

FOWLER BALKS AT CONFESSING; TO FIGHT CHARGE

Arraigned Before Judge Crain, He Pleads Not Guilty.

HIRES LITTLETON FOR HIS DEFENCE

Counsel Denies Courts Here Have Jurisdiction in the Case.

STRIVING FOR DELAY

District Attorney's Answer May Be to Indict All Named by Seneca P. Hull.

Everett P. Fowler, of Kingston, indicted for extortion in the campaign fund graft inquiry, was arraigned yesterday before Judge Crain in General Sessions Court, and put in a plea of not guilty. He was released in \$5,000 bail.

An eleventh hour change in attorneys by which Fowler cut loose from William D. Cunningham, his home town legal adviser, who had assured District Attorney Whitman that Fowler would present himself yesterday prepared to tell the Prosecutor all he knows of the political assessments on contractors, and by which he suddenly retained Martin W. Littleton, was the only outwardly apparent reason for the change in attitude on Fowler's part.

Littleton lost no time in advancing the claim that he could pilot Fowler's fight successfully by the method of obstructing Whitman's move on the ground of lack of jurisdiction. The New York lawyer declared that if any extortion was committed, it was in Onondaga County, and could not be prosecuted here. He said he would move to quash the indictment on that ground and would carry the point, if necessary, to the Court of Appeals.

How Whitman Will Reply. Whitman's answer to this first move to block the inquiry will probably be a demand for a series of indictments which will involve every prominent politician who has been connected with the Fowler case through the evidence of Seneca P. Hull and the other witnesses, and documentary evidence upon which the grand jury voted the extortion indictment against Fowler.

Alexander Oils, of Rochester, had a long talk with District Attorney Whitman yesterday, and supplied him, it is understood, with a mass of information as to the methods by which the officials of the Highway Department backed up the demands for money made on the contractors by political collectors.

The evidence upon which Fowler's indictment was found embraced Hull's testimony that Fowler had met him in the headquarters of William H. Kelley, Democratic boss of Syracuse, and had there "sandbagged" him for \$250; letters from Kelley relative to the appointment of Fowler; a check for \$250 made out to and endorsed by Norman E. Mack and Arthur A. McLean, and a letter of acknowledgment of the "contribution" from McLean as state treasurer.

Hull was working at the time of the meeting with Fowler on a small road contract for a highway between Truxton and De Rueters, in Cortland County, which was awarded to him at

This Morning's News.

LOCAL. Start Fight to Oust Barnes... 1. State Wife and Kills Himself... 1. Peace Reigns at Opera... 1. Fowler Decides Not to Confess... 1. Hotel Man Commits Suicide... 1. Lives Long After Breaking Neck... 2. May Force Police Confession... 2. Society at Grand Opera... 3. Week's Opera Tickets Released... 3. O'Connell Denies Wife's Charges... 3. O'Connell Denies Murphy's Crown... 3. Jumping Horses in Arena... 5. Society Towards Horse Show... 5. Yuletide Star Shines in Park... 7. Society to Pose as Persians... 7. Y. M. C. A. Fund Growing Fast... 15. Fire Next Door Alarm Hotel... 16. Court Voids Coal Man's Will... 16. Fort Hamilton Gun's Tested... 16. GENERAL. Huerta Removes to Chapultepec... 1. Wilson's Optimism Unshaken... 2. Lord Condry Denies Reports... 2. New U. S. Board Ends S. P. Strike... 3. Wilson Abandons Currency Fight... 4. O'Neal Again Names U. S. Senator... 4. House Business Ended for Session... 4. Coal Road Inquiry Leads to New York... 4. Asphalt Men Accuse Carlisle... 5. Morgan Saved New Haven in 1907... 5. Woman Found Dead in Cellar... 5. Campaign Cost Tammany \$200,000... 5. Suffragists Received by Wilson... 7. FOREIGN. Wall of Capital State Debts... 6. East Indians on Strike... 6. MISCELLANEOUS. News for Women... 7. Editorial... 8. Society... 8. Theatrical... 9. Quinary... 9. Sports... 10 and 11. Shipping... 11. Weather... 11. Army and Navy... 11. Financial and Markets... 12, 13 and 14. Real Estate... 14.

'WILSON PROMISE A DREAM'

Dean Worcester Declares Filipinos Cannot Govern Selves.

San Francisco, Nov. 17.—Dean C. Worcester, Secretary of the Interior of the Philippine insular government for twelve years under the administrations of Presidents McKinley, Roosevelt and Taft, arrived here to-day on the liner Manchuria.

"It was a great mistake to promise the Filipinos the insular commission should be dominated by a majority of the natives," he said. "As long as the commission has existed the Americans have been in the majority and have prevented foolhardy legislation on the part of the Assembly.

"Under the new order, as introduced by Governor Harrison, demonstrations may be made by the natives at any time. The promise of President Wilson to grant the Philippines independence is a dream.

"The natives cannot govern themselves. Trouble would result immediately, and there would be intervention by other nations—at least by one other. The Philippines would quickly get a dose of the same medicine administered to Corea."

STOIC AS HE LOSES ARM

Engineer Coolly Bandages Stump Awaiting Ambulance.

Patrick Keegan, thirty-two years old, of No. 288 Theodore street, Long Island City, had his right arm torn off at the elbow yesterday in a concrete mixer in Flushing, and extricated himself from the machinery he coolly walked away, and seating himself on a bench tried to stanch the flow of blood while his fellow workmen looked on in horror.

He was busy bandaging his bleeding stump when an ambulance from Flushing Hospital arrived, where he was taken and at once placed on the operating table. Although he had lost considerable blood the doctors say he will recover.

GEMS GIVEN ARNHEIM CO.

Held Not To Be Those Hypothecated in Security for Bill.

London, Nov. 17.—Trustees in bankruptcy were asked in court to-day to parcel sixty rare diamonds, alleged to have been taken by the Japanese Bank from the Yokohama branch, where they were held on behalf of the Richard Arnheim Company, of New York, London and Japan, when the London branch failed.

The plaintiff held that the jewels were not those hypothecated to the bank in security for a bill of \$9,000. Mr. Arnheim testified that the bill was not due until the April following the London failure in February, and the court ordered the jewels returned to him.

MITCHEL'S PARTY REACHES JAMAICA

Mayor-Elect Won't Talk Politics Yet—Mayor Simpson of Kingston Calls.

Kingston, Jamaica, Nov. 17.—John Purroy Mitchel, Mayor-elect of New York, and his party arrived here this morning. All are well except Mrs. Mitchel, who suffered with neuralgia in a tooth throughout the voyage from New York.

Mayor Simpson of Kingston called to-day. To-morrow the Catholic Bishop, Monsignor Collins, will escort the party to call on Governor Manning. Tarpon fishing will be enjoyed later.

Mr. Mitchel will talk no politics until he arrives at the Isthmus of Panama. He will sail for there on Friday.

EDNA HARDENBERGH FOUND

Worked as a Servant in Shoe Dealer's Family.

Edna Hardenbergh, the sixteen-year-old daughter of Louis V. D. Hardenbergh, of No. 31 Lake street, Brooklyn, who disappeared from her home on Thursday, was found yesterday. She had not been kidnapped. She got tired of going to school, answered an advertisement in person and went to work for Joseph Hare, a shoe dealer, of No. 218 Graham avenue, Brooklyn.

The work was the care of three small children. The girl did not see any newspapers, and as she had given a fictitious name in obtaining the place neither Mr. Hare nor his wife had the least suspicion who she was.

DETHRONE BARNES AS UNFIT, IS CRY

Young Republicans Demand Chairman Must Quit Committees.

FIRST GUN FIRED IN FIGHT ON "BOSS"

Plan to Oust Leader Adopted in Resolution, Despite Protests of Old "Stand-Patters."

The New York Young Republican Club passed resolutions last night at the Prince George Hotel calling on William Barnes to resign the chairmanship of the Republican State Committee and from the Republican National Committee. The sense of the resolutions was that Mr. Barnes has stood still while his party has advanced, and is now unfit for leadership.

The action of the club was vigorously opposed by former State Senator Martin Saxe, John Boyle, of The Bronx, former secretary of the county committee; Albert Ottinger, leader of the 15th Assembly District, and others.

Ormsby McHarg, who worked for the nomination of Theodore Roosevelt in the Chicago convention in June, 1912, recommended that the resolutions be resubmitted to the committee to be made "constructive" instead of "merely an attack on a personality." Mr. McHarg also urged that Mr. Barnes be invited to appear before the club to defend himself before any action should be taken against him.

Warning Against Roosevelt. John Boyle warned the club that it would be folly to dethrone Mr. Barnes when his successor wasn't even in sight. He said it would result in turning the "whole thing over to Roosevelt," cited the 1910 convention when control was wrested from Mr. Barnes and the chairmanship was "wished on Ezra P. Prentice." He said unless the club was prepared to finance a primary fight it would be silly to think of unseating Barnes.

Albert Ottinger said Barnes was good enough for the party until Roosevelt, for ambitious reasons, saw fit to try to remove him. He said Roosevelt had subsequently made overtures to Barnes through George W. Perkins to come over to him, but Barnes for principle's sake had refused. "Roosevelt would set Barnes up on a pedestal to-day if he could win him over," said Ottinger.

Ex-Senator Saxe counseled caution. He approved of what Mr. Ottinger had said. Darwin P. James, a member of the Young Republican Club of Brooklyn, said that it was silly to think that Barnes would ever appear before the club in person. He said the rank and file of the state had been waiting for some one to "fire the first gun" against Barnes, and it was pretty plain that no organization would do it except the young men of the Republican party.

Mr. McHarg said he was opposed to the resolution because it attacked Barnes, the chairman. He said he was opposed to Barnes, the cynic, because he believed he was not fit to be the leader of imaginative young men.

"I am not a Roosevelt Republican, not a Taft Republican nor a Barnes Republican. I'm just a plain Republican. That's good enough for me, thank you!" he exclaimed. "The trouble with many of us is that we are Republicans only by personality.

"I know what Barnes did in the June convention," he said, "and this city and state have nothing to be proud about either. It is the only state in the Union that sends delegates bridled and saddled, and Mr. Barnes or anyone else can ride her delegations. You have a nominating law here that is a disgrace to civilization. Repeat it! Do away with a national committee that is self-perpetuating.

Urged to Keep Cool. "I am not opposed to your resolution if you put something constructive in it, but you can't win a political fight with an idea. I long ago abandoned the idea in politics that you can fight a man with anything but a man. Keep cool for a while and go before the voters with some constructive ideas. I'm in favor of this resolution, and if you will make it constructive I'll vote for it."

Mr. McHarg voted for the resolutions minus the constructive suggestion, which was lost on an amendment. The text of the resolutions follows: "The chairman of the conference and membership committees of the New York Young Republican Club having reported to this meeting the existence, especially among the younger men, of a strong and widespread feeling of dissatisfaction with the state leadership of the Republican party, which prevents voters from taking an active interest in Republican affairs, hinders the restoration of good feeling within the ranks of the Republican party and interferes with the re-establishment of the party in the confidence of the public, it is

"Resolved, That the president appoint a special committee of not less than three members to confer with other committees and persons interested, and to report back its recommendations at a special meeting called for that purpose at the earliest moment consistent with adequate discussion.

"Pursuant to this resolution the president of the club appointed the undersigned as members of a special committee on state leadership. This committee, after a long and careful consideration of the subject, and considerable consultation

PEACE REIGNS AT OPENING OF OPERA

Crowded House Hears Caruso Sing of Sky and Ocean in "La Gioconda."

PERFORMERS GET FLORAL TRIBUTES

Business Manager, in Happy Mood, Calls Audience Largest Ever at Premiere.

The Metropolitan Opera House threw wide its doors last night, and never a more peaceful first night audience gathered at the Broadway house of song than the one that gathered there to hear Enrico Caruso sing of the sky and ocean in Ponchielli's "La Gioconda."

The storm clouds which for the last three days had been hanging dun and heavy over the vicinity of Broadway and 40th street, threatening dire things unnamable, had broken, and for at least a week there were assurance that no irate subscriber would assail the box office with brickbat or injunction.

What might have happened had Tyson & Co. failed to redeem their subscribers' tickets is now a hypothetical question, but it is certain that the house's ushers breathed a heavy sigh of relief when they heard that ejections would not be in order.

So it was that the grand opera season of 1913-14 opened under peaceful skies and in an atmosphere of at least outwardly serene good will. Whether it was the sudden let-down of high nervous tension, or whether it was that "La Gioconda" is nowadays scarcely an opera to cause the skies to fall, there appeared to be considerably less than the usual amount of electrical vibration both within and without the auditorium. The crowds arrived quietly, the police arrangements were perfect and there was no confusion at the doors.

The line of would-be standees began to form early in the afternoon, and soon extended half way around the building. The four hundred admissions allowed by the law were all sold half an hour after the box office window opened, and several hundred disappointed ones were turned away. Many of these persisted in remaining in the front lobby through the first act in the vain hope that some accident might allow them to pass the happy portals so jealously guarded by Mr. "Tom" Bull and his corps of efficient assistants.

Applause Greets Toscanini. When Mr. Toscanini stepped into the conductor's stand it was exactly 8 o'clock. The leader was greeted with a ripple of applause. The balcony and galleries were filled to the last row, and gullies continued to stray into the orchestra throughout the first act. As for the boxes, few were filled until well on toward the first curtain, New York society appearing not to agree with Mr. Toscanini regarding the desirability of punctuality. When Mr. Caruso, however, came to his great air in the second act, the parterre was ablaze with jewels as only the occasion of a first night finds it.

Mr. Caruso's first entrance was greeted with a slight burst of applause, and at the fall of the curtain Miss Destinn, Mme. Matzenauer and Mr. Amato were called out a number of times to bow their acknowledgments. The first real applause of the evening, however, came after the "Cielo e Mar," and Mr. Caruso was kept bowing for nearly a minute before the opera could proceed.

The fall of the curtain was the signal for another outburst from the house, which was added to when the various principals received the usual floral tributes, and added to again when an usher presented Miss Destinn with a stuffed little lion. In fact, the audience appeared throughout the evening to be abundantly satisfied, and it showed its satisfaction in its old and established and untemperamental fashion. Of course, the uppermost gallery and the Sicilian cohorts behind the rail had, as always, their peculiar and delightful way of applauding their great tenor; but even they last night appeared less in evidence than usual.

Showers of Floral Tributes. After the third act, in response to long continued applause, and after Mr. Caruso, Miss Destinn, Mme. Matzenauer, Mr. Amato and Mr. Seguro had repeatedly stepped before the curtain, to be showered with floral tributes, Mr. Caruso jumped behind the scenes and dragged out Mr. Toscanini, who also bowed to the appreciative audience.

Between the acts various singers gathered in Mr. Amato's dressing room, and all seemed very happy and contented with the opening. Mr. Caruso in particular was in excellent spirits and was continually playing pranks and joking with his fellow artists and a number of friends who dropped in to see him.

Mr. Amato said it was one of the happiest moments of his life, that everybody was in good voice and everybody was going well. Even Mr. Toscanini departed from his customary taciturnity and walked about the corridor behind the scenes with his face wreathed in smiles.

Mr. Gatti-Casazza, general manager of the opera company, said he was exceedingly pleased with the opening.

EMMY DESTINN AND CARUSO IN 'GIOCONDA.'



STABS HIS WIFE, THEN KILLS SELF

Man Whose Home Was Broken Up by Child's Death Ends All.

The death of eight-year-old Josephine Gierak last February fell hard upon her parents, Joseph and Antonia Gierak, of No. 493 East 156th street. Not alone because she had been the only child, but that in keeping life in her for a number of years the husband and wife had done all that tender mother and father could do.

The affection the couple had held for each other during their ten years of married life lost its strength in their grief instead of becoming firmer. "I have lost everything," Mrs. Gierak said two days after the funeral. "I am here," said her husband.

The passing of two weeks did not bring the relief that both expected, and Mrs. Gierak tried to kill herself. Her husband prevented the effort from becoming successful. Melancholy still, her constant reference to the death of their child had its effect on Gierak. He sought the mental indifference that alcohol brings.

And then Mrs. Gierak found such fault with him that his lapses became more frequent and his worry more biting, so that on November 9, two days after she, following a bitter quarrel, had left him, he went to the door of his home and slashed his throat. He was taken to Lebonan Hospital, had his wound patched up, and was discharged on November 14—last Friday.

Gierak, learning where his wife had moved, could not get to her after his working hours. He found out on Sunday that she was working in East 16th street, and yesterday, when the day's work was over, he went to the factory where she was employed. She saw him and hurried toward 14th street, probably hoping to lose herself in the crowd. But Gierak tailed her well, and when the woman was approaching the 14th street side of Union Square Park he came up close, and, taking her by the arm, pushed her to a bench. She sat down and he stood facing her.

It was about 6:30 o'clock, when workers returning home crowded the park. Gierak, in what colloquy occurred between his wife and him, excited no attention from others, and he had pulled a short-handled hatchet from his overcoat pocket and had struck his wife twice on the head before any one started toward them. The nearest person was not quick enough to stop Gierak in his next move. Dropping the hatchet, he jerked out a razor, jabbed his wife twice in the neck, and she falling back apparently dead he cut his own throat.

They were carried in the same ambulance to Bellevue Hospital. Gierak died on the way, and when the surgeons examined Mrs. Gierak's injuries they said she could not recover.

DOG GETS LEGACY, BUT WHO PAYS TAX?

Queens County Appraiser Puzzled What Action to Take in Case of Mike.

A pet dog formerly owned by Mrs. Madalen Hendricksen, of Creedmoor, has been left a legacy of \$100 for his maintenance, and the fund has been intrusted, with Mike, to Edward Martin, of Flushing. Philip Frank, deputy tax appraiser for the Borough of Queens, don't know whether to levy an inheritance tax against Mike or against Mr. Edwards.

Mike is to have the benefit of the \$100 fund during his lifetime, and Frank don't think it quite right that Mike should bear the tax. The entire estate is valued at about \$5,000. Friends of Mike say that as his bequest is less than \$1,000 it ought to be exempted from taxation.

HOTEL MAN KILLS HIMSELF IN PARK

Louis Frankel, Once a Successful Proprietor, Ends Life Because of Failures.

Discouraged by business failures and ill health, Louis Frankel, once known among New York hotel men as a successful manager and proprietor, committed suicide in Prospect Park, Brooklyn, yesterday afternoon. "A note in his pocket identified the body.

Captain James Tierney, of the Prospect Park station, found the body. A patrolman on duty near the foot of Lookout Hill, the highest and loneliest spot in the park, heard a revolver report and telephoned to Tierney, who began a search. Frankel evidently had walked out into the clearing at the top of the hill, scribbled the identifying note and then shot himself. The body lay face downward in a position that indicated that the single shot had taken instant effect.

Employees in a restaurant and cafe, at No. 200 Montague street, Brooklyn, which Frankel opened a few months ago, were not surprised when the news of his death came. When the head bartender reported for work yesterday morning Mr. Frankel was not there as usual, and the cashier found a note in the safe directing him to pay the employees and ending with the remark, "You will hear more from me by evening." The first news that came was that of the suicide.

Mr. Frankel had been unfortunate recently in his business ventures. He had interests in various hotels in New York State, and one by one they ceased paying dividends. For fourteen years he had been proprietor of the Hotel Albert, at University Place and 11th street, and through his large acquaintance with hotel men he was enabled to make other investments, which in turn proved unfortunate.

To stem the tide Mr. Frankel began plunging. He took over the old Gilesey House two years ago, but failed to revive the hostelry into a paying concern. A little before that he purchased Washington Park from Charles Ebbets and became a partner of Albert Schwartz in its management, losing heavily on the investment.

His last attempt to recoup his failing fortunes was the cafe in Montague street. For some months he seemed to take an interest in the business, but he never mentioned it to his old friends, and apparently felt keenly the change from the position of metropolitan hotel manager to that of proprietor of an obscure cafe. For some weeks, it is believed, he had been practically without funds.

Mr. Frankel was born in Hanover, Germany, sixty years ago. He lived with his wife and a step-daughter, Harriet Peterson, at No. 823 Sterling Place, Brooklyn. He left no children or other relatives.

BLOCKADE IN THREE DAYS?

German Admiral Reported to Have So Declared.

"The Herald" this morning prints a cable message from Mexico City, saying that Admiral von Hintze, the German Minister, called a meeting last night of the heads of the more important German commercial houses, and declared his expectation that a blockade of Mexican ports by the United States would be declared within the coming three days.

Admiral von Hintze asked the business men to prepare inventories of all shipments expected by them, explaining that with such lists he would be better prepared to guard their interests during the blockade.

HUERTA, IN FEAR, GOES TO CASTLE OF CHAPULTEPEC

Move Believed To Be Made for His Greater Personal Safety.

GERMAN MINISTER WARNS OF BLOCKADE

Capital Hears Rebels Have Captured Three Important Cities.

SENATE AGAIN MEETS

Preliminary Organization of Upper Body Completes Dictator's Defiance of U. S.

(By Cable to The Tribune.) Mexico City, Nov. 17.—Much significance is attached by the public to the fact that General Huerta has gone to the Castle of Chapultepec. It is taken for granted that his move is to insure his greater personal safety.

Before Huerta removed to Chapultepec he summoned the members of his staff and his personal friends and told them that if any disaster came he would be the only one to suffer.

In his talk to the members of his staff and personal friends Huerta intimated that he would be ready to resist intervention by the United States.

The Senate held its first session this afternoon and organized by electing provisional officers. This is regarded as the finishing touch to Huerta's defiance of the United States demand that the Congress should not be allowed to convene, as the Chamber of Deputies completed its preliminary organization last week.

General Francisco Ponce was chosen temporary chairman of the Senate, and a committee on credentials was appointed. A similar committee of the Chamber of Deputies began to-day the work of revising the deputies' credentials, and there is nothing to indicate that the formal opening of Congress next Thursday will be postponed.

Hear Three Cities Are Lost. Closely following Huerta's renewed defiance of the United States, the fall of Juarez and the ousting of Manuel Garza Aldape from the Cabinet, it is persistently reported here to-day that the Constitutionists have captured Ciudad Victoria, capital of Tamaulipas; Chihuahua, capital of the state of the same name, and the port of Guaymas, in the State of Sonora.

That either of these important places has fallen is flatly denied at the War Department, but the rumors continue to circulate.

The report was revived to-day that General Huerta intended to resign on the convening of Congress in regular session on Thursday. It was based on the alleged declaration of a member of the new Chamber of Deputies.

The situation about Tuxpam, the centre of the oil industry, is described as acute. The rebels are urging the foreigners to cap their wells and to leave them, as the rebels do not intend to leave an unrestricted supply of fuel oil for the railroads, nor to enable the government to derive revenue from that source.

Aldape Sees No Change. Señor Aldape said last night that he did not think that his withdrawal from Huerta's Cabinet would affect the situation. He denied that he had ever occupied in the cabinet the dominant position attributed to him, and added that he believed Huerta's "prudence and statesmanship" would be equal to all emergencies.

It is known that Huerta had to choose between the resignation of Aldape and the resignation of Señor Moheño, Minister of Foreign Affairs; General Blanquet, Minister of War; Señor Lozano, Minister of Communications, and Señor Garcia Naranjo, Minister of Public Instruction.

The resignation of Señor Leopoldo Rebollar, Minister of Fomento, is expected. Rebollar being a protégé of Aldape.