NEW GRETNA GREEN DECEIVES MAMMA

Arriving at Little Church Around Corner She Finds Elopers Have Flown.

SIR JAMES GRAY'S SON WEDS ANNABEL DADE

"Love Match," Says Bride, Who Gets Blessing That Is Kindly Though "Scotch."

"You are two bally fools, even if you have outwitted me."

This was the wedding greeting which Mrs. Charles A. Henderson, wife of a New York broker with offices at 71 Broadway, gave yesterday afternoon to her sixteen-year-old daughter, Annabel, and James Douglas More Gray, who objects to being called a dancer, but admits he is the son of a Scotch laird, when they dashed into her apartments at 24 West 89th st. and announced that they were man and wife.

The news, however, was not a distinct shock to Mrs. Henderson, because she had just returned from the Little Church Around the Corner, where she had been informed her daughter was about to wed. The message came from a reporter who wanted to know about the yellow hatted girl who had upset the routine at the marriage license bureau yesterday morning.

Mrs. Henderson started for the church, but when she got there the church was bare. Miss Dade, in the mean time, learning of her mother's approach, was being married in the Marble Collegiate Church by the Rev. Dr. David James Burrell.

"This is the way it happened," she said, after her arrival home. "I love Lord Gray and he loves me. We decided at luncheon on Sunday to be married. Miss Violet Ames, granddaughter of ex-Governor Ames of Massachusetts, was to be my bridesmaid. She disappointed me at the last moment, fearing that mother might be offended. In the morning we got our license. I knew that I was young and that there might be a lot of formalities. I wanted everything to be informal."

"Even to the extent of leaving your mother out of the arrangements," interrupted Mrs. Henderson.

"Just the same, mother," continued the bride, "everything had to be done in a hurry. We arranged to be married at the Little Church Around the Corner, and when we found that you were on your way to stop us we hurried to the Marble Collegiate Church. The reporters told us that you were coming, you know.

"I met my husband at the Charity Ball in March and have seen a lot of him ever since," she continued. "It is absurd to call him a dancer. He is a civil engineer and is going to join an expedition to the North Pole. Of course, he has done a little public dancing, but merely as a pastime.

"You know, mother, that you are not really angry and that you are awfully proud of your own Scotch ancestry. It has all been terribly romantic, and now we have come back to you."

Mrs. Henderson smiled. "I am not really angry," she said, "but I wanted you to have a big, beautiful wedding. And you told the man at the City Hall that you were twenty. You may find yourself in jail."

The bride is the daughter of Mrs. Henderson by a former marriage. Her father, Walter H. Dade, was a native of Frankfort, Ky.

Miss Dade attended the Castle School. Much of her life has been spent abroad.

Gray said that he regretted being called a dancer. "I am not a dancer," he insisted, "but a civil engineer—and you might add that I am very much in love with my wife." He is a son of Sir James Gray, of Argyleshire, Scotland.

Mr. Henderson is looking after business interests in Canada. He is a member of the Calumet Club.

GIRL'S FATHER HITS ELOPER ON JAW

Welcomes Runaway Pair in Road and Has "Dentist" Arrested.

By way of wedding congratulations A. I. Parklyn, a rich lumber merchant of Palisades Park, N. J., presented yesterday to Matthew A. Smith, husband of Mr. Parklyn's daughter, a right swing to the jaw.

Smith was indicted by the September grand jury on the charge of practising dental surgery without a license. A telephone request was made that he appear before that body. Smith, instead of complying, departed immediately from Palisades Park with Miss Mary Florence Parklyn, twenty-two years old. Search was made for both, but they eluded the authorities.

Mr. Parklyn received a letter last week written by his daughter from Albany. She said she and Smith were without money and needed some. So Mr. Parklyn sent $15 to his daughter. Smith and Miss Parklyn, on their way to New York, stopped at Poughkeepsie Saturday night and were married. They arrived here yesterday, and Mr. Parklyn was informed by telephone that they would meet him at More and Broad aves., Palisades Park, later in the day.

Mr. Parklyn decided not to keep it secret. He informed the police of the arrangement, and they got to the corner soon after Mr. Parklyn met Smith and the girl, who were in an automobile driven by Smith. Just before the detectives arrived Mr. Parklyn, seeing that the policemen were on the way, struck Smith.

When arrested Smith, who had only 30 cents, asserted that he was a graduate from the Pennsylvania College of Dental Surgery in 1889; that he had been licensed in New Jersey, but lost his license.

Mr. Parklyn has taken his daughter to his home.

ELLERY BAND TO PLAY

Extensive Programme Arranged for Concert To-night.

The Ellery Band gives a concert to-night in Carnegie Hall under the auspices of "The Globe." This will be the programme:

Marche Militaire ..... Schubert
Overture, "William Tell" ..... Rossini
Trumpet solo, "Serenade" ..... Schubert
Gennaro D'Amico.
"Carmen," Suite ..... Bizet
Prelude and Death Motif; Habanera; Toreador; Introduction, March and Grand Finale, Act IV.
Messrs. D'Amico, Croce, De Santis and Montanaro.
First Symphony, Fourth Movement ..... Beethoven
"Valse Triste" ..... Sibelius

MRS. JAMES GRAY, WHO ELOPED TO WED.

SAYS "USE TRUSTS; DON'T KILL THEM"

Prof. Jenks, Addressing Economic Club, Criticises Wilson Measures.

"The Pending Trust Bills" was the subject for discussion at the dinner of the Economic Club, at the Hotel Astor, last night. The speakers were Professor Jeremiah W. Jenks, of New York University; Samuel Untermyer, Charles F. Mathewson and Senator Atlee Pomerene, of Ohio. There were seven hundred members and guests present. George W. Wickersham, Attorney General in the Cabinet of President Taft, was the guest of honor.

The annual election of officers preceded the discussion. William R. Willcox, former Public Service Commissioner, was elected president. Frank A. Vanderlip and George B. Cortelyou were elected vice-presidents. The five members of the executive committee, elected for a term of three years, were James Speyer, Forrest F. Dryden, Ludwig Nissen, Theodore P. Shonts and George W. Wickersham.

The discussion of the proposed trust bills was generally in criticism of them. Professor Jenks had a good word to say for the trusts, in so far as, he said, his study of the subject, and the result of the various public investigations, had shown that the great industrial combinations had not increased the cost of living. He said that it was infrequently recognized that the public interest was chiefly promoted from the economic side by the best possible utilization of industrial energy, a process which the large combinations accomplished to a large extent.

Professor Jenks pointed out the reasons why he considered the bills proposed by the Wilson administration inadequate and ineffective.

"I hold no brief for the combinations," he said. "I owe them nothing. I wish only the public welfare. But I do want the people to open their eyes to the real facts of business, to see things as they are and not to be led into error by the misuse of words that no longer apply to present conditions in their old meanings.

"Above all let us keep in the foreground in our legislation and in our thoughts not technical words that require legal definition, such as 'monopoly' and 'competition,' but the general words, 'the public welfare'—words that have enabled Germany and Great Britain and Canada to cope with the undeniable evils that accompany great business without destroying its benefits. In our foreign trade, at any rate, as well as here, we need to learn from them, or we must take the consequences that are not pleasant to foresee."

Mr. Untermyer said that any postponement of the trust legislation would only tend to keep business conditions in a turmoil. He analyzed the pending bills, and while he said he considered additional legislation necessary, these bills did not go nearly far enough. 8The proposed legislation in its present form was more likely to hamper the freedom of enterprise than to eliminate unfair competition, he said.

OPEN NEW POLICE STATION

18th Precinct Now Housed in West 20th St.

The new station house for the 18th Police Precinct at 230 West 20th st. was officially opened yesterday. The men have been using a stable in West 17th st. for more than a year.

The "turning out" of the 4 o'clock platoon signalled the opening. Acting Inspector Morris and Captain Albert Mason were behind the desk during the rollcall. Commissioner Arthur H. Woods was expected to be present, but did not appear.

The building was constructed at a cost of $100,000. It is five stories in height and fireproof throughout. Shower baths have been provided for the prisoners.

The first business transacted by the lieutenant after entering the rollcall was the signing of a receipt for a load of coal. Following this came a call for an ambulance from 136 Fifth ave.

TWO FACE GIRL'S CHARGES

Son Arrested as He Tries to Give Bail for Father.

A young man walked into the Morrisania police station last night and said he wanted to give bail for Jacob Gold, fifty-nine, of 352 Madison st., who had been arrested charged with aiding his son, Herman, thirty-five, in deceiving Fanny Perr, of 306 5th st. Father and son had been indicted and warrants for their arrest sworn out.

"We have such a prisoner," said the lieutenant, "but who are you?"

"I'm his son, Herman," said the visitor.

"You are, are you?" said the lieutenant. "Well, instead of giving bail for your father, you'll be placed under arrest."

Which he was.

The girl, in her story to District Attorney Martin of Bronx County, said that she met the son about a year ago. He proposed marriage, she said, and, when she accepted, Herman and she went through a marriage ceremony at which Jacob Gold, the father, officiated, the girl understanding that he was a rabbi.

The following day, her story records, she turned over $200 to the younger Gold. Later she learned that Herman had a wife and two children in Russia.

MAHONEY CRAFTY IN SANITY SUIT

Man Who Shot Polk and Tried to Kill Mayor Tells Experts He Has Been Persecuted.

Michael P. Mahoney, who wounded Corporation Counsel Polk in an attempt to shoot Mayor Mitchel, was yesterday brought before the lunacy commission and examined in an effort to determine his mental condition. The man was crafty in his answers and at times exhibited a sense of humor.

Mahoney sat throughout the examination wearing an old derby hat that was covered with dust and smoking a cigar. He wore no collar, and had his coat pulled up closely around his neck. Of those present he seemed to be the least interested in the proceedings. Once he objected to bringing witnesses to testify against him, claiming that it was only unnecessary expense for the taxpayers to bear.

One of his grievances against the Mayor was the $65,000,000 bond issue. Only about half of that, he said, would ever be used for the purposes of the city. When asked what would become of the rest of it his eyes twinkled and he laughed heartily.

"Those politicians hide money under the Hudson River, don't they?" he replied. "You know what happens to it."

He stated that the Mayor was a Mason and that the Masons had been persecuting him for years. He spared no pains to tell the members of the commission that he believed them to be in the general conspiracy to ruin him.

A letter from his daughter, Mary Mahoney, of Newport, Ky., was received by the District Attorney's office yesterday and was read to the commission. She said that he was not insane and that he had always been a good father. Her reason for his act was that he had had a great many troubles in the last twenty years.

Dr. Frank A. Maguire, the physician for the Tombs, testified that the man is undoubtedly suffering from senile dementia. The commission will resume its sitting Thursday afternoon.

P. C. KNOX, JR., STILL LOVES HIS WIFE DESPITE GOSSIP

Pair Now Living in This City and Preparing for Trip to Europe—Rivals Fail to Oust Salesgirl Spouse, Although Rumor Had Busy Winter.

When young Philander C. Knox, jr., sailed for Bermuda on January 7 with his mother the gossips ended his romance with his salesgirl wife, whom he married in Vermont, after a trip from Providence, where he was in school, and she was working in a department store.

From Philadelphia last night, however, came the report that not only were the young couple more loving than ever, but that they had transferred their belongings from Pennsylvania and were living right in this city. They have been here for two weeks, according to report, and plan to sail for Europe in about a week or so.

Only six weeks ago young Knox was at Palm Beach saving young women from drowning, while his wife remained in apartments at 1700 Vine st., Philadelphia.

There was nothing to show last night where the couple were living in New York. At the Waldorf, where the young man has usually registered when in the city, the room clerk knew nothing of his whereabouts.

OSBORN WARNS "BOSS" M'COOEY

Reform Chairman Says Kings Committee Is Too Close to Tammany.

PARTY WELFARE WORK URGED IN TALK

Suggestions for Improvement of Organization to Come Up at Another Confab.

William Church Osborn, the reform chairman of the Democratic State Committee, had a heart-to-heart talk yesterday with John H. McCooey, "boss" of the Kings County organization. He told him that the organization there was too much of a close corporation, that it was not responsive to public sentiment and that the general impression was that it was closely affiliated with the Tammany crowd.

He told the Kings County leader that there ought to be an improvement and he would see him again within a short time to find out what he purposed. So far as is known Mr. Osborn has no appointment with Charles F. Murphy to tell him there must be an improvement in the organization here.

Mr. McCooey had with him James D. Bell, chairman of the general committee. William Allaire Shortt, secretary of the committee, was also at the meeting, which was held at state headquarters, in West 34th st.

Mr. Osborn had this to say last night about the conference:

"Mr. McCooey spoke of the opportunity for fortifying the party in connection with the election of delegates to the constitutional convention by bringing in elements not now in close touch with the organization.

"In connection with this I called the attention of Mr. McCooey to two things affecting the situation in Brooklyn. One was the feeling on the part of a large proportion of the voters that the organization is too close on district lines and that there is not sufficient recognition of the elements which do not take active part in local politics, but are interested in the welfare of the party in the Borough of Brooklyn as a whole.

"Another thing to which I called the attention of Mr. McCooey is that a considerable number of people in Brooklyn have the feeling that the organization there is closely affiliated with the Democratic organization in New York County.

"I asked Mr. McCooey what steps he proposed to take to meet these suggestions on the part of the voters. I told him that the direct primary law had brought about an entirely different condition of affairs from what had existed heretofore. I pointed out that if the organization should attempt to select a ticket and put it through in such a way that the general public would look upon it simply as an organization ticket jammed through, the public would punish the party at the polls.

"I asked Mr. McCooey to think over these suggestions and meet me for another conference in ten days or a fortnight."

Mr. McCooey, when asked about his conference with the State Chairman, said:

"He talked about the constitutional convention and how we would select our candidates."

"Didn't Mr. Osborn say anything about the way the organization was conducted?" Mr. McCooey was asked.

"Oh," replied the Kings County leader, "he said he thought it would be a good thing if we could broaden out the organization so as to take in all Democrats. I told him that our organization had been broadened out for some time and that the primary law means a new deal all around."

Mr. McCooey, since he succeeded Patrick H. McCarren as leader, in 1909, has been looked upon as the alter ego of Charles F. Murphy. A number of movements have been started to put him out, but have never amounted to anything. After the defeat of Judge McCall for Mayor another movement was started to put McCooey out.

Recently, however, McCooey got Governor Glynn to reappoint Thomas F. Byrnes as a State Tax Commissioner and to appoint John F. Hylan and Robert H. Roy as county judges. This weakened the opposition and little has been heard of it for some time.

MERCURY MAY FAIL TO DO ITS WORK

Woman Who Takes It After Quarrel with Man Now on Road to Recovery.

Bichloride of mercury probably will fail to do the work Elizabeth Van Rensselaer, of 3 West 74th st., expected of it yesterday when she ended a quarrel with William G. Smith by taking a tablet as they stood in front of Ye Scribes Club, a book publishing house at 39 East 31st st., where Smith is employed.

The young woman is a prisoner in Bellevue Hospital. She was recently divorced, the police say, from W. L. Palmer, a hotel man of Albany and Saratoga.

When Smith reached Madison ave. and 31st st. on his way to work yesterday the woman approached him and accompanied him to the door of the publishing house, quarrelling all the way. Seeing no prospect of an adjustment Smith made a move to enter the building. As he stepped away the young woman put a bichloride tablet in her mouth, fell and lay screaming on the sidewalk. Smith carried her inside and sent for an ambulance.

She was taken to the New York Hospital, Dr. Davis administering emergency remedies on the way. Later she was removed to Bellevue, where it was said last night that she would recover.

Smith has been living apart from his wife for some time, and says he met Miss Van Rensselaer at a tango party last fall. She was an exceptionally fine dancer, he said, and they had been great friends.

TO ASK GLYNN FOR BILL

By a unanimous rising vote the South Brooklyn Board of Trade last night, at its banquet in the Imperial Café, decided to call on Governor Glynn to send a special message to the Legislature at its extraordinary session, beginning Monday, to pass the bill permitting the construction of the South Brooklyn marginal freight terminal railway.

The bill advocated by the association was passed by the Legislature but was vetoed by the Governor.

Mayor Mitchel, who signed the bill, said the Governor vetoed it because of a misconception of its purposes.

COMMISSIONER SMITH AND MAYOR MITCHEL INSPECTING THE FERRYBOAT WILLIAM J. GAYNOR.

FERRYBOAT WM. J. GAYNOR MAKES FIRST RIVER VOYAGE

Mayor Mitchel and Other Officials Go with New $350,000-Craft on 14-Minute Maiden Trip to Brooklyn.

The William J. Gaynor, a new municipal ferryboat on the service from the Battery to 39th st., South Brooklyn, made her first trip yesterday, carrying Mayor Mitchel and other city officials. Because of the new boat the twenty-minute headway on which the ferryboats have been running will be cut down to fifteen.

The William J. Gaynor was built in the administrations of Mayors Gaynor, Kline and Mitchel at a cost of $350,000, and is one of four operating from the Battery to 39th st. Captain Charles Dentz is in charge of the vessel.

The Mayor, accompanied by Dock Commissioner R. A. C. Smith, Bridge Commissioner F. J. H. Kracke, Tenement House Commissioner John J. Murphy and others, made the trip over to Brooklyn, but he came back to Manhattan in his automobile. The voyage to Brooklyn consumed just fourteen minutes. On the trip the boat's whistle tooted joyously, and the salute was returned by other river craft.

SECOND WITNESS LIED FOR GUNMEN

Burwell Confesses He Committed Perjury When Before Goff.

William E. Burwell, of Waterbury, Conn., known as the "St. Louis Kid," who was a witness for the four gunmen in the hearing before Justice Goff on a motion for a new trial, confessed to District Attorney Whitman early this morning that his testimony at that time was perjured.

Carl Dresner, a bartender, another witness at the same hearing, only recently admitted to the District Attorney that he had perjured himself. Dresner is in the Tombs awaiting the action of the grand jury.

Burwell was brought down from Connecticut last night and reached the District Attorney's house about midnight. His examination was a rigid one and before he was taken to the Tombs to be detained as a prisoner he had admitted practically everything Mr. Whitman wanted to know. He made an affidavit in which he repudiated every bit of the testimony he gave before Justice Goff when the last attempt was made to get a stay for the four gunmen.

Burwell also told the exact price paid to him for making the affidavit and testifying as he did. In addition to that information he told the District Attorney the name of the man who conducted the negotiations with him and paid over the money. Mr. Whitman said after the examination was over that he expected to be able to trace the power behind this intermediary to the Becker defence or those interested in freeing the ex-police lieutenant.

The District Attorney's office, having got the confessions of Dresner and Burwell, is now looking for the third witness, a Buffalo man who gave testimony that in the light of recent developments will probably be proved false.

Burwell was "cocky" when he entered the presence of the District Attorney, but as the examination proceeded his assurance diminished, until, at the end of two hours, he broke down completely and made the statement Mr. Whitman was looking for.

For his part in the final scheme to save the gunmen Burwell said he got $20. It is true that $1,000 was promised if he made good, but he knew well enough after the District Attorney got through with him on the stand that day that he had not made good. He then tried to collect the rest of the $1,000, but failed.

Burwell took up the thread of his story from Poughkeepsie, where he was playing pool with a counterfeiter when the latter suggested to him that there was a lot of money to be had in New York while the Becker case was on. He was introduced to the brother of a New York policeman, Burwell said, brought to New York by him and taken to some lawyers.

There, he maintained, he told of his being in New York the night of the Rosenthal murder, but advanced the information that he had not been anywhere near the scene of the shooting. However, he said, a picture of Vallon was produced and he was told that this was the man who had done the shooting.

"I am on," he replied.

He later signed an affidavit, according to his confession to Mr. Whitman, without knowing what was in it. All he did was to sign and collect $20, accepting a verbal promise for $980.

District Attorney Whitman expects even more startling developments to-day, although he expressed himself early this morning as being fairly satisfied at keeping two perjurers off the stand at the second Becker trial.

Burwell was located in Derby, Conn., yesterday, and taken to New Haven at the request of Henry Donnelly, head of the New Haven detective bureau. The District Attorney's office here had been looking for Burwell for some time. He disappeared after he testified before Justice Goff.

District Attorney Whitman was notified by the New Haven police, and Assistant District Attorney Frederick J. Groehl and Detective Maxwell, went to New Haven and put the prisoner through a grilling at Police Headquarters in that city. The result of the examination was evidently satisfactory, and they notified Mr. Whitman that they would bring Burwell to New York with them.

Burwell made an affidavit to Charles G. F. Wahle, counsel for the four gunmen, the day before the hearing. The District Attorney had already refuted important parts of the witness's affidavit by running down persons whom he named as having been with him on the night of the murder. Two actors mentioned by Burwell as his companions just prior to the shooting denied that they had been with him at all that night.

HUNGER STRIKE GIRL OUT IN $300 BAIL

Workhouse Should Be Burned, She Said—Left Jail with Berkman.

Reba Edelson—she of the fiery anti-war speeches and hunger strikes—was released on bail yesterday by Judge Mulqueen, in General Sessions, to await an appeal of her sentence. The motion was made by Justus Sheffield, her attorney, who will hold that the original sentence of three months was excessive.

With a volume of "Liberty and Great Liberators" clasped under her arm and accompanied by Alexander Berkman, she left the Queens County jail yesterday soon after 5 o'clock. Her departure was marked with protestations against the cruel world's penal system in general and New York's in particular.

"The workhouse is a blot on humanity," she said. "It ought to be burned down. This Queens jail is a little better, but all jails are the same. If they are maintained for vindictive purposes their missions are certainly fulfilled, but if they are kept for the purpose of reformation they are utter failures.

"It is degrading to send a woman there. They are compelled to sleep on disease-laden blankets and quilts that have been handed down for generations."

The hunger strike, she admitted, proved to be very discomforting, but she was firm in her declarations that she would have kept it up had it not been for the friendly intervention of the law. Her bail of $300 was provided by Berkman, who said that a reception would doubtless be held for the militant "Becky" by her followers.

A Good Story.

"The Last Clipper," William Brown Meloney's Pericles O'Brien story in our next Sunday Magazine, is, in the judgment of our editors, the very best story in the Pericles series that has yet been published, and some of them say it is one of the finest that has appeared anywhere in a long time. It is one of the big, manly, full-blooded tales of the sea that make a man's highest ideals of manhood stir within him and stimulate him to do great things; for it shows the potent influence of the virile Pericles exerted just in the nick of time to redeem a quitter and bring out the latent courage that had been wellnigh extinguished by the browbeating crew of the last of the full-rigged sailing craft. And, once the bravery of the young skipper came to the surface, these bullies were cowed into the forecastle, where they whined like whipped curs and abjectly jumped to carry out their regenerated skipper's orders.

Meloney is putting a lot of these stories together to form a book, which will be issued before long. It should have as great a circulation as has been received by any collection of short stories in recent years.

CHARGES FRAUD IN MRS. CESTERO'S WILL

Mrs. Taber, Sister of Testatrix, Wants Decree of Probate Set Aside.

UNDUE INFLUENCE OF NEPHEWS ALLEGED

Infatuation of Aged Lady for Young Cestero Shown in Affidavits.

Alleging fraud and undue influence, Mrs. Emilie Taber, of 343 West 22d st., began proceedings in the Surrogates' Court yesterday to have set aside the decree admitting to probate the will of her sister, Mrs. Rosalie Cestero, whose husband was a Porto Rican planter. Mrs. Taber and Mrs. Cestero were well known in Baltimore about half a century ago as the "Dunderdale Beauties."

Mrs. Taber names as the persons who were responsible for the alleged fraudulent will Fernando Cestero and Ulysses Cestero, nephews of Mrs. Cestero's late husband, and others unknown to her. Ulysses was the chief beneficiary under the will of the testatrix and also was appointed executor. The contesting sister of Mrs. Cestero calls attention to an unusual infatuation that existed between Mrs. Cestero and Ulysses. Several affidavits showing this attachment are on file with the papers submitted by Mrs. Taber. Two of these were made by Mrs. Isabella Tremont and Mrs. Jane Blakely, who were housekeepers for Mrs. Taber and Mrs. Cestero. Mrs. Tremont said, referring to the aged aunt and her young nephew: "She seemed perfectly infatuated with him and did nothing but talk about him, his handsome features, his beautiful eyes and his devotion to her. Her talk about him was rather a joke with most of us, because we thought she acted more like a young girl with her first sweetheart than the sickly old lady she really was."

Mrs. Taber was appointed as executrix in the will of her sister. However, as she explained in her affidavit, she is lame and unable to leave her home, so that Ulysses Cestero has been the only active person in the management of the estate. The only action that Mrs. Taber has taken was to sign certain papers brought to her by the executor. She made no protest to the probating of the will, but since then, she said, she has been informed that the will of her sister was not executed according to the legal requirements, and on the ground of fraud and newly discovered evidence she has petitioned the Surrogates' Court for the setting aside of the decree of probate. On her petition Surrogate Cohalan issued an order yesterday directing Cestero and others interested in the will to show cause, on May 19, why the decree of probate should not be vacated. The Surrogate also granted a stay, restraining Cestero from taking any action in connection with the estate until the motion to vacate has been passed upon.

Mrs. Taber's information of the alleged non-conformity with the law in the execution of her sister's will came to her from Walter S. McAllister, one of the witnesses. He has told Mrs. Taber that the testatrix never asked him to become a witness and that she did not declare that the document to which she and McAllister affixed their signatures was her will. Cleveland Forbes Dunderdale, a brother of Mrs. Taber and the late Mrs. Cestero, has made an affidavit that McAllister told him that he did not know he was witnessing the will of Mrs. Cestero. Mrs. Taber does not know where McAllister is, but she hopes to get in touch with him.

The will to which Mrs. Taber objects was executed in January, 1912. Seven years before that the sisters had agreed to make mutual wills, each to leave her estate to the survivor. It was because of this agreement and relying on the terms of a will which she believed her sister had made in her favor that Mrs. Taber came to her sister's financial rescue at various times.

"One of the occasions I now recall," she says, "when my sister showed signs of great nervousness and mental distress because of an unfortunate investment." Mrs. Taber declared that she made good the amount of the investment and assumed the loss. On many other occasions, she asserted, she helped her sister, but never kept an account nor would she accept notes. She also refused to take as security some jewelry that her sister offered her. Mrs. Taber said that the amount of money she paid out for her sister would easily run into thousands of dollars, and that she could easily account for $3,000. The contestant explained that she acted now not through any resentment or dislike toward Cestero, but to right a wrong done by her sister, although convinced that the act of Mrs. Cestero was not her voluntary act.

Mrs. Jane Blakely, who acted as housekeeper for the sisters while they lived at 74 West 45th st., made an affidavit saying that Mrs. Cestero was a woman of "great determination," although Mrs. Cestero and Mrs. Taber lived together in complete harmony. Fernando Cestero used to call at the house, but Mrs. Blakely had never seen Ulysses, and first heard of him at Christmas, in 1910. Mrs. Cestero spoke of him, saying: "You ought to look at this one and see if he isn't a handsome man." Mrs. Blakely said she was surprised to hear the elderly woman talk that way, because it was so different from her usual way. After that, declared the affiant, Mrs. Cestero continually talked about the nephew of her dead husband, always expressing the wish to see him, and "how he kissed her when he came to see her." Mrs. Blakely said, "I thought that the good lady was getting silly in her old age."

OPPOSES FRANK DEFENCE

On Anniversary of Murder Prosecutor Takes Affidavits.

[By Telegraph to The Tribune.]

Atlanta, April 27.—To-day the anniversary of the murder of Mary Phagan was devoted by Solicitor General Dorsey to strengthening his case against Leo Frank and getting new affidavits to block the efforts of the defence for a new trial. Frank is under sentence of death.

Realizing that the strongest card the defence has so far played is the "confession" of "Jim" Conley, overheard by the Rev. C. B. Ragsdale, pastor of the Plum Street Baptist Church, and similar evidence on the part of Anna Maud Carter, a negress, the solicitor has had members of his staff at work on this phase.

All day women and girls filed into the solicitor's office and were questioned by him and his assistants. Several affidavits were made. Some of these deal with new evidence, and some repudiate testimony by prosecution witnesses.

Three hundred friends and relatives of Mary Phagan gathered in the cemetery in Marietta to celebrate the anniversary of her death.