piano "The Piano ANYONE Can Play."

THERE are millions of people to-day, throughout the civilized world—young and old—that are coming to know music and to enjoy it as they were never able to do before. The Pianola, the Pianola Piano and the other instruments made by the Aeolian Company have created this new situation.

Think what it means to have caused music, "the noblest of the arts," to become universally accessible in the home. Is it any wonder that all the great musicians—composers, pianists and teachers—lend their cordial support to the important work that is being done by the Pianola and the Pianola Piano for the cause of music?

Is it not time for you to bring this matter home to your individual case? If your piano is seldom or never touched, take up now the question of exchanging it for a Pianola Piano, which will be a constant delight and means of education for your entire family.

We shall be pleased to estimate the value of your present piano in exchange for the Pianola Piano. Prices \$550 to \$1,000. Moderate monthly payments.

The AEOLIAN CO., Aeolian Hall, 352 5th Ave., near 34th Street, New York

This Company is authorized by law to act as executor, administrator, guardian, or trustee under will or appointment of court. As a trustee, it is for many reasons preferable to an individual.

An individual may not be competent; he may hazard the assets left in his care; he may be influenced by partiality; he may neglect his duties as trustee, or may become insane, or die. The Equitable Trust Company renders efficient service.

THE EQUITABLE TRUST COMPANY OF NEW YORK

Fifteen Nassau Street Capital, paid up, \$3,000,000 Surplus and Profits, 10,500,000 Interest allowed on daily balances, subject to check.

On instances where McCarren knifed Hearst, to be presented to the investigating committee of seven which "Fingey" Conners says he is going to appoint. The evidence, the anti-McCarrenites think, will be enough to expel the Senator from the state committee.

Sheriff Flaherty and his followers, who form a Democratic Municipal Ownership party, are not in favor of Delaney and his organization. The Sheriff yesterday issued a statement disparaging Delaney's attempt to oust McCarren. He said, in part: I cannot believe that a people generally will be attracted to an organization which is planning only the downfall of the McCarren organization.

DEMOCRATS SEE MAYOR.

T. M. Osborne Tells How Hearst Was Scratched Upstate.

Ex-Judge Parker, ex-Mayor Thomas M. Osborne of Auburn and Charles F. Rattigan, also of Auburn, called on Mayor McClellan yesterday and talked with him. Mr. Osborne wanted to know all about the local situation and what the Mayor was going to do to Murphy.

He and Mr. Rattigan were able to tell the Mayor all about the way the upstate Democrats knifed Hearst last week. Cayuga County particularly distinguished itself in this respect. One of the Mayor's callers had this to say about a possible recount of the Mayor's vote last year:

All this talk about Attorney General-elect Jackson ordering a recount of the Mayor's vote is silly. Mr. Jackson hasn't any power to order a recount, even if he wanted to. All Mr. Jackson could do, if he thought the facts warranted it, would be to grant a writ of habeas corpus to a man who has been arrested on a quo warranto proceeding.

"FINGEY" STILL ON GUARD

Republicans Shall Not Steal State if He Knows It. There are loud calls from Buffalo for William J. Conners to come home and parcel out some of the good things he promised the "boys" after November 6, but "Fingey" prefers to linger on the burning benches of the Victoria. He was here yesterday.

He said that he would not allow them to get away with it. Mr. Conners said: "The move to get away with the election is nothing more or less than a scheme to have the ballot boxes opened. They do not want to open the boxes, they want to keep them closed and let the voters count their own votes. They are trying to have them opened themselves." Mr. Conners apparently had forgotten that Mr. Hearst ordered the boxes to be opened and the votes counted by the inspectors. They were not to be opened until after the election.

WOODRUFF BACK IN TOWN.

Has Affidavits from Bruce, Mayer and Lewis for Use in Court. State Chairman Woodruff came to town yesterday from his camp in the Adirondacks, where he has been entertaining Charles E. Hughes and several of his running mates on the Republican ticket.

He brought with him affidavits from Lieutenant Governor Bruce, Attorney General Mayer and Senator Lewis to be used in the court proceedings instituted by A. S. Gilbert in behalf of the Republican law committee. Chairman Woodruff said that he was deeply interested, as were all the candidates, in obtaining an accurate copy of the affidavits, and that he would be of the utmost importance to the Republican party. He said, further: I have been requested by any candidate on the Republican state ticket to institute any complaint or to institute any proceeding to open the ballot boxes. So far as the procedure of having a ballot of the protested and void ballots by order of the court is concerned, I simply the method provided by the election law to correct any errors that may have been made by the boards of inspectors of the various election districts, and is a proceeding which is usually instituted after a re-vote election in order to ascertain the exact result.

This proceeding can be instituted by any candidate who has been voted for in any election district, and I took the precaution of obtaining a copy of the affidavits to have election districts for use in case it seemed desirable to apply to the courts for a count of the void and protested ballots. Of course, the affidavits would have to do with the question of opening the ballot boxes, and these void and protested ballots constitute a part of the returns of the inspectors placed in sealed envelopes and sent in with the returns.

Most of the state chairman's day was spent at Republican headquarters. He went through an accumulation of mail and saw a few callers. He plans to return to Kamp Hill here this morning.

TO CURE A COLD IN ONE DAY Take LAXATIVE BROMO Quinine Tablets. Druggists sell everywhere. Beware of cheap imitations. Price 25c per box.

TO EXAMINE BALLOTS.

Action Taken to Force Inspection of Those Declared "Void."

Orders were signed yesterday by Justice MacLean, in the Supreme Court, Manhattan, and by Justice Dickey, in Brooklyn, compelling the boards of canvassers in New York, Kings, Queens and Richmond counties to show cause why there should not be a judicial examination of all ballots considered void by the boards of election, and of all protested ballots. These orders are returnable to-morrow morning. A. S. Gilbert, chairman of the Republican law committee, who obtained these orders, will appear then for the candidates on the Republican state ticket whose election is in doubt.

This legal procedure will compel a judicial decision as to the validity of each ballot on the disposition of which the lawyers for the opposing political parties cannot agree.

These orders correspond in every respect to the one granted last year to William R. Hearst by Justice O'Grady, in the Mayor's contest. After the order was obtained, the court examined all protested and void ballots and passed final decision upon them. In cases where it appeared that the ballots had been marked to identify the voter, the ballots were thrown out. The same methods will be adopted now that the applications have been granted.

The orders signed by Justice MacLean against the Board of Canvassers in New York County and Justice Dickey against those in the other counties were identical, save that Justice MacLean struck out of the papers presented to him a paragraph restraining the board from making an official presentation of the result of its canvass before the judicial determination of the fate of the "void" and "protested" ballots. Since the order to show cause will be argued and the doubtful ballots all judicially canvassed before the Board of Canvassers can complete its work that point was considered immaterial by Mr. Gilbert.

Mr. Gilbert's formal application to the courts was signed by M. Linn Bruce, Merton E. Lewis and Julius M. Mayer. It asked for the order against the boards of canvassers, and, further, for an order of mandamus restraining the handling in an official of returns for the canvass until the courts had decided on the doubtful ballots, which they would be added to the official result or subtracted from it.

In the moving papers it was set forth that Messrs. Bruce, Lewis and Mayer were, respectively, candidates of the Republican party for Lieutenant Governor, Controller and Attorney General, and that "the certified original statement of the results of the canvass in the various election districts of the various Assembly districts of the county of New York shows that certain of the ballots counted at said election held on November 6, 1906, were objected to and marked for identification, and that other ballots were rejected by the inspectors of election in said various districts as void and which were not counted for any candidate." The petition went on:

Your petitioners further allege that in order that they be preserved, and in order that an order be made restraining the Board of County Canvassers in the county of New York from completing the said canvass and from issuing an official statement thereof until the final order of the court is entered, and a proper writ of mandamus issued.

Justice MacLean, after looking at the petitions called Mr. Gilbert, of counsel for the petitioners before him and said: "I see this affidavit is based on information and belief. I cannot grant a stay against the Board of County Canvassers on so vague an application." Mr. Gilbert then produced the moving papers which were identical with those used last year, which a justice of the Supreme Court had signed, but Justice MacLean would not grant the mandamus against the board of canvassers. Making it returnable before Justice Dowling in Special Term, Part I, to-morrow morning.

Tammany and Hearst members of the Board of Aldermen yesterday afternoon in the City Hall yesterday and demonstrated their control of the Board of County Canvassers. Reginald C. Doull was chosen as chairman of the board. There are forty-five members of the board, and of these the Tammany and Hearst men claim to have twenty-seven. Mr. Doull was chairman of the Board of County Canvassers a year ago.

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AMERICAN HOSIERY UNDERWEAR. Knit underwear and hosiery for men, women and children—at all the better grade stores. Wholesale Dept., 105-106 Franklin St., New York

"GOOD FIGHT," HEARST.

A CONSOLATION DINNER. Candidates Meet to Tell One Another How It Happened.

William Randolph Hearst, the unsuccessful candidate for Governor at the recent election, was the guest at a consolation dinner given last night by Lewis Stuyvesant Chanler, the Democratic Independence League candidate for Lieutenant Governor, and the other men who ran on the state ticket with Mr. Hearst. With true democratic simplicity, the dinner was laid in sumptuous style in the Red Room at Delmonico's. There were thirty-one gathered around a long table, which was banked with flowers. Among the honored guests was "Fingey" Conners. The other guests were most of the men elected to the Supreme Court bench on the Murphy-Hearst ticket and a few personal friends of Mr. Hearst and Mr. Chanler.

Loyalty to Mr. Hearst and hopes for his future chance through the list of the speakers said they still looked to the defeated candidate as their leader and believed his career had only begun. Mr. Hearst's speech indicated that he found much consolation in the words of his followers. He declared his principles had won a real victory, despite his personal defeat.

Mr. Chanler was toastmaster. At his right sat Mr. Hearst, and Recorder Goff was on his left. Near the head of the table were W. S. Jackson, the candidate for Attorney General; John S. Whelan, candidate for Secretary of State; Julius Hauser, candidate for State Treasurer, and F. W. Skeels, candidate for State Engineer. The only missing member of the ticket was Martin H. Glynn, Controller, who has been recovering his health in Germany.

The guests in addition to Mr. Hearst were: Nathan Straus, W. A. Chanler, Justice-elect T. C. Crain, Justice-elect G. W. Dayton, Melvin C. Falliser, of the Independence League executive committee; Justice Leonard J. Gleason, Recorder Goff, Justice-elect Peter A. Hendrick, Clarence J. Shearn, of the Independence League executive committee; Justice-elect J. Conners, Justice-elect the Democratic State Committee; Thomas Flinn, ex-Judge Samuel Seabury, M. E. Imbren, Justice-elect Charles L. Goff, John R. Waterhouse, Frederick Adams, Borough Secretary of Brooklyn; ex-Judge John Palmeri, J. G. Follansbee, of the Independence League executive committee; Henry A. Howell, of Brooklyn; Henry Siegel, Recorder John W. Goff, justice-elect.

Mr. Hearst, when introduced by the toastmaster, said: My friends, I am very grateful for your testimonial of friendship and very proud of your expressions of confidence and esteem.

And not only am I proud of this occasion, but I am proud of the fight we have made. It was a good, hard fight, sword to sword and shield to shield. I enjoyed it from the beginning to the end. I am proud, too, of the cause we fought for. It is right, and will result in a great benefit to the people of this State. I am proud, also, to think that the cause we fought for won some success in this campaign, and will win complete success later on. I am just as proud of the party victory forecast as a greater victory as I am that the first faint flush of dawn foretells the full glory of the day.

Our demands are simply that the principles of the Declaration of Independence and of the Constitution shall be taken seriously and applied literally, that the government shall be controlled by the majority of the citizens and conducted for the benefit of the whole people rather than for the special advantage of any particular class.

Our demands are simply that the corporations, while allowed to conduct their business with perfect freedom for their own interests, shall not be allowed to control our politics and debauch our electorates. Our demands are simply that the trusts shall not break the laws and buy immunity; that the legitimate development of organization of labor unions shall be allowed to the benefit of the people, and not to their injury through trust extortion and trust control.

I know that when these ideas are thoroughly understood they will meet with complete approval and will be recognized as just and patriotic. I am sure that the conduct of public affairs will be better than ever before. I will always do my best to preserve their opposition as long as there is any chance of their doing the people of a corrupt official to betray the people.

I wish to thank you, my friends, for the expressions you have offered of your good will and confidence in me. I wish to thank my associates in the business world and in the professions for the support they have given me. I wish to thank the many who have supported me in the past and who will continue to do so in the future.

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TO FILL GOFF VACANCY.

Corporation Counsel Says Aldermen Must Appoint Recorder. According to Corporation Counsel Ellison, the duty of appointing a successor to Recorder Goff devolves upon the Board of Aldermen. Recorder Goff has been elected to the Supreme Court Bench and the question arose as to who had the power to choose a successor to fill out his unexpired term as Recorder. To get an authoritative ruling, City Clerk Seully asked the Corporation Counsel for an opinion.

Mr. Ellison first quotes the law relating to the office of Recorder, which, he says, is found in Chapter 49 of the Laws of 1882, known as the Consolidation act, which provides that in case of a vacancy the office shall be filled by the Board of Aldermen. By the Greater New York Charter of 1897, Section 1615, the Recorder of the City and County of New York became the Recorder of the County of New York, and by the same section a vacancy in such office must be filled by the Board of Aldermen.

After quoting Section 42 of the Charter, which provides that all the powers and duties which on December 31, 1897, were conferred on the Common Council, Mayor, Board of Aldermen and common council of the City of New York, and all the powers conferred on January 1, 1898, on the Municipal Assembly, shall be performed by the Board of Aldermen, the Corporation Counsel says: It seems to me, therefore, and I advise you, that in case of a vacancy in the office of Recorder of the County of New York, under provisions of Section 42 of the Charter of 1897, the power to fill such vacancy is devolved upon the Board of Aldermen of the City of New York.

City Clerk Seully asked, further, if the president of the Board of Aldermen, the President of the Borough of Manhattan and the President of the

B. Altman & Co. FIFTH AVENUE THIRTY-FOURTH AND THIRTY-FIFTH STREETS FANCY NEEDLEWORK Interesting suggestions for the making of gifts, consisting of various Commenced Pieces of Needlework, and materials for many kinds of fancy articles, of which completed specimens are shown. Gobelin Pieces and Stamped Linens with the necessary silks and flosses. Yarns in a complete range of shades and qualities, for knitting and crocheting. Also a selection of novelty articles, embracing Scrap and Work Baskets, French Tapestry Lounging Pillows; Gloves, Handkerchief and Trinket Boxes, Fancy Trays, etc.

B. Altman & Co. FIFTH AVENUE THIRTY-FOURTH AND THIRTY-FIFTH STREETS WOMEN'S UNDERGARMENTS Domestic Garments, including many new effects, made up in the establishment, showing exclusive designs in lace and embroidery, and affording special facilities for the selection of Bridal Sets and complete Trousseaux. Night Robes, Chemises, Petticoats and combination garments, of delicate fabrics with appropriate trimmings. Attractive novelties in Matinees and Boudoir Jackets of silk, flannel and albatross. SPECIAL ORDERS RECEIVED FOR TROUSSEAU AND BRIDAL SETS IN ORIGINAL STYLES. Monograms, Crests and Initials Embroidered.

W. & J. SLOANE Some idea of the range in prices of our ORIENTAL RUGS can be gained from these items: Guendjis.....\$12 to \$18 Beouchistans...\$12 to \$25 Daghestans.....\$12 to \$45 Kazaks.....\$35 to \$85 Afghans.....\$30 to \$150 Feraghans.....\$7 to \$50 Every piece has been individually selected by our expert in the Orient, and bears our absolute guarantee of genuineness both as to weave and valuation. Broadway & Nineteenth Street

NO MORE Cripples "The Healing" natural method will cure all diseases of the bones, joints, dislocations of the back, hip, neck, ankle, and limbs. Fractures, low legs, club feet, etc. Deformities corrected. Remedial apparatus built for individual case. Positive, permanent, and painless. The Healing method is endorsed by prominent physicians all over the world. HESSING SANATORIUM, (BRANCH OF GERMANY.) Illustrated Catalogue sent free on application. 91 and 93 Mercer Street, Jersey City, N. J. Borough of The Bronx are entitled to vote on the proposition, to which Mr. Ellison replies that all the members of the board, including the President of the Board of Aldermen and the presidents of all the boroughs of the City of New York are entitled to participate in such a vote. At a caucus of the Municipal Ownership League, held at the Gilsey House last night, Thomas F. Gillette was selected as their candidate for Recorder. As Tammany Hall is said to favor Francis McEvoy for the office, and the Republican Alderman James C. Meyers, there is every probability of a three-cornered fight unless the Municipal Ownership League and the Tammany men agree on a candidate. There are seventy-nine members of the Board of Aldermen, thirty-five being Republicans, thirty-three Democrats and thirteen Municipal Ownership League men. It is said that Meyer has the pledge of some of the Municipal Ownership League Aldermen, and with the influence of Senator Hearst, it is thought that the Republican candidate has a good chance of winning out. Recorder Goff's period of office would expire December 31, 1907.

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