

"HUB" SWIMMER FAKER, SAYS COMMODORE BROWN

Denies Richards Swam from Battery to Sandy Hook in One Tide.

OFFERS \$1,000 FOR MATCH

Durborow, Philadelphia Bank Clerk, Also Holds That Boston Man Did Not Accomplish Feat.

Shaking \$1,000 in the general direction of Boston, Commodore Alfred G. Brown, of New York, yesterday emphatically denied that Samuel Richards, Jr., of the "Hub," swam from the Battery to Sandy Hook in one tide as Richards asserts.

The \$1,000 will be posted for a match with Richards, should the Boston swimmer feel confident he can accomplish the feat in the presence of a reporter for The Tribune and a representative of Commodore Brown. Brown will either swim with Richards, or he will row alongside the Boston man and keep tab on him, wagering him the full sum that he cannot repeat his alleged performance.

"No man can swim that distance in those waters in one tide," declared Commodore Brown yesterday. "I have tried it too often, and I know all conditions of the currents. He may get within an inch, figuratively speaking, of the Hook—but he might as well be at Homer Shoal. The tide sweeps around the Hook with a force that cannot be overcome by human strength. It not only holds the swimmer in check, but forces him back. It is not easy to row a boat forward in such circumstances, and when one has swum more than twenty miles he is not in shape to make the necessary fight."

"On August 28, 1912, I swam the distance, but it took me 13 hours and 28 minutes to do it—two tides. There is no use in starting sooner than I did, for a swimmer would be swept into the East River, as helpless as a cork."

"Another thing—Mr. Richards left the Battery before his announced time of departure, and I understand he took no newspaper men with him, though some expected to go along. I am further informed that lifesavers and others at the Hook say they did not see him land."

An even stronger refutation of Richards' alleged swim is made by Charles Durborow, the Philadelphia bank clerk, who has tried the same stunt. In a letter he states:

"I have talked with several tugboat men and sea captains, and to a man they say Richards could not swim an inch against that tide. If he says he bucked the tide from two to three hours, and there were no newspaper men along, why, nothing to it. He should either confess he is a faker, or else he is in honor bound to swim it over again in competition, with either you or me. If a professional, he should swim you—if not, he should swim me. I will swim him gladly."

This letter was written to Commodore Brown under date of the 19th. Negotiations are now under way which are expected to induce Raymond James Boyle, of the Pittsburgh Athletic Association, and possibly others, to again try the Battery-to-the-Hook swim. Boyle came within a fraction of covering the distance in one tide recently, but had to give it up without putting his foot on the sand.

PROBE PULITZER "SATIRE" Minority Holders Say They Were Duped.

Stockholders in the Pulitzer Publishing Company, formerly proprietors of the defunct "Satire" and now issuing "The Welcome Guest," succeeded at the end of a stormy session at the annual meeting yesterday at No. 225 West 39th street in getting a committee appointed to examine into the affairs of the concern and report within a month.

John T. Hettrick, who represented the greater part of the minority stockholders, set the ball of dissension rolling with a protest against the voting of any of the 20,000 shares given Walter Pulitzer, the president, on the grounds that the transaction was illegal. Pulitzer at once flew into a rage, and Mr. Hettrick then read letters from stockholders who wrote that they had been duped into buying stock by the representations of salesmen that "The New York World" was identified with the company.

Immediately after Pulitzer himself and George W. Willis, secretary of the company, had been added to the proposed committee, the motion for the inquiry was passed. Mrs. Pulitzer was present and vigorously defended her husband against those imputations of the minority stockholders that there had been irregularities in the concern's conduct.

COLD WAVE COVERS EAST Low Temperatures Extend as Far South as Florida.

Washington, Oct. 21.—The season's first touch of winter weather was general today east of the Mississippi. Shifting clouds which whipped the Middle Atlantic Coast and the lakes region left cold areas behind and snow in many sections. General frosts touched the South Atlantic region as far down as Florida, and there was freezing weather through the Mississippi and the Ohio valleys.

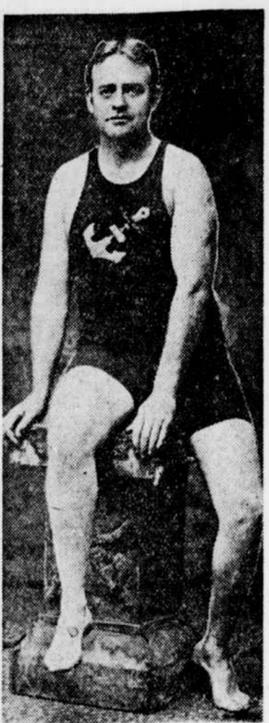
TOOK MERCURY BY MISTAKE Bensonhurst Clothier Dying from Poison in Sanatorium.

Isaac Levy, a retired clothier of Bensonhurst, Long Island, is in the Sunshine Sanatorium calmly awaiting death as a result of poisoning due to bichloride of mercury. Levy awoke late Sunday night with a headache and went to a medicine chest for aspirin tablets. In the dark he picked up a bottle containing bichloride of mercury, and dissolving four pellets in water, swallowed the mixture. He awoke again a few hours later, feeling ill, and summoned a physician.

SCHMIDT SANE, IS REPORT Alienists Say He Was So When He Killed Anna Amuller.

The four alienists who examined Hans Schmidt, the priest who confessed killing Anna Amuller, reported to the District Attorney yesterday that Schmidt was sane at the time he committed the act and is sane now. Their report was based upon examinations of Schmidt, of witnesses and upon the answers given by Schmidt when examined by the police and by the District Attorney.

BAIL GIVEN IN BANK CASE. Henry E. De Kay, James F. Allen and Oran R. Farrar, charged with having misappropriated funds of the Atlantic National Bank, of Providence, appeared before United States Commissioner Shields yesterday and gave bond of \$2,000 each. They are to appear for examination in Providence on November 18.



ALFRED G. BROWN.

RICH TENANTS MAY PAY RENT TO NEW LANDLORD

Costliest Apartment House in World Likely to Change Owners Within Few Days.

Senator Elihu Root, ex-Governor Levi P. Morton, Henry Rogers Winthrop, Lloyd Aspinwall and other well known persons, who are occupants of No. 598 Fifth avenue, northeast corner of 81st street, considered by experts to be the most expensive apartment house in the world, are likely to have a new landlord in a few days. It was learned yesterday that negotiations were well under way between the present owners and a large owner of city property.

This house is held at \$3,000,000, the total yearly rent roll being \$300,000. The structure was built by the Century Holding Company from plans by McKim, Mead & White. It was the aim of the designers and builders to reduce household cares to the vanishing point if possible. An occupant who is going abroad or expects to be away from the premises for a long or short stay simply notifies the superintendent of the building the hour of his departure and the superintendent then takes full charge of the suite vacated. On a few hours' notice, too, the apartment is ready for the return of the occupant.

Not only is the building fireproof, but it is equipped with a standpipe and hose on each floor, both connected to fire pumps. There is ample water storage on the roof. Special night watchmen make periodic rounds of the building. The apartments are simple and duplex, the rentals ranging from \$10,000 to \$25,000 a year.

Other notable features of the building are 2,000 square feet in each apartment available for entertaining, concealed radiators, vacuum return heating system, open fireplaces for coal or wood fires, safes for jewelry or silverware, waste incinerators in kitchens, servant hall and six servants' bedrooms in each suite and individual cold storage compartments in basement.

KILLS BOY AT BONFIRE Man Joins Group About Blaze, Then Shoots—Arrest Made.

A bonfire at 10th and Grove streets, Jersey City, at 9 o'clock last night, attracted to the scene a number of small boys, among them Joseph Crowley, Jr., eight years old, who lived in the neighborhood. It being a cold night, the lads crowded close to the fire. A man approached. Young Crowley looked up at him, thinking he had come to warm himself. The man, as soon as he had stepped close, suddenly drew a revolver from his pocket and without a word pointed it at Crowley and fired. As the boy fell with a scream the man dashed off.

Thomas Hickey, one of Crowley's companions, lifted him up and carried him to a nearby hospital. On the way the victim fell. As the murderer fled one of the boys, Patrick Kane, sped after the man. When he was certain that he saw the fugitive enter a policeman, Brennan, Brennan went inside and there found Bernard Fagan, forty-eight years old. On a dresser was a revolver. It was warm and one of the five chambers held an exploded shell. The others carried bullets.

Fagan denied the shooting, but he was taken to the 2d Precinct and locked up, charged with homicide.

DEPUTY SHERIFF ON MENU Slander Suit for \$25,000 Spoils Norwegian's Feast.

Alf Whist, a native of Norway and general manager of the Norsk Lloyds, a Norwegian marine insurance corporation, was arrested yesterday by Deputy Sheriff Rooney in a suit brought by Ove Lange, general agent in the United States for the Norwegian Mutual Clubs, a competitor of the Norsk Lloyds, who asks \$25,000 for alleged slander. Lange maintains Whist called him a grafter.

Whist arrived here from Boston on Monday evening. He was trailed from the Grand Central Terminal to the Waldorf-Astoria, where he stayed overnight, by three detectives employed by Lange. The detectives followed the defendant yesterday to Delmonico's, in Bleecker street. Sheriff Harburger was notified, and he dispatched Deputy Sheriff Rooney to the restaurant, where he arrested Whist while he was at luncheon with several friends. He gave a bond for \$2,000 and was released.

Lange said in his complaint that as general agent for the Norwegian Mutual Clubs he has had to disburse from \$300,000 to \$400,000 a year. It also has been his duty to investigate all accidents on which claims have been made, his work taking him to all parts of the North American coast, Central America and the West Indies.

SOBS AS SHE TELLS OF HIS CHIROGRAPHIC OSCULATION

Aged Suitor Broke Her Heart, but Teacher Says \$150,000 Will Mend It Again.

Justice Hooker in the Supreme Court listened yesterday to the story of an aching heart. Miss Mary I. McIntyre, formerly a teacher, told how William Hughes, a prosperous paper manufacturer, of Brooklyn, sixty-five years old, had made love to her and proposed to her and after she had accepted him had refused to keep his promise because, Miss McIntyre said, Mr. Hughes' daughters "wouldn't let him." For which breach of promise Miss McIntyre demanded \$150,000 damages.

Miss McIntyre sobbed as she told the story of the rapid courtship that culminated when the elderly lover called her on the telephone and announced that he could not marry her. At first the attentions of Mr. Hughes seemed to her like "a fatherly interest," said the plaintiff. But on April 21, 1912, he proposed to her, and nine days later they were engaged. Invitations had been sent out for the wedding, which was set for October 2. Miss McIntyre told of the fortune Mr. Hughes said would be hers as his wife. When Mr. Hughes went to Bermuda he sent her many letters, she said, reiterating his affection, and always closed with a chain of marks that she said stood for kisses.

SEA HEROES GET WATCHES Kroonland's Sailors Honored for Volturno Rescues.

Thirty-four brand new time pieces will tick in the pockets of thirty-four members of the crew of the Red Star liner Kroonland when the vessel sails for Antwerp this morning.

Those with the shiny gold watches came by them yesterday afternoon, when a committee of passengers who crossed the Atlantic on the steamer's last trip, when almost 100 of the crew and the passengers of the burning Volturno were rescued in midocean, went to the Red Star Line pier, boarded the vessel and distributed them. Captain Kreibohm of the Kroonland received a silver cigar case, and the four officers who commanded the rescue boats also received suitable gifts in acknowledgment of their bravery. Speeches of presentation were made by Arnon L. Squires, a New York lawyer, who was a passenger, and the tokens were presented by Miss Margaret Beekman, daughter of Mrs. William B. Beekman, who was also present.

Following the ceremony a dinner was served by Captain Kreibohm. On the Olympic, which is expected to dock this morning, are about thirty men, survivors of the Volturno disaster, who were taken to England by one of the rescuing steamers. They will be cared for by the Hebrew Sheltering and Immigrant Aid Society.

A dispatch received yesterday at the office of the Russian-American Line from Captain Smiltneck of the steamer Czar, which rescued 102 lifeboats from the Volturno, stated that the first lifeboat to reach the burning vessel was one from his ship, having gone alongside at 2 o'clock in the morning of October 19.

Not only is the building fireproof, but it is equipped with a standpipe and hose on each floor, both connected to fire pumps. There is ample water storage on the roof. Special night watchmen make periodic rounds of the building. The apartments are simple and duplex, the rentals ranging from \$10,000 to \$25,000 a year.

CAPT. INCH DOESN'T TALK Guest at Dinner, but Maintains Seaman's Modesty.

Captain Francis Inch, hero of the Volturno disaster, was a guest at a dinner given by Nelson Lodge, Sons of St. George, last night at the West End restaurant. The occasion was the anniversary of Trafalgar. Entwined with American and British flags was the motto: "England expects that every man this day will do his duty."

Captain Inch was introduced by Arnon L. Squires, a passenger on the Kroonland, who saw the rescue of the Volturno's passengers. In responding to the toast "A Perilous Passage Maketh a Port Pleasant" Mr. Squires paid an eloquent tribute to the heroism of Captain Inch.

Captain Inch, with a seaman's modesty, did not reply, but he signed almost every guest's menu card. He soon left the hall to board the Mauretania, which sailed this morning.

CZAR MADE FIRST RESCUES Captain Smiltneck Sends Message on Volturno Disaster.

A cable message received at the local office of the Russian Steamship Line yesterday claimed for the Czar the honor of having made the first rescues from the burning Volturno in midocean last week. None of the eleven steamers standing by risked lowering a boat, the message from Captain Smiltneck said, until his steamer started the work of rescue with success.

The message continued: "At 1 o'clock in the morning I was the first one to take up a position, maneuvering to the windward side of the Volturno, and launched the first lifeboat in command of my chief officer, who returned immediately with fifteen survivors."

"A boat in command of the third mate, with a fresh crew, after maneuvering to keep close to the burning vessel, proceeded with further rescuing and saved in all a total of 102 survivors, including the purser and surgeon of the Volturno. The second lifeboat made five trips in all to the burning vessel."

WOULD HAVE DIVORCE DECREE MADE Final or Revoked.

Henry W. Taft, 88, counsel for James Cunningham Bishop, asked Justice Giegerich yesterday that Mrs. Abigail Hancock Bishop, who obtained an interlocutory decree of divorce from Mr. Bishop, be compelled to move to have the decree made final or that the interlocutory decree be revoked.

Mr. Taft explained that the statutory three months had elapsed between the granting of the preliminary decree and the time to apply for the final decree, and also that Mrs. Bishop had failed to avail herself of the additional thirty days allowed by law.

Mr. Hayes, in behalf of Mrs. Bishop, who is in Europe, asked for a delay of thirty days to communicate with his client. Justice Giegerich adjourned argument until November 10.

ALCO STOCKHOLDERS GET NO SATISFACTION

Majority Fails to Explain Mismanagement Charges or to Promise Salary Economy.

OLD BOARD IS RE-ELECTED

Counsel for Minority Protestants Fail in Effort to Have New Investigation of Corporation.

The largest number of stockholders that ever attended an annual meeting of the American Locomotive Company gathered at the company's offices yesterday in the Hudson Terminal Building to hear what reply the management had to make to the recent charges of Isaac M. Cate, a large Baltimore stockholder, that the company is not being managed in the interests of the stockholders. Among the things that Mr. Cate had asked to be made public were the reasons for the discontinuance of the manufacture of automobiles, at a contingent loss of \$2,300,000, and why the company had purchased a large part of its locomotive supplies from other concerns at prices higher than those at which they could have been manufactured at their own plant.

Special effort was made by Albert Woodman and R. T. Whitehouse, counsel for Mr. Cate, who was not present at the meeting, to have made public the report of the special committee appointed to investigate the company's affairs, but to no avail. Mr. Woodman was told by President Marshall that the report had not yet been completed, and for this reason he did not deem it wise to publish only a portion. John W. Griggs, ex-Governor of New Jersey, special counsel for the company and a member of the committee in question, seconded President Marshall's explanation.

After further vain attempts by Mr. Cate's counsel to obtain any definite assurances as to when the report of the investigating committee would be made public and whether, even then, it would be sent to the stockholders, Charles Whiting Baker, editor of "The Engineering News," presented a resolution that an independent committee be appointed to investigate Mr. Cate's charges, composed of the following: William R. Wilcox, former chairman of the Public Service Commission; Herbert Knox Smith, former Commissioner of Corporations, and W. J. Wilgus, a former vice-president of the New York Central Railroad and a well known consulting engineer. Following an acrimonious discussion, a motion was made to lay the resolution on the table.

It was at this point that the majority stockholders played their best card. George R. Sheldon, a prominent director of the American Locomotive Company, who has been characterized by "The Engineering News" as "beyond reproach," stated that he held proxies for \$200,000 of the \$9,000,000 outstanding stock, and voted to table the resolution. The minority interests were dumfounded at this sudden defeat and charged the company with using steam roller methods to carry out the plans of the management. The proxies held by Mr. Cate and voting in favor of the resolution amounted to 45,000 shares, made up of 1,000 individual stockholders.

L. Clark Seelye, president emeritus of Smith College, said that he had come to the annual meeting with the intention of favoring the appointment of a new investigating committee, but he declared later that he had reached the conclusion that the committee already at work should be given opportunity to make a full report before the appointment of a new committee. Mr. Seelye reviewed the charges made by Mr. Cate against the present management of the company and declared that the explanations offered by President Marshall were satisfactory.

Among other disclosures Mr. Seelye brought out that the chief executive officers of the company receive annual salaries totaling approximately \$134,000 a year, made up as follows: President Marshall, \$50,000; J. McNaughton, vice-president, \$25,000; Leigh Best, vice-president, \$25,000; C. B. Denny, secretary and treasurer, \$12,000; and Joseph Davis, controller, \$12,000. In addition to these sums the officers were accustomed when there were sufficient surplus earnings over the preferred stock to receive annual bonuses of from 35 per cent to 50 per cent to the exclusion of the rights of the common stock holders. This information brought forth a storm of criticism and a request that bonuses be discontinued in the future, but with no assurances, however, that such a policy would be followed.

President Marshall in answer to the charge that many of the directors of the company held only a small amount of stock said that, speaking for himself, he held 1,000 shares, of which 600 shares were in his wife's name. He also declared that he was a director of the Railway Steel Spring Company only to acquire a wider knowledge of the trade in which he was interested.

The question was asked by Mr. Cate's counsel why a sum so large as \$2,300,000 was set aside to liquidate the American Locomotive Company's automobile business. In reply President Marshall said that that amount would doubtless not all be used. Mr. Woodman hereupon criticized the management for appointing a committee several years ago to make an investigation of the automobile business, while the only knowledge the stockholders received of the result of their investigations was the bare announcement that this business would be discontinued.

At the conclusion of the meeting the steamroller again asserted its power by re-electing the company's retiring board of directors, thus insuring the continuance of the present management for another year. President Marshall issued a voluminous typewritten statement to refute the charges made by Mr. Cate.

BISHOP ASKS COURT AID Would Have Divorce Decree Made Final or Revoked.

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CASE AGAINST WATSON THROWN OUT BY COURT

Held Government Should Have Quoted Entire Article Mailed and Alleged To Be Obscene.

EDITOR'S OWN DEFENCE

Bible Might Be Barred, Says Federal Judge if Any Other View Were Taken—Cheers Greet Decision.

Augusta, Ga., Oct. 21.—Holding that the indictment charging Thomas E. Watson, editor, author and once Presidential candidate of the Populist party, with sending obscene matter through the mails, was illegal, Judge Rufus E. Foster, of the United States District Court, ordered the case thrown out of court to-day.

In sustaining the motion of the defence to quash the indictment, Judge Foster brought the trial to an abrupt and unexpected close. A large audience attended to-day's session, and when the judge announced his ruling the spectators broke into cheering. Judge Foster ignored this demonstration, which quickly subsided.

It was solely upon the contention raised by Watson himself that the court ordered the case dismissed. Extended argument on the motion had been made by S. G. McLeendon, of defendant's counsel, when the defendant asked permission to present "other phases of the matter."

Watson addressed the court briefly, laying stress upon his claim that the indictment should not select certain passages of the article written by him, but should include the entire matter. He said that unless this were true, it would be possible to indict persons for mailing copies of the Bible or the criminal code of Georgia.

Argument against the motion by District Attorney Akerman was brief and limited to an outline of the government's position that the indictment need merely indicate the alleged obscene passages and not the entire article. In announcing his decision, Judge Foster said:

"It appears in this indictment, in all three counts, that the publication alleged to have been sent through the mails in violation of the law is an extract from a complete article. It is clearly my opinion that the government is required to plead the entire article. The article is obscene as a whole, or is not obscene, and we cannot take out a few paragraphs here and there and charge them as obscene and make them the basis of an indictment. It may be that a paragraph here and there is sufficient to impress the whole publication with obscenity, but the defendant is entitled to be charged with sending the complete article.

The publication is an entire thing. It is not a part or extract. We would be



College men get wiser every day! They're getting over the tailor habit.

The proof's in the increased sales of our salesmen who travel back and forth between the big eastern universities.

Of course, young men and especially college men demand the smartest sort of clothing, and resultantly it's our "shapely" models with natural shoulders and high cut vests that make the strongest appeal.

But there's nothing comic about them.

Absolutely nothing, in spite of the fact that the gayest of the "gay young Sophomores" are among our best customers.

They're gentlemen's clothes in every sense of the word.

At moderate prices—and all backed, as is everything we sell, with "your money back if you want it."

Overcoats and motor coats in the same smart class.

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

Kennedy The Men's Big Store Hats—Shoes—Men's Furnishings We buy direct from the best manufacturers. Saving you all newest styles' profits.

Why pay \$3 elsewhere? Green's, Brown's, Gray's Silk or Sash Bands. Flexible Derbys \$1.90 Imported Velour Hats, \$4.80.

able to indict a sender of the Bible on this theory. We might take the episode of Potiphar's wife, or the relations of Onan to his brother's widow, or something of that sort, and indict just as well. "I am not pretending to rule on any other feature of this indictment. The question of whether it is obscene if set out in a dead language is not passed upon. On this view I will sustain the motion to quash. It is possible for the government to reinstate and make these entire articles part of the indictment."

MINISTER TO BALKANS OFF

Chicago Brewer, Now Diplomat, Sails for His Post.

Charles J. Vopicka, the new Minister to the Balkan States, himself born on the border of the nations where he goes to represent this country, sailed yesterday

on the North German Lloyd liner Kaiser Wilhelm II. Mr. Vopicka is a native of Prague, Bohemia, and springs from the Slavic race, whose people make up a large part of the population of Rumania, Bulgaria and Serbia, to which countries he is accredited.

Mr. Vopicka is a Chicago brewer and contributed largely to the Democratic campaign fund. He will reach his post about the middle of November.

On the same vessel went the Rev. Charles W. Clash, recently appointed dean of the Protestant cathedral in Manila under Bishop Charles H. Brent of the Philippines. For the last four years Mr. Clash has been assistant to the Rev. Dr. Charles Lewis Slattery, of Grace Church, and is the third clergyman from this parish to receive the Philippine appointment. He will embark at Marseilles for Hong Kong, arriving at Manila on Christmas Day, according to his present schedule.

Advertisement for E.W. Red Man Brand White Wood collars. THE NEW FALL COLLAR. 2 FOR 25 CTS.

Advertisement for SEVEN KEYS TO BALDPATE hair treatment. Includes list of theaters and shows like EMPIRE, GLOBE, GARRICK, CRITERION, etc.

Advertisement for HIPPODROME and A-M-E-R-I-C-A shows. Includes Hippodrome and A-M-E-R-I-C-A with various acts and prices.

Advertisement for COURSE TICKETS FOR THE ELMENDORF LECTURES CLOSES TO-DAY. Includes details about the lectures and ticket prices.

Advertisement for KNEISEL QUARTET 6 CHAMBER MUSIC CONCERTS. Includes details about the quartet and concert schedule.

Advertisement for GERALDINE FARRAR'S CONCERT. Includes details about the concert and ticket prices.