

WHITMORE ON TRIAL

Jersey Murder Case Moves Rapidly on First Day.

Before adjournment at 5 o'clock yesterday afternoon Theodore S. Whitmore had been placed on trial in the Hudson County Court house, in Jersey City, for the murder of his wife, Helena Whitmore, whose body was found in Lambkill Swamp, in Harrison, on December 2, a jury had been obtained, Assistant Prosecutor Vickers had made his opening address to the jury, and many witnesses for the state had been called and examined.

The trial began at 10 o'clock before Justice Swayze, of the Supreme Court, and Judge Blair, of the Court of Common Pleas. Alexander Simpson appeared for the prisoner. The courtroom was crowded, and the case was followed with intense interest.

In his opening address Mr. Vickers told the jury that the state would show that on the day before the murder Whitmore had a quarrel with his wife, that he asked her for money and that she gave it to him, and that at 7:30 o'clock in the morning he induced his wife to return with him to their home, in Adams street, Brooklyn; that they remained at their home all that Christmas Day, and that they were last seen together in that house shortly before 8 o'clock that night.

"We will also show a motive for this crime," said Mr. Vickers. "This defendant never had any use for his wife, who through his acts was compelled to separate from him. We will prove that he was intensely jealous of his wife and also of a man whom she and he called Harry. The state will also show that this defendant endeavored to obtain a separation from his wife. His reason for desiring to get rid of her at this time was because he was infatuated with another woman."

Witnesses were then called to tell of the finding of the body in the swamp. Ernest Schmittler, of No. 204 East 16th street, Manhattan, a sister of Mrs. Whitmore, testified in the courtroom after she had finished telling how she and her husband had visited the morgue in Paterson and had identified the body as that of her sister. William E. Salter, a brother of Mrs. Whitmore, said he had no difficulty in recognizing the body as that of his sister.

Dr. Otto H. Schultz, coroner's physician of Manhattan, who performed the autopsy on the body of Mrs. Whitmore, testified that the woman's death was caused by drowning and not by suffocation as she had suffered before being thrown into the water.

Frank Englert, of Harrison, who formerly lived in Brooklyn, testified that he identified the body, and said he had known the woman about a year and a half. Under cross-examination the witness said he first met her at Sands and Washington streets, in Brooklyn.

"How did you come to meet her?" asked Mr. Simpson. "Were you introduced to each other?" "No," replied the witness, "we were not introduced. She came up and spoke to me while I was standing there."

Bernard T. Walsh, the morgue keeper of Harrison, testified that Whitmore appeared nervous when he first appeared at the morgue on January 2. He said he would not admit the body was that of his wife.

Police Judge Joseph Brangan, of Harrison, described the hearing before him, which resulted in his holding Whitmore for the return of the body to Michael Rogers, Chief of Police of Harrison, because he had been confused under the cross-examination of the defence. His answers were so contradictory that many in the courtroom laughed, and order was restored with great difficulty. The trial will continue to-day.

CONY ISLAND FARE HEARING ENDS. B. B. T. and Complainant Ordered to File Briefs with P. S. Commission.

Hearings on the application of Scott MacReynolds to have the Public Service Commission reduce the fare to Coney Island on the Brooklyn Rapid Transit Company to five cents were practically ended yesterday with the one before Commissioner McCarrall. Both sides were instructed to adjourn subject to the call of the commission.

C. D. Meneely, secretary and treasurer, and Abel, controller of the Brooklyn Rapid Transit Company, were on the stand yesterday. The next hearing on the application to make the Coney Island & Brooklyn Railroad reduce its fare to Coney Island will be held before Commissioner Bassett at 4 p. m. to-morrow. The testimony in this case is about all in now. The decision of the commission on the fare case will not be given until after a careful study of the testimony.

Commenting on the fact that Governor Hughes did not sign the Coney Island 5-cent fare bill, Chairman Wilcox said yesterday: "I have believed all the time that the commission had power to deal with the matter of the 5-cent fare to Coney Island. Of course, the question of confirmation can be raised concerning a decision of the commission, just the same as it could in the case of a legislative enactment. "I do not care to give my views regarding the merits of the 5-cent fare subject, for the reason that hearings involving it are still going on before the commission."

GRAHAM GETS SUBWAY CONTRACT. The contract for section 1 of the Fourth avenue subway, Brooklyn, was awarded by the Public Service Commission yesterday to James P. Graham, who bid \$1,020,475.55 on the railroad work and \$10,374.35 on the pipe galleries. This was the lowest bid by so wide a margin that Mr. Graham asked to be relieved from accepting the contract.

The commission held the awarding of the contract for the section for several days. It was determined, however, as the commission held a certified check for \$12,500, which will be forfeited by Mr. Graham if he fails to execute the contract and file bonds for its faithful performance, nothing could be done except to award the contract to Mr. Graham. After the bid had been approved by the Board of Estimate and Apportionment Mr. Graham will ten days in which to execute the legal preliminaries.

The next lowest bid for section 1, which extends from Nassau street to Wiloughby street, was that of Rogers & Hazertz, whose figures for the railroad work were \$1,274,000 and for the pipe galleries \$12,800.

EXPECT TRACTION PEACE TO-DAY. Many Cleveland Strikers Return—Conductor Said to Have Confessed to Dynamiting. Cleveland, May 25.—The strike of the street railway conductors and motormen may be declared off to-morrow. The men were expected to-night by both sides to the controversy, following the vote of the men now at work not to submit their seniority rights to arbitration. President Dupont of the Municipal company stated he would give employment to all strikers up to 6 o'clock to-morrow evening.

As nearly all of the strikers already have deserted and the company is operating a normal schedule in the city, it is predicted that the men will vote to return to work under the company's offer.

To-night a petition calling for a vote of the citizens of Cleveland, under the state initiative and referendum law, upon the legality of the strike, was filed with the Municipal Traction Company is operating under which the Municipal Traction Company is operating was presented to the City Council.

Thirteen strikers were arrested to-day charged with participating in riots and destroying property. Otto Poschke, a striking conductor, is alleged by the police to have confessed that he received dynamite at the strike headquarters.

SUBWAY YARDMASTER KILLED. Charles Fox, a subway yardmaster, was struck by a southbound Third Ferry express train at 19th street and Broadway last night, and died at the J. Hood Wright Hospital shortly afterward. He was married, thirty-two years old, and lived at No. 23 West 14th street.

HUNGARIAN FLAG ABOVE AMERICAN. New Brunswick, N. J., May 25 (Special).—A Hungarian flag displayed above the Astoria and Stripes houses in the town of Hopedale, N. J., at a R. R. race on its way to a Memorial Day sermon last night. The offending display was on a Hungarian tenement house in Throop avenue. Adjutant Joseph Sedam, of the G. A. R., sent a detachment to order the flag removed. The Hungarians removed their flag, leaving the star spangled banner waving in solitude as well as triumph.

OBITUARY.

BRIGADIER GENERAL EVAN MILES.

San Francisco, May 25.—Brigadier General Evan Miles, U. S. A., retired, died in this city yesterday. He will be buried with full military honors.

General Evan Miles was a native of McVeytown, Penn., where he was born on March 28, 1838. Soon after the outbreak of the Civil War he was appointed from Pennsylvania a first lieutenant in the 12th United States Infantry, receiving his commission on August 5, 1861. He rose to the rank of captain in the regular army in 1865. His first service was in recruiting, but in 1862 he was ordered to the field, and was in the battles of the Second Bull Run, Antietam, Fredericksburg, Chancellorsville and Gettysburg. He was also in the field at the time of the draft riots in 1863. On August 18, 1864, he received a brevet as captain for gallantry in the operations on the Waldon Railroad in the operations on the Waldon Railroad in the square feet, and in this country the dials on Philadelphia City Hall were the largest, measuring

Major H. Otto Whitpen of Jersey City pressed an electric button at 2 o'clock yesterday afternoon and set in motion the biggest clock in the world. The Colgate clock is on the top of the factory of Colgate & Co. in Jersey City, and is visible for many miles. Colonel Austen Colgate, of the firm of Colgate & Co., presided at the ceremonies on the roof, and addresses were made by Mayor Whitpen, Joseph Dear, Richard Colgate and Mr. Latham, of the Seth Thomas Clock Company, which constructed the timepiece.

Heretofore the Westminster dials on the Parliament Buildings in London held the record abroad, with the diameter of 22½ feet and an area of 388 square feet, and in this country the dials on Philadelphia City Hall were the largest, measuring

25 feet across and having an area of 490 square feet. The Colgate clock has an area of more than twice that of either of these, the dial being 33 feet across and 1.134 square feet. The minute hand is 20 feet long and, with its counterpoise, weighs nearly one-third of a ton, while the ponderous weight that moves the mechanism weighs just 2,000 pounds and the whole clock approximately six tons.

Across the dial of this clock twenty men of average size could stand shoulder to shoulder. Instead of the usual transparent dial, lighted from behind at night, the hands are outlined with incandescent lights. Brilliant red lights mark each numeral and an incandescent lamp each minute mark. These are twenty-four inches apart. Thus the tip end of the hour hand travels twenty-four inches every minute, or more than half a mile a day.

Perce Indians in Oregon and Idaho. In 1880 he was brevetted major for gallantry in his service in Indian fights at the Umattila agency and at Clearwater, Idaho. He became a colonel in 1887, and went with his regiment to Cuba and commanded the Second Brigade of the Second Division of the Fifth Army Corps. In October, 1888, he was made a brigadier general of volunteers, and four months later was honorably discharged from the volunteer service. He was retired from the regular service for disability in the line of duty in 1889, and in 1894 advanced to the rank of brigadier general for his Civil War service. He was a member of the Royal Legion, the Grand Army of the Republic and the Society of the Army of the Santiago. In 1874 he was married to Miss Martha A. Stutz.

MATTHIAS M. DODD. [By Telegraph to The Tribune.] Orange, N. J., May 25.—Matthias M. Dodd, one of the oldest and most prominent residents of the Oranges, died to-night at his home in North Grove street, East Orange, after an illness lasting three days. He was ninety-four years old and vigorous almost to the hour of his death.

Matthias M. Dodd was born on January 24, 1814. His father was Lewis Dodd, who was a son of Matthias Dodd. The last named, who owned the present property, left his wife and two children with his wather and joined the American army in the Revolution, serving in the New Jersey militia. A gun with a London mark and the date 1772, which is now at Washington's Headquarters in Morristown, was captured by this soldier at the Battle of Monmouth.

A very large section of what is now East Orange has been owned by Mr. Dodd, who at the time of his death was still one of the largest property owners in this section of the state. Mr. Dodd married Miss Harriet Rowe, of East Orange, on January 21, 1838, and three children of the union survive. They are Mrs. Elizabeth Mitchell, widow of Aaron P. Mitchell; Mrs. Catharine Jennings, wife of Horace N. Jennings; and Miss Adelaide Dodd. Mrs. Dodd died in 1889 and Mr. Dodd afterward married Mrs. George Bullock, of Utica, N. Y. There are now living eight grandchildren and twelve great-grandchildren.

HOMER H. MERRIAM. [By Telegraph to The Tribune.] Springfield, Mass., May 25.—Homer H. Merriam, ninety-five years old, head of the house which publishes Webster's dictionary, died to-night in Pasadena, Cal., where he had been staying for his health.

MRS. ELEANOR S. WHITING. Mrs. Eleanor Smith Whiting, wife of the late Thomas Edward Whiting, died yesterday at her home, No. 50 Montgomery place, Brooklyn. For many years Mrs. Whiting was a member of the Memorial Presbyterian Church, at St. John's place and Seventh avenue. She was an earnest worker in church affairs, and belonged to several church societies. She leaves two sons, Edward Nottingham and Herbert Condit, and a daughter, Mrs. Henry Clay Evans. The funeral will be held at her home to-morrow, and the burial will be in Greenwood.

THE H. M. WHITNEY STILL AGROUND. Though many tons of cargo have been removed from the Metropolitan freighter H. M. Whitney, which went aground off the Astoria shore, near Hell Gate, on Saturday, the wreckers were unable yesterday to float her. It is thought that several sharp rocks have forced their way through her bottom.

LOWER PAY FOR IRONWORKERS. According to a special dispatch from Pittsburgh yesterday, a conference between the Amalgamated Association of Iron and Steel Workers and the Western Bar Iron Association has been set for June 2 at Cambridge Springs, for the purpose of arranging a schedule in the iron trade. The manufacturers are expected to ask for lower wages owing to the reduced profit on iron. Immediately following this conference, the dispatch said, officials of the Republic Iron and Steel Company would confer with the iron and steel workers regarding lower wages for puddlers.

TRIAL OF GASTON PHILIP BEGUN. Washington, May 25.—The trial of Gaston Philip, a wealthy clubman of New York and Washington, accused of the murder of Frank MacAbay, a cab driver, at the Arlington Hotel on May 18, 1907, began in the Criminal Court here to-day. When the court adjourned eleven men sat in the jury box, all of whom are subject to peremptory challenge. Justice Barnard ordered a special venire of fifty talesmen to be present to-morrow. The defendant was accompanied by his brothers, Hoffman Philip, consul general at Tangier, and Captain Van Ness Philip, of this city. There was a large attendance and much interest was shown in the proceedings.

ALDERMAN CLIFFORD TRIAL MONDAY. Judge Malone, in General Sessions, yesterday set June 1 as the date for the trial of Alderman William Clifford, of Long Island City, indicted for bribery in an election for Recorder almost two years ago.

FATHER LUBELEY WILL RECOVER. St. Louis, May 25.—The Rev. Father Joseph F. Lubeley, who was brought to St. Mary's Infirmary after having been stabbed by Joseph Schutte, following church services at Salisbury, Mo., yesterday, was reported by his attendants to be resting comfortably to-day. Unless unlooked for complications arise it is believed he will be able to leave the hospital within three weeks.

BIGGEST CLOCK RUNNING.

Huge Timepiece Set in Motion on Top of Jersey City Factory.

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Summer Resorts.

NEW YORK. A DIRONDACKS STEVENSON HOUSE LAKE PLACID. BOOKLET ON REQUEST. ADIRONDACKS. WHITEFACE INN. On Lake Placid, N. Y. June 15 to Oct. 1. Latest and Most Modern Adirondack Hotel. Cool, dry, bracing climate. Finest golf, boating, and all other sports. Magnificent location. Select patronage. Modern equipment and service. Adirondack Hotel, HARRINGTON MILLS, Hotel Gratton, Hamilton, N. Y.

IN THE HEART OF THE ADIRONDACKS. THE RUISSEAUMONT and COTTAGES, Lake Placid, N. Y. OPEN JUNE TO OCTOBER. Suites with private baths; all modern improvements. For rates and booklets address: W. J. M. D. PRICE, Manager, PRINCE GEORGE HOTEL, New York City.

LAKE PLACID, ADIRONDACKS. GRAND VIEW HOTEL. Open June to October. Golf, Canoeing, all Adirondack attractions. For illustrated booklet address: THOS. PARKER, 299 Fourth Ave., New York.

MORLEY'S. Hotel and cottages in the heart of the Adirondacks, overlooking two of the most beautiful lakes in the region. Trout fishing, music, horse physician, Sanitary plumbing, Pure spring water. No pulmonary invalids. Artist's studios. MORLEY'S, Lake Placid, Hamilton Co., N. Y.

ADIRONDACKS. TAYLOR HOUSE and Cottages. Situated on beautiful Schroeon Lake. Homelike and Select. For particulars address: C. F. TAYLOR, JR., Mr. Taylor on Schroeon, N. Y. After June 1, Grand Hotel, B'way & 31st St., N. Y.

ADIRONDACKS. THE WINDSOR HOTEL. GOLF SWIMMING POOL. ELIZABETHTOWN, N. Y. Booklet, Orlando Kellogg & Son, Props.

WAWBEEK HOTEL and COTTAGES. UPPER SARANAC LAKE, Adirondacks. Open June 20 to October 15. Weekly rates, \$2.00 per week upwards. Special rates for early season. Private cottages suitable for families. All amusements to be found anywhere. Moderate rates. Send for illustrated booklet and prospectus. J. BEN HART, Wawbeek, N. Y.

ADIRONDACKS. DEER'S HEAD INN, Elizabethtown, N. Y. Golf, automobile headquarters. R. F. STEPHENS.

MANHANSSET HOUSE. SHELTER ISLAND, L. I. Opens June 25. Under new management. J. HULL DAVIDSON. Office, 23 Union Square, New York City. Cottages leased, with all service and meals, from June 1 to September 1. Booking agent will call anywhere within Greater New York.

RHODE ISLAND. WATCH HILL, R. I. THE FINEST SUMMER RESORT ON THE ATLANTIC COAST. OCEAN HOUSE and COTTAGES. Opens June 20. Address: J. F. CHAMPLIN.

WATCH HILL HOUSE and COTTAGES. Watch Hill, R. I. OPENS JULY 1ST. On the Ocean. Beautiful grounds for automobile. Tennis Golf Links on the Atlantic Coast. Modern Bathing. Moderate rates. Address: R. H. YARD, Hotel Wellington, 55th St. and 7th Ave., New York. Until June 10th.

Excursions. Mauch Chunk. Glen Onoko, The Switchback DECORATION DAY, MAY 30. \$1.50 Round Trip Tickets \$1.50 CHILDREN 75 CENTS. Leave W. 23d St., 8:20; Liberty St., 8:30 A. M.

Lake Hopatcong DECORATION DAY. \$1.25 Round Trip Tickets \$1.25 CHILDREN 65 CENTS. Leave W. 23d St., 8:50; Liberty St., 9:00 A. M.

Lake Hopatcong SUNDAY, MAY 31. \$1.00 Round Trip Tickets \$1.00 CHILDREN 50 CENTS. Leave W. 23d St., 8:50; Liberty St., 9:00 A. M.

CHARMING EXCURSIONS. West Point, Newburgh and Poughkeepsie. Daily (except Sunday) by Palace Iron Day Line Steamers, Leave Poughkeepsie, Fulton St. (by Annex), 8:30; West Point, 9:00; Newburgh, 9:20; Poughkeepsie, 9:40; West Point, 10:00; Newburgh, 10:20; Poughkeepsie, 10:40; West Point, 11:00; Newburgh, 11:20; Poughkeepsie, 11:40; West Point, 12:00; Newburgh, 12:20; Poughkeepsie, 12:40; West Point, 1:00; Newburgh, 1:20; Poughkeepsie, 1:40; West Point, 2:00; Newburgh, 2:20; Poughkeepsie, 2:40; West Point, 3:00; Newburgh, 3:20; Poughkeepsie, 3:40; West Point, 4:00; Newburgh, 4:20; Poughkeepsie, 4:40; West Point, 5:00; Newburgh, 5:20; Poughkeepsie, 5:40; West Point, 6:00; Newburgh, 6:20; Poughkeepsie, 6:40; West Point, 7:00; Newburgh, 7:20; Poughkeepsie, 7:40; West Point, 8:00; Newburgh, 8:20; Poughkeepsie, 8:40; West Point, 9:00; Newburgh, 9:20; Poughkeepsie, 9:40; West Point, 10:00; Newburgh, 10:20; Poughkeepsie, 10:40; West Point, 11:00; Newburgh, 11:20; Poughkeepsie, 11:40; West Point, 12:00; Newburgh, 12:20; Poughkeepsie, 12:40; West Point, 1:00; 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