

ORDERS HYDE TRIAL HERE Appellate Division Affirms Decision in Special Term.

AN APPEAL TO BE FILED Whitman, However, Will Ask That Ex-Chamberlain Be Tried for Bribery on March 5.

The Appellate Division of the Supreme Court decided unanimously yesterday that Charles H. Hyde, former City Chamberlain, should stand trial in this county. Mr. Hyde was indicted in this case last year for the charge of bribery in connection with the trial of the Hyde for bribery be set down for March 5.

PNEUMONIA LESS FATAL Fewer Deaths than Last Year, When It Was Damp and Chilly.

Despite the fact that this has been one of the severest winters in many years, there were fewer deaths from pneumonia than last year, when there was comparatively late cold weather. Dr. William Guilfoyle, register of the Department of Health, said yesterday that in the damp, open winter season last year influenza was severe and climatic conditions made for an increased death rate from pneumonia.

REVERSES \$50,000 VERDICT New Trial Ordered in Collier's Suit Against Postum Company.

By a three to two decision the Appellate Division of the Supreme Court reversed yesterday the verdict for \$50,000 which Robert J. Collier obtained in the Supreme Court against the Postum Cereal Company. Limited, for libel. The highest court ordered a new trial. The amount of damages is said to have been the largest ever awarded by a jury in this county in a libel case.

SUE FOR CONEY ISLAND Descendants Say Former Owners Never Sold Land.

The first of a series of suits which will, if won, bring the whole of Coney Island, now valued at nearly \$100,000,000, back to the families which owned it before it achieved its present world-wide fame, was instituted in the Supreme Court, Brooklyn, yesterday morning by the descendants of the original owners, according to the papers.

SNAKE DANCER SWALLOWED Four-Foot Reptile Eats One Nearly as Long.

When Raymond L. Dimmars, curator of the New York Zoological Park, went in search of one of his dancing snakes yesterday morning, he found it had disappeared. Iolanthe, the snake in question, had been kept in the cage with two other king snakes, one of which was presented to the reptile collection by Evelyn Thaw some time ago. All were serpents used in Mr. Dimmars' talks on snakes before school children.

MUST PAY CHURCH PLEDGES Georgia Supreme Court Holds They Can Be Collected.

Atlanta, Feb. 16.—All pledges of money to the Church are legal and must be paid, according to a decision handed down by the Supreme Court of Georgia to-day. In the case of the Georgia Baptist Assembly against W. G. Owenby, Owenby had promised to pay \$500 if the Assembly would locate its Chautauqua at Blue Ridge, in Fanning County. This was done, and he was called on to pay. Now he must do so and pay interest as well.

HAS BANK LOOT, SHE SAYS Mrs. Batten, Rothschild's Widow, Would Return \$500,000.

Chicago, Feb. 16.—A woman registered at a hotel here as Mrs. Theresa K. Batten, of New York, said to-day that she has \$500,000 which had been stolen, and that she is on her way from Reno, Nev., to New York to pay the money to those from whom it had been taken.

THIEVES HAD NOVEL TRICK Wore Clothes Away from Factory, One Tells Police.

Philadelphia, Feb. 16.—The alleged confession of Abraham Goldstein, of No. 188 Forsyth street, New York, who was arrested here to-day while trying to sell six suits of men's clothing, revealed the method of a gang of thieves that had an established system of stealing clothing in New York and selling the same in Philadelphia. The thieves had gathered enough suits, Goldstein said, to fill a room in the building.

SUIT FOR \$825,000 DISMISSED Echo of the Old United States Shipbuilding Company Affair.

The Appellate Division of the Supreme Court dismissed yesterday the suit of John C. Calhoun, former vice-president of the United States Shipbuilding Company, and the Ocean Steamship Company of Georgia, to recover \$825,000 from the United States Shipbuilding Company on an agreement to sell \$1,000,000 of the first mortgage bonds of the United States Shipbuilding Company.

HIGH BEEF PRICE FORCED Violation of Sherman Law in Wharf Case Alleged.

Juneau, Alaska, Feb. 16.—Telegraphic warrants were issued yesterday for the arrest of eighteen business men, prominent in Alaska, on four indictments, returned by the federal grand jury that has been investigating the alleged violation of the Sherman anti-trust law in connection with the control of wharf facilities at Skagway.

THREAT OF SMALL SUPPLY Trial of Manager on Perjury Charge Postponed Temporarily After Conference.

Chicago, Feb. 16.—Twenty-five hundred and twenty-five telegrams sent by T. G. Lee, manager of Armour & Co.'s beef department, and his assistants in July and August, 1910, to Eastern representatives, urging them to obtain higher prices for dressed meats were introduced in evidence by the government in the packers' trial to-day. The messages, which were sent over Armour & Co.'s private wires, were identified by H. A. Russell, beef sales manager for the company, who was on the witness stand all day.

JOBBERS ACCUSE TRUST Say Competition Ceased After 'Baiting' Agreement.

Detroit, Feb. 16.—Ten jobbers from various sections of the United States were placed on the witness stand to-day by the prosecution in the trial of the 'baiting trust,' charged with conspiracy in restraint of trade. The substance of their testimony was that an opportunity was given to them to sign the alleged trade agreements; that they refused to do so; that the manufacturers were in active competition prior to June 8, 1906, when it is claimed the price fixing agreement was signed, but after that date competition ceased. Some of the same witnesses declared that as a result of the alleged agreement prices were generally advanced and that the advance told most heavily against the plumber.

WILLIAMS URGES TRUST BILL Says His Measure Would Be Remedy for Evils.

Washington, Feb. 16.—Senator Williams, of Mississippi, before the Senate Interstate Commerce Committee to-day, outlined the terms of his bill which he said would remedy trust evils. He insisted that the federal government had the power to determine what corporations should engage in interstate commerce.

FIVE MURDERS HANGED Abolishment of Capital Punishment in Illinois Discussed.

Chicago, Feb. 16.—More men were hanged in Chicago to-day than suffered death from throwing the Haymarket bomb in the anarchist riots of 1887. Two murders caused five men to walk to the gallows and drop to their death through the trap, while four were hanged for the Haymarket bomb throwing.

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SHANK DESCRIBES METHODS Fostick Addresses People's Institute—Questions Follow.

Cooper Union was packed last night when Mayor Shank of Indianapolis addressed the People's Institute. Fostick told all about improvement in government, and found the times better now than when 'our fathers' lived. Mayor Shank gave them the story of his achievements in heating down the cost of food in his town.

WORLD CLOSE TYPEWRITER FACTORIES Here, New York Man Says.

Washington, Feb. 16.—Charles Straus, of New York, representing manufacturers of typewriter machines, told the Senate Finance Committee to-day that typewriter makers would be obliged to close up their shops and do business abroad if his proposed bill on the Democratic free list, which would import typewriter machines, were passed.

WINTER GARDEN SHIPPODROME TETRAZINI

Am. Day Nahan Frankish Orch. Hardman Piano. W. H. T. Thea. 39th St. nr. B'way. Evs. 15c. Mat. To-day & Sat. A Butterfly on the Wheel. Playhouse 48th St. Evs. 15c. Mat. To-day & Sat. 2:15. Broadway 48th St. Evs. 15c. Mat. To-day & Sat. 2:15. Broadway 48th St. Evs. 15c. Mat. To-day & Sat. 2:15.

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It hasn't run down! The suit sale is still going strong. Suits of all weights for men of all weights—in all sizes. Mixtures, serges and chevrons. Savings from \$7.00 to \$12.00 on the majority. \$15 now for suits that were \$20. \$20 now for suits that were \$25 to \$35.

P. S. That's for youths, too—slim men—32 to 35 chesters. Specially strong in those sizes. P. S. 2. Overcoats, too. In the bargain class now.

ROGERS PEET & COMPANY, Three Broadway Stores at Warren St. 13th St. 34th St.

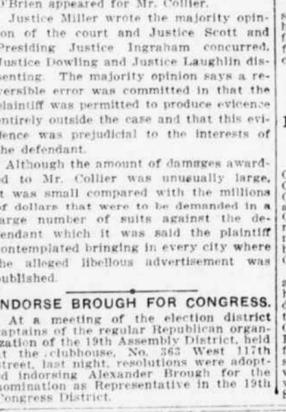


Two entirely new effects of material in Red-Man Collars. Leading Haberdashers. EARL & WILSON. 2 for 25 cents.

AMUSEMENTS. NEW YORK'S LEADING THEATRES

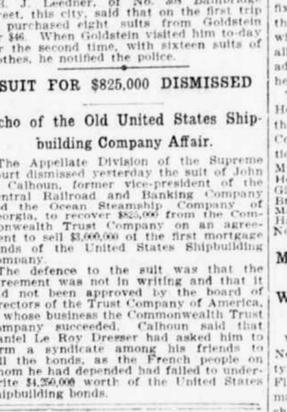
EMPIRE Broadway and 40th St. Evs. 15c. Mat. To-day, Wed. & Sat. 2:15. DOUBLE BILL. Evs. 15c. Mat. To-day, Wed. & Sat. 2:15. A SLICE OF LIFELIFE HATTIE WILLIAMS. Preceded by ETHEL BARRYMORE. LYCEUM 45th St. & B'way. Evs. 15c. Mat. To-day, Wed. & Sat. 2:15. ANGLIN 44th St. & B'way. Evs. 15c. Mat. To-day, Wed. & Sat. 2:15. FULTON 44th St. & B'way. Evs. 15c. Mat. To-day, Wed. & Sat. 2:15. ELSIE FERCUSON THE LAND. HARRIS YOU WILL NEVER FORGET THE TALKER HUDSON 44th St. near B'way. Evs. 15c. Mat. To-day, Wed. & Sat. 2:15. OTIS SKINNER KISMET. TICKETS ON SALE TO APRIL 15. New Amsterdam W. 42d St. Evs. 15c. Mat. To-day and Wed. 2:15. THE TRAIL OF THE LONESOME PINE With Charlotte Walker. Extra Matinee Washington's Birthday. LIBERTY 42d St. nr. B'way. Evs. 15c. Mat. To-day, Wed. & Sat. 2:15. GREAT MARIE CAHILL IN THE OPERA HOUSE. Gaiety 45th St. Evs. 15c. Mat. To-day, Wed. & Sat. 2:15. GLOBE Broadway, 46th St. Evs. 15c. Mat. To-day, Wed. & Sat. 2:15. EDDIE FOY IN 'OVER THE TOP' WITH THE ONLY CABARET ON THE STAGE WITH MAURICE IN NEW DANCES.

THE WEATHER REPORT



Official Record and Forecast.—Washington, Feb. 16.—The east coast has moved southward into the ocean, and the weather to-night was fair generally in Atlantic states. Moreover, the winds attending the passage of the storm had diminished, but high north of the storm, in the Ohio Valley and the West, the rainstorm in the South is moving westward, to-day, probably becoming unsettled Sunday; moderate temperature, moderate variable winds.

THE WEATHER REPORT



Official observations of United States weather bureau taken at 8 p. m. yesterday follow: City Albany... Clear... Buffalo... Clear... Chicago... Clear... New York... Clear... Philadelphia... Clear... St. Louis... Clear... Washington... Clear.

SILVER HELD FOR TWO COURTS.

Max Silver, who was arrested on Thursday on the charge of being one of the men who attempted to rob the jewelry store of Barnett Netem, No. 255 Broome street, was arraigned before Magistrate Harris in the Essex Market court yesterday. He waived examination and was held without bail for trial in General Sessions on a charge of attempted robbery, first degree. He was also held for trial in Special Sessions on a charge of carrying a revolver without a permit.

DINNER FOR SHERIFF HARBURGER

The Free Sons of Israel have arranged to give a dinner in honor of their brother, Sheriff Julius Harburger, at the Broadway Central Hotel, Sunday, Feb. 18, at 12 o'clock. The dinner is to celebrate the sixty-first anniversary of Sheriff Harburger's birth, the day being also the anniversary of the birth of one George Washington. Among those who have accepted invitations to attend are Mayor Gaynor, District Attorney Whitman, Congressman Charles F. Smith, Controller Schomer and Justice Zeller.

THE WEATHER REPORT

Forecast for Special Localities.—For Northern England, fair and warmer to-day; Sunday, increasing cloudiness, moderate variable winds. Local Forecast.—For New York, fair to-day, probably becoming unsettled Sunday; moderate temperature; moderate variable winds. For Southern New England, Eastern New York, Eastern Pennsylvania and New Jersey, fair to-day, probably becoming unsettled Sunday; moderate temperature, moderate variable winds. For Delaware, Maryland and the District of Columbia, fair to-day, probably becoming unsettled Sunday; moderate temperature, moderate variable winds. For West Virginia, increasing cloudiness, with probably rain to-night or Sunday. For Ohio, fair to-day, increasing cloudiness to-day, becoming unsettled Sunday; moderate variable winds, mostly southerly. For Western Pennsylvania, increasing cloudiness to-day, followed by rain Sunday; moderate variable winds. Official observations of United States weather bureau taken at 8 p. m. yesterday follow: City Albany... Clear... Buffalo... Clear... Chicago... Clear... New York... Clear... Philadelphia... Clear... St. Louis... Clear... Washington... Clear.