MOB GEORGIA TRAIN

MAY BE INTERVENTION.

Mail Not Molested, but Attempt to Move Freight Fails.

[By Telegraph to The Tribune.]

Atlanta, May 28.—The first violence to railroad property in the Georgia Railroad firemen's strike occurred to-night to a moving freight train at Lithonia, Ga., and in consequence the race question looms more sharply than ever in the situation, notwithstanding a day of much apparent progress toward settlement.

Under assurances from Postoffice Department officials, it was announced at midnight that the engineers will handle the mail trains to-morrow. Postoffice inspectors will accompany the trains, as they did to-day.

As a result of the attack at Lithonia, Assistant Grand Chief Burgess of the Brotherhood of Engineers has ordered his men out. This action was taken by Mr. Burgess after a conference with Downing, the engineer of the Lithonia freight engine. He was hit by a large rock tossed through the engine window, striking him in the side, just above the lungs. He said he was badly hurt.

A negro fireman was apparently the cause of the trouble and he was rushed to Atlanta on the engine to save him from a threatening situation. The trouble started in the throwing of one or two stones and the boarding of the freight by men who set the brakes and broke it into three sections. The freight now blocks the main line and the progress of the mails. The railroad officers declared to-night that the incident was the work of strike sympathizers, while a county official wired the Governor's office that it was merely an accident.

The engine left here late to-day for Lithonia to bring a trainload of perishable provisions from the siding at Lithonia into Atlanta. Assurances have been given for several days that in the interest of local shippers whose valuable cars were tied up no demonstration would be made against hauling these cars to Atlanta. When, however, the engine reached Lithonia about dusk it was seen to carry a negro fireman, as did the mail trains which passed Lithonia earlier in the day, exciting unfavorable comments.

About two hundred persons gathered at the station, and just as the train was getting under headway, it is said, a stone flew into the cab window and hit Downing, the engineer.

Next, according to the officials, several men boarded the cars, set the brakes and cut off the air, causing the last car to break loose from the train. They also uncoupled the engine, leaving its load stalled. According to the railroad's statement, no attempt was made by local authorities to interfere with the attack.

The report telephoned to state officials here said merely that there was no violence, that the train had run a short distance out of Lithonia, where it was stalled, and that the engine continued to Atlanta. After the train had stopped, said the report, a small sized crowd swarmed upon the freight cars.

On the locomotive at the time of the attack was John D. Patterson, superintendent of the Atlanta terminals, who is blamed by the strikers equally with General Manager Scott and others. Patterson was left behind and was compelled to walk to Redan, three miles away, where the engine waited for him.

HARD TO GET DEPUTIES.

Mr. Scott gave out a statement concerning the trouble to-night. He added a telegram from officials in Thomson, declaring that it was impossible to guarantee protection for the road there and almost impossible to get deputies who were not in sympathy with the strikers.

To-day brought forth almost simultaneously the possibilities of speedy state or federal intervention, believed by many persons of wide acquaintance with local conditions to be heavy with danger of race trouble. It is admitted that either the federal or state authorities can run the trains and preserve armed order, but if the railroad insists on its rights to hire negro firemen it is feared that racial enmity and reprisals on negroes will be stirred up in regions remote from the railroad tracks.

Ten mail trains were started this morning, and nine of them were fired by negroes. A number of white men, brought to Augusta as strike breakers and kept under guard for several days, were available to fire the engines, and, despite the fact that there has heretofore been opposition to the strike breakers, the opinion was heard several times that less ill feeling would have been aroused by the use of the white men than of the negroes. No violence was attempted to the mail trains.

The state is a stockholder in the railroad, and a dispatch from Social Circle, Ga., said the people there intended to demand a receivership by the state on the ground of public convenience, provided no relief from the tie-up of freight and passenger service was obtained quickly. Other points sent urgent messages to the Governor demanding relief.

State intervention without the use of force was proposed to-day by parties heretofore neutral in the negotiations. Representative Hooper Alexander, of the state Legislature, announced that he had made a proposition to the Governor that the exclusive privilege of the Georgia Railroad and Banking Company to operate trains over its lines having expired in 1881, thirty-six years after the completion of the road, the state could operate trains over the lines legally, the same as the road's lessees. Another proposition was for a receivership by the state on the ground of public welfare and necessity.

The status of arbitration for settlement has remained unchanged all day owing to a freight wreck, which delayed for nearly twelve hours the arrival here of Fourth Vice-President Evans of the Louisville & Nashville Railroad. His presence was essential to further negotiations. He arrived to-night.

STILL PLENTY TO EAT.

While there is still plenty to eat in the strike district, luxuries are exhausted. The one thing which the people feel the need of most keenly is ice. Checkers and marbles, wired a correspondent from the strike district to-day, are at present the principal diversions of most of the male population.

Washington, May 28.—Chairman Knapp, as a member of the board of mediation under the Erdman act, left Washington this afternoon for Atlanta. He was called to the White House during to-day's Cabinet meeting, and a discussion of the situation ensued.

Chairman Knapp also had a conference with officials of the Department of Justice regarding the situation, and is going to Atlanta practically as a representative of the administration.

The Cabinet recognized the situation to be serious, involving, as it does, the race issue. It was felt by the President and the Cabinet officers that a peaceful solution of the situation could be brought about if proper measures were adopted.

The decision to send Chairman Knapp to Atlanta followed the receipt of a report from Commissioner Neill, which was laid before the President and the Cabinet, but the contents of which were not made public.

Second Assistant Postmaster General Stewart left here to-night for Atlanta, where he will look into the strike situation. Decision to go to-night was reached as the result of a conference held at the Postoffice Department late this afternoon between Postmaster General Hitchcock and Mr. Stewart, when the whole situation was reviewed. Mr. Stewart will report his observations directly to the Postmaster General.

COURT SAVED DUFFY FROM SING SING.

Frank Duffy was started on his way to Sing Sing yesterday to serve his sentence for procuring illegal registrations, when his counsel interposed with a temporary stay, signed by Justice Willard Bartlett, of the Court of Appeals. He went back to the Tombs. The court will decide next week whether he shall be released on bail pending a further appeal.

ANTI-VICE SOCIETY IN CUBA.

Havana, May 28.—There has been a marked increase in immoral performances at the theatres of Havana, accompanied by a general spread of vice and an outbreak of gambling since the American occupation came to an end. In order to counteract these vicious tendencies a meeting was held last night at the residence of Bishop Estrada, where many prominent citizens formed a society for the prevention of vice.

ROOSEVELT ON IRELAND.

A Letter to Ambassador Bryce Now Made Public.

Dublin, May 28.—"The Irish Homestead Weekly," the organ of the Irish Agricultural Organization Society, publishes to-day a letter from President Roosevelt to Ambassador Bryce, dated March 2. It refers to the work of the Country Life Commission in the United States and the President's active interest in the farm question as the outcome of work accomplished through the farmers' co-operative movement in Ireland, of which his old friend, Sir Horace Plunkett, of the Department of Agriculture in Ireland, had kept him informed.

"We Americans," the letter says, "owe much to Ireland and Sir Horace Plunkett in the work we are keen in trying to do in the United States, and before I leave the Presidency I want to acknowledge our debt and send through you my thanks for the help we have had—not only my thanks, but the thanks of every man who knows what has been done and sees the need and the sure results of this great movement to help the men and women who feed the nation and stand as the foundation of its greatness and progress."

London, May 29.—"The Times" Dublin correspondent passes severe strictures concerning the manner of the publication of President Roosevelt's letter in "The Irish Homestead Weekly." He contends that a letter from the head of a great state to an ambassador publicly acknowledging a debt to a distinguished citizen of the empire ought to have been officially communicated.

"As a matter of fact, however," the correspondent adds, "the government never imparted the letter to Sir Horace Plunkett, and some explanation is due, for otherwise Irishmen will believe it was suppressed for political motives."

The correspondent goes on to recall that Sir Horace Plunkett was dismissed from public office at the bidding of the Irish Nationalists, and suggests that the letter was withheld because it was an untimely, damaging commentary on the justice and wisdom of his dismissal.

FRENCH NAVAL SCANDAL GROWS.

M. Thomson, Ex-Minister, May Be Prosecuted—Bad Plates Imperilled Lives.

Paris, May 28.—As the investigations continue the scandals regarding naval supplies and construction appear to be more serious. Other instances of defective material furnished by contractors have been discovered, and it has been learned that under the administrations of M. Pelletan and M. Thomson, ex-Ministers of Marine, bribes were offered to inspectors. Defective plates on submarines endangered the lives of the crews of these vessels. The Delcassé commission has asked the prosecution of M. Thomson and M. Dupont, his private secretary, for having withdrawn certain official reports concerning cases of bribery when they left the ministry.

APPEAL OF STRIKERS REJECTED.

French Parliament Refuses to Reinstate Postmen—Federation's Defeat.

Paris, May 28.—The Chamber of Deputies, by a vote of 338 to 141, rejected a motion to-day for the reinstatement of the postal employes who were discharged because of their connection with the recent strike.

The prestige of the General Federation of Labor has gone to pieces since the collapse of the strike. M. Neil, the secretary, has resigned, and the more powerful unions have withdrawn with the intention of forming a federation without the revolutionary characteristics of the old one. The General Association of Postmen has repudiated its connection with the workmen's organizations.

MOROS SURPRISE AN OUTPOST.

Two Privates Killed and a Sergeant Fatally Wounded on Rouman River.

Manila, May 28.—Two private soldiers were killed and a sergeant was mortally wounded in a fight with bandits on the Rouman River on May 22, according to advices received here to-day. The Moros surprised an outpost of the 18th Infantry encamped near Keithley, and poured a volley into the soldiers before the latter could defend themselves. Two columns of infantry are in pursuit of the bandits.

The detachment attacked had been engaged in protecting friendly natives, inducing them to cultivate the land. Sentries had been doubled, since there were many bands of marauders in the neighborhood.

BREACH IN REICHSTAG WIDENS.

Liberals and Radicals Join Socialists in Budget Contest.

Berlin, May 28.—The Liberals and Radicals, as well as the Socialists, have refused to take further part in the discussions of the Finance Committee of the Reichstag regarding new taxation, and they all walked out of the committee room to-day when the Conservatives joined the Centre party and the Poles in order to pass an increase in the indirect taxation of tea and coffee. The breach between the parties hitherto forming the majority in the Reichstag thus has been widened.

DEPORTATIONS IN TURKEY.

Constantinople, May 28.—A number of the ministers and other high officials of the former government, who have been confined on the island of Prinkipo, have been deported to other islands in the Sea of Marmora.

An imperial hatt will be read to-morrow at the ministries of War and Marine, setting forth that the Sultan, in accordance with the terms of the constitution, is the supreme commander of the army and navy.

The Sultan has offered personally to defray the cost of writing a national history of Turkey.

NOTES OF FOREIGN NEWS.

London, May 28.—Charles H. Sherrill, American Minister to Argentina, sailed to-day for Buenos Ayres.

Tomsk, Siberia, May 28.—Fire which broke out on May 25 at Novo-Nicolaievsk destroyed eight hundred houses in the city.

Montreal, May 28.—Philippe H. Roy, former president of the Bank of St. John, Quebec, convicted of falsifying returns, was sentenced to-day to five years' imprisonment.

St. Thomas, D. W. I., May 28.—Christopher H. Payne, the American Consul here, announces that a memorial service will be held on Whitsunday at the graves of American seamen buried in St. Thomas.

Hamburg, May 28.—An agreement, according to one of the Austrians taking part in the negotiations, has been reached between the oil producers of Galicia and the Standard Oil Company regarding the purchase of the stock of oil in Galicia.

St. Pierre, Miquelon, May 28.—The French fishing schooner Malouine, of St. Malo, sank a few days ago on Quero Bank. The crew of twenty-one men was rescued by another fishing vessel and arrived here to-day. The Malouine, while at anchor riding out a gale, sprung a leak and went down.

Amoy, May 28.—Fighting among the clans has been resumed in the Heu-Wah district, sixty-five miles north of Amoy, and is interfering with local business. The trouble began three years ago, because of the abduction of a bride. About three hundred men have been killed in the encounters.

BANDMASTER A SUICIDE

FEARED INVESTIGATION.

West Point Leader Accused of Irregularly Enlisting Men.

[By Telegraph to The Tribune.]

West Point, May 28.—George Essigke, who had been in charge of the Military Academy band for more than fifteen years, committed suicide to-day by inhaling illuminating gas. Worry over investigations recently begun by the War Department into his official conduct is assigned as the reason for his act.

Mr. Essigke was under charges in connection with the manner in which he induced three German members of his band to come from Munich and enlist as musicians at West Point. The three, Johann Fischer, Benedict Leimer and Heinrich Müller, alleged that the bandmaster had grossly misrepresented conditions here to them. They further charged that Essigke, while acting as interpreter, had altered their ages in their enlistment papers.

An investigation had also been ordered in connection with allegations that Essigke had recommended that the government purchase band instruments which he had himself bought a short time before and turned over to a Newburg dealer. For several weeks the charges and investigations had appeared to prey heavily on Essigke's mind.

That the suicide was not the result of any temporary insanity, but carefully planned, is evident from the fact that the bandmaster arranged to have his wife and daughter absent, and sent them to Newburg early this morning. He also gave over the leading of the day's practice to his assistant, with the remark that he would take a walk in the mountains. He gave an unusual amount of music for to-day's practice to insure not being disturbed by the return of the music too soon.

Mrs. Essigke, on her return, found her husband's body in the bathroom with a gas tube still held in his mouth by a string tied around his head. The only missive left was a letter to Mrs. Essigke begging forgiveness and requesting that she take good care of his daughter. Mr. Essigke had a host of friends, being a whole-hearted German, and his death was a shock to the people of the post. He was graduated from the Conservatory of Liepsig.

Johann Fischer, Benedict Leimer and Heinrich Müller, the three young musicians whom George Essigke induced to come to the United States and join his band at West Point, explained in the affidavits which were filed with the War Department last March how they had been misled. When they got into communication with Essigke they were already solo musicians in an orchestra in Münich, where they were well known as university graduates and young men of noticeable refinement.

Essigke's statements, it is alleged, led them to believe that there was a gold mine waiting for them in this country. He painted in glowing colors the triumphs they could win here. Fischer is a cornet player and violinist, Leimer, who is nineteen, but whose age was given as twenty-one, is a clarinetist and 'cellist, and Müller plays several wood instruments, including the flute and piccolo, besides the piano.

In September, 1908, Fischer received three letters from Essigke, it is said, requesting him to come over with Leimer, Müller and two other young players. These two decided not to come, but Fischer and his two friends sailed on the Hamburg-American liner Amerika after receiving 853 marks from Essigke. They arrived in New York on October 25 and were taken to West Point by Essigke, who persuaded them to join the band. He said the enlisting was a mere matter of form, and they could withdraw after a month upon the payment of $30 if they desired. But when the three young musicians found themselves obliged to wash dishes and scrub floors they rebelled. With the permission of Colonel Scott they came to New York and retained August P. Wagener, a lawyer, to prosecute their case with the War Department, on the ground that their enlistment was fraudulent. The War Department was asked at the same time to investigate the charge that other military band masters were obtaining musicians from abroad under false pretences in order to improve their bands.

LEGALIZING THE OLD BELIEVERS.

Douma Adopts Bill—Guchkoff Resigns—Action Against M. Pergament.

St. Petersburg, May 28.—The bill legalizing the sect of Old Believers, the first of a series of important measures designed to put into effect principles of religious liberty, was adopted in the Douma to-day, with certain liberal amendments granting the right to proselytize, to preach, etc. It places the Old Believers almost on the same footing as the Orthodox Church.

A. J. Guchkoff, chairman of the Octobrist party in the Douma and floor leader of the majority, has resigned his chairmanship on account of discord in the party over the measures providing for freedom of conscience.

The Minister of Justice informed the Douma to-day that proceedings would be instituted against O. Y. Pergament, Deputy from Odessa, charging him with complicity in the escape from Russia in 1907 of Olga Stein. M. Pergament is a leader of the Constitutional-Democratic party. He was attorney for the woman at her first trial. Condemnation would entail expulsion from parliament and disbarment.

Olga Stein fled from St. Petersburg in December, 1907, after having committed a series of embezzlements and forgeries. She was arrested in New York, returned to Russia and sentenced to sixteen months' imprisonment.

BRITISH PATENT LAW OPPOSED.

Baron Alverstone's Address Before Section of Chemistry Congress.

London, May 28.—The Lord Chief Justice, Baron Alverstone, delivered an address to-day before the section of the International Chemistry Congress which is dealing with legislation affecting chemical industry. He spoke strongly against the revoking clause of Mr. Lloyd-George's new patent law, saying he considered it a backward step which would result in people keeping their inventions secret.

The scientists present were unmistakably hostile to the British patent law, and a resolution was unanimously adopted recommending that committees of the various countries adhering to international conventions agitate in favor of a general understanding providing that manufacture in one country belonging to the union protects the patentee against the revocation of his patent in other countries of the union.

Professor Harvey W. Wiley, in another section of the congress, read a paper on food control.

WASHINGTON LIFE WINS.

The Washington Life Insurance Company won another point yesterday in the action for a receiver brought by William Hepburn Russell, a policyholder, when the Appellate Division of the Supreme Court refused to give the plaintiff permission to take the case to the Court of Appeals on several questions of law. This action eliminates all further litigation designed to prevent the absorption of the Washington Life by the Pittsburg Life and Trust Company.

Besides his action for the appointment of a receiver for the local corporation, Mr. Russell had asked the Supreme Court for an injunction restraining the Pittsburg company from removing the assets of the Washington Life from the jurisdiction of the court. Justice Erlanger entertained the motion for a receiver, and the matter went to the Appellate Division for a decision. That tribunal decided recently against the plaintiff, saying that he had no standing in court, not being a stockholder. Mr. Russell wanted the Court of Appeals to pass on this, and the motion was denied.

PRESIDENT M'GOWAN COMPLIMENTED.

There was received yesterday at the office of President McGowan of the Board of Aldermen from F. W. McCarthy, town clerk, city of Cork, Ireland, a letter saying that at a meeting of the Corporation of Cork on November 13, with Thomas Donovan, Lord Mayor, in the chair, a motion was passed unanimously thanking President McGowan because of his hospitality toward Councillors H. O'Shea and W. Kinmouth, of Cork, on the occasion of their visit to the United States as delegates to the International Congress on Tuberculosis, in Washington.

WATERS-PIERCE TEXAS COSTS $$200,000.

Austin, Tex., May 28.—District Judge Wilcox directed Receiver Eckhardt, of the Waters-Pierce Oil Company, to-day to pay the state $200,000 in addition to the fine of $1,800,000 already received, as the cost to the state of the prosecution of the corporation.

SHERIDAN BILL SIGNED.

Provides for Giving Central Rights to Streets in Bronx.

[By Telegraph to The Tribune.]

Albany, May 28.—Governor Hughes signed to-night the Sheridan bill authorizing the Board of Estimate of New York City to convey in perpetuity to the New York Central surface and sub-surface rights to important streets in The Bronx, including a strip along the western boundary of Bronx Park. The railroad wants to straighten its tracks and acquire station facilities.

This measure has been severely criticised, and was roughly handled during its career in the Legislature. Most of the censure was directed to the sections providing for compensation to the city. The Board of Estimate must "agree" with the railroad company on the compensation, which, under the law, "may be either pecuniary compensation, or lands, rights, interests or easements therein, or rights, easements or privileges in streets, avenues, public parks or places given, granted or surrendered" to the city. Or the "consideration or compensation may be work or labor done or performed or materials furnished for the benefit of the city of New York or of the New York Botanical Garden in carrying out and into effect any plans and profiles agreed upon and approved as herein provided."

Senator Schulz declared that this, in effect, meant that the city must accept the railroad's terms.

The Governor said of the bill:

This bill authorizes the Board of Estimate and Apportionment of the city of New York to make certain grants to the railroad company to enable it to make needed improvements at specified points on its line, and has been approved by the Mayor of the city. The compensation to be paid for the grants is to be determined by the Board of Estimate and Apportionment. With regard to the improvements desired and the advisability of the bill the Public Service Commission of the 1st District advises me as follows:

"We have considered carefully the desirability of these three improvements and have concluded that the objects are meritorious in each case. The bill is permissive. Under it the Board of Estimate can make such terms as to payments or otherwise as it sees fit. Last year a bill of somewhat the same sort was introduced that contemplated the placing of a loop at Mott Haven. This point aroused considerable opposition, and there was some criticism upon it in the commission. The commission took no official action on it, however. Some persons have criticised the bill this year on the ground that it would allow the construction of the same loop. It is our opinion that this is not so and that the street rights referred to at Mott Haven are sufficient only for the better separation of tracks at the crossovers and the introduction of needed new crossings.

"Inasmuch as the objects of the bill are good, that the bill is permissive and that its proper object cannot be accomplished under existing law or the new amendments to the rapid transit act, the commission favors the bill."

RAILROAD MERGER BILL SIGNED.

[By Telegraph to The Tribune.]

Albany, May 28.—Governor Hughes signed to-night the bill permitting a merger of the New York & Port Chester and the New York, Westchester & Boston railroads.

The Governor has also signed the bill of Assemblyman Wood providing that if defects exist in any registration under the supervision of a local health board the State Commissioner of Health must notify the local board that such defects must be amended and prevented within ten days from the date of notice, instead of within one month as at present.

Governor Hughes also signed the bill of Assemblyman J. S. Parker to allow railroad corporations which by consolidation or merger own or shall hereafter own parallel lines to abandon such portion as the Public Service Commission shall deem no longer necessary.

SCHWAB WON'T ACCEPT.

Says He Will Not Be Chairman of Committee of One Hundred.

Gustav H. Schwab, chairman of the Committee of Nineteen, yesterday made it plain that he has no intention of accepting the chairmanship of the Committee of One Hundred. On the resignation of Robert C. Ogden at the meeting of the committee on Tuesday Mr. Schwab was elected chairman. In a statement issued yesterday he said:

An impression has apparently become general among the public that Gustav H. Schwab has been or is about to be appointed chairman of the Committee of One Hundred.

Such impression is erroneous, and Mr. Schwab wishes it known that he is merely chairman af the Committee of Nineteen, appointed by Mr. Ogden under the authority of the meeting held at Cooper Union several weeks ago. This Committee of Nineteen is charged solely with the duty of selecting the names of the Committee of One Hundred, which is to be appointed at a mass meeting to be called by the Committee of Nineteen upon the completion of its list.

Mr. Schwab's business engagements are such that it will be impossible for him to accept the nomination as chairman of the Committee of One Hundred, even though it be offered to him, and for the same reason he will be unable to take any active part in the approaching campaign.

"If it is the purpose of the Committee of Nineteen to force the nomination of a high class man whose character and ability is an earnest of efficiency in office, then they are making ready a good basis for a successful fusion movement," said State Chairman Woodruff. "To win the Republicans will have to name some one who will appeal to more than regular Republicans. By this I do not mean that the Republicans should not name a Republican. I believe that a Republican can be found who will enlist the maximum of support."

Mr. Woodruff is of the opinion that the Committeen of One Hundred after it is organized, will confer with the Republican managers. He said that the political situation was unsettled and that no one could safely predict what would happen.

ACORNS BEGIN CAMPAIGN.

The Big Oak Says Its Power Will Be Used for Good Government.

The Order of Acorns announced itself as a factor in the coming campaign when it opened its new headquarters, No. 56 West 30th street, last night. Great Oak Joseph Johnson, jr., said that the organization would wield the balance of power in the next fight. He promised that this power would be used only in the interests of good government.

Last year the order enrolled a membership of fifteen thousand and campaigned for Lewis S. Chanler. It was made apparent at the meeting last night that the organization this year will be with Tammany Hall. The fact that Joseph Johnson, jr., holds a $4,000 post in the Controller's office it was said after the meeting had nothing to do with the political affiliations of the Acorns. Its slogan will be "Home Rule."

TAMMANY SHAKES PLUM TREE.

Board of Estimate, Despite Mayor, Recommends Salary Increases and New Jobs.

Mayor McClellan was the only member of the Board of Estimate and Apportionment at the meeting of the board yesterday to oppose the granting of increases of salaries and changes of grade affecting 139 city employes, but in spite of this the increases went through. The Mayor called attention to the present financial condition of the city.

He said that he considered the way in which the proposed increases had been presented to the board an expert piece of log rolling, inasmuch as the raises proposed concerned about an equal number in all the five boroughs, and were so evenly distributed that a vote in favor of the raise was sure to be a popular thing for the member of the board who favored it.

The Mayor said, too, that he would be ready for the resolutions when they came to him from the Board of Aldermen.

There were some rich pickings in the posts recommended and in the regraded jobs the salaries ranged from $300 for office boys to $8,000 for city clerk and clerk of the Board of Aldermen. There was a thick spreading of $6,000 and $5,000 plums throughout the list, and in every department a few $3,000 places were found.

GOVERNOR DRAPER'S CHAUFFEUR FINED.

Dedham, Mass., May 28.—Elmer L. Huff, a chauffeur employed by Governor Eben S. Draper, paid a fine of $15 in the local court to-day for driving a touring car with the Governor in the tonneau above the speed limit through Wellesley on the evening of May 18. Huff did not contest the charge.

S. C. CLARK CANDIDATE

TO RUN FOR ASSEMBLY.

Direct Nominations Platform of Late Bishop Potter's Stepson.

[By Telegraph to The Tribune.]

Albany, May 28.—Announcement was made to-day that Stephen C. Clark, of Cooperstown, would be a candidate for the Republican nomination for member of Assembly from Otsego County. Mr. Clark will make his platform an advocacy of Governor Hughes's policies, especially direct nominations. It is understood that Charles Smith, of Oneonta, the present Assemblyman, is also a candidate for renomination, and relies on the support of the regulars, or organization Republicans.

Mr. Clark is a son of Mrs. Henry Codman Potter, the late widow of Bishop Potter. He is a graduate of Yale and Columbia Law Schools, and is wealthy. He tried to obtain the Republican nomination for Senator last year in the Otsego-Madison-Chenango District, but was beaten by Senator Allds. His announcement of intent to make the fight for nomination on the direct primary issue is the first of the kind, but gossip in political circles points to several other similar cases which probably will be announced soon. Practically the opposite is the case in Wayne County, where Edson W. Hamn, the present Assemblyman, a man of excellent record, who was one of the most enthusiastic direct primary men in the Legislature, is slated for retirement by the Raines-Betts men. Mr. Hamn has won a nomination two years in succession in defiance of State Committeeman Betts, but the latter and Senator Raines prophesy that Martin Greenwood, of Newark, will be chosen this autumn. Mr. Hamn also will make a vigorous canvass on the direct nominations issue.

There is a striking amount of life in the direct nominations issue around the state, in spite of the fact that organization Republicans declare that the defeat of the Hinman-Green bill practically killed this issue. A direct nominations league was formed in Buffalo a few days ago, with the avowed intent of making direct nominations a campaign issue there. In Ontario County, the Raines stronghold, there is a thriving direct nominations organization, of which Mayor Rose of Geneva is a prominent member. Utica continues to be a hotbed of direct nominations sentiment, and this feature of the Hughes policies will be brought into the contest in each of the three Assembly districts of Oneida County.

The state league of which ex-Judge Wadhams is the head is preparing for a thorough campaign in advocacy of the direct nominations system this summer and autumn. It seems probable that support of the Governor on this question will form the issue in many nomination fights in the upstate territory. Organization politicians of both parties are looking forward with much interest and some little apprehension to the time when Governor Hughes will begin his visits to the county fairs this summer. That time has come to be known as the period when the Governor talks, face to face, with a goodly portion of the voters of the state, and talks with remarkable frankness. Experienced politicians say there never could have beeen a possibility of his being renominated if it had not been for the most excellent impression he made by his visits to the county fairs last summer, and the demonstration of his hold on the affection and esteem of the plain voters. It is a foregone conclusion that the Governor will make the direct nominations system his theme this summer, and some legislators whose districts don't give them more than 1,000 or 2,000 plurality are beginning to wish they hadn't been so consistent in their opposition to important Hughes measures.

CITY BILLS CONSIDERED.

Not Late in Reaching Governor, Mr. O'Malley Holds.

[By Telegraph to The Tribune.]

Albany, May 28.—Attorney General O'Malley today submitted to the Governor an opinion that the four city bills which were returned by Mayor McClellan too late for consideration by the Governor, according to the customary method of reckoning the number of days, might properly be considered by the Governor. These measures reached Albany on a Sunday, the fifteenth day, according to the custom of counting from the time a bill leaves the Legislature until it reaches the executive chamber. No mail being delivered here on Sundays, the bills reached the Governor on the sixteenth day. The Attorney General made the point that the constitution undoubtedly meant to allow the Mayor fifteen days from the time he received bills, and so he had a day or two of leeway.

The bills relate to vacations for per diem New York City employes, the parole of misdemeanants in Kings County, the jurisdiction of the courts of Special Sessions and the improvement of lands under water in Jamaica Bay.

Governor Hughes signed to-night Assemblyman Hoey's bill authorizing the New York City authorities to grant one week's vacation with pay to per diem employes in various departments. This was one of the four bills just mentioned.

"The bill is permissive," said the Governor, "and places a matter of purely local administration in the hands of the local authorities, who will be responsible for the exercise of the power conferred."

Others of these bills signed to-night were those of C. P. Murphy relative to the classification of misdemeanants and criminals and the jurisdiction of the courts of Special Sessions.

The Governor gave a hearing late this afternoon on the bill conveying the state's rights to lands under water in Jamaica Bay to New York City, in consideration of payment of $1,000,000 by the city toward the expenses of the federal government's harbor improvement scheme, in which the city is interested. Assistant Corporation Counsel McGoldrick advocated the bill. Controller Metz presented a memorandum saying the city already had the rights which the bill purported to grant, and so the measure was rather unnecessary. Attorneys for various property owners and real estate companies opposed it vigorously, maintaining that it interfered with their riparian rights.

RAILWAY MAY CROSS CAYUGA LAKE.

Upstate P. S. Board Grants Application of Traction Company.

Albany, May 28.—The Public Service Commission, 2d District, has granted the application of the Geneva, Waterloo, Seneca Falls and Cayuga Lake Traction Company for permission to construct an extension of its railroad from Seneca Falls across Cayuga Lake to Auburn. The order requires that the detailed plans for the crossing of Cayuga Lake be filed and approved by the commission before actual construction is started. The commission has also granted the company permission to change its name to the Geneva & Auburn Railway Company.

The commission has authorized the Oswego County Light and Power Company to increase its capital stock from $100,000 to $1,000,000 and to execute a mortgage on its property, rights and franchises not exceeding $4,000,000 to secure its fifty year 5 per cent bonds as the same may be authorized by the commission.

OVERRIDES COURT VETO.

Governor Signs Murray Bill Applying to General Sessions.

[By Telegraph to The Tribune.]

Albany, May 28.—Overriding the veto of Mayor McClellan, Governor Hughes to-day signed Assemblyman Murray's bill, authorizing the judges of the Court of General Sessions to arrange the details of calendar practice and prepare the court calendar, instead of the District Attorney, who performs that function at present. This measure was fought bitterly by District Attorney Jerome, and was vetoed by Mayor McClellan, to whom it went as a city bill, largely on that account. The Governor Hughes agrees with Assemblyman Murray and supporters of the measure, who appealed to him on the ground that this court was a county court, and so the bill was not one which required the approval of Mayor McClellan.

In a memorandum explaining his reasons for approval the Governor quotes from a brief of ex-Judge Wallace, representing the New York County Lawyers' Association, who said that the Legislature and the Court of Appeals in many instances had recognized the Court of General Sessions as a county court. The Governor said the Attorney General in 1906 gave an opinion that the court was a county court, and its officers county officers. Said he:

"It is opposed upon the grounds that it is unnecessary and mandatory. But it serves to confirm the powers of the court, which should not be left open to controversy, and, so far as its features are mandatory, they are not objectionable. The bill has the support of the majority of the judges of the court, and has received strong indorsement from the bar."

PREPARING TO TRY ICE CASES.

It is probable that in a few days the Attorney General's office will take active steps to bring the cases against the American Ice Trust to trial. Ezra P. Prentice, who has the cases in charge, did not know until it was published yesterday that Justice Goff had on May 5 overruled the demurrers to the indictments. The work will, it is expected, progress rapidly as soon as Attorney General O'Malley returns from Albany next week.

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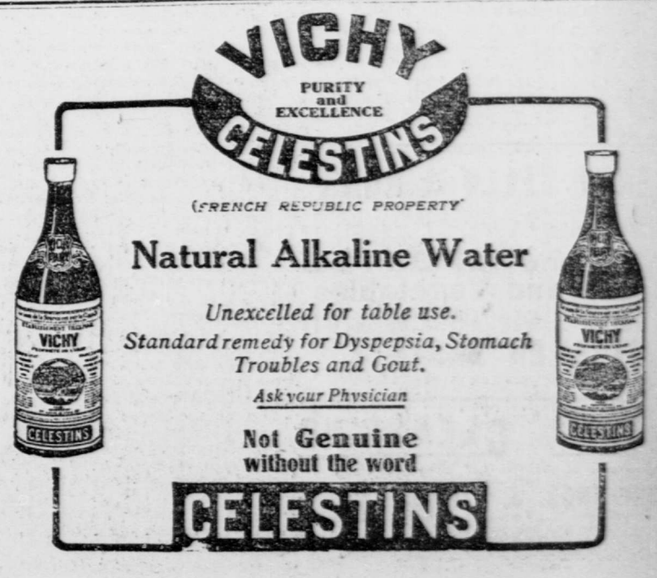
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