SELDEN WINS BIG SUIT

HIS PATENTS UPHELD.

Judge Hough Says They Cover Every Modern Automobile.

A decision which will have a most important bearing on the automobile industry, was handed down by Judge Hough, in the United States Circuit Court, yesterday, sustaining the claim of George B. Selden, that his patents have been infringed by the makers of the Ford and Panhard cars. The suits on which the decision was based have been pending for several years, and were brought by Mr. Selden and the Electric Vehicle Company against the Ford Motor Company and C. A. Duerr & Co., the O. J. Gude Company, John Wanamaker, the Société Anonyme des Anciens Etablissements, Panhard & Levassor, André Massenat and Henry & A. C. Neubauer. All of the defendants are either manufacturers, importers, sellers or users of the two types of cars. The Ford is an automobile of American make, and the Panhard is a French product.

Judge Hough holds that Patent Claims 1, 2 and 5 of the complainant are infringed by the Ford people, while 1 and 5 are infringed in cars of the Panhard make. Mr. Selden contended that all three of the claims were infringed in both types of automobile.

It is over claim No. 1, considered the most important, that the bitterest fight in the long pending litigation has been waged. This is described as follows:

The combination with a road locomotive, provided with suitable running gear, including a propelling wheel and steering mechanism, of a liquid hydrocarbon gas engine of the compression type, comprising one or more power cylinders, a suitable liquid fuel receptable, a power shaft connected with and arranged to run faster than the propelling wheel, an intermediate clutch or disconnecting device and a suitable carriage body adapted to the conveyance of persons or goods, substantially as described.

As to Claim 2, held to have been infringed in the Ford machine, Judge Hough points out that it varies from No. 1 only in requiring the "suitable carriage body" to be "located above the engine." The fifth claim sets forth substantially the same combination, but describes specifically the engine as comprising a plurality of cylinders with pistons arranged to act in succession during the rotation of the power shaft.

Judge Hough says in his opinion:

This statement of complainants' position seems sufficient to show that the subject matter of these suits is the modern gasolene automobile. If these defendants infringe, it is because complainants own a patent so fundamental and farreaching as to cover every modern car driven by any form of petroleum vapor, and as yet commercially successful.

This statement of Judge Hough is looked upon as a signal victory for the Selden patent and will have a far-reaching effect not only upon the Ford and Panhard cars, but all others using gasolene as motive power. As further tending to uphold the contentions of the owners of the Selden patent the following closing remarks of Judge Hough are of special significance:

No litigation closely resembling these cases has been shown to the court and no instance is known to me of an idea being buried in the Patent Office until the world caught up to and passed it, and then embodied in a patent only useful for tribute.

But patents are granted for inventions. The inventor may use his discovery, or he may not, but no one else can use it for seventeen years. That seventeen years begins whenever the United States so decrees by its patent grant. That the applicant for patent rights acquiesces in delay, or even desires delay, is immaterial to the courts so long as the statute law is not violated. On these principles complainants are entitled to a decree.

If I know correctly apprehended it there was clearly room for a pioneer patent, and it must now be held that on its face and in view of the art Selden's is such a patent. This means that Selden is entitled to a broad range of equivalents, and this rule as applied here results in this crucial inquiry "Was Selden (or any one else) entitled in 1879 to appropriate as one of the elements of any patentable combination a 'liquid hydro-carbon gas engine of the compression type'?"

The American manufacturers who will not be adversely affected by this decision are the licensees comprising the Association of Licensed Automobile Manufacturers, as follows:

American Locomotive Company, Apperson Bros. Automobile Company, Autocar Company, Buick Motor Company, Cadillac Motor Car Company, Chalmers-Detroit Motor Company, the Columbia Motor Car Company, Corbin Motor Vehicle Corporation, Elmore Manufacturing Company, Everitt-Metzger-Flanders Company, H. H. Franklin Manufacturing Company, Haynes Automobile Company, Hewitt Motor Company, Hudson Motor Car Company, Knox Automobile Company, Locomobile Company of America, Lozier Motor Company, Mathieson Motor Car Company, Packard Motor Car Company, Peerless Motor Car Company, the Pierce Arrow Motor Car Company, the Pope Manufacturing Company, Royal Tourist Car Company, Alden Sampson, 2d, Selden Motor Vehicle Company, F. B. Stearns Company, Stevens-Duryea Company, Studebaker Automobile Company, E. R. Thomas Motor Company, Toledo Motor Company, Walter Automobile Company, Waltham Manufacturing Company, Winton Motor Carriage Company.

COAL COMPANY'S SCHEME.

Witness in Government Suit Tells How Wyoming Land Was Conveyed

Further details of how thousands of acres of land in Lander County, Wyo., were acquired by the Owl Creek Coal Company were elicited yesterday before United States Commissioner Hitchcock from Rufus T. Ireland, one of the four men whom the government seeks to have removed to the Western state for defrauding the government out of valuable coal lands. Ireland told how Alfred Sully, one of the quartet the government is after, first breached to him in October, 1906, the formation of the coal company. That was in Amityville where Ireland lives. Ireland took up the matter and discussed it with other residents of Amityville, who had taken title to land in Wyoming, advising them to take stock in the projected coal company, as it would be to their interest.

In November, 1906, the company was incorporated with a capital of $200,000, the shares being valued at $1 each. Although the holders of land paid $10 an acre to the government, they received $640 worth of stock in the company an acre. Frank T. Wells, of Amityville, Mr. Ireland said, executed the deeds conveying the lands. Wells is one of the four men whose removal to Wyoming for trial is sought.

Mr. Ireland denied emphatically that either Wilberforce Sully or Alfred Sully, the other two men implicated in the deal, had ever been stockholders in the company, although Mgs. Myton, of Amityville, a sister of Alfred Sully, was a corporator of the company and acquired 2,500 shares by purchase. Mrs. Myton, said Mr. Ireland, had advanced $20,000 to take up the lands for the various entrymen and had loaned the company $40,000 to begin operations.

Entries in the stock ledger of the company showed that the entrymen had received sixteen shares of stock an acre of land held. Most of them transferred the stock later to Ireland for $10. Ireland got 10 per cent commission. United States Attorney Burke contended that the entrymen stood to loose $630 each on the transaction by the transfer of their land on the basis stipulated by the company. The proceedings will be continued today.

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PRAISES CUBAN ECONOMY.

Minister of Finance Tells of Rise in Stocks and Coming Big Sugar Crop.

"Las Novedades," the Spanish newspaper of this city, publishes in its issue of to-day an interview with Marcelino Diaz de Villegas, Cuban Minister of Finance, who is in this city to recuperate his health. Señor Villegas discusses optimistically the economic situation of Cuba, saying that few countries could have overcome the vicissitudes through which the island has passed and show the same good prospects that Cuba to-day enjoys. He predicts the largest sugar crop this year in the history of the country—about 1,600,000 tons—and tells of the satisfactory underwriting of the last Cuban loan. The increase in the value of stocks which the minister points out is a favorable augury of the continued stability of the present government and the industries of Cuba.

Señor Villegas says:

The professional skeptics who prophesied the ruin of Cuba as soon as the country was put in charge of its legitimate representatives must be suffering a very bitter deception by reason of the growing prosperity in all branches of Cuban production.

Our republic not only has fulfilled all its current obligations as per its budget, but had money enough to pay the great amount demanded for the organization of a new army and the monthly expenses of its personnel, the new places created in the civil service by the provisional government in the last days of its administration, obligations which were left for the new government to fulfil, as well as the creation of new secretaries.

During the seven months of self-government there has been collected $1,150,000 more than in the corresponding months in the previous year under the provisional government.

Señor Villegas said regarding the tobacco industry and the plan to reform the Cuban tariff schedules:

As the planting of tobacco does not begin generally until the month of October I cannot say anything about the next crop. The Cuban leaf is always sold without any difficulty, but for several years this industry has been suffering from a drop in price, our revolutions and the unjustifiable strikes of the tobacco workers have been responsible for the increased manufacture of cigars in great quantities in other countries, especially in the United States.

ASKS MOTHER'S RELEASE.

Daughter Charges State Hospital Attendants with Cruel Treatment.

Justice Guy issued yesterday a writ of habeas corpus directing the superintendent of the Manhattan State Hospital, on Ward's Island, to produce in court Mrs. Mary Ritchinsky, an inmate of the institution. The petition for the writ was made by Sarah Ritchinsky, of No. 752 5th street, a daughter of the patient, who declared that although her mother was held as insane she was a sane woman. The daughter also made serious charges of cruel treatment against attendants at the Manhattan State Hospital. Miss Ritchinsky presented an affidavit from the family physician to prove her mother's sanity, and told an interesting story of how her mother came to be committed.

On May 26 last, said Miss Ritchinsky, her mother and aged grandmother, Dora Lux, were arguing over a portion of the laundry about to be delivered which was missing, when the janitress interfered, calling a policeman, who caused the mother to be carried away to Bellevue. Notwithstanding that a neighbor, the owner of her own residence, offered later to provide Mrs. Ritchinsky with a home, Sarah Ritchinsky says her mother was committed on May 29 to the Manhattan State Hospital, on Ward's Island. The daughter said that she visited her mother on August 28, September 11 and on other dates in the institution, but always in company with other persons, whose affidavits are also offered in evidence, and that upon these occasions Mrs. Ritchinsky made many harsh charges against the institution.

"When I cry," reads the petition, quoting the mother's conversation with the daughter, "at the same time asking the nurses in charge to send me home, they hit and choke me, and poke me with a bunch of keys which they carry with them. They also tie me up with some sheets and leave me on a bare mattress all day without any food. If I cry too much the nurses force down my throat some water that smells like gas. It leaves me so dizzy that I cannot stand on my feet."

RAID ALLEGED POOLROOM.

Thirty-four Men Arrested by Police in Greenwich Street Building.

Thirty-four men were arrested, a telephone, a table, many sheets and $334 50 in money were confiscated in a police raid yesterday afternoon in an alleged poolroom on the first floor of a building in Greenwich street, near Morris street. Captain Edward Gallagher, two patrolmen and four detectives made the raid on the place, which is said to have opened up only two days ago.

Captain Gallager, using a heavy axe, smashed in the locked main door and simultaneously Patrolmen McNish and McMurray smashed away the side door and the entire squad of police rushed in and announced that all those in the room were under arrest. Many sheets showed, the police say, that betting was going on in connection with the races at Gravesend and Windsor, Ont.

The raid attracted a large crowd of curious spectators in the street below. The Fulton street station patrol wagon had to make four trips to carry the prisoners to the station, and requiring considerable time, this constantly added to the crowd and increased the excitement.

At the station house, Alfred Mandansky, of No. 226 East 14th street, and Samuel Ross, of No. 142 Second avenue, were charged with keeping and maintaining a poolroom, they being the reputed proprietors of the place. The remaining prisoners were charged with being common gamblers.

Captain Gallagher said that on Tuesday he received information from a private source that a poolroom was being opened in Greenwich street, near Morris. He put men on guard and by yesterday afternoon had satisfied himself that a poolroom was in full blast.

ARCHITECTS' CLAIM SETTLED.

McKim, Mead & White Get $32,945 for Plans for Brooklyn Borough Building.

Controller Metz, acting on the advice of the Corporation Counsel, has approved an offer of judgment for $32,945 to McKim, Mead & White, architects, for services in preparing drawings, plans and specifications for the proposed new municipal building to be erected in the Borough of Brooklyn. This amount is full settlement of a claim filed on November 16, 1906, when the firm began suit. The adjustment will save the city $5,600, in the opinion of the Corporation Counsel, who holds that the claimants undoubtedly would have been successful in their suit. Preliminary plans have already cost the city $50,000.

Borough President Coler refused to accept the plans of McKim, Mead & White on the ground that they had been irregularly ordered to do the work by his predecessor, Martin W. Littleton. The Corporation Counsel declared that the employment was legal. He has since refused to approve a contract drawn by Mr. Coler's subordinates, with Lord & Hewlett, another firm of architects engaged in connection with the municipal building plans.

NEED OF AN ALCOHOLIC WARD.

State Prison Commissioner Asks for One in Brooklyn Hospital.

Albany, Sept. 15.—Henry Solomon, vice-president of the State Prison Commission, in a report to the commission on the city prison in Raymond street, Brooklyn, complains of lack of accommodations for the care of persons suffering from alcoholism.

"I found," he says, "a very serious state of affairs in existence in regard to the arrest and detention of persons suffering from drink, delirium tremens, etc., it being absolutely impossible, with justice to them or satisfaction to the authorities, to care for such cases in a proper manner. I have no doubt many an individual has gone to his death simply because there is no prison ward in any hospital in the Borough of Brooklyn. I suggest that this matter be immediately taken up by the Commissioner of Charities to the end that an alcoholic ward be installed with as little delay as possible in the Cumberland Street Hospital, it being a legal as well as a humane necessity for the better care and improvement of the conditions of these unfortunate persons."

BIG DEMAND ON CITY

Eleven and a Half Millions for "Extras" in Subway Construction.

The Interborough Railway Company and the Rapid Transit Subway Construction Company have demanded $11,500,000 from the city for "extras" in subway building. These demands became public yesterday, when the Public Service Commission asked the Board of Estimate for $150,000 more to meet its expenses during 1909, and explained that the additional work was due largely to the need of investigating the claims of the subway builders.

The commission explained that it had been to a large expense in efforts to arbitrate these claims, preparation, analysis and presentation of evidence having required a considerable force of engineers and lawyers. The Interborough asks extras amounting to $6,000,000 on the construction of the subway in Manhattan and The Bronx and extras for the Rapid Transit Construction Company, of $5,500,000 incurred in the construction of the Brooklyn tunnel and branch.

Other additional expense, the commission says, has been incurred in the appraisals of the properties of the street surface lines in Manhattan and The Bronx and in Brooklyn. These appraisals were necessary in view of the transfer and 5-cent fare cases.

The commission asked the Board of Estimate and Apportionment in December for $987,500 to pay its expenses for the year, the figure being less by several hundred thousand dollars than for the year before. The commission informed the Board of Estimate and Apportionment that it could give no idea of additional sums which would be required during the year. The Board of Estimate and Apportionment allowed the commission $800,000 in the budget, with promise of such additional sums as might be needed later.

The contract for the Brooklyn extension of the subway called for an expenditure of $2,000,000. When the number of tracks in Fulton street and Flatbush avenue was increased from two to four the contract price was raised to $3,800,000. In addition there were spurs for the proposed Lafayette avenue and the Fourth avenue construction not included in the original contract and a double-deck subway on the Flatbush avenue line that was an afterthought.

MR. PULITZER PAYS YACHT TAX.

He Is the Second of Forty-four to Comply with the New Tariff Law.

Joseph Pulitzer's steam yacht Liberty was freed yesterday from the possibility of seizure for non-payment of taxes by the owner's act in forwarding a check for $11,249 to Collector Loeb. Mr. Pulitzer is the second of the forty-four owners of foreign built yachts to comply with the regulations of the new tariff law. Like Frederick Gallatin, the owner of the Riviera, who was the first, Mr. Pulitzer elected to pay the tax of $7 a ton instead of the alternative rate of 25 per cent ad valorem. The Liberty is registered as of 1,607 tons. It was designed by G. L. Watson & Co., of Glasgow, and was launched at Leith, Scotland, last year.

Yesterday was the last day for the yachtsmen to pay their taxes, but at the closing hour forty-two out of the fourty-four had failed to answer to the call. Many of the owners are said to be disposed to fight the imposition of the tax as unconstitutional. Those who have failed to comply with the regulations will be reported to the law department of the Custom House. Should they still refuse to settle, suits will be instituted by the United States Attorney to recover the amounts of the taxes.

MRS. CASTLE GOES FREE.

Grand Jury Fails to Indict Woman Who Shot William B. Craig.

The grand jury dismissed yesterday the charge of felonious assault against Mrs. Mary Scott Castle, who on August 3 shot William B. Craig, a lawyer at No. 2 Rector street, in the Waldorf-Astoria. Judge Malone then dismissed the bail in the sum of $3,000 in which Mrs. Castle was held by Magistrate Butts in Jefferson Market court.

The grand jury's reason for dismissing the charge against Mrs. Castle was not made known. Captain Henry Harrison Scott, U. S. A., of Fort Morgan, Alabama, Mrs. Castle's brother, came to New York shortly after the shooting and interested himself in her behalf. He visited the District Attorney's office some time ago, and it is believed that the charge was not pressed actively in view of extenuating circumstances presented by Captain Scott.

Mrs. Castle met Craig near an elevator in the hotel, and after a few words with him drew a small revolver and fired at him. The bullet struck a fountain pen in his pocket and the lawyer was not injured.

PROBLEMS NEARER THAN POLES.

Hugh Gordon Miller Urges Importance of New York Harbor Pollution Conference.

Hugh Gordon Miller, Assistant Attorney General of the United States, when seen at his office yesterday about the proposed New York Harbor pollution conference, which was to have been held at Albany, but which was postponed for two weeks, had this to say:

"There are great scientific and engineering problems for Americans to solve nearer home than the North or the South Pole. The men who lead the way to a scientific, practicable and comprehensive solution of the New York Harbor pollution problem, will do more for this country and humanity, and for the cause of science—which is now so much discussed—than any or all the scientists who are able to reach the pole."

The commissioners of the Bronx River Valley sewer and Uncle Sam's representatives in the Engineering Department of the government will get together probably in this city, in about two weeks and discuss the recommendation of Colonel W. M. Black, chief engineer officer of the Department of the East, that sewage be treated artificially before it is poured into the river waters.

CHICAGO GRAIN AND PROVISIONS.

Chicago, Sept. 15.—Considerable strength developed in the wheat market here to-day, following a weak tone at the start, the distant deliveries displaying especial firmness. The September option was neglected and showed little tendency to follow the upturn in other months.

The weak opening was due to a decline of ¼ pence to 1¼ pence at Liverpool and to continued enormous receipts in the Northwest. A leading elevator interest was a free seller early in the day, but demand was active and prices soon rallied nearly 1c for the deferred months. Initial quotations were ⅛c to ¼c lower, with December at 98⅝c to 98½c. After touching 98¼c the price of December advanced to 99¼c. The market became weak during the last half of the day owing to liberal sales of the September option by cash interests. December declined from 99¼c to 98c. The close was weak, with December off ⅛c at 98⅛c to 98¼c.

December corn opened ⅛c to ¼c lower at 59⅜c to 60c, and advanced to 60⅝c. The market continued firm the remainder of the day. The high point for December was 60½c. The close was firm, with December up ⅛c at 60¼c.

Oats showed little response to the upturn in wheat and corn. The December delivery opened unchanged at 39⅝c and sold up to 39¾c to 39⅞c.

Prices of provisions at the opening were 2½c to 20c lower.

EUROPEAN PRODUCE MARKET.

Liverpool, Sept. 15.—Closing: WHEAT—Spot dull; No 2 red Western winter, 7s 6½d; futures quiet; September, 7s 7½d; December, 7s 7¼d; March, 7s 7¼d. CORN—Spot steady; new American mixed (via Galveston), 6s 3½d; futures quiet; October, 5s 4⅝d; December, 5s 5¾d. PEAS—Canadian, no stock. FLOUR—Winter patents dull, 33s 3d. HOPS in London (Pacific Coast), firm, £4@£5 5s. BEEF—Extra India mess firm, 91s 3d. PORK—Prime mess Western nominal. HAMS—Short cut, 14 to 16 lb, strong, 60s. BACON—Cumberland cut, 26 to 30 lb, strong, 69s 6d; short rib, 16 to 24 lb, strong, 72s; long clear middles, light, 28 to 34 lb, strong, 71s; long clear middles, heavy, 35 to 40 lb, strong, 69s 6d; short clear backs, 16 to 20 lb, strong, 68s; clear bellies, 14 to 16 lb, strong, 70s. SHOULDERS—Square, 11 to 13 lb, strong, 60s 6d. LARD—Prime Western, in tierces, steady, 60s 6d; American refined, in pails, dull, 61s 3d. CHEESE—Canadian finest white, steady, 56s; Canadian finest colored, steady, 57s 6d. TALLOW—Prime city, steady, 28s 3d. TURPENTINE—Spirits, firm, 42s. ROSIN—Common firm, 9s. PETROLEUM—Refined steady, 7¾d. LINSEED OIL—Firm, 26s.

GOVERNMENT BONDS.

The following shows yesterday's closing quotations for government bonds, compared with Tuesday's:

	—Sept. 14.—		—Sept. 15.—	
	Bid.	Asked.	Bid.	Asked.
U. S. 2s, registered, 1930	100¾	101½	100¾	101½
U. S. 2s, coupon, 1930	100¾	101½	100¾	101½
U. S. 3s, registered, 1908-'18	101½	102½	101½	102½
U. S. 3s, coupon, 1908-'18	101½	102½	101½	102½
U. S. 4s, registered, 1925	116	—	116	—
U. S. 4s, coupon, 1925	117½	—	117½	—
Panama 2s, registered, 1938	100½	101½	100½	101½
Panama 2s, coupon, 1938	100½	101½	100½	101½
District of Columbia 3-65s	107	—	107	—

DR. ELIOT AT ITS HEAD

Formation of National Conservation Association Announced.

Chicago, Sep. 15.—Walter L. Fisher, of Chicago, president of the Conservation League of America, to-day announced completion of the formation of the National Conservation Association, with Dr. Charles W. Eliot, president emeritus of Harvard University, as president.

The announcement is made in a letter from Mr. Fisher to President Taft, who is an honorary vice-president of the Conservation League. The latter organization, Mr. Fisher states in his letter to President Taft, will remain available for such work in the future as its members may desire to undertake.

"The purposes of the National Conservation Association," says Mr. Fisher in his letter to the President, "will be to unite in one great national organization all those who desire to give their personal influence and support to the movement which under the name of conservation has come to mean so much for the future of our country."

In his answer to Mr. Fisher President Taft expressed the fullest approbation of the new organization and enrolled nimself as a member.

It is believed that the new organization will go far to harmonize and unite all efforts, individuals and other organizations in conserving the Nation's natural resources.

The constitution of the new association contains a specific declaration of principles. It is stated in the preamble that the principles were taken directly from the declaration unanimously adopted by the conference of governors convened by President Roosevelt at the White House, in May, 1908.

On the subject of land the principles recommend:

"The direction of public attention to the need for preserving the fertility of our soils, and thus protecting the future food supply of our people.

"The enactment of legislation whereby the titles to the surface of public lands and to the minerals below the surface shall be granted separately, with every appropriate facility to miners to acquire such parts of the surface as may be needed in the development of their claims."

Headquarters of the new association probably will be opened at New York. It is stated that ample funds have been subscribed.

DRINKS POISON IN CAFE.

Salesman Leaves Note Telling of Ill Health and Business Cares.

In the café of the Prince George Hotel, No. 17 East 27th street, where it had been his nightly custom to take a lunch and drink before retiring, David W. Clark, a salesman for Flood & Conklin, Newark varnish manufacturers, drank cyanide of potassium early yesterday morning and died before any one in the crowded room could even prevent his falling from his chair.

Clark was fifty-eight years old, and lived in a furnished room at No. 117 East 26th street. Business cares and worries had aged him, however, and were responsible for his death, according to a laconic note he left for the Coroner. The note said:

To the Coroner of New York: Have taken cyanide of potassium. Reason, business failure and also failure of health. Please notify my brother, Dr. A. M. Clark, Alder Creek, Oneida County, N. Y. If he is not at above address he can be found at his home, Youngstown, Ohio. Please prepare my body for cremation.

E. S.—Reference, Second National Bank, Fifth avenue and 28th street.

When he finished the short note Clark ordered a beer, but changed it to a whiskey with a seltzer "chaser." He was seen to pour into the "chaser" a few drops from a phial, and as he gulped it down he made a wry face and replied to the puzzled look of the waiter:

"Something for my blood, and it's rotten, too."

A score of revellers just returned from Coney Island were shouting and laughing in the café when Clark fell to the floor, and these were hushed into awed silence. They crowded around him, but only in time to see the flicker of a smile distort his lips.

STEAMSHIP REBATE INQUIRY BEGINS.

Federal Grand Jury Receives Information from Two Officials.

The first formal steps into the investigation of the allegations that certain transatlantic steamship lines in combination with certain American railroad systems have been systematically violating the laws forbidding the giving and receiving of rebates on freight shipments were taken yesterday, when the evidence in possession of the government was laid before the federal grand jury by Assistant United States Attorney Crim.

Several witnesses were examined, among whom were said to be two officials of the Holland-America Line, whose names have been mentioned in connection with the alleged conspiracy. Mr. Crim refused to make known the names of the witnesses, but at the offices of the line it was said that Adrian Gips, manager, and William Van Doorn, assistant manager, of the freight department of the line, had "gone to court."

FIGHT DUEL WITH AXES.

Husbands Gash Each Other as Wives Squabble Over Ownership of Firewood.

Two men armed with large axes fought a duel yesterday in the yard of their homes, in the rear of a five story tenement house at No. 288 Wallabout street, Williamsburg, viewed by many women and children. Not until one of the men fell unconscious with a fractured skull was the battle stopped. They were Michael Perrin and Patrick Romo. The wives of the men had been splitting wood in the yard, when a dispute arose over the ownership of a small piece. The husbands, hearing the squabble, took a hand in it.

The cries of women and children attracted the attention of Patrolman Josephs, of the Clymer street station, who had Romo taken to the Williamsburg Hospital. Perrin, after his injuries were treated, was arraigned in the Bedford avenue police court and held to await the result of Romo's injuries.

MORRISSEY ACQUITTED IN COURT.

Theatrical Man Failed to Get Proper Certificate Under Which to Solicit Subscriptions.

James W. Morrissey, a theatrical manager, living at No. 229 West 83d street, was acquitted by the justices of the Court of Special Sessions yesterday on the charge that he had operated a business without filing a proper certificate with the County Clerk. Morrissey's arrest arose over his collection of subscriptions to a memorial to Joseph Jefferson, the actor, and yesterday the matter was settled without either Morrissey or Thomas Jefferson, son of Joseph Jefferson, being called to the stand.

Although Morrissey originally had been authorized to solicit subscriptions, Thomas Jefferson and his mother, Mrs. Sarah Jefferson, objected to the commission of 25 per cent which Morrissey was taking for his services, and, it is said, wrote to persons who had contributed to the fund asking them to give the plan no further aid.

MARINE INTELLIGENCE.

MINIATURE ALMANAC.

Sunrise 5:41 | Sunset 6:09 | Moon sets 7:21 | Moon's age 2

HIGH WATER.

A. M.—Sandy Hook 8:40 | Gov. Island 9:00 | Hell Gate 10:50
P. M.—Sandy Hook 8:53 | Gov. Island 9:11 | Hell Gate 11:01

WIRELESS REPORTS.

The Campania, reported as 1,155 miles east of Sandy Hook at noon yesterday, is expected to dock Saturday forenoon.

The St Louis, reported as 1,237 miles east of Sandy Hook at 2 p m yesterday, is expected to dock Saturday forenoon.

The Ultonia, reported as 193 miles east of Sandy Hook at 2 p m yesterday, is expected to dock this morning.

The Principe di Piemonte, reported as 243 miles east of Sandy Hook at 6 a m yesterday, is expected to dock this morning.

The Taormina, reported as 268 miles east of Sandy Hook at 6 a m yesterday, is expected to dock this morning.

The Martha Washington, reported as 730 miles east of Sandy Hook at 7:30 a m yesterday, is expected to dock Friday forenoon.

INCOMING STEAMERS.

TO-DAY.

Vessel.	From.	Line.
*Bermudian	Bermuda, September 14	Quebec
St Patrick	Tarifa, August 29	——
Iroquois	London, September 1	Standard Oil
Altamaha	Galveston, September 7	——
Principe di Piemonte	Genoa, September 1	Italian
Ultonia	Palermo, August 31	Cunard
Antilla	Santiago, September 9	Ward
Momus	New Orleans, eptember 11	So Pac
Comanche	Jacksonville, September 13	Clyde
El Sud	Galveston, September 10	So Pac
Taormina	Naples, September 4	——
FRIDAY, SEPTEMBER 17.		
*Altai	Cartagena, September 8	Hamb-Am
*Mexico	Havana, September 13	Ward
Cretic	Gibraltar, September 7	White Star
El Norte	Galveston, September 11	So Pac
City of Savannah	Savannah, September 14	Savannah
Maracas	Trinidad, September 9	——
Martha Washington	Palermo, September 6	Austria
SATURDAY, SEPTEMBER 18.		
*Campania	Liverpool, September 11	Cunard
*La Lorraine	Havre, September 11	Havre
*St Louis	Southampton, September 11	American
*Hotham Hall	Hull, September 4	——
Cincinnati	Hamburg, September 9	Hamb-Am
P der Nederlanden	Hayti, September 12	D W I
Manzanillo	Campeche, September 10	Ward
Newton Hall	Barbados, September 10	——
Arapahoe	Jacksonville, September 15	Clyde
El Mar	Galveston, September 12	So Pacific

*Brings mail.

OUTGOING STEAMERS.

TO-DAY.

Vessel.	For.	Line.	Mail closes.	Vessel sails.
La Savoie	Havre	French	7:00 a m	10:00 a m
Esperanza	Havana	Ward	9:00 a m	12:00 m
Frutera	Guatemala	U F Co	11:00 a m	1:00 p m
Heilig Olav	Christiansand	Scand-Am	——	12:00 m
Bremen	Bremen	N G Lloyd	——	10:00 a m
City of Columbus	Savannah	Savannah	——	3:00 p m
FRIDAY, SEPTEMBER 17.				
Prinz Sigismund	Jamaica	Hamb-Am	11:00 a m	1:00 p m
Cienfuegos	Progreso	Ward	——	3:00 p m
Mohawk	Jacksonville	Clyde	——	1:00 p m
Alfred Dumois	Puerto Plata	——	4:30 a m	7:00 a m
SATURDAY, SEPTEMBER 19.				
New York	Southampton	American	6:30 a m	10:00 a m
Deutschland	Hamburg	Hamb-Am	6:30 a m	10:00 a m
Arabic	Liverpool	White Star	8:30 a m	12:00 m
Zulia	La Guayra	Red D	8:30 a m	12:00 m
Cosmo	Porto Rico	N Y & P R	9:00 a m	12:00 m
Bermudian	Bermuda	Quebec	9:00 a m	11:00 a m
Sibiria	Hayti	Hamb-Am	9:00 a m	11:00 a m
Morro Castle	Havana	Ward	10:00 a m	1:00 p m
Oruba	Jamaica	R M S P	12:30 p m	3:00 p m
Caledonia	Glasgow	Anchor	——	10:00 a m
Minneapolis	London	Atlantic Trans	——	7:30 a m
Vaderland	Antwerp	Red Star	——	11:00 a m
Duca degli Abruzzi	Naples	Italian	——	——
La Gascogne	Havre	French	——	10:00 a m
Sabine	Galveston	Mallory	——	12:00 m
City of Savannah	Savannah	Savannah	——	3:00 p m
Comanche	Jacksonville	Clyde	——	1:00 p m

TRANSPACIFIC MAILS.

Destination and steamer.	Close in N. Y.
Japan, Corea and China (via Seattle)—Kumeric	To-day, 6:30 p m
Hawaii (via San Francisco)—Hilonian	Sept 17, 6:30 p m
Hawaii, Japan, Corea, China and Philippine Islands (via San Francisco)—Asia	Sept 18, 6:30 p m
New Zealand, Australia (except West), Samoan Islands and New Caledonia (via San Francisco)—Century	Sept 19, 6:30 p m
Guam and Philippine Islands (via San Francisco)—U S transport	Sept 30, 6:30 p m
Hawaii, Japan, Corea and China (via San Francisco)—Mongolia	Sept 30, 6:30 p m
Japan, Corea, China and Philippine Islands (via Vancouver and Victoria, B C)—Empress of China	Oct 1, 6:30 p m
Australia (except West), Fiji Islands, New Caledonia and New Zealand (via Vancouver and Victoria, B C)—Aorangi	Oct 3, 6:30 p m
Tahiti, Marquesas Islands, New Zealand and Australia (via San Francisco)—Mariposa	Oct 12, 6:30 p m

SHIPPING NEWS.

Port of New York, Wednesday, Sept. 15, 1909.

ARRIVED.

Steamer Oruba (Br), Langmaid, Southampton and Cherbourg August 18, Barbados 31, Trinidad September 1, Savanilla 4, Cartagena 5, Colon 6 and Jamaica 11, to Sanderson & Son, with 102 passengers, mails and mdse. Arrived at the Bar at 4:05 p m.

Steamer South America (Br), Westacott, Caleta Buena June 24, Iquique 28, Antofagasta July 13, Coronel 19, Montevideo August 5, St Lucia 27 and Norfolk September 14, to Wessel, Duval & Co, with mdse. Arrived at the Bar at 4 p m.

Steamer President Lincoln (Ger), Witte, Hamburg September 5, Boulogne 6 and Southampton 7, to the Hamburg-American Line, with 687 cabin, 474 third class and 802 steerage passengers and mdse. Arrived at the Bar at 2:20 p m.

Steamer Principe di Piemonte (Ital), Domeniconi, Genoa September 1, to Cesare Conti, with passengers and mdse. Passed in Sandy Hook at 8:16 p m.

Steamer Taormina (Ital), Massardo, Genoa September 2 and Naples 4, to Hatfield, Solari & Co, with passengers and mdse. Passed in Sandy Hook at 8:25 p m.

Steamer Rutherglen (Br), Rupe, Philadelphia September 14, to Barber & Co, in ballast. Left Quarantine at 2:50 p m.

Steamer Californian, Blake, Puerto Mexico August 27, via Philadelphia September 14, to the American-Hawaiian Ss Co, with mdse. Arrived at the Bar at 2:15 p m.

Steamer Kasamo (Br), Purcell, Calcutta July 27, Colombo August 5, Port Said 21 and Algiers 27, via Boston September 14, to Norton & Son, with mdse. Arrived at the Bar at 1:45 p m.

Steamer Monroe, Dole, Newport News and Norfolk, to the Old Dominion Ss Co, with passengers and mdse. Left Quarantine at 3:20 p m.

Steamer Cadillac (Br), McKay, Singapore June 27, Bengkalis July 3, Sabang 5, Durban 25 and Nordenham September 1, to Philip Ruprecht, with benzine. Arrived at the Bar at 2 p m.

Steamer Narragansett (Br), Harwood, London September 3, to Philip Ruprecht, with rape seed oil. Arrived at the Bar at 10:25 a m.

Steamer Delaware, French, Philadelphia September 14, to the Clyde Ss Co, with mdse. Passed in Quarantine at 11:54 a m.

Steamer Dageid (Nor), Steenson, Noris Arm, N F, August 28, and Sydney, C B, September 6, via Perth Amboy, 15, to the Donald Ss Co, with mdse. Left Quarantine at 9:40 a m.

Steamer Majestic (Br), Beadnell, Southampton and Cherbourg September 8 and Queenstown 9, to the White Star Line, with 490 cabin and 381 steerage passengers, mails and mdse. Arrived at the Bar at 9 a m.

Steamer Sabine, McIntosh, Galveston September 8 and Key West 11, to the Mallory Ss Co, with passengers and mdse. Left Quarantine at 6:05 a m.

Steamer Olinda (Cuban), O'Neill, Gibara September 7, Puerto Padre 9, Nuevitas and Nipe 10, to the Munson Ss Line, with 29 passengers and mdse. Arrived at the Bar at 1:45 a m.

Steamer Principe di Piemonte (Ital), Demeniconi, Genoa September 1, Naples 2 and Palermo 3, to Cesare Conti, with 135 cabin and 722 steerage passengers and mdse. Arrived at the Bar at 7:30 p m.

Sandy Hook, N J, Sept 15, 9:30 p m—Wind southsoutheast, moderate breeze; cloudy; moderate sea.

SAILED.

Steamers Adriatic (Br), Southampton; Mauretania (Br), Liverpool; Lapra (Aust), Naples; Pennsylvania (Ger), Hamburg; Lillie (Br), Banes; Amelia (Br), Port Antonio; Chelston (Br), Sewall's Point (Norfolk); Florida (Dan), Jacksonville; Huron, Charleston; Bayamo (Cuban), Havana; Alliance, Cristobal; Hamilton (Br), Bahia; Chesapeake, Baltimore; Princess Anne, Norfolk; Brazos, Galveston; El Valle, Galveston; Lampasas, Mobile; Antilles, New Orleans; Jamestown, Norfolk.

STEAMERS AT FOREIGN PORTS.

ARRIVED.

Plymouth, Sept 15, 7:50 a m—Teutonic (Br), New York for Cherbourg and Southampton.
Marseilles, Sept 12—Roma (Br), New York via Naples.
Auckland, Sept 15—Bannockburn (Br), New York via Cape Town, Port Natal, etc.

SAILED.

Queenstown, Sept 15, 9:50 a m—Caronia (Br), New York.
Southampton, Sept 15—Clyde (Br), Barbados, Colon, etc, and New York; noon, Kaiser Wilhelm II (Ger), New York via Cherbourg; 1:15 p m, Oceanic (Br), New York via Cherbourg and Queenstown.
Labuan, Sept 15—Harford (Br), from New York via