HELD CONSTITUTIONAL

Appellate Division Decision on Apportionment Act of 1907.

Albany, Aug. 19.—The Appellate Division of the Supreme Court, Third Department, at an extraordinary session to-day unanimously upheld the constitutionality of the legislative apportionment act of 1907. The court affirmed the decision of Supreme Court Justice Fitts, denying the application of Alexander T. Porter, of New York, for an order directing the issuance of a writ of mandamus to compel Secretary of State Whalen to send out notices for this year's election under the apportionment adopted by the Constitutional Convention of 1894. Counsel for Porter announced to-night they would appeal to the Court of Appeals.

The court handed down its decision without opinion or comment of any kind. The justices sitting were Presiding Justice Smith and Justices Cochrane, Chester, Kellogg and Sewell.

Counsel for Porter contended that the act passed by the Legislature "organizing the Senate districts and for the apportionment of the members of the Assembly of the state," was unconstitutional, for the reason that the bill was passed at an extraordinary session. They contended that a valid apportionment act must be passed at a regular session. They also objected to the uniting of Richmond and Rockland counties into one Senate district.

Those arguing to uphold the constitutionality of the law contended that the Court of Appeals having set aside as unconstitutional the apportionment act of 1906, and the Legislature of 1907 having failed to pass an apportionment act at its regular session, it was within the power of the Governor to call an extraordinary session. This having been done, they argued, it was a continuing duty upon the Legislature to pass such an act.

Teh Court of Appeals is not scheduled to reconvene until October. Counsel for Porter stated they would try to have the court convene in extraordinary session.

Deputy Attorney General Williams and Senator Hinman, of Binghamton, appeared for the state. Mr. Porter was represented by Assemblyman Frank K. Johnson, E. B. Coyne and G. H. McLaughlin, all of New York.

The opponents of the anti-racetrack gambling bills endeavored to make capital out of the apportionment case, declaring that if the apportionment act was held unconstitutional it would unseat Senator Wallace and invalidate his vote for Governor Hughes's measure.

Senator Wallace was elected under the apportionment act in question in the 47th Senate District to succeed the late Senator Franchot. The loss of Senator Wallace's vote would have meant a tie vote on the anti-gambling bills.

NEGROES STILL IN FEAR.

Hegira Resumed When Guardsmen Leave Springfield.

Springfield, Ill., Aug. 19.—Fear prevailed in the homes of Springfield negroes to-night because of the departure of two regiments of infantry to-day and the announcement that three more organizations will be withdrawn to-morrow. Early in the evening almost twice as many applications for shelter had been received at the arsenal as on previous nights. The exodus of negroes from the city, which had begun to abate, was renewed. Many tramped across the country in a drizzling rain. The children and aged suffered heavily, and it is feared that many will succumb to the hardships.

Adjutant General Scott insists that there is no good ground for the fear of the negroes, and his opinion was indorsed in other quarters. It is asserted that fifteen hundred men can easily hold the advantage that the larger body of troops has gained.

The special grand jury examined nearly twoscore witnesses to-day, but made no return of its proceedings.

Another coal mine was closed to-day because the whites and negroes refused to work side by side underground. The shaft is in the neighborhood of the two which closed yesterday and the trouble was due to the same cause, each race asserting that the members of the other were armed.

JAIL FOR TEN WOULD-BE LYNCHERS.

Norfolk, Va., Aug. 19.—Ten of the fourteen men charged with participating in the attack made on the county jail last week by a mob that sought to lynch the negroes Henry Smith and Brack King, charged with criminal assault on aged Mrs. Powell, were each fined $100 and costs with sixty days in jail to-day.

The chief of police at Henderson, N. C., telegraphed the Portsmouth authorities to-day that "Jim" Strong, the negro who shot and killed a policeman named Winnindger here on August 11, when Winnindger was arresting him for wife beating, was under arrest at Henderson.

DR. PHELPS A SUICIDE.

Treasurer of Syracuse University Found Dead in Utica Hotel.

Utica, N. Y., Aug. 19.—The Rev. Dr. James Duane Phelps, of Syracuse, shot himself in his room in the Wurz Hotel, in North Genesee street, this city, some time in the night and was found this morning hanging out of his bedroom window. Dr. Phelps went to the hotel yesterday morning. He was not seen again in the course of the day or evening, and it is supposed that he killed himself about 2 o'clock this morning. He left a note written on paper which had been used to wrap the revolver in, and gave as the reason for shooting himself that he did not wish to live any longer. It is understood that he had been ill and had been for some time at a private sanatorium

James Duane Phelps was born in Lewis County sixty years ago, and was graduated from Syracuse University in 1876. He studied at the Boston Theological Seminary in 1877 and 1878, and was ordained a clergyman of the Methodist Episcopal Church in 1879. He held pastorates at Harwich and Malden, Mass., Utica, Buffalo and Rochester. For several years he was principal of Cazenovia Seminary and Genesee Wesleyan Seminary, at Lima. He became subject to fits of despondency as a result of overwork and was at the Middletown State Hospital for nearly six years, being discharged as cured. He then became pastor of Plymouth Methodist Episcopal Church, in Buffalo, where he was stationed until 1899, when he was elected treasurer of Syracuse University. For several summers he directed the work of the Methodist Institute at Thousand Island Park. He had been connected for some time with "The Northern Christian Advocate," serving it as correspondent. Syracuse University gave him the degree of D. D. Dr. Phelps married Miss Helen Ursula Weaver, of Elmira, who, with five sons, survives him. The sons are R. W. Phelps, special agent of the Caledonia Insurance Company, New York; D. F. Phelps, of the Ontario Bakery, Buffalo; F. E. Phelps, with the Paragon Plaster Company; H. D. Phelps, now in college, and K. A. V. Phelps, a high school student.

M'CREA COMMITTEE IN PITTSBURG.

To Cut Down P. R. R. Expenses One-seventh—Reported Opposition of Directors.

Pittsburg, Aug. 19.—The committee of eleven which President James McCrea of the Pennsylvania Railroad commissioned recently to go over the entire system and arrange for laying off four thousand men, if conditions warrant, has reached Pittsburg, and for the last two days has been marking one of each seven employes here for suspension not later than September 1.

On the heels of this committee comes the well substantiated story that the directors of the railroad, who are asserted to be opposed to the ideas of President McCrea, have sent out a committee of their own, following the McCrea committee, to report conditions as they found them to exist. Department heads at Pittsburg say they have not enough men now to handle the increasing business.

DEAL IN COAL LANDS.

Pittsburg and Vanderbilt Interests in Large Development Plan.

[By Telegraph to The Tribune.]

Pittsburg, Aug. 19.—One of the largest coal land deals in years was closed here to-day, when a syndicate headed by Julian Kennedy, a consulting engineer, of Pittsburg, purchased from Josiah V. Thompson 5,288 acres of coal and coke lands in Greene County, paying $1,463,000 for them. At least double this amount will be placed in circulation at once, developing the coal land and building coke ovens.

The territory is on the Monongahela River, in a hitherto undeveloped region. The Pennsylvania Railroad and the Vanderbilts both reach the territory through branch roads, and will assist in the development.

HEARING ON DEBT LIMIT.

Levy's Counsel Outlines Position on Fourth Avenue Subway.

General Benjamin F. Tracy, as referee, heard opinions on the city's finances in the Corporation Counsel's office yesterday morning on the injunction obtained by Jefferson M. Levy to prevent the Board of Estimate from acting on the Fourth avenue subway appropriation. Justice Blanchard, of the Supreme Court, appointed General Tracy also to take evidence as to the city's debt limit.

Deputy Controller Frank M. Smith represented Controller Metz, who did not take an active part in the hearing. Robert F. Wagner, counsel for Mr. Levy, stated at the opening of the hearing that he did not purpose to show the city bankrupt or unable to build subways—it was merely desired to settle the matter of the debt limit once for all.

Mr. Smith was called as the first witness. He said that a statement of the city's gross debt had been prepared on June 30 last, which showed the debt at that time to be $785,985,126 85. This, he said, was the entire bonded debt of the city, outside of the temporary floating debt. Deducting $21,808,279 64, the debt of the counties exempted by the constitution, and $190,104,644 02, sinking fund holdings minus the water bonds, made the net debt on June 30, 1908, $539,366,439 32. Net contract liabilities amounted to $51,108,334 15. Lands acquired but not yet paid for by the city made liabilities amounting to $21,754,382 25, and revenue bonds issued upon uncollected taxes amounted to $24,735,210. Also there were contracts awarded on June 30 amounting to $3,690,000 not taken into consideration, because at that time they were not yet certified by the Controller.

MONEY "BIGWIGS" AWAY.

Russell Sage's "No Vacation" Ideas Have Few Supporters.

A canvass of the financial district yesterday revealed the fact that very few of the present day financial leaders are following the example set by the late Russell Sage when he was one of the "big men" of the Street, of never taking a vacation. J. Pierpont Morgan, the recognized leader of the financial district, has been away practically all summer and will not return from Europe until late in the fall. Other members of the Morgan firm who are away are Charles Steel, who is also abroad, and George W. Perkins.

E. H. Harriman is camping in the forests of Oregon. Ex-Judge E. H. Gary, chairman of the United States Steel Corporation; James Speyer, Thomas F. Ryan, Stuyvesant Fish, August Belmont, Otto H. Kahn, of Kuhn, Loeb & Co.; George F. Baker, president of the First National Bank; Henry P. Davison, vice-president of the First National Bank, and William H. Newman, president of the New York Central Railroad, are abroad and are not expected back for several weeks.

Other financiers who have deserted Wall Street for the present are James Stillman, H. C. Frick, H. H. Rogers, who are at their summer homes; Jacob H. Schiff, who is in Maine; Paul Morton, Paul M. Warburg, of Kuhn, Loeb & Co.; John W. Castles, president of the Guaranty Trust Company; Robert Mather, president of the Rock Island Company; William H. Moore, William H. Truesdale, president of the Delaware, Lackawanna & Western Railroad; Frank A. Vanderlip, vice-president of the National City Bank; William K. Perkins, president of the Bank of America; Albert H. Wiggin, vice-president of the Chase National Bank; J. Edward Simmons, president of the Fourth National Bank; George J. Gould, Cornelius Vanderbilt and George F. Baer, president of the Reading Company.

FOUR HURT IN TROLLEY SMASH.

Queens Car at High Speed Crashes Into Mineral Water Wagon.

Four persons were hurt early yesterday morning in Brooklyn Hills, Queens Borough, in a trolley smash. The trolley car is said to have been travelling at a rate of from forty-five to fifty miles an hour, which is not uncommon during the early morning hours. The driver of the wagon into which it ran, head on, was asleep until a second before the smash.

Adolph Ringeloth, of No. 45 Beaver street, a driver for Minck Brothers, of Beaver street and Park Place, Brooklyn, was driving a team harnessed to a heavily loaded wagon. He was travelling west, his wheels upon the westbound tracks of the Brooklyn Rapid Transit Company in Jamaica avenue. Ringeloth was asleep, the common way of driving along the outlying roads during the night and early morning hours. An eastbound trolley car, of which James Degnan, of No. 181 Palmetto street, Brooklyn, was motorman, waked the sleeper. The flaring electric headlight of the trolley confused Ringeloth, and he is said to have pulled his team directly across the eastbound track, thus causing the collision. He may pay the penalty with his life, although he was the least seriously injured of all. The team was badly mangled and had to be shot. The front end of the trolley car was smashed. Two policemen who were sitting on the front seat were tangled with the motorman in the general mix-up, and were severely injured. All the injured persons were taken to St. Mary's Hospital, Jamaica, by Dr. Voltz.

TAILORS' STRIKE MAY BE GENERAL.

Meetings of the different locals of the United Brotherhood of Tailors, consisting of the coat tailors, were held last night to decide on the question of a general strike. It was announced that eight hundred operators have quit work. Michael Price, secretary of the general executive board of the brotherhood, said that the board had authorized the strike vote, and that by the end of the week from eight thousand to ten thousand will be out. He said that those who work by the week demand uniform wages in all the shops. The piece workers demand an increase in wages of 20 per cent. A general meeting of the pressers will be held to-night, and the headquarters of the strikers will be at No. 21 Suffolk street.

The tailors are nearly all employed by contractors or middlemen. The strike, it was said, has spread to Brooklyn, and the contractors have little objection to the strike, as they are making little or no money, and want a raise of pay from the manufacturers before they can advance the wages of the tailors.

A. C. L. ORDERS 500 STEEL CARS.

Baltimore, Aug. 19.—The Atlantic Coast Line Railroad has awarded to the South Baltimore Steel Car and Foundry Company a contract for five hundred steel underframe box cars, to cost approximately $500,000.

TO CONSIDER TUNNEL MAIL SERVICE.

Washington, Aug. 19.—The Postmaster General has appointed a committee to consider the question of the authorization of mail service through the tunnels of the Hudson & Manhattan Railroad Company between the Church street terminal of that company in New York City and the terminal stations of the Pennsylvania, the Erie and the Delaware, Lackawanna & Western railroads in New Jersey.

REPORT NEBRASKA CORN 100 PER CENT.

[By Telegraph to The Tribune.]

Omaha, Aug. 19.—The Burlington Railroad crop report, issued to-day, says that corn in Central and Southern Nebraska will be a 100 per cent crop, with a yield of from 33 to 45 bushels an acre. According to the report, the corn has improved greatly in the last ten days, there having been rains almost nightly, with hot sun during the day.

TO PLEAD INSANITY.

HAINS DEFENCE DECIDES.

Lawyers Expect to Free T. Jenkins and Get Mild Sentence for Brother.

Unless something intervenes the defence to be entered on behalf of the Hains brothers for the murder of William E. Annis will be emotional insanity. The defence, which is now headed by John F. McIntyre and Joseph S. Shay, recognizes the impossibility of getting Captain Hains off without any penalty whatever, but the lawyers expect to get T. Jenkins Hains free.

At the inquest last night in Flushing, which resulted in both the brothers being held for the grand jury, some of the questions asked of Charles H. Roberts, of Flushing, the only lay witness, indicated definitely the plan intended at present to be followed by the defence at the trial. This appeared to be that all efforts of the defence will be devoted to getting Captain Hains off with as light a sentence as possible, on the plea that he was under a great emotional strain, amounting to actual insanity, at the time of the murder. The defence as far as T. Jenkins Hains is concerned will be that he drove the crowd back after the shooting to protect his brother, and did not hold the crowd back to allow the murder to be accomplished.

Mr. Shay prepared the case which resulted in the acquittal of Maria Barbieri, who was tried for killing her lover; that of Vincenzo Nino in 1895, when he killed his whole family, and that of George W. Cram two years ago. Cram went home one night and embraced his wife.

"I love you," he told her, "but I must kill you."

The revolver was in the hand with which he was embracing her, and he killed her with it. In all these cases Mr. Shay successfully maintained the insanity of his clients.

Major John Powell Hains, brother of the slayers of Annis, after the inquest said he was sanguine of his brothers' acquittal. He was asked if he thought his brother was justified in shooting Annis without giving him a chance to protect himself.

"I can best answer that question by recalling an incident that happened to me at Fort Riley," he said. "I was about to put on my boot one morning when I found a snake in it. I quickly drew my revolver and shot the snake. It is the same with my brother; I do not believe he should have given Annis a chance."

"Knowing what you do of the case, would you do the same thing?" he was asked.

"I most certainly would," he answered emphatically.

"Is it true, as the District Attorney says, that your brother, Thornton Jenkins, instiguated the shooting?" he was asked.

"Not at all," he replied. "For a long time Thornton and myself have tried to dissuade our brother from killing Annis for the sake of our gray haired father and mother. Out of consideration for them our brother restrained himself, but finally the strain became too great and he acted. Peter would have killed Annis sooner had it not been for this.

"My brother's home was invaded while he was away on duty demanded by his country. It seems to me that the government should either protect the homes of its servants, or allow them to do it themselves. There is no doubt of my brother's acquittal."

Just as the inquest was over this question was asked T. Jenkins Hains by the newspaper men:

"Do you still feel that your brother was justified in shooting Annis? Do you still feel satisfied with your part in it?"

"I certainly do," he replied.

"Would you do it again under the same circumstances?" he was asked.

Hains's face lighted up, and his whole manner and expression indicated that he was about to answer "Yes," when Mr. McIntyre interrupted him and forbade him to say anything more.

DENY SEEING LETTERS.

District Attorney Darrin went to the Bayside Yacht Club late yesterday afternoon. Among those he talked to was Commodore Smith. The chief result of his visit was a denial that letters warning Annis of the attack which might be made upon him by the Hainses had been found in the dead man's pocket. Every member of the club who was about Annis when he was killed or visited his room after the shooting denied that they had or had had such letters. District Attorney Darrin is as yet by no means satisfied that such letters were not in existence a few days ago. He will try again to-morrow to find some trace of them.

Although some of the allegations against him have been indignantly denied by friends of Captain Hains, Mr. Darrin will go to Fort Hamilton this afternoon to investigate the stories personally. Both officers and enlisted men will be examined by him in an effort to clear up the domestic relations of Captain Hains. To-morrow afternoon he will be at the Bayside Yacht Club, where he will hold an informal sort of court, in which he will conduct an examination of all the members of the club who know anything about Annis or were present at the shooting.

The feeling against the two brothers at the yacht club is most intense. Commodore Smith, in his talk to Mr. Darrin, said that the shooting was most cowardly and absolutely without justification. He said that he had known Mr. Annis for some time as a most estimable person, and that he had never seen anything or had heard anything to indicate that Captain Hains had any reason for jealousy. If Mrs. Hains ever visited the club, he said that it certainly was not with Annis.

With Mr. Darrin when he visited the clubhouse was James Johnson, under sheriff and chief engineer of Queens County. At one time he was in business with Julius von Hunebine, the father of Mrs. Annis. He was at the funeral Tuesday night, and afterward he had a long talk with the widow.

"Do you think they had any reason for shooting Will?" he asked her.

"They certainly did not," she replied. "His first thought was of his home. He provided for me and for his children and never neglected us. I do not know what he did outside of his home, but he could not have done anything wrong."

MRS. ANNIS'S FAITH.

The grounds for the faith of Mrs. Annis in her husband were substantiated by Mr. Johnson and Commodore Smith. Johnson told how, when Annis visited Lake Ontario last year, he kept in constant communication by telephone and telegraph with his wife. Two years ago Mr. and Mrs. Annis lived all one summer on a small launch off the Bayside Yacht Club, and their devotion, according to Commodore Smith, was remarked at the club.

The advent of Mr. McIntyre appeared to cheer Captain Hains and his brother a good deal. Mr. McIntyre, after visiting the brothers in jail, said the symptoms of insanity were already strongly marked in Captain Hains.

How serious the fight for their lives is to be was foreshadowed by the selection of counsel yesterday. John F. McIntyre is acknowledged to be one of the best criminal lawyers in practice to-day. At present it is planned for him to do all the pleading and most of the other court work. Ex-Governor Frank S. Black has been approached and may appear in the case before it comes to trial with Mr. McIntyre. The latter's present associate, Mr. Shay, although young, has a wide reputation for successful work in similar cases where emotional insanity has been the defence.

"I did not consent to enter the case," he said, "until this morning. I really know very little about its merits, but my visit to Captain Hains showed me that he is mentally unbalanced. No matter what we were talking about he would constantly revert to the subject of the shooting. He dwelt on that subject with an intensity that was absolutely abnormal. One more thing that showed that he had lost his mental balance was his bad memory. About many things preceding and at the time of the tragedy his mind appeared to be a perfect blank. His brother scarcely appeared in better case. It seems to me that both must be insane. I am not absolutely sure, however, that we will need to plead insanity as a defence. There is really no precedent to guide us, but it appears to me that the minds of both brothers, torn by the same nervous strain, by the same love of honor and of love for family, and worked by the same emotions, must have suffered the same effect and both gave way.

"The greatest contributing cause of Captain Hains's breakdown was the charges made in the answer to his divorce complaint. Such charges must inevitably prey on the mind of a man like Captain Hains, and they helped to break down the mind of his brother, affecting the family honor as they did. The most cruel part of it all is their absolute untruth, for they are merely the product of the imagination of a wildly jealous woman."

A DOMINATING MIND.

If the defence be insanity, Mr. Shay outlined a base for it in these words just before the inquest:

"There seems to have been a master mind in this—a dominating and a dominated mind. Now, when the dominating mind is unbalanced, the dominated mind, it is easy to see, would probably be made insane by the goadings of the dominating mind."

Counsel for the Hainses dwelt at some length on the fact that Mrs. Hains had not instituted a counter suit for divorce. Instead, she had merely filed an answer to his suit. This answer, Mr. McIntyre said, did not contain anything which could be construed as a charge that Captain Hains was morally depraved.

The much talked of "confession" of Mrs. Hains of relations with other men is now safely locked in Mr. McIntyre's safe. Mr. McIntyre said last night that her statement would have a most important bearing on the case and scoffed at the idea that it had been obtained under duress.

Harvey L. Rockwell, who took Annis's suitcase and his clothing away from the clubhouse, was among those at the funeral Tuesday night. He said yesterday that he did not have in his possession nor had he had any letters warning Annis of the intention of the Hains brothers. He and Mrs. Rockwell both said that not only did they not believe that any such letters had been written, but that no letters challenging to a duel ever were written. Speaking of the funeral, they said that the coffin had not been opened at the grave and there had been no scene at St. Michael's Cemetery at all.

The inquest was held late in the evening in the Old Town Hall of Flushing. When Dr. Ambler, the Coroner of Queens, took a seat in a room occupied by the Supreme Court, it was jammed to suffocation. The brothers had been sitting alone at one side of the bench for nearly an hour, having been brought down from the jail by Sheriff Harvey and Detective Lieutenant Butler.

As the crowd filed into the room, both brothers seemed to find much amusement in the appearance of some of the good citizens of Queens. They laughed and joked together, apparently as care free as any in the room, until the actual proceedings began. Then there was a nervous consultation of counsel, after which the brothers sat alone, with the exception of Major John Powell Hains, their brother, who sat between them. Through all the proceedings from then on they leaned forward, elbows on knees, and played nervously with their hats. T. Jenkins Hains sat all the time facing as far away as possible from the coroner and witnesses. At no time did he and his brother look at witness, coroner or jury, even when the witnesses were asked to identify them.

The inquest was even more perfunctory than was expected, only two witnesses being called. The first was Mr. Roberts, of No. 547 Vernon avenue. His testimony was brief. He told how he was on the float at the end of the long pier at the club near Mrs. Annis, who was watching her husband bring his boat to the float, when he heard a single shot fired. The report, he said, was not loud, scarcely louder than that of a fire cracker. As he swung around on his heels toward where Annis was about to make a landing he heard Mrs. Annis call out, "Look out, Will." He saw Annis stagger forward toward Captain Hains, who was leaning far forward, his outstretched arm holding the revolver that was spitting its deadly contents at Annis. He leaped forward, but stopped when Jenkins Hains thrust his revolver into his face and cried, "Keep off! Keep off! or I'll kill you."

When Mr. McIntyre took the witness in hand his first question was: "Was the shooting still going on when the man you say was Jenkins Hains shoved his revolver in your face?"

The witness replied that two shots had been fired, but that several other shots, he did not know how many, were fired while he was held at bay. Mr. McIntyre wanted him to describe the expression of Jenkins Hains at that time, but the questions were not allowed.

PULLED ANNIS OUT OF WATER.

After Captain Hains had emptied his automatic pistol and the work was over, the witness said that Annis staggered and fell into the water. Not until then did Jenkins Hains drop his revolver. As soon as he did this, the witness said he jumped to the side of the float and seized Annis by the hands as he struggled weakly in the water and pulled him on to the float.

The other witness was Coroner's Physician Frey, of Long Island City. He told of the awful way in which the body had been mutilated by the shots of the powerful automatic pistol. He said that the great velocity of the bullets had inflicted twenty terrible wounds, three or four of which were necessarily fatal. Every bullet had passed entirely through the body. The character of the wounds showed that there had been at least nine initial wounds. The right forearm was shot to pieces, the right femur was mashed into splinters and the torso mangled in a dozen places. Mr. McIntyre contented himself with one or two questions as to the physician's professional ability, and then Coroner Ambler told the jury that all they had to consider was whether Annis had come to his death at the hands of Captain Hains and his brother.

One juror, John Scott, wanted more witnesses called, but his request passed unheeded. For some reason thirteen men instead of the usual twelve had been called. Thirteen men retired and deliberated for more than twenty minutes, but their verdict was a foregone conclusion. It was announced by John B. McCloud, the foreman, and both men were held for the grand jury. Mr. McIntyre asked that T. Jenkins Hains be admitted to bail, but this request, as well as his formal request at the opening of the inquest that T. Jenkins Hains be discharged from custody, was not granted. Both brothers were then taken back to the Queens County Jail, where special provisions against their escape had been made.

LARCHMONT FIRE PARADE

Procession of the Wealthiest Fire Department in the State.

Yachtsmen, brokers, bankers, merchants and military officers, all members of Larchmont's millionaire volunteer fire department, took part last night in the annual parade of the department through the principal streets of Larchmont Manor-on-the-Sound. The rich men walked side by side with the poor brother firemen, and they donned helmets and wore red shirts, and seemed to glory in the fact that they belonged to the richest volunteer fire department in the state.

Through dusty streets they marched with military precision, as the chief of the department is George S. Towle, first lieutenant of Company D, 7th Regiment, of Manhattan, and he has trained all the men to the military step. The annual parade of Larchmont's so-called gold-laced firemen is always the leading society affair in Larchmont, and the cottagers gave the fire laddies a hearty welcome. All along the line of march there was a blaze of red fire and many fine pyrotechnic displays.

Automobile parties came from far and near, while a number of yachtsmen brought friends from Manhattan on their yachts to the Larchmont Yacht Club to witness the parade.

Among those who are members of the department and took part in the parade were John F. Makeley, Dr. W. B. Short, first lieutenant of the 1st Battery and a crack shot; Maurey Daggett, yachtsman; Charles B. Singer, railroad magnate and automobilist; Ralph J. Seymour, manufacturer; Frank Hardy and Frank O'Donnell, of the Rubber Trust; Joseph Bird, president of the Manhattan Savings Institution; A. Jackson Stone, automobilist; Edward J. Unitt, scenic artist; F. F. Proctor, F. F. Proctor, jr., Dr. E. B. Foote, Nahum Stetson, Eustis L. Hopkins, E. S. A. Delima, President of Larchmont Manor; William Murray, treasurer of the Larchmont Yacht Club; E. F. Beddall, Henry W. Eaton, Samuel R. Bell, W. E. Bemis, George E. Ide, president of the Home Life Insurance Company; Eugene Boross, George W. Burton, Edward Payson Call, Edward F. Caldwell, A. A. Cammerer, J. B. Campbell, the Rev. Richard Cobden, F. H. Crane, general passenger agent of the New Haven railroad; W. B. Dean, importer; Willard Fisher, exporter; Dr. John A. Foexnel, Dr. John A. Fordyea, Dr. W. E. Bullard, Austin M. Greer, Frank Harriman, manager of the Holland House; S. T. Hodgman, of the Hodgman Rubber Company, and K. R. Hooker, manufacturer.

The parade formed in Fountain Square at 8 o'clock, after being inspected by the village fathers, and proceeded along the line of march, led by Chief Towle.

Then came James McKean, a builder, who is first assistant; John Hickey, street commissioner, second assistant, and then the 7th Regiment Band. The ambulance corps, under command of William F. Moore, followed.

COUNT MANKOWSKI IN TOILS.

Arrested with Countess on a Variety of Charges at Glens Falls.

Glens Falls, N. Y., Aug. 19.—Count and Countess Mankowski, of Russia, who are spending the summer at Lake George, were arraigned before Justic Weaver to-night on three charges—exceeding the speed limit, resisting an officer and disturbing church services. They waived examination on the latter two charges and were held in $1,000 bail for the grand jury, which convenes in October. They will have a hearing on the other charge next Wednesday.

The count and countess were arrested on Sunday, August 9, for speeding in their automobile on the Bolton Road. When the officer attempted to place them under arrest the count, it is alleged, drew a revolver. He was overpowered and taken before a justice and was later released for a hearing.

EMPIRE TRACK ARRESTS.

Yonkers Police Use "Stool Pigeons" Against Bookmakers.

Through the use of "stool pigeons" the Yonkers police hope to obtain evidence against bookmakers accepting money at the Empire City track.

Yesterday afternoon, the first day the "pigeons" were at work, they arrested "Fred" Adler, living in the St. James Hotel, in West 45th street; Leon Cohen, of Sheepshead Bay, and William Klauber, of No. 441 East 58th street, on affidavits made by James Bennett, who alleges that he was able to bet $3 with each of the prisoners in the first race. They were released on $500 bail each furnished by Joseph Wiffler, of Yonkers.

There are six "stool pigeons" working at the track in connection with the police. The police are endeavoring to keep to themselves the identity of Bennett.

HUSBAND AND WIFE DIE.

Travelling Man Shoots Himself with Revolver Wife Used.

Following a bitter quarrel, Edward H. Hackett and his wife killed themselves in their apartments in the Hague Court, No. 400 West 118th street, yesterday. Hackett was forty-one years old and was a travelling salesman. His wife, Mary Elizabeth Hackett, was thirty-six years old and a native of Kentucky.

Hackett returned to his home on Tuesday after a long busines strip. Mrs. Louise Weadock and Miss Texas Guinan, who occupied apartments on the first floor with Mr. and Mrs. Hackett, heard the couple talking loudly during the evening. Hackett went out after midnight. He returned at 5 o'clock yesterday afternoon and was heard to say that he was tired of it all and was going away. He packed a suitcase and started to leave the apartment when his wife rushed to him and pleaded with him not to leave her.

"If you go I'll blow my brains out," she said.

"You haven't the nerve to do anything like that," her husband replied, as he walked to the door. Mrs. Hackett ran to her bedroom, and a moment later the sound of two shots aroused the other tenants. Hackett returned to the room in time to catch his wife as she fell.

"My God, Betty, what have you done!" said Hackett, and then he asked Mrs. Weadock and Miss Guinan to get a physician. Dr. Bellman, whose office is near by, was about to enter the room when Hackett opened the door, and with the revolver his wife had used in his hand threatened to kill the physician if he attempted to enter. He closed the door, an dan instant later three shots were heard. Dr. Bellman entered and found husband and wife lying beside each other on the floor. Hackett had shot himself through the heart. Marks on the wall showed that two bullets had gone wild.

DELAYED PAY INCREASE INQUIRY.

Customs Service Laborers Wonder What Became of Special Appropriation.

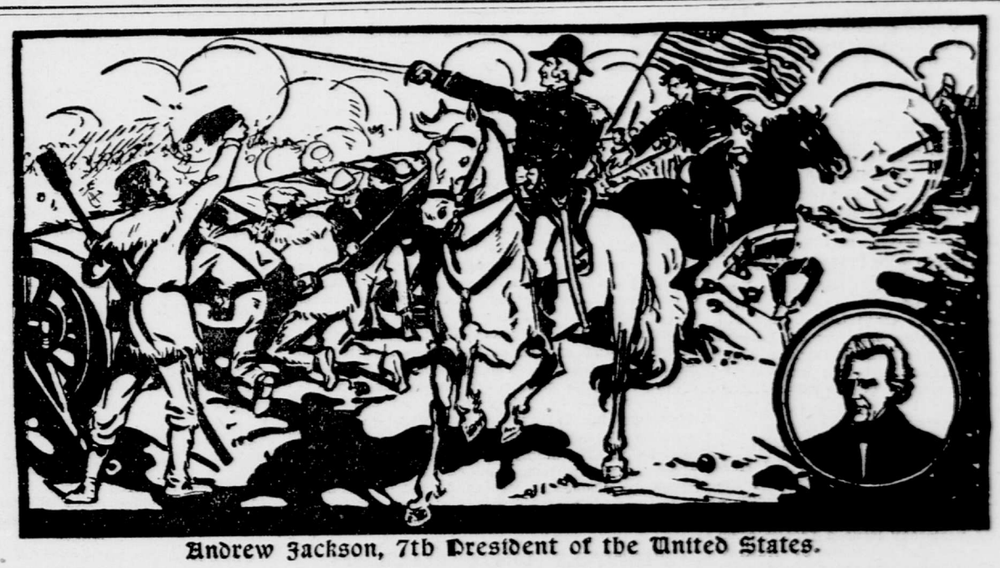
The failure of six hundred and fifty laborers in the customs service to receive an increase of pay after a special appropriation for that purpose had been made at the last session of Congress has led Representative William S. Bennet, Herbert Parsons and J. Van Vechten Olcott to start an investigation to ascertain what has become of the money.

The laborers have been receiving $720 a year and were to get, on July 1, an increase of $120. Only twenty-three in the collector's division of the appraisers' warehouse and fifty-four out of the four hundred working on the docks received the increase. Some deputy collectors, surveyors and minor officials however, received increases.

The United States Laborers' Weighers' Benevolent Association appointed a committee to visit Mr. Roosevelt at Oyster Bay, but Representative Bennet saw the President, who referred the question to the Treasury Department. Collector Fowler and Henry C. Stuart, his special deputy collector, went to Washington yesterday to confer with the officials there.

WON'T NEED THAW AT FIRST MEETING.

Pittsburg, Aug. 19.—After a conference between ex-Governor Stone, counsel for Harry K. Thaw, and Roger O'Mara, the receiver in bankruptcy, it has been decided that the presence of Thaw at the first meeting of his creditors, to be held here on September 7, will not be required.



Andrew Jackson, 7th President of the United States.

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He was a great lawyer, a bold statesman; had a clear head for business, and nothing could daunt him nor break his purpose. All his life he drank the generous creative juices of the malt.

And who will dare say that it weakened his will power or detracted from his success, his fame, his glory, and his might.

References—Appleton's Encylopedia; Shouler's History U. S.; McMaster's Hist. American People.

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