

MAY SUE COMPANIES. DELAY IN MESSAGES.

Legal Opinion on Telegraph Strike Phase—Boys Organize.

The intention of the striking commercial telegraph operators to harass the Western Union and Postal Telegraph companies is according to their demands was made plain yesterday afternoon, when Daniel Russell, chairman of the board of strategy, made public a legal opinion which declares individuals may sue and, by precedent, expect to recover \$100 damages from either company for each message that is subject to unreasonable delay.

This move, which may result in many small actions against the companies, follows the announcement made by union officers on Friday that they would try to induce Attorney General Jackson to enter an application for permission to bring suit against the two companies on the ground that they were not fulfilling the object for which they were incorporated.

The practices which you say are now being resorted to by telegraph companies doing business in this state in refusing to receive messages for transmission unless submitted "subject to delay," and then forwarding the messages by mail, telephone and express, are unlawful, and the telegraph companies liable to a penalty of \$100 to the sender for every such refusal.

The strikers were much pleased with the opinion, and Chairman Russell said that such an action would be a precedent for such an action in a case that was decided against the Western Union in August, 1883, but was not included in the reports, although it was on the records of the District Court of New York City.

The strike situation yesterday remained otherwise unchanged. The officers of the companies said there was nothing new, because they were handling all business and had got the situation well under control. The financial operators of the Wall Street Chapter of Local 16 were still restless, although about forty downtown wire houses had signed the agreement for the \$30 minimum wage scale.

In the operating room of the firm of J. S. Bache & Co., No. 42 Broadway, all the keys were working yesterday with non-union men. The union operators had been called out on Friday, and William J. Wollman, of the firm, said he thought the union operators had been called out so that other firms would be coerced into signing the agreement with this example before them.

The strikers plan a mass meeting at Manhattan Loewson this afternoon, and reports will be made of the progress for the first week. The rumor that National President S. J. Small will come here from Chicago and take personal charge to-day was not confirmed by the local officers.

Several hundred messenger boys are now on strike and have elected Howard Leroy temporary president of the union they are going to form. They would have applied for a charter yesterday to Herman Robinson, the New York representative of the President of the American Federation of Labor, but Saturday being a short day Mr. Robinson left his office at noon and the golden opportunity was missed.

A mass meeting of the messenger boys, beginning on Friday night and lasting until the small hours of yesterday morning, was held in the Manhattan Loewson to discuss their alleged grievances, prepare demands for higher wages and more holidays. The call for the meeting, which was sent out by the messenger boys' organization committee, was also addressed to the telegraph clerks. It said:

Grown men won't work more than eight hours. Why should boys be made to work twelve hours a day? Why should you be made to wear uniforms that always remained the property of the heartless corporations that make slaves of you?

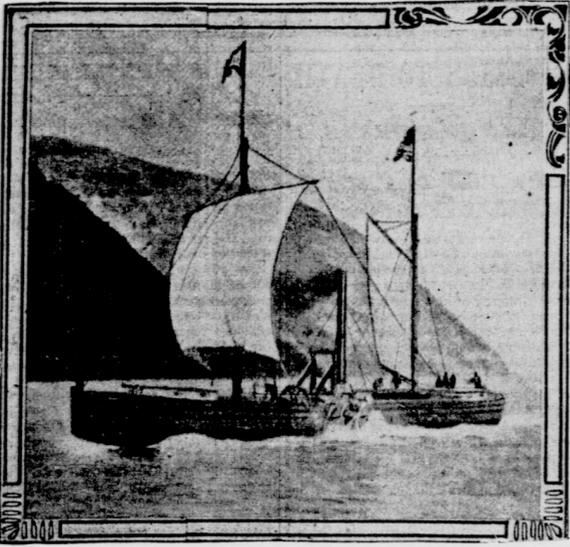
Why shouldn't you get double pay for working Saturdays and holidays? Why shouldn't you get a raise in pay in every six months and be promoted to better positions in rotation?

The meeting was addressed by messenger boys. Prominent among them were "Spiky" Johnson, "Fatty" Mulreedy, "Stumpy" Montgomery, "Tommy the Dude," "Collars" Wilson and other shining lights among the leaden footed Mercenaries.

"Whether they take us or not?" said one of the speakers. "Mules or walkin' machines? Keep goin' all day an' try to look pleased? Nixey fur me. Day can't hand dat lesson to yours truly no more."

"Dat's right," said "Spiky" Johnson. "Give 'em the razzle dazzle." Others spoke to the same effect for several hours, and it was voted to be the sense of the meeting that a union of messenger boys should be formed. Howard Leroy was then chosen temporary president, and made his headquarters temporarily yesterday at the Astor House, where he met a committee of the messenger boys who are

ROBERT FULTON'S CLERMONT PASSING STORM KING AND OLD CROW NEST IN THE HIGHLANDS OF THE HUDSON.



Hudson River Day Line steamer. (Copyright, 1907, by Warren Sheppard.)

already on strike, and prepared a schedule of demands. The demands are as follows: Eight hours to constitute a day's work; \$1 a day for ordinary messengers and \$3 a week for sergeants; \$2 a day for Sunday work; uniforms to be furnished free, including rain coats and collars; thirty minutes off each day for luncheon; 15 cents an hour for piecework or two and a half cents a message; no deadhead messages and a raise of at least 50 cents a day every six months.

STRIKERS GOING BACK.

Several Apply for Former Places in Chicago Office.

Chicago, Aug. 17.—The Western Union to-day added twenty-five operators to its working force in the main office in Chicago. The men arrived at 5 o'clock from New York and were at once set to work. A number of the strikers applied for their old positions during the day.

The companies claim to be in better shape than on any preceding day, and they certainly were handling more business at their main offices in this city. The officials of the union asserted, as they have since the start of the strike, that the telegraph companies were hopelessly crippled.

The peacemakers were making no progress in any direction.

St. Paul, Aug. 17.—"Subject to delay" is no longer written across messages addressed to Chicago and New York in the St. Paul office of the Postal Telegraph Company.

"We have direct wires working with both cities," was the statement made this morning, "and can handle the usual amount of business."

At the Western Union office it was declared that conditions continued to improve, and that the only trouble now experienced was in railroad offices through which the commercial wires passed.

Denver, Aug. 17.—Judge Riddle to-day granted a restraining order on the application of the brokerage firm of Otis & Hough, forbidding Fred Wessel, president of the telegraphers' union, and C. A. Adams, secretary of the same organization, to call a strike of operators in that office. This order compelled the operators in the office of Logan & Bryan to furnish Otis & Hough with market reports. The men employed by Logan & Bryan thereupon resigned.

MAY REMOVE LEASED WIRE MEN.

Western Union Pittsburg Superintendent Issues Warning to Operators.

Pittsburg, Aug. 17.—A bomb was thrown into the Pittsburg camp of telegraph strikers to-day by Superintendent Saylor of the Western Union, who issued a warning to leased wire operators to attend strictly to their own business or he would remove them from their wires.

Superintendent Saylor pointed out a clause in all leased wire contracts that this could be done in case any leased wire operator were "unsatisfactory" to either lessor or lessee of the wire.

The real sting in the threat of Superintendent Saylor was brought out later, when it was made plain that the strike leaders in Pittsburg were to be removed from their wires.

There is much dissatisfaction among the men over this, and it is hinted that some of the union leaders may be ordered from their fat jobs on Monday morning.

MR. NEILL BACK IN WASHINGTON.

Washington, Aug. 17.—Charles F. Neill, Commissioner of Labor, arrived home to-day from Chicago, where he went in a vain effort to settle the telegraphers' strike. He decided not to see visitors to-day, and as soon as he reached the city went to his home. For the present he is taking no part in the strike situation, but says he is ready to act as mediator if called upon.

GUARDIANS APPOINTED. MRS. CURTISS IN CUSTODY.

Watt Estate Heir Doesn't Answer Son's Charge of Extravagance.

Fairfield, Conn., Aug. 17.—Upon the failure of Mrs. Julia Watt Morris Curtiss, an heir to the immense Watt estate in New York City, to appear in Probate Court this afternoon to respond to the petition filed by her son, Louis H. Morris, to have a conservator appointed to prevent wasteful expenditure of her property, Judge Nobbs appointed Judge Elmer S. Banks, of this town, counsel for Louis Morris, and John C. Shaw, an attorney of New York, as conservators. It is thought that Messrs. Shaw and Banks will apply to the court in New York to be appointed a committee to look after Mrs. Curtiss. The bonds named were \$10,000.

Testimony was introduced before Judge Nobbs to-day to show that Mrs. Curtiss was incompetent. Among Mrs. Curtiss' extravagances mentioned in the testimony was the buying of a dozen parasols ranging in price from \$50 to \$500 each, giving a nurse one of them, and the expending of from \$10,000 to \$15,000 a month when her actual income was \$3,500 a year.

The first witness at the hearing, Dr. Henry B. Shaw, of New York, the family physician, said that Mrs. Curtiss about three years ago had an acute attack of insanity, developing insanity, among the symptoms being the fact that she refused to regard her clothing, he said, and often wore one tan shoe and one black one.

Mrs. Curtiss began to assume rational habits about the first of last November, he added, but did not appear normal mentally until about February last, when she resumed many of her old habits and developed an extravagant strain. She was in the habit of attending the opera every Friday evening, he said, and after dinner would start for the opera, sometimes at 9 o'clock and sometimes at 10 o'clock, and once or twice she did not get there until every one was going away.

Louis Morris, the petitioner, testified regarding his mother's extravagant expenditures. He said that he and his uncle, Thomas L. Watt, had had charge of his mother's property in the last few months. He had had the bills sent to him and his uncle had paid them. As an example of what his mother had spent, he mentioned the purchase of a dozen parasols, the aggregate price of which was about \$1,000. He said his mother's millinery bills ranged from \$150 to \$500 a month, many of the hats having never been worn. She spent about \$700 to \$1,000 a month for flowers, some of them being sent to her Fairfield home when only the servants were there.

She has a yacht, the Osceola, in commission, with twelve men in the crew. She keeps up an establishment in 85th street, New York, and has been living in the Netherlands Hotel, the Hotel Savoy and at present at the Murray Hill Hotel. She travels one carriage by the month, and sometimes calls other carriages. Her livery bill amounts to \$500 a month, and the bill for the one carriage is \$300 a month.

The witness said that his mother's only source of income was from property in 85th street, New York City, which rented for \$3,800 a year, and that the money paid for her extravagance had been gifts from her aunt, Miss Pickney.

WHITE COATS FOR STAFF OFFICERS.

Order Issued for Dress of Men Serving with Governor or Adjutant General.

Albany, Aug. 17 (Special).—While on service with the Governor members of the Governor's staff and those of the adjutant general's office will be dressed in white coats. With the approval of the Governor, Adjutant General Henry to-day issued an order for this. The coat is described as follows in the order:

A single-breasted sack coat of white material, with standing collar varying from 1 1/2 inches to two inches in height and fastened with two hooks and eyes, white metal; coat to close with a flap containing suitable concealed fastenings. The collar to extend from one-third to two-thirds the distance from the point of the neck to the shoulders, according to the height of the wearer; cut to fit the figure easily; a vertical opening at each side of the hip, according to the size of the wearer, to be trimmed with white flat braid 1/4 inch wide, as follows: Edged all around the bottom, the collar to be faced with mohair braid of same width as height of collar, and to be secured with a button. The material as the coat, let in at shoulder seam, and of the pattern prescribed for the service coat. The lining to be of the same material as the outer fabric for the dress coat; insignia of rank to be placed on the shoulder loop as prescribed for the service coat.

CAN'T FIND BURGLAR DOCTOR SHOT AT.

Police Have No Clue to the Intruder—Got No Booty.

The police of the West 125th street station have no clue to the man who attempted to rob the home of Dr. J. H. Cooke, at No. 240 West 138th street, and who escaped after the doctor had shot at him several times. Dr. Cooke has an office in Madison avenue, and he started home on Friday at about midnight. He went to his study to smoke before going to bed. He thought then that he heard some one moving in the house, but did not investigate.

About an hour later the physician was awakened by some one on the stairs, and, getting his revolver, went into the hall. He ran into a man and, raising the revolver, fired. The unknown man fell down the stairs. Dr. Cooke fired two more shots in quick succession. By this time the neighborhood was aroused and several patrolmen came hurrying up, but the burglar had escaped. It was found that he had entered through the basement door by forcing the lock, and it is believed he escaped the same way. A number of articles of jewelry were found wrapped up in the dining room.

MUST KEEP MILK CANS CLEAN.

Albany, Aug. 17.—Complaint has been made to the State Agricultural Department that milk dealers in New York City have, contrary to a recently enacted law, refused to clean cans and other receptacles for milk, which they were returning to the station to be sent back to the country. It was announced to-day that persons so returning cans and receptacles, whether they were retail or wholesale dealers, would be prosecuted.

FOURTH BRIGADE AT CAMP HUGHES.

Buffalo, Aug. 17.—The Fourth Brigade of the state National guard mobilized at Camp Hughes this morning for a week's instructions. The camp is located at Farnham, Erie County, near the lake shore. The brigade is composed of the 65th and 74th regiments, of this city, and the 3d Regiment, composed of companies from other cities of Western New York. A battalion of the 12th Infantry, U. S. A., is camping with them.

NO HABEAS CORPUS FOR FIELDS.

Wheeling, W. Va., Aug. 17.—In the case of Thomas M. Fields, a term in the Moundsville penitentiary for embezzlement at Washington, Judge Dayton, of the Federal District Court, refused to-night to entertain a motion to dismiss on habeas corpus, and ordered that Fields complete his term. Fields alleged he had been illegally convicted.

MURDER CHARGES AT BOULDER.

Boulder, Colo., Aug. 17.—Information charging murder was filed to-day by Assistant District Attorney T. A. McHarg against John W. Reeves and Frank Kiser, the railroad employes who were held responsible by the coroner's jury for the dynamite explosion at the Colorado & Southern station last Sunday, which resulted in three deaths—Reeves and Kiser, it is alleged, confessed that they started the fire which caused the explosion.

POLITICAL GOSSIP.

Summer Rumor That Senator Page Is Planning Big Coup.

"Senator Alfred R. Page has started a campaign to take the control of the Republican County Committee from Representative Parsons and instruct its delegates to the next state convention to vote for Charles E. Hughes for the Presidential nomination," was the rumor that was being circulated by some politicians yesterday.

Toward afternoon it had expanded, and it was being said that not only was Senator Page trying to swing the county committee into line for Hughes, but that in other parts of the state Republican leaders were preparing to start a comprehensive movement to gain control of the state convention and instruct state delegates to the national convention to support Governor Hughes for the Presidential nomination.

Ex-Governor Odell, according to this gossip, was backing the movement with all the energy and strength he could put in it. While no facts to substantiate the rumor could be found, those politicians who gave it credence urged in support of their belief that Mr. Odell had introduced a resolution before to bind the state committee to endorse Governor Hughes for the Presidency and said that Senator Page and the ex-Governor had frequently been in communication lately.

Later the rumor had still further expanded. Last night it was said that this Page-Odell combination would, in its fight to give Mr. Hughes the nomination, antagonize Woodruff, Parsons and Barnes. In explanation of this it was pointed out that Chairman Parsons had opposed the municipal court bill, a bill which was advocated by the Governor, and that Mr. Barnes, the Albany leader, had made a speech in the early part of the last legislative session that was considered by some as antagonistic to the Governor.

But when the rumor was called to the attention of Republican leaders in New York it was generally laughed at. A few said that there might be some truth in it, but that there was nothing so far to show there was.

The majority of Republican leaders, including strong admirers of Governor Hughes, characterized the story as "hot weather political gossip."

CHARGES AGAINST POLICE.

Say Watchman Was Beaten and Robbed While Working in Bronx.

From some rambling remarks made by Robert Chisholm before his death at his home in the Sunnyside section of Long Island City last week, his family are inclined to believe that he was robbed and brutally beaten by two policemen in The Bronx.

Chisholm was a watchman in the employ of the Wilson B. Baile Manufacturing Company, of No. 43 Jackson avenue, Long Island City. Recently that concern obtained a contract to lay some cement sidewalks in The Bronx and sent Chisholm there to keep an eye on the materials. When he did not return home for two days on August 7, his brother James went up to Third avenue and 109th street, where Robert was stationed, but could find no trace of the missing man.

Several days later Chisholm was supported from a trolley car in Long Island City by his home by three men, who disappeared before his mother could interrogate them. He was in a bad condition and complained of severe pains in the back. During his conscious moments, however, his mother and brother say they understood him to assert that while lying on a pile of cement bags in The Bronx, he had been assaulted by two policemen, who beat him with their clubs, and, after robbing him of \$15, left him lying insensible. He could not account for his whereabouts between the assault and his reappearance in Long Island City.

Chisholm's brother is reported as saying that his disappearance was reported to The Bronx police. An investigation into the death of Chisholm, who was formerly something of a pugilist, may be asked of the police authorities. The dead man had suffered from paralysis for the last eight years.

At the 36th Precinct station, in The Bronx, 161st street and Third avenue, Lieutenant Place said last night that he had never been asked to send out an alarm for Chisholm. An inspection of the station blotter for the days during which Chisholm is said to have been in The Bronx failed to disclose any entry which would show that inquiry had been made for the missing watchman.

HEADQUARTERS ATTACHE DROPS DEAD.

James Moore, sixty-one years old, of No. 368 Ninth avenue, dropped dead in front of No. 373 Columbus avenue, last night. He had been for the last thirty years a clerk in the bureau of equipment at Police Headquarters. He was a widower.

NORTH STATE DEMOCRATS FOR BRYAN.

HARRY W. Walker, of the New York State Progressive Democratic League, returned to the city yesterday after a visit to the northern counties of this state. Mr. Walker organized branches of the league and arranged for a tour by William J. Bryan in October. Mr. Walker said that he found the sentiment favoring Bryan among Democrats almost universal, except in Clinton County, where Smith M. Weed's influence is potent. Mr. Weed would favor Bryan if he would declare more emphatically than he has that silver is a dead issue.

INSPECTOR MCLUSKY ELECTED.

Inspector McClusky, in charge of The Bronx, was elected treasurer of the Captains' Benevolent Association yesterday. A meeting, having for its principal object the selection of a successor to Inspector McLaughlin, who retired from the police force and was thereby retired from his office in the benevolent association, was held in the trial room at Police Headquarters.

Arnold, Constable & Co. DRY GOODS—CARPETS—UPHOLSTERY. Store Closes 5 P. M. Daily—Saturdays 12 Noon. Black Dress Silks. Select stock of the latest plain and novelty weaves. Rich black Satin Damas, Satin and Taffeta Stripes, Duchesse Satins, Armures, Louisines, &c. BLACK "SULTANA" TAFFETAS, made especially for Arnold, Constable & Co., yard 75c to 2.50. SPECIAL. BLACK TAFFETAS, 30 inch, 1.00. BLACK TAFFETAS, 36 " 1.25.

English Summer Blankets. Special importation of fine qualities for single and double beds, cribs and extra long for brass beds. AMERICAN SUMMER BLANKETS. Single bed size pair 4.50, 5.50. Double bed size " 5.50, 6.75. BED SPREADS, light weight Dimity. For single bed each 1.40. For double bed " 1.95. BED SPREADS, satin finished. For single bed " 2.75. For double bed " 3.50. ENGLISH BED SPREADS, colored in Colonial designs. For single or three-quarter beds 2.00.

Women's Summer Apparel. BLACK TAFFETA SILK COATS, hip length, braided, trimmed, fancy vests. Formerly \$13.50, \$16.00 7.50 9.50. INDIA SILK DUST COATS, select models, 16.50. PONGEE SILK DUST COATS, 22.50.

Matinee and House Sacques. of washable fabrics, lace and embroidery trimmings. Reduced prices 1.00, 1.50, 2.00, 3.00. Also balance of our finer models—one-third under regular prices.

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Oriental Rugs. Rare collection of ANTIQUE PIECES AND MODERN CARPETS. INDIAN, PERSIAN AND TURKISH RUGS. Unusual sizes, designs and colorings made under our direction to harmonize with the most artistic surroundings.

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REVENGE FOR O'KEEFE GETS DETECTIVE'S SCALP. Takes Badge from Special Officer Who Probed Police Graft.

Jacob G. Hamburger, a detective, who conducted the investigation recently of graft charges made against the Brooklyn Police Department, is no longer a special city policeman. Acting Police Commissioner O'Keefe announced yesterday that he had recalled his badge and taken steps to have his license as a state detective revoked.

The action of Commissioner O'Keefe is significant, in view of the displeasure in police circles which Hamburger caused by his reports of graft in the Coney Island and Hamilton avenue "red light" districts. These reports amounted to a practical arraignment of O'Keefe's administration.

When Hamburger heard that O'Keefe had revoked his special officer's license he said that he regarded it as a bit of spite work. "That's a fine way to punish me for exposing the graft in his administration," said the detective. "It's just about what you might expect from a man like O'Keefe. It is a petty sort of revenge for the reports I made to Commissioner Bingham. However, it doesn't worry me. I will do business just the same. I don't need the badge. I am licensed by the State Controller to carry on a private detective agency, and I will carry it out despite Mr. O'Keefe."

When O'Keefe was asked yesterday why he had taken Hamburger's badge away from him he said that his action was on the recommendation of Borough Inspector Flood. Inspector Flood's letter is as follows: "I have the honor to forward herewith a certified copy of the records of the office of the Court of Special Sessions of the 2d Division of the city of New York, which shows that on March 14, 1906, Jacob G. Hamburger was convicted of violation of Chapter 42 of the Laws of 1888, and that sentence was suspended."

In view of this conviction and sentence I respectfully submit that in my opinion, the said Jacob G. Hamburger is not a fit person to be a special patrolman under the laws of the State of New York, so far as the same apply to the city of New York, and I do therefore respectfully recommend that the appointment be immediately revoked.

It has come to my notice that in published reports of a certain divorce proceeding in the Supreme Court of this state it appears that the plaintiff had engaged Private Detective Hamburger to get evidence against his wife, and that Hamburger had taken her to a hotel; that Justice Johnson said he had never known of a clearer case of connivance.

In addition to the above it appears that the said Jacob G. Hamburger is the same person who was arrested in New Orleans as a fugitive from the justice of this state on July 23, 1888, on the charge of theft of railroad ticket and checks for baggage from a Russian named George Weisner.

Hamburger was employed by Commissioner Bingham to investigate certain charges made against the Brooklyn police, and just as Hamburger was about to complete his work there was a report in a Brooklyn newspaper that Bingham had called on the detective in his hunt for evidence. The reasons given by Commissioner Bingham for his

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MUSIC-STUDY. Two Methods Available to Owners of the Pianola Piano. FORMERLY if a young lady said she was "studying music," people took it for granted that she was learning to play the piano. Nowadays, it is necessary to be more explicit, for a new form of Music-Study has come into popularity. It is the study of the great composers through the medium of the Pianola. Hand-playing for those who have real talent for it. Pianola-playing for those who have neither the talent nor the time, but do want to know something of good music. Both methods are united in the Pianola Piano. The key-board is there for those who can master the difficulties of technique. The Pianola is there for those who wish to go directly to the heart of the music itself. Pianola Pianos from \$500 up. Moderate monthly payments. The AEOLIAN CO., Aeolian Hall, 362 Fifth Ave., near 34th St., N. Y.