

JOHNSTONE UP 9,714 FEET

Continued from first page.

the back ends of a rocking chair 9,714 feet up, the earth seemed far away. I had to pitch my body forward to begin to plane down.

"All I had to do coming down was to sit with my feet hanging over and let her rip. Going up I kept my eye on a little red string hung from in front of the top plane.

The machine was strange to me, but we got along first rate. I am darned sorry, though, that I could not capture the 10,000-foot altitude for the Wrights."

Drexel Sick 8,373 Feet Up.

Drexel went for altitude in his Blériot soon after Johnstone started. He reached 8,373 feet, and for perhaps two miles flew out over the sea.

"I felt sick and wanted to come down," said Mr. Drexel. "I was pitched about a good deal, and it somehow had a strange effect on me to-day. I don't quite see why, but I assure you my sensations were far from pleasant when I was at the high point and for some little time thereafter.

A strange figure in the newly repaired Wright roadster, which Ogilvie rove the other day, gave the spectators a bouquet of thrills at noon. He fairly leaped from the ground as he dashed up in the air.

The operator was Orville Wright. The rate at which he ate up altitude was a record, though not official. He was up 1,200 feet before he had made a big circuit of the flying field. He made 750 feet in 1:28 by the stick that Wilbur Wright stuck in the ground and converted into a scientific instrument. He rose 1,230 feet in 2:48.

The speed of rise, said Wilbur Wright, was 196 feet a minute, and 300 is considered a most commendable performance. This, however, did not satisfy Orville, for he swung down a bit and then began to swerve, circle and turn on the beam ends of the machine in a way that sent the cold shivers chasing up and down the spines that had been over-worked already at Belmont Park.

He spun around the pylons, banking the turns in a manner that out-Hoxseyed Hoxsey. He came down as suddenly as he had gone up, and when some one asked the conservative scientist why he had taken such chances, especially when he urged safety and caution upon his flyers, he said:

"Oh, it was more or less a new machine, and I wanted to be perfectly sure that it was in good shape before I trusted it to any of the boys."

While Grahame-White and McCurdy were getting ready to start in the grand speed race the two Demoselles came fluttering out and scooted around a bit, but they were flagged.

"That's it," laughed one man; "the only time they ever do any real flying the officials stop them." The Demoselles bring out the laughs from the crowd.

Grahame-White in an Accident.

The English champion was off within a minute of McCurdy and passed above his rival inside of two laps. He finished his ten laps in 14:55-2-5, and the crowd gasped when they saw what they thought was a fatal accident. The great Blériot, its engines roaring, came flashing from out of the sky on a sharp angle, and just in the centre of the field the long prong that supports it at rest struck the turf. The massive flying craft turned completely over and people held their breath.

There seemed no doubt that Grahame-White was killed. A monster cheer went up when he crawled out from under the rear of the wings and waved his hands to show he was unhurt.

The propeller of the Blériot was smashed to smithereens, but it was said that the engine was not badly damaged. Grahame-White rode in an automobile to the judges' stand. He had not received so much as a bruise, and when he was dressed in his street clothes took his own Parmesan away from Clifford B. Harmon, who was flying it, and went around several times in a joy ride of dips, swerves and curves to demonstrate that his person and nerves were in fine fettle.

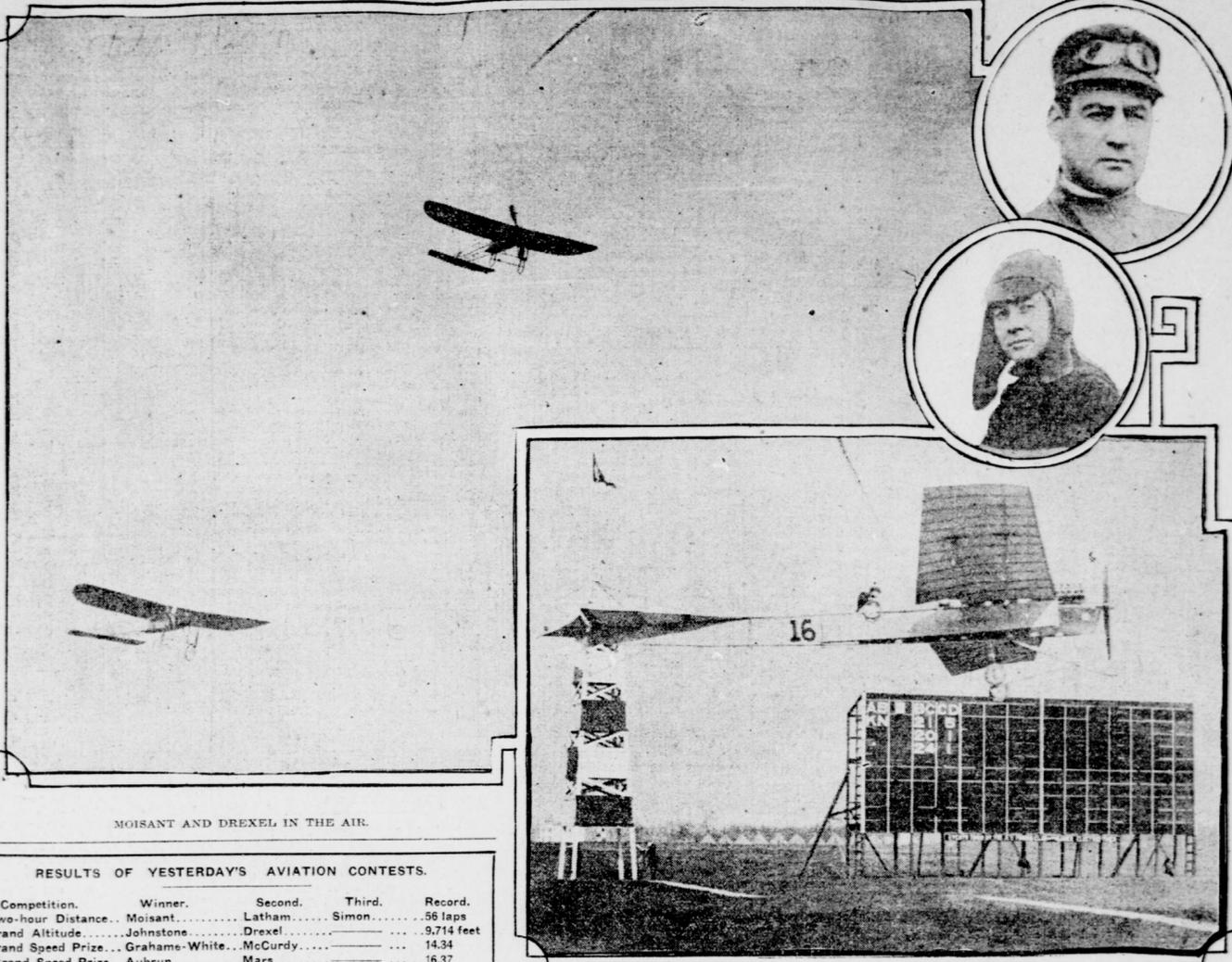
He had easily won his race, for McCurdy finished only nine laps and took 15:43-4-5 to do it in.

In the race for the winners of second place Auburn was the only man who entered. Bud Mars, who was to drive a biplane, made only half a lap, Auburn winning in 14:37.

Captain Baldwin, Simon and a few others gave exhibition flights. Grahame-

THE WINNERS AND SOME OF THE MACHINES AT AVIATION CONTESTS YESTERDAY.

RALPH JOHNSTONE Who broke the world's altitude record.



MOISANT AND DREXEL IN THE AIR.

RESULTS OF YESTERDAY'S AVIATION CONTESTS.

Table with columns: Competition, Winner, Second, Third, Record. Rows include Two-hour Distance, Grand Altitude, Grand Speed Prize, and Grand Speed Prize.

\*For winners of second places in elimination races.

JOHN B. MOISANT, WHO WON THE DISTANCE CONTEST, AND HUBERT LATHAM IN THE ANTOINETTE FLYING OVER SCORE BOARD.

GRAHAME-WHITE SUED

Monoplane Attached, but He Flew to Statue of Liberty.

If the 100-horse power Blériot monoplane in which Claude Grahame-White sailed on Sunday from Belmont Park to the Statue of Liberty and back again had fallen to the ground and been smashed the accident would have upset an order of the Supreme Court.

An attachment was placed on the Blériot flyer on Saturday as soon as the aviator alighted after winning the International Cup. The attachment was obtained by the Marceau Company, Limited, photographers, who have brought suit against Grahame-White in the Supreme Court for \$200,000.

As soon as the attachment was served on Saturday, Grahame-White's lawyers got busy on the telephone at Belmont Park. They called up the Magueau lawyers in Manhattan and threatened a \$10,000 damage suit unless the attachment was removed forthwith. Counsel for the plaintiff stood pat. Then the lawyers at the Long Island end of the wire pleaded for the sake of the sport that the attachment be called off, as the aviator wanted to use the airship in his flight the following day. Still the lawyers for Marceau refused to yield.

All the accounts of the Statue of Liberty flight seemed to agree that Grahame-White used the same monoplane on Sunday that he used on Saturday. Just how he managed this with a deputy sheriff in charge has not been explained.

The suit brought by Marceau was for photographs delivered to him in Boston in September. Some of them were likenesses of himself and others were reproductions of the checks which he had received in various aviation contests. Yesterday Grahame-White filed a bond in court for \$50 and the attachment on his airship was vacated.

HAS HIS DAUGHTERS ARRESTED

Erick Maker Gets Custody of Ungovernable Girls—One Missing.

[By Telegram to The Tribune.] Newburgh, N. Y., Oct. 31.—Catherine and Veronica Butler, young daughters of David Butler, a retired brick maker of Haverstraw, were arrested at Ladyciff Academy, Highland Falls, on Saturday, charged by their father with being disobedient and ungovernable children. They were taken before Justice Myers, at Haverstraw, found guilty and placed in custody of the father, who is their guardian, and by him placed in the convent at Mount St. Vincent, where he can govern their actions.

Anastasia, another daughter, remains at the academy, because she is old enough to govern her acts. A fourth daughter, Mary Adeline, who is under fourteen years of age is missing, and the authorities at Ladyciff do not know where to find her. The girls were sent to Ladyciff by their relatives. Butler was appointed guardian of the children by the courts, and a bank was made trustee of their money. The girls were brought home once, and while in the cab were spirited away and taken back to the academy at Highland Falls.

MONOPLANE MUST PAY DUTY

Technically, Leblanc Forfeited Bond on Sale to Moisant.

Customs authorities were much interested yesterday over the sale of the Blériot monoplane, with which J. E. Moisant won the \$10,000 prize for the flight from Belmont Park to the Statue of Liberty and return. Duty must now be paid on the monoplane. Technically, the government has a right to seize the airship and forfeit the amount of the bond furnished by Leblanc when the machine was brought into this country.

The government, however, is not disposed to treat the case severely, in view of the circumstances. Either the statute or return, or the purchaser must come down to the Custom House and get a statement prepared at the warehouse department, for constructively, the monoplane is still in warehouse. The "Boston Herald" has announced that in this case is met. The duty will therefore be assessed at 4 per cent.

MRS. RICE SUES FOR DIVORCE

Names Show Girl as Co-respondent, and Asks for Alimony.

George Graham Rice, as he was known on the curb market before the raid by the Federal authorities on the firm of B. H. Scheffels & Co., in connection with which Rice was arrested as the manager, is now being sued by his wife, Mrs. Frances Drake Rice, for a divorce. Mrs. Rice claims that the defendant's real name was Jacob Simon Herzog when she married him in Rochester in 1900, and that unknown to her he had served a five-year term in Sing Sing for forgery. Mrs. Rice names Bessie La Felle, a show girl, as co-respondent.

The plaintiff and the defendant have not lived together since April last. Mrs. Rice went to Europe about that time and she alleged that her husband promised to allow her \$50 a month but failed to do so. She said Rice received \$900 a week as manager of B. H. Scheffels & Co. She asked \$1,000 a month alimony and \$5000 damages. Her counsel for Rice asked for more time to answer the allegations of the wife. The "Boston Herald" has endorsed the argument to next Friday.

"BOSTON HERALD" TRANSFERRED.

Boston, Oct. 31.—The receivers of "The Boston Herald," John Norris and C. F. Wood, to-night announced that the formal transfer of the newspaper to its new owners, The Boston Herald, Incorporated, was completed late to-day. The newspaper will be issued under the new management to-morrow.

FOUR FINED FOR GAMBLING.

The four men recently arrested by detectives of the District Attorney's staff for conducting a gambling house in East 13th street pleaded guilty to the indictments against them yesterday in General Sessions and were fined \$100 each. The fines were promptly paid by their lawyer. They were William S. Hendricks, Dave Copeland, Richard Newman and Edward Hughes.

PRESIDENT'S TROPHY GIVEN

Awarded to Nebraska for Excellence in Engineering.

Boston, Oct. 31.—On behalf of the Navy Department, Lieutenant Commander L. C. Palmer, the inspector of target practice and naval aid to the President, delivered to-day to the battleship Nebraska, in the Boston yard, the President's trophy for excellence in engineering recently awarded to this ship. The occasion was one of great ceremony, the first of its kind in the navy. The crew was mustered on the quarter-deck, the officers were in their dress uniforms and cocked hats. With a marine band at present arms, the Secretary of the Navy's letter of congratulation was read by Lieutenant H. Brown to the assembled crew, of which the engineering division formed the front rank.

"KEYS OF PLURAL MARRIAGE"

Held Only by Prophet of God, Says Mormon Leader.

[By Telegram to The Tribune.] Salt Lake City, Utah, Oct. 31.—Francis M. Lyman, president of the Quorum of the Twelve Apostles of the Mormon Church, who is next in succession to the first presidency now occupied by Joseph F. Smith, in an address before the Cache Stake yesterday said:

"Only one man on this earth holds the keys of plural marriage and that is the Prophet of God. If any one exercises that authority except under Joseph F. Smith's direction his act is void and he will have to account for his offense. In giving the manifesto to the Church, President Wilford Woodruff presented the will of God. It was quite as binding on the Church as any written revelation and we are bound by it. It is as if God said it Himself. Some of our brethren who were not satisfied with the manifesto have gone outside and over the law and they have offended God in doing so."

NEW YORK RUNAWAY HURT

Boy Falls from Ontario & Western Train and Loses Foot.

Middletown, N. Y., Oct. 31.—Cornelius Voorhees, of 732 Melrose avenue, the Bronx, one of two runaway boys on their way through here, fell from an Ontario & Western train at East Branch and had his right foot so severely crushed that its amputation was necessary when he was brought here to-day. Voorhees is seventeen years old. His companion, Arthur Besman, of No. 461 Willis avenue, the Bronx, was unhurt. The boys ran away a week ago.

AVIATORS' DISSENSIONS

Continued from first page.

By closing the contest and the official meeting stopped two men, Messrs. de Lesseps and Grahame-White, from trying again, and the other divers from even competing. My disgust at this betrayal is more almost than I can express. What the feelings of the Englishmen and Frenchmen are, could they be induced to speak their mind, I dare hardly imagine. Anyhow, it is my intention to resign immediately from the Aero Club of America, and I hope all American sportsmen will follow my example.

Aero Club's Reply to Drexel.

W. W. Miller, of the law committee of the Aero Club, gave out the following statement last night in reply to the letter of Mr. Drexel:

The rule of the International Federation of Aeronautics provides that any event continuing during a meet must terminate on the day fixed for the termination of the meet. The reason of this rule is apparent. It was fixed for such tests and entering for the meet shall be at liberty to accept engagements from the date fixed for the termination of the meet.

There never has been any question as to the right of any aviator to have tried for the Statue of Liberty prize as many times as he cared to previous to the official closing of the meet. The special events of yesterday which have unfortunately resulted in the breaking of world's records for altitude and biplane, were intended to give to those people who had purchased tickets for Sunday, October 30, and were prevented from seeing the flights by the elements, an opportunity of witnessing the conquest of the air and the Statue of Liberty for an amount in prizes which was denied them by the weather of Sunday, October 30. A total of \$10,000 was donated by the managers of the meet for that purpose. The good faith of the management cannot be questioned.

Grahame-White's Challenge.

Grahame-White said early in the day that he would challenge Moisant for another race for the Statue of Liberty; that he did not think it worth while to make a protest because all his protests were overlooked anyway. He added that he did not consider the meet was over, as the grand prize speed race, grand altitude and other events were run yesterday. Furthermore, he said, he had been the only contestant to make a start between the specified hours of 2:45 and 3:45. He was incensed at the committee's action and did not hesitate to say so in his written challenge to Moisant, which follows:

I hereby challenge Mr. Moisant to a speed contest from Belmont Park to the Statue of Liberty and return for a cash prize of \$10,000. The only condition made is that we both use the same sort of an aeroplane as we used in the contest yesterday. Mr. Moisant shall have the choice of starting either fifteen minutes before or fifteen minutes after the time specified. This proposition I make so Mr. Moisant need not fear that he may be showing me the shortest route to the Statue of Liberty. This flight is to take place any day before Saturday afternoon next, before 4 p. m. I issue this challenge for the following reasons:

First—On my justly founded protest, which for no good reason the cause has been overruled by the aviation committee, against the action of the committee in eliminating the meet for the Statue of Liberty flight, the committee has not been complied with by the committee. The committee has not been complied with by the committee. The committee has not been complied with by the committee.

Says He Alone Complied with Rules.

In fairness to myself I state that I was the only competitor for the Statue of Liberty flight who complied with every rule and condition governing the contest. Furthermore, it was agreed by the special decision of the committee that the Statue of Liberty prize be extended until the end of the meet, and although the committee decided that the final of the meet on grand speed contest is to be run to-day, and the grand altitude, both of which contests are part and parcel of the original contests of the meet, hence if these prizes are com-

ADMITTED STING OF DEFEAT.

I frankly admit that I am smarting under the sting of having to take second place in a contest for which I am confident I could show the tail of my machine to all other competitors, and I am hereby prepared to back this to the extent of \$10,000, and trust that Mr. Moisant's sporting instincts will prompt him to accept this sporting challenge.

Moisant Laughed at the English Aviator's Proposition.

Moisant laughed at the English aviator's proposition, which specifically stated that the same machines should be used as were used on Sunday. Grahame-White drove a 100-horsepower Blériot in the Liberty prize, and the machine Moisant bought from Leblanc on that now memorable day had only half that power. Moisant says if the Englishman would use his 50-horsepower machine he would gladly take him on for the race. The little American's brother, too, takes this ground.

The aviation committee still held that the meet ended on Sunday night, and that yesterday's events were all extras. One of the members of the committee said the grand speed prize race was only an extension to allow the winners of biplane and monoplane eliminations to match their respective machines. He said that the altitude prize was not the one offered during the meet, for that was for 10,000 feet, while the mark set yesterday was the world's record of 9,136 feet, the givers of the prize for 10,000 feet having made an additional offer for the other distance.

There was a warm reception for Alan R. Hawley and Augustus Post, who recently broke the world's balloon record for continued flight, at the dinner in the Plaza. Some of the aviators who attended the Drexel dinner went to the Plaza later. When Alfred Leblanc and Rene Simon entered they were loudly cheered.

Among those at the guests' table when the dinner began were Leon Givaudan, August Blankertz, Lieutenant Vogt, Ernst G. Schmoelke, Walter de Mummy, Commander Retzmann, Captain von Abercorn, Samuel F. Perkins, Roland Garros, Rene Barrier, C. Audemars, Walter Wellman, Arch Hoxsey, Captain Thomas S. Baldwin, Jacques Faure, Brigadier General James F. Allen, Colonel Schack, August Belmont, Cortland Field Bishop, Alan R. Hawley, Pierre Casnier, J. B. Moisant, Alfred Lelanc, the Duke of Richelieu, Robert Adamson, Allan A. Ryan, Emile Aubrun, Rene Simon, William Travers Jerome, Ogilvie, Paul Armbruster, Bertrand de Lesseps and Gabriel Borel.

\$500 FOR SIGHT OF AEROPLANE.

Baltimore, Oct. 31.—Ross B. Winans, the capitalist, who is ill at his home in this city, offered \$500 to-day, in addition to an aeroplane flight over Baltimore by Hubert Latham, if Latham flies near enough to Mr. Winans's home for him to see the machine in the air. Mr. Winans's home is in St. Paul street, near Preston street, a mile from the centre of the city.

ALLEGED EMBEZZLER RETURNS

Yachtsman Brought Back from Goldfield by United States Marshal.

Boston, Oct. 31.—Harold B. Faxon, a prominent yachtsman of Quincy ten years ago, who suddenly gave up his place as paying teller of the People's National Bank of Roxbury in the fall of 1908, returned here to-day from Goldfield, Nev., in custody of a United States marshal, and pleaded not guilty to an indictment charging him with the embezzlement of \$5,000 from the bank. Faxon tried to regain the money, which he lost through stock speculation, by prospecting for gold in the West, under another name. He was discovered and arrested on October 15. Judge Dodge held him in \$10,000 bail for trial, and Faxon went to jail in default.

Advertisement for Washburn-Crosby's Gold Medal Flour, featuring an illustration of a man with a flour sack and a turkey, with text: 'WASHBURN-CROSBY'S GOLD MEDAL FLOUR FOR THANKSGIVING BAKING'.

Advertisement for Imperial Beer, featuring the text: 'Its Sparkle is as Irresistible as its Taste Imperial Beer Gold Label Has the Flavor and Brightness of Absolute Purity'.

Advertisement for Independent Business Men's League, featuring the text: 'THE DEMOCRATIC STATE TICKET At Carnegie Hall, 57th Street and 7th Avenue. On To-morrow, Wednesday Evening, at 8 o'clock.' and names of speakers: 'Mr. JOHN A. DIX, The Hon. WILLIAM J. GAYNOR, Dr. M. WOOLSEY STRYKER, The Hon. MARTIN H. GLYNN, and others.'