

DEATH STEERS AUTOS, MARS MORRIS PARK RACE.

Thousand Midnight Watchers See 24-Hour Contest End.

Keyed up to a note of painful expectancy by the knowledge that one chauffeur was dead, two persons were perhaps fatally hurt and scores of others injured, not to mention those who had almost miraculously escaped death, one thousand men and women sat in the damp, cold wind at Morris Park racetrack until close to last midnight, watching the twenty-four hour race draw to an end at the second meet of the Morris Park Motordrome Club.

L. W. Smelser, driver of Lozier car No. 3, died at Fordham Hospital of a fractured skull, received as the result of crashing through a fence. In the same accident two persons near the fence were seriously injured. John Clark, of 20th street and Mosholu Parkway, sustained internal injuries and Fred O. Pope, fifteen years old, of No. 901 East 181st street, a fracture of the right leg and internal injuries.

Both these accidents occurred before the afternoon crowd began to arrive. Of course, there had been the high geared, water cooled, six cylinder enthusiasts who had stayed in the grandstand all night from ever since the twenty-four hour race was started, at 8:21 o'clock on Friday night. Then there had been a few more who had drifted in along toward noon. From that time on the crowds continued to increase.

Those who witnessed the first accident of the day received one of the greatest thrills that has attended a motor race in this vicinity. Smelser, in his white bodied 40-horsepower Lozier, was a favorite early in the race. For the third, fourth, fifth and sixth hours he had led the lead. Then the Fiat No. 12, driven by E. Cedrino and Edward Parker, crept up and tied him in the end of the eighth hour.

At the beginning of the thirteenth hour Smelser's car was fifth. Everybody who had followed the race closely realized that he was trying to regain position when he rushed past the grandstand at a rate of speed which seemed to make the air a grayish blur against the brown track. With the usual almost sidewise skid, the car took the banked turn by the clubhouse, righted itself under the skilled direction, and set off over the outer stretch.

At the far turn which would bring him back over the stretch in front of the grandstand there was a report as a front tire exploded. The car skidded, smashing through a light outer fence and then tearing onward hurled a group of infield spectators right and left.

Smelser stuck to his wheel, with Frederick Hall, his mechanic, crouching low beside him. But there was still another fence, heavier and carrying an iron pipe. As the car struck this, its upper body was partly torn off, a beam hit the driver on the side of the head, hurling him out unconscious and dying.

Hall was also thrown out, but by the merest luck fell in such a manner that although stunned he was unhurt. The accident, three-quarters of a mile from the grandstand, was all the more terrible because, in the surging, tossing bodies about the plunging car in the distance it seemed that many must have been killed.

It was just after Smelser and the two injured spectators had been taken to Fordham Hospital that Mrs. Smelser arrived at the track with the intention of watching her husband's performance. She swooned when she learned his fate. Although she was hurried into an automobile and to Fordham Hospital, she arrived just after he had died. The news of this touch of domestic tragedy spread a gloom over the crowd that even the band's music did not dispel for some time.

The skidding of the Packard in the eighteenth hour was viewed by a large crowd, for it was at 2 o'clock, when the clubhouse veranda was well filled. At the high banked turn by the clubhouse, a tire slipped off, and the car skidded, striking a stout post on the outer fence. This turned it and sent it spinning down the grade of the bank through the inner fence, which is made of light posts, with strips of white cotton strung between them.

Charles Embleton, the driver, was thrown with his mechanic, Harry Smith. They landed on the soft turf, and the car then swerved over and slipped along on its side. Women screamed, and a dozen men braved the chances of death from other racers to rush across the track to the prostrate bodies. Smith was unhurt, and Embleton, though bruised, wanted to have his car righted.

The car was wrecked, and it was then remembered that in this same car Mrs. Robert E. Kelsey was killed shortly before the first twenty-four-hour race, three weeks ago. Stuart Elliott, the owner, was trying out the car and took Mrs. Kelsey with him for a spin about the track. It skidded at the same point and struck the same post, throwing Mrs. Kelsey out and killing her almost instantly. Mr. Elliott escaped with hardly any injury.

But there was an end of accidents when the twenty-four-hour race was suspended, at 2:21 o'clock, to allow time for a race over the rough and intricate Allen course, which was won by Wallace H. Owen, in a 40-horsepower American Moss. There was an exhibition mile, and then the rain began. When the twenty-four-hour race was resumed, at 4:25 o'clock, the track was rapidly becoming a mud puddle. Time was taken out for putting on non-skidding tires, and from that time on until the race ended it was as damp a gathering as could be found anywhere about New York, but it was far from dismal.

PARKER LOW GAS LAWYER

Judge Employed by City to Fight for 80-Cent Rate.

Judge Alton B. Parker has been retained by the city to carry on the fight for 80-cent gas. Austin G. Fox has been employed also as special counsel to defend the city's rights in the suits brought by various Brooklyn lighting companies against the city. It is said that each receives a retainer fee of \$25,000.

Judge Parker's firm—Parker, Hatch & Sheehan—is counsel of record for the gas and electric companies fighting the city in Kings County. In the fight for 80-cent gas there was a hearing before Arthur H. Masten, referee, who filed a report with the federal court adverse to the city's contention and to the law which provides for the reduced price of gas. This report is now in the hands of Judge Lacombe, and it is evident that the city has decided to fight the report of the referee in court.

James D. Bell, Assistant Corporation Counsel of Brooklyn, was directed a day or two ago to do up all the papers and documents in connection with the Kings County cases and to deliver them to Corporation Counsel Pendleton.

There are fifteen cases brought by the Brooklyn branch of the Edison Company against the city and ten actions brought by the Kings County Lighting Company, and in all these twenty-five cases the attorneys of record are Parker, Hatch & Sheehan. It is said that Judge Parker has at no time appeared in the cases personally. Just what will be done by his partners under the new conditions is not known.

There are also several cases against the city in Kings County brought by the Brooklyn Union Company, in which the attorney of record is William Dykman. It is said that the total amount involved in the various suits against the city to recover amounts withheld from the bills for lighting runs up into the millions, one person asserting that \$10,000,000 will approximate the amount to be eventually determined for or against the city.

RACE PROBLEM IS HERE.

Negro Educator Says New York Doesn't Give His People a Chance.

"The Northern Negro Problem" was discussed by Professor W. E. B. Dubois, of Atlanta University, a negro, last night, at the Art Gallery, No. 174 Montague street, Brooklyn, under the auspices of the Brooklyn Institute of Arts and Sciences and the Committee for Improving the Industrial Condition of Negroes in New York. He said that the more spirited and advanced negroes were leaving the South and coming to the North, and that, while the race problem does not seem pressing here, time will make it so.

"People ask why the negroes leave the work of the South, when they are not supplied with work in the North to which they flee," he said. "They have become dissatisfied with the social conditions of the South. When they arrive in New York they are simply untrained immigrants, ignorant of the city's ways and open to all the allurements of the slum. New York has a duty to perform toward these people, not only for its own sake, but also for the sake of the South and all the rest of the country. How can the problem be solved? By giving the negroes decent homes, the possibility of bringing their children up decently, proper schooling and opportunities for work."

New York to-day it is a matter of great difficulty for a decent negro family to live in a respectable community at a reasonable price. Again, the city is remiss so far as its negro children are concerned. There are too many schools in this city where negro children receive such outrageous treatment from their teachers that they become discouraged. But the most serious problem is the work problem.

If you are interested in the South and its problems, if you want to help settle them according to justice and decency, your first step should be to clear your own skirts. So long as you are unjust, so long as I find difficulty in getting a simple meal of victuals in New York, you can hardly cavil at Atlanta."

FINING TENEMENT OWNERS NOW.

New Tack in Crusade Against Mixing Garbage and Ashes.

District Superintendent Stackpole of the Street Cleaning Department, on the advice of Magistrate Droese, took a new tack yesterday in his warfare against mixed ashes and garbage that he is conducting on the East Side. He held into court on summons issued by the magistrate twenty-one landlords or owners of East Side property, instead of arresting the janitors.

FOR NEW UPPER WEST SIDE BANK.

A new state bank, at 104th street and Amsterdam avenue, is being organized by Swartwout & Appenzeller, of No. 44 Pine street, and merchants and residents of the upper West Side. The new bank, according to Mr. Appenzeller, will have \$100,000 capital and \$50,000 surplus, and will be placed almost entirely among the merchants and residents in the section where the bank is to be established. Mr. Appenzeller said that no name had as yet been decided on. The officials of the institution have not been chosen.

FUNERAL OF MALCOLM T. MAINE.

The funeral of Malcolm T. Maine, who died on Thursday at No. 27 Seventh avenue, Brooklyn, was held there last night at eight o'clock and was largely attended. Mr. Maine was born in Malinesburg, Toga County, Penn., on September 23, 1838. He came to New York City in 1857, and in 1860 he entered the employ of the old Evansville National Bank. He came to the city in 1862 and was instrumental in founding the firm of George Copeland & Co., dealers in cotton. He was a member of this firm until it was dissolved. He then opened an office on Riverside Drive, Manhattan Building, where he continued in business until his death. Mr. Maine was one of the charter members of the Carleton Club and one of the oldest members of the Montague Club.

Inauguration New Service Savannah. New Steamship "City of Savannah". On Tuesday, October 29th, this large new ship will leave New York, for Savannah, Ga., at 8 P. M., on her maiden voyage to Savannah.

MILK UP CENT A QUART

Broad Hint That Further Advance May Come This Winter.

A general increase in the price of milk to nine cents a quart will go into effect on October 1, all the large dealers in the city with two exceptions having so informed their patrons. No word has come from the Borden company or the Mutual Milk and Cream Company, and it is assumed by the other dealers that they will continue to sell at eight cents.

The Slawson-Decker Company, proprietors of the Sheffield Farms, early in the week informed its customers of the proposed increase. Yesterday similar notices were sent to patrons by the following companies: The Laemmele Dairy Company, of No. 212 Bleeker street; the Locust Farms Company, of West 47th street; the White Clover Farms Company, of East 86th street; the Orange County Milk Association, of West 25th street, this company supplying a large percentage of the milk trade in Harlem and Brooklyn; Beake's Dairy Company, of East 12th street; the Standard Dairy Company, of East 12th street; and the McDermott Dairy Company, of West 33rd street.

It is expected that the smaller dealers will follow the lead of these companies in making a general increase to nine cents for bottled milk. The present rate of the Milk Exchange is four cents a quart, and it was pointed out by dealers yesterday that the Borden and Mutual companies are paying more than that, the inference being that they are losing money on every quart of milk sold for less than nine cents. It was said that in other years when the price has been changed the Borden company paid more than the exchange quotations.

President Rodgers has declined to take the public into his confidence, saying that he will continue the present price as long as possible. A week ago it was said at the office of the Mutual company that an increase in the price was considered certain. Dealers said yesterday that these two companies were planning to keep their prices down for business reasons.

Joseph Laemmele, secretary of the Milk Exchange, said that he was not certain that the price set for October 1 can be maintained through the winter. "Even at the higher price," he said, "we are unable to get all the milk we need to supply New York City. The farmers are up in arms against the regulations recently made by the Board of Health and the State Agricultural Department, and many who do not live near a creamery, rather than to the expense of making their dairies comply with the new rules, have sold their cows and gone out of the milk business."

"Another feature is the scarcity of farm labor. From \$4 to \$6 a month and board is being paid, and even that is impossible for many dairy owners to get men. The price of feed is higher than it has been in thirty years. A few years ago a good milk cow could be bought for \$35, but now they cost from \$60 to \$70. Unless the conditions in this state change we will have to go to Ohio or some other state for milk, and it is quite apparent that we will be unable to get all we need even at the high prices now being offered."

WOMEN'S HATS GO BACK A CENTURY.

Display of Five Periods of Changing Styles Show Old Models Again in Vogue.

An unusual window display has been designed by William F. Ried for Greenhut & Co.'s Sixth avenue and 12th street store. It represents five periods in the changing styles of women's headgear, and shows that eighteenth century models are again proper. Hand-painted silk screens show the older styles, and handsome hats in satin covered and silk lined boxes represent the modern creations.

In the first window the period of 1800 is represented by the painting on the screen, while the modern hats of a model similar to that shown in the picture are in royal purple, a popular year ago and again the proper thing. Ornaments are the floral decoration, and jewelry and little toilet accessories in keeping with the time are shown. Next comes the princess period, about thirty years later, showing a change from purple to the wine shade. The third window brings the representation down to 1890, with brown predominating.

For the fourth window has been made the beginning of the twentieth century and the vogue of the American girl. The colors are Copenhagen and Alice blue. The scene depicted on the screen is from Central Park. The last is a glimpse into the future, undated, but apparently the coming winter. Standing alone, and eagerly looking at a splendid collection of the latest Paris designs for fall and winter wear, the girl is trying to decide which she will take. It did not seem possible she could make a mistake, whichever way her final choice went.

DIAMONDS STOLEN AS FAMILY DINES.

Second-Story Men Believed to Have Used Automobile to Escape with Plunder.

Burglars, who evidently used an automobile and posed as New York real estate promoters, entered second story windows of the country home of L. W. Churchill, a New York lawyer, in Scarsdale, while the family was at dinner yesterday, and stole diamonds and jewelry valued at \$2,000.

MAGISTRATES ASK CHARTER CHANGES.

Want Two Courts Established to Hear Abandonment Cases.

The special committee of the Board of City Magistrates appointed several months ago to study and report on the charter revision committee regarding the work of magistrates met in the law library of the Criminal Courts Building yesterday. Suggestions were made for changes in the abandonment law and for the establishment of two courts, one in Manhattan and the other in Brooklyn, to consider abandonment and bastardy proceedings.

DIVORCE FOR MRS. HENRY T. SWAN.

Justice Abbott, of the Supreme Court, Brooklyn, granted a decree of absolute divorce yesterday to Mrs. Marie Louise Swan. She began the action against her husband, Henry Tilden Swan, who owns a handsome home on Riverside Drive, Manhattan. The hearing was before a referee, J. R. Thompson, an attorney of Newburg. The name of a prominent Brooklyn woman, it is said, was mentioned in the application, but it was not made public.

Japanese Wall Paper. THE Japanese idea of furnishing a room is becoming more and more attractive to the American house-keeper. A rug, a few pillows and beautiful walls—that is all. With their unflinching sense of fitness the Japanese have hit upon the keynote of interior decoration—the walls. There is nothing so important in any scheme of decoration. If interested in Japanese decorations ask to see our Fall selections of beautiful grass cloths, famous for silky texture; rich-hued burlaps which never fade and hand-tooled leathers of magnificent colorings and designs. In many instances the Japanese idea can be carried out more appropriately with domestic papers and at much less expense. As suggestions of these we offer the following prices:— Parlor Papers, 20c., 25c., 35c., 50c., per roll. Dining Room Papers, 18c., 22c., 28c., 40c., per roll. Hall Papers, 15c., 18c., 25c., 35c., per roll. Bedroom Papers, 10c., 14c., 18c., 25c., per roll. Japanese Importations, \$2.00 to \$10.00 per roll. ALFRED PEATS COMPANY, 41-43 West Fourteenth Street. "Look for the Four-leaf-Clover Sign."

COTTON BEARS IN PANIC.

Prices Go Up Thirty Points in as Many Minutes—Short Crop.

Cotton market shorts were in something approaching a panic yesterday, when the price of the January option jumped up 30 points in as many minutes. The short interest has been overextended for several weeks, and efforts to cover are developing the fact that the market is in a technical position extremely unfavorable to the bears. There was little cotton for sale yesterday, even at advancing prices, and the short interest became exceedingly nervous over the frost reports from the cotton belt and the failure of Southern holders to offer the product freely.

January cotton closed at 11.21, against 11.01 Friday, when its high price being 11.24, while other options showed corresponding strength. One clique of local bears bought 50,000 bales of December and January, buying being encouraged by the growing belief that the next government report on cotton conditions will make a bullish showing. The amount of cotton in sight for the week was 28,000 bales, against 35,000 bales in the same time last year, the present figures being the smallest in many years. "Bradstreet's" reports, however, that the South Atlantic states the crop promises to be larger than it was a year ago, while it is worth noting that the total visible supply at present is 2,318,000 bales, against 1,950,000 last year, of which American cotton furnishes 1,510,000 bales, compared with 1,157,000 bales a year ago.

DEMURRAGE TO FALL ON CONSUMER.

Probable Result of New Haven's Withdrawal from Railway Association.

New Haven, Sept. 28.—As a result of the withdrawal of the New York New Haven & Hartford Railroad Company from the American Railway Association because of the increased car demurrage charge, the Huntington & Broadtop Railroad Company, a bituminous coal carrying corporation of Southern Pennsylvania, has informed its coal mining shippers that after Tuesday it will charge \$2.50 each on all loaded cars going to points on the New York New Haven & Hartford Railroad.

The mining shippers have in turn informed their coal consignees at New Haven railroad points that they will charge 10 cents a ton on coal to reimburse them. To make themselves good, the local dealers on the New Haven system may be forced to charge in cents a ton to the consumers.

The announcement of the Huntington & Broadtop Railroad, if followed up by other coal carrying corporations, may prove to be the first step in the effort to solve the car demurrage problem by a new plan, which transfers its burdens to the consumer.

The New York New Haven & Hartford has about 18,000 foreign cars upon its system. It is receiving its own cars at the rate of about fifty a day as part of its new purchase of 17,000 cars, of which it has already received a total of about 2,000. When the 17,000 are received it is probable that the New Haven's cars upon foreign roads will approximately equal the average of foreign cars on its own system and the demurrage problem will approach a more easy solution. In the mean time serious complications seem probable.

AMERICANS GET BRITISH CONTRACTS.

Electrical Interests Here Are Successful Bidders in Cities and Companies.

American interests have secured within the last few days a number of interesting foreign contracts for various electrical equipment, worth fully \$2,500,000. The contracts are chiefly British, including a complete electrical installation for one of the most prominent steel making concerns in the North of England, and for lighting and general power purposes in Mexico.

EUROPA WON'T BE A FAST BOAT.

Hamburg-American Agent Says Big New Steamer Will Not Rival Lusitania.

Emil L. Boas, New York agent of the Hamburg-American Line, who has been abroad several months, arrived here yesterday on the company's steamer Kaiserin Auguste Victoria. While in Hamburg Mr. Boas was made a director of the line. He said the cable report received here several days ago that the Kaiserin was to be replaced by a larger steamer, was probably confused with the Lusitania, which was probably confused with the Europa, which will be completed at Belfast in 1910.

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IMPERIAL BIGELOW AXMINSTER RUGS, 9 x 12 feet, value \$39.50 \$29.50
WILTON VELVET RUGS, Made in one piece, 9 x 12 feet, value \$25.00 \$19.50
AXMINSTER RUGS, extra heavy quality, 9 x 12 feet, value \$27.50 \$23.50
BODY BRUSSELS RUGS, 8.3 x 10.6 feet, value \$27.50 \$23.50
TAPESTRY BRUSSELS RUGS, 9 x 12 feet, value \$16.50 \$12.95

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Mr. Boas said the Europa will be over 500 feet long, with a beam of 82 feet and a displacement of 50,000 tons. "While the public wishes to get to Europe in reasonable time," said Mr. Boas, "we believe it does not wish to race across on steamers that break records, and for that reason the Europa will be a nineteen-knot steamer. She will have reciprocating and turbine engines."

INVESTIGATION OF LUMBER TRUST.

St. Paul, Sept. 28.—The federal courts will be in session in Minneapolis next week, and the grand jury will begin an investigation of the so-called Lumber Trust, which is understood to have its headquarters in Minneapolis. Fifty witnesses, it is reported, have been summoned to testify. Of this number Iowa and the two this state and the rest from Minnesota, Wisconsin, and Dakota. It is understood that the government has been collecting testimony to show that the so-called Lumber Trust has been using the mails for unlawful purposes in an alleged crusade to squeeze the independent companies.

BUSINESS TROUBLES.

A transcript of judgment from Franklin County for \$174,204.61 was filed here yesterday against the Santa Clara Lumber Company in favor of the St. Regis Paper Company. The judgment was obtained in Malone, N. Y. The Sheriff yesterday received five executions, aggregating \$1,640, against the Alfred Boote Company, manufacturers of tiles and building materials at No. 114 West 18th street; four for \$1,107 in favor of Steel & Thuman Company, and the other for \$533 in favor of A. & W. Gray Company. Five mechanics' liens have been filed against the company. The following bankruptcy schedules were filed yesterday in the United States District Court: Robert C. Morris was appointed receiver of the business of the Atlantic Cement Company, involuntary bankrupt, against which concern a petition was filed on Friday. The receiver's bond was fixed at \$5,000. The assets are estimated at \$10,000. William F. Upton was appointed receiver of the business of J. L. Hodgson, incorporated, involuntary bankrupt. The receiver's bond was fixed at \$500. The alleged bankrupt forest has a business at Newport and at No. 715 Fifth avenue. Schedules of C. A. Strom, restaurant, at No. 11 Warren street, involuntary bankrupt, show an indebtedness of \$6,168, with assets of \$2,350. The principal creditors are H. J. Yansen, \$400, and J. Nelson, \$550. The assets consist of accounts due and fixtures, valued at \$2,500. The schedules of the J. I. Robbin Company, involuntary bankrupt, show debts of \$30,514; assets, \$17,320. The principal creditors are William C. Taylor, \$7,000; Edward M. Neary, \$11,000; Max Steinfeld, \$1,500; M. J. Fellman, \$2,400; and Mercantile Bank, \$3,000. The assets consist of notes, \$550; stock in trade, at No. 407 Broome street, \$1,500; fixtures, \$8,000; patents of various kinds (equity) estimated at \$3,000; accounts, \$2,710.