

QUIET IN NEWARK AGAIN

Grand Jury Will Place Responsibility for Lynching.

GOVERNOR BREAKS VACATION

Will Take Charge of Situation Personally—"Dry" Forces Quit Militant Campaign.

Newark, Ohio, July 9.—After the turmoil following the raid on alleged illegal liquor sellers yesterday, which resulted in the shooting of William Howard, former chief of police, and the lynching of Detective Carl Etherington, who confessed to firing the shot that ended Howard's life, Newark was quiet to-day.

Mayer Herbert Atherton announced to-night that if the Anti-Saloon League sent another raiding party here he would declare martial law and call upon Governor Harmon for troops.

"If Harmon attempts to remove me I will fight him to the last ditch," declared Mayer Atherton.

Judge C. M. Seward, of the Common Pleas Court, stated to-night that he might call a special grand jury on Monday to investigate the lynching.

The Mayor to-night ordered forty-two "soft drink" places closed until after order is restored.

It is declared now that three negroes led the lynching party. The three negroes have left town, it is said. Others implicated departed when it became known that Governor Harmon is returning to Ohio to investigate.

The body of young Etherington will be sent to his home in Kentucky on Sunday morning.

Adjutant General Weybrecht, Colonel Byron Barger of the 4th Regiment, N. G. O., and Lieutenant Benjamin G. Harn, of Troop B, who came to Newark to make an investigation of the affair, returned to Columbus to-day. No further trouble is expected, but if any should arise it is thought that the police, aided by the extra deputies sworn in, will be able to handle it without state troops.

SUES FORMER MAGISTRATE

Otto H. Droege Accused of Conveying Building by Fraud.

Ex-Magistrate Otto H. Droege, who was removed from office by the Appellate Division in January, 1909, is one of the defendants in a suit brought by Mrs. Emille L. D'Herby, an aged Spanish widow, said to be a friend of the Empress Eugenie, to regain possession of a five story building and lot at No. 12 East 13th street. She also wants an accounting of all rent moneys derived from the premises.

The other defendants named in the action, in which William B. Dressler, of No. 21 West 14th street, is counsel for the plaintiff, are Joseph L. Lippe, Droege's father-in-law, and William and Lena Elfers. In brief the charges are that Droege fraudulently conveyed the property to himself and then to his father-in-law, who in turn conveyed it to the Elfers couple. In the fall of 1907, the complaint recites, Droege went to Mrs. D'Herby and told her that he would act as her counsel in an action to have set aside an invalid deed of conveyance by which Helen Reddick and John Flood claimed possession of No. 12 East 13th street. Mrs. D'Herby retained him and the Supreme Court handed down a decision in her favor in April, 1904. Since then Droege has been acting as her agent, the plaintiff declares, and collecting the rent on the premises, but turning over only a portion of it to her, ceasing to turn over any part of it last March.

All this time, the complaint says, Droege advised her that she was the owner of the property, although, it is alleged, deeds are in the name of the property, first, to Droege, on June 23, 1904; then to Lippe last December, and last of all to William and Lena Elfers. All these deeds of conveyance are called fraudulent, and Mrs. D'Herby asks the court to set them aside and also to make the former magistrate account for the rent receipts to date.

The plaintiff also declares that in October, 1903, before Droege started the action for her to set aside the Reddick conveyance, he procured by trick and device an instrument purporting to be a mortgage on the property in favor of Emille D'Herby for \$3,000. She says she has never received a cent of the money and that no such mortgage exists.

Droege has never put in his bill as counsel in the Reddick case, the plaintiff declares. His only comment on the present action so far is: "Let her go ahead. She owes me more money than I'll ever get from her."

Four months ago there was a fire at No. 12 East 13th street, which was occupied by a firm of furriers, and to-day the building is empty, though repaired and ready for tenants.

MUNICIPAL DOCK IN HARTFORD

Thought To Be First Enterprise of Its Kind in New England.

Hartford, Conn., July 9.—Through the city Dock Commission a purchase has been made whereby Hartford will establish what is probably the first municipal dock and warehouse in New England. The dock in the Connecticut River is adapted to all heights of water, and contains a large covered pier with storage facilities. It is expected that the river will be deepened to fourteen feet, and that navigation will also be made possible thirty-four miles above Hartford within a few years.

The board of engineers of the War Department has recommended the expenditure of more than \$2,000,000 to provide a seven-foot channel to Windsor Locks, thirteen miles above the city, this to be done in connection with a dam thirty-eight feet in height, which will be built at that point. The power development will approximate \$3,000 horsepower and a lock 400 feet by 42 will provide for navigation.

SEVERE JUDGE BREAKS RULE

Woman Auto Speeder in East Orange Gets Off Without Penalty.

East Orange, N. J., July 9 (Special).—Recorder Francis A. Jones, Jr., of this city, who makes it a practice to fine automobile speeders the limit of \$100 unless they plead guilty, in which case he cuts it to \$75, got a setback to-day when a feminine offender was brought before him.

She was Mrs. Alice Langbein, of Newark. She said she was merely "trying to pass a horrid trolley car," the dust of which was very annoying.

SECOND DEATH IN AUTO PARTY

Patrolman Dies Few Hours After Real Estate Man, in Tarrytown Hospital.

Patrolman Thomas McCormack, of the New York Police Department, who, with Thomas Kennedy, a New York real estate broker, had his skull fractured when thrown out of an automobile in Tarrytown on Friday, died in the Tarrytown Hospital early yesterday morning.

The automobile, which is in the service of the Finance Department, was taking John P. Scanlon, of the City Paymaster's office, Kennedy, McCormack and a chauffeur to New York after Mr. Scanlon had paid off the workmen on the Croton Dam. It was descending Arch Hill in Tarrytown, when, as it reached the bottom of the incline, a rear wheel ran over a large stone. The four men were thrown from the car, but Mrs. McCormack was the only one seriously hurt. Kennedy died an hour after his arrival in the hospital.

LACKAWANNA PEACE IN SIGHT

Seranton, Penn., July 9.—The grievances of the engineers of the Lackawanna system have been practically settled. It is expected that the new agreement will be signed next week. The men will get an increase in wages averaging about 11 per cent.

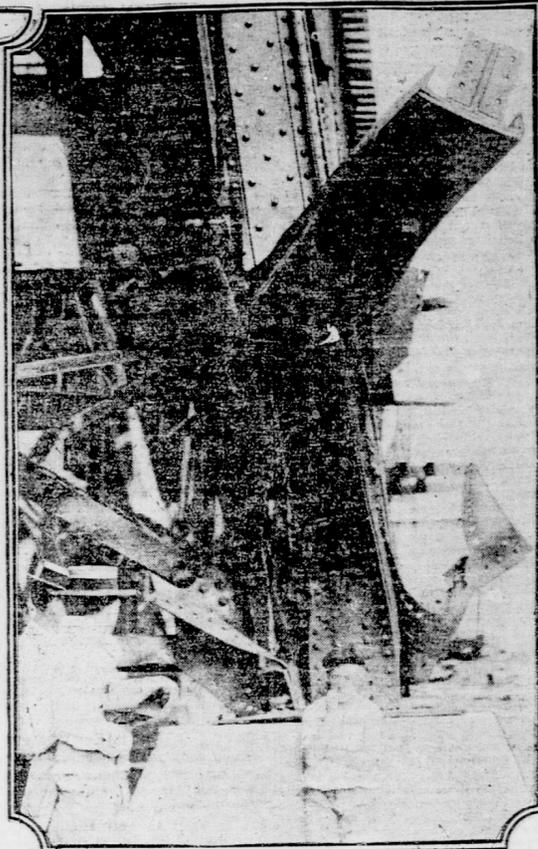
LIMIT FINE FOR AUTO SPEEDER

For the first time since the enactment of the new law which permits police magistrates to try automobile cases where first offenders are involved, Magistrate Butts, in the Jefferson Market court, yesterday imposed the maximum penalty, a fine of \$150, upon Howard Ross, a chauffeur employed by the Taxid Service Company. Harry H. Good, an advertising manager, who was in the machine when the chauffeur was arrested, paid the fine under protest, telling Magistrate Butts that he intended to appeal the case.

DAMAGE WROUGHT BY JERSEY CITY EXPLOSION.



HOLE IN A STEEL CAR AND ITS DELIGHTED OCCUPANT.



PILLARS TWISTED AND BENT BY EXPLOSION.

ARMY AND NAVY NOTES

Rear Admiral Mason May Lose \$2,000 a Year.

[From The Tribune Bureau.]

Washington, July 9.

BUREAU CHIEFS' PAY.—The chief of ordnance of the navy, Rear Admiral N. E. Mason, is confronted with the dire prospect of having to sacrifice \$2,000 of his annual pay so long as he continues on duty as a chief of bureau. The question has been referred to the Attorney General for an opinion. The occasion of this probability is a clause inserted in the latest naval appropriation act in an effort to protect Paymaster General E. B. Rogers on his retirement at his own request, following the controversy between that official and the Secretary of the Navy over naval administration. It was the intention of the friends of Paymaster General Rogers that he should be retired with the pay and allowances of a rear admiral of the lower nine, and in order to accomplish this it was specified that officers who had served as chief of bureau should, after thirty years' service, have the rank, title and emoluments of chiefs of bureaus. This has created much confusion and requires an interpretation of the law, which is evidently faulty construction.

The new provision would apparently create new places filled by those officers who had once been chiefs of bureaus, and who, after serving thirty years and remaining on the active list, have the rank, title and emoluments of bureau chiefs.

This question is independent of the one which involves the chief of ordnance, however, whose pay appears to be reduced by another clause providing that the pay and allowances of chiefs of bureaus of the Navy Department shall be the highest pay duty pay and allowances of a rear admiral of the lower nine. Preceding legislation specified that this rate of pay should prevail in the case of officers who were junior to the rear admirals of the lower nine. It was evidently overlooked that there might be a chief of bureau who was in his own right a rear admiral of the upper nine. This is the case with Rear Admiral Mason. It may turn out that by reason of this specific provision of law there is a limitation on the pay and allowances of a bureau chief, in which event Rear Admiral Mason would, while serving as chief of ordnance, suffer a reduction of pay which would amount to about \$2,000 a year.

It is evident that the awkwardly worded provision will have to be amended at the next session of Congress. It was originally intended that the chiefs of bureaus should have the pay and allowances of a rear admiral of the upper nine, which corresponds with the rank of major general of the army. As chief of bureaus in the War Department are brigadier generals, it was foreseen that the proposed legislation in behalf of naval bureau chiefs would lead to increase the pay of War Department bureau chiefs, and Senator Warren, chairman of the Senate Military Committee, called attention to the possible sequel, so far as the army was concerned. In the change which was promptly made the legislators forgot that a rear admiral of the upper nine might be a bureau chief and he would not be excepted from the restriction of pay as it was provided in the naval appropriation act.

DISMISSED FROM ARMY.—Following conviction on charges of drunkenness while on duty on parade at Camp Greig, in the Philippines, last March, Captain Frank Skivevaski, of the Philippine Scouts, has been dismissed from the army by direction of the President. Skivevaski is from Wisconsin and was formerly a sergeant in the 22d Infantry.

SCOUT CRUISERS TEST.—With a view to determining the relative efficiency of various types of engines in retrograde manœuvres, the scout cruisers Birmingham and Salem left Provincetown, Mass., to-day, to engage in backing tests off Cape Ann. The Chester, a vessel of the same class, recently had similar trials. Each ship is fitted with a different type of engine. Two have turbines and one has reciprocating engines. Later the Birmingham and the Salem will go to sea, one to the North Atlantic and the other to the South Atlantic, for a series of long range wireless tests.

GENERAL WOOD'S RETURN.—General Leonard Wood, who was special ambassador of the United States to the centennial of the Argentine Republic, is returning to this country on the steamship St. Paul, which sailed from Southampton to-day. On arrival here it is expected that he will take up his duties as chief of staff of the United States Army.

BATTLESHIP PLANS.—Plans and specifications for the two new battleships authorized by Congress must be ready, according to a dispatch received by Secretary Meyer to-day, in time to receive bids by October 1 for the one to be built by contract. The other will be constructed at the New York Navy Yard. It was also decided that bids for the six destroyers authorized should be ready by September 1.

THEFT ON RECEIVING SHIP

Worked by an Expert.

Norfolk, Va., July 9.—Pay Inspector John R. Martin, of Washington, who was sent here after a theft from the safe of Paymaster J. C. Hilton, of the receiving ship Franklin, Thursday, filed a report to-day with Rear Admiral Marshall. This report will not be made public until it goes to Washington.

The amount missing is declared to have been much less than \$5,000, the amount first reported, the intimation being that the loss will be only a few hundred dollars. The combination of the safe apparently was worked by an expert. There is no clew as to who may have been guilty of the robbery. There are 1,528 men on the receiving ships Franklin and Richmond and at the naval training station, to which the investigation is confined.

ICE CREAM CONES SEIZED

Shipment of Confections Said to Violate Pure Food Law.

There will be a shortage of ice cream cones in Galveston, for Marshal Henkel, acting under orders from the United States District Court, seized eighteen crates, containing 72 boxes, on Pier 48, North River, yesterday as violating the pure food and drugs act. The shipment was bound for the Texas seaport.

United States Attorney Wise received a complaint recently that the cones, made by the Consolidated Wafer Company, were a violation of the law. An investigation was made and the seizure was the result. The charge was that the cones "are adulterated and that they contain boracic acid, a deleterious ingredient, which renders the articles unfit and injurious to life and contrary to Section 7, Paragraph 5, of the pure food and drugs act."

The United States Attorney's office will make an investigation of the trade in the cones. Millions are sold in this city. A ban has been placed upon the business by the government. Any violation of the order to discontinue the trade will be followed by prosecution, it was said at the Federal Building.

The death of a Brooklyn boy was attributed to a cone, although there is no evidence to support the charge.

SHOOTING AFTER BOYS' FIGHT

Negro in Hospital Seriously Wounded and Crowd Threatens a Lynching.

As the result of a fight between two negro boys in West 44th street yesterday afternoon, an adult negro lies in the Flower Hospital in a critical condition from a bullet wound, and another negro, who, it is alleged, did the shooting, is under arrest. Prompt action on the part of the police was all that prevented a lynching.

Harry Allen and James McNeil got into a brawl, and Allen was an easy victim. The McNeil boy's grandmother, when she saw her grandson approaching his home, began a wailing cry which was taken up by the boy's mother, Thomas Brown, a negro, who boards with Mrs. Allen, and Samuel Wade, an uncle of the McNeil boy, joined in the group. More words followed, and it is alleged that Wade drew a knife and made a lunge at Brown, who pulled a revolver from his pocket and fired.

Wade fell to the sidewalk, and a large crowd immediately gathered and made for Brown. Cries of "lynch him!" rang out, and he was seized by several persons and hustled to the nearest lamp-post. Just at this time Patrolman McGowan arrived and held the crowd at bay until other policemen appeared and rescued Brown. Wade was taken to the Flower Hospital with bullet wounds in his head and abdomen. The surgeons said that he would probably die.

Older and More Conservative Employees Work for Peace.

Harrisburg, Penn., July 9.—After a special meeting of the Brotherhood of Railway Trainmen here this afternoon it was stated that the sentiment was largely against a strike of Pennsylvania Railroad employees. While many of the older and more conservative employees have been active in urging their fellow trainmen to come out and vote on the strike question, it is said that this effort has been largely in the direction of getting votes against the strike order.

FILL PLACES TILFORD VACATED.

At the annual meeting of the New York and Queens Electric Light and Power Company the vacancy caused by the resignation of Frank Tilford was filled and the membership of the board was increased from twelve to thirteen. C. F. Mathewson and J. P. Eagle being elected new directors. The stockholders of the New York and Queens Gas Company elected Mr. Eagle and George E. Woods directors, in place of Mr. Tilford and C. C. Matchett. Mr. Tilford was president of both companies for several years, but retired within the last year.

ARRESTED ON FRAUD CHARGE.

Middletown, N. Y., July 9.—Tracy G. Avery was arrested at Newburg to-day, charged with the fraudulent use of checks.

NEW JERSEY ADVERTISEMENTS.

NOTABLE OFFERINGS AT THE STORES

For Further Details Consult the Advertisements in To-day's Tribune.

MACY'S, Broadway, between 34th and 35th streets, directs attention this week to special offerings in dress goods, embroideries, women's linen dresses and frocks and misses' embroidered linen dresses. They also call attention to a sale of groceries, which will be offered at reasonable prices.

HEARN, West 14th street, has arranged for this week a large collection of summer vacation needs, including women's underwear, nightdresses, corset covers, combinations, petticoats and princess slips. They will also offer at attractive prices silks, hammocks, Turkish towels, rugs and women's dresses. On Monday nineteen morning specials will remain on sale until 1 o'clock.

ABRAHAM & STRAUS, Brooklyn, announce for this week a number of summer needs at unprecedented prices.

STERN BROTHERS, West 23d street, will to-morrow have a clearance sale of tailor made walking suits, summer coats and wraps, women's waists, women's low shoes, women's gloves, parasols and umbrellas, boys' washable suits and blouses and straw hats at unusual prices. They also advertise special inducements for Tuesday in gowns.

LORD & TAYLOR, Broadway, and 30th street, Fifth avenue and 19th street, advertise a clearance sale of women's and misses' summer wearing apparel, including an assortment of suits.

BLOOMINGDALE'S, Third avenue, between 59th and 60th streets, call attention to their annual July sale of summer curtains, window shades, men's shirts and collars, men's hose and 1,200 dozen of spachtel scarfs and shams at extraordinary prices.

JOSEPH P. M'HUGH & CO., 43d street, near FIVE avenue, have arranged an unusual sale of furniture.

SAKS & CO., Broadway and 34th street, beginning to-morrow will hold a remarkable sale of summer apparel and dresses for women. They will also have an advance display of new fall styles of afternoon and evening gowns for women.

ARNOLD, CONSTABLE & CO., Broadway and 19th street, lay stress this week on a sale of domestic lingerie. Other bargains for this week may be had in women's suits, dresses and coats and men's furnishings.

GREENHUT & CO., Sixth avenue, between 18th and 19th streets, offer special inducements in their July sale of women's lingerie dresses.

A month ago, it is alleged, he deposited checks for \$2,500 with the Columbus Trust Company, in Newburg, and issued checks against the account. The police say Avery is wanted to answer charges at Union, N. Y., and Seattle.

STATUS OF SPECIAL PARTNER

Appellate Division Decides He May Engage in Similar Business.

The Appellate Division has decided that a special partner in a limited partnership may become a special partner in another limited partnership engaged in the same or a similar business.

Joseph and Leo Skolny are general partners in a limited partnership engaged in the juvenile clothing business at No. 822 Broadway. Max Richter, a manufacturer of neckwear, at No. 627 Broadway, is a special partner in the Skolny concern with a capital contribution of \$80,000. Toward the end of 1908 David M. Sinclair and Lewis E. Remington, travelling salesmen for the Skolnys, engaged in the juvenile clothing business on their own account, and persuaded Richter to become their special partner. The Skolnys then sued Richter for a dissolution of their limited partnership.

The case was tried before Justice O'Grady, who decided in favor of the plaintiffs. The Appellate Division reverses this decision, contending that the special partner was not under the same obligations as a general partner, and that Richter had not given the Skolnys ground for dissolution. The basis of the opinion is that a special partner, under the statute, is a mere contributor of capital.

P. R. R. LAYS OFF CREWS

Poor Traffic Conditions Given as Cause—Reading Curtailment.

Harrisburg, Penn., July 9.—The Pennsylvania Railroad Company reduced the number of freight crews in active service on both the Philadelphia and middle divisions to-day, and is preparing to reduce the time in the extensive shops in this city. On the middle division twenty-six crews will be laid off on Monday. Three crews were laid off on the Philadelphia division, in addition to three laid off some days ago.

Orders were given to store twenty-four engines on the middle division and twenty have already been stored on the Philadelphia division. On July 12 four preference crews will be restored. Reductions in the number of engineers were made and firemen and trainmen laid off.

The reductions are due to traffic conditions, which do not warrant the force carried lately.

Reading, Penn., July 9.—In order to curtail expenses in line with its general policy of retrenchment, the Reading Railway Company ordered its big locomotive shops closed to-day on thirty-two hours a week instead of forty. A few months ago the shops worked forty-eight hours.

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NEW JERSEY ADVERTISEMENTS.

EXPLOSIONS ROUSE TOWN

Strange Double Attempt to Wreck Jersey City Trestle.

NO ONE HURT IN CRASH

No Clew to Identity of Those Who Wrecked Four Lehigh Valley Pillars.

Dynamiters wrecked four pillars supporting the trestle in course of construction for the Lehigh Valley Railroad at the end of Bidwell avenue, in Jersey City, early yesterday morning. They used time fuses and were well away from the scene of the explosions before the police could get any trace of the dynamite. The Phoenix Construction Company is building the viaduct. Of late the firm has had trouble with workmen over its "open shop" policy, and the police and railroad officials believe that the dynamiting was done by disgruntled laborers.

At about 2:30 o'clock yesterday morning, when the entire Greenville section of Jersey City was quiet, a loud explosion, which shook buildings a mile of Bidwell avenue, brought men, women and children running from tenement houses and cottages in all stages of attire. They ran up and down the streets yelling for the police. One patrolman was near the scene when the dynamite exploded. He summoned the reserves from a nearby station house, and a number of men reached the spot in a few minutes.

While some of them set to work quelling the excited persons, others drew their nightsticks and thoroughly beat down every bush and small tree in the neighborhood of the structure. Two pillars were found lifted from their foundations and twisted into all shapes. No signs of the dynamiters were found. Quiet was finally restored, and the policemen left for their quarters.

At about 2:36 o'clock, when most of those in the section had again gone to sleep, another explosion brought them from their beds for a second time. They made their way to the streets and started to shout again for the police. Bluecoats soon arrived and made a second search for the dynamiters in the open field.

It was discovered that one of the pillars blown up had fallen and made a wide hole in a steel car on a siding near the trestle used by the Jersey Central Railroad. The hole was so large that a boy more venturesome than others of his age in the crowd was able to crawl into it and be comfortably while his picture was taken. Each of the girders was sixty feet high. They were made of iron. The work on the trestle will be delayed for some time. The builders were almost ready to lay the roadway, part of which will cross the Morris Canal.

TEXAS MAY NOT GET MEEKER

Broker Gets Stay of Order for Extradition Signed by Governor.

Charles M. Meeker, a Wall Street broker, wanted in Texas on the charge of conspiring to swindle George N. Mattingly of Texline, out of \$2,600, obtained yesterday from the Appellate Division a stay of the order for his extradition signed by Governor Hughes. He was released in \$10,000 bail. A writ of habeas corpus in his case was dismissed by Justice Erlanger, who ordered him to the Tombs until his surrender to the Texas authorities.

The broker asked for a stay pending an appeal to determine whether he was a fugitive from justice and whether a crime had been committed. His plea was opposed by Robert C. Taylor, Assistant District Attorney, who argued that a stay would be contrary to public policy and impair the rights of the State of Texas under the federal Constitution.

Advertisement for HAHNE & CO. featuring a large illustration of a man in a top hat and a woman in a dress, with the text: 'The Most Industrious Store in Newark—The City of Industry. Now In Full Swing. HAHNE & CO.'S ANNUAL JULY FURNITURE SALE. Every Piece of Furniture in Our \$250,000 Stock Reduced in Price 10 to 50 Per Cent. HAHNE & CO., Broad, New and Halsey Streets, Newark, N. J.'