THE HEALERS AND THE LAW.

MEASLES ADMITTEDLY CONTAGIOUS, TO THE HUMAN JUDGMENT.

But the Divine Mind Knows of No Such Disease—Dentistry Not Forbidden—Scientists at Miss Brush's Sickbed—Dr. Pease Gave No Medicines—He Will Testify.

The hearing in the case of the contested will of Miss Helen C Brush, Christian Scientist, who left her residuary estate to the First Church of Christ, Scientist, developed further testimony to-day to show what are the methods of Christian Scientists in dealing with contagious diseases and on securing death certificates where the practice of the church does not easily coincide with the regulations of the Board of Health. There was also much more to show how complete was the circle of Christian Science believers with which Miss Brush was surrounded.

George W. De Lano, who drew the will and witnessed its execution, is an eminent Christian Scientist, and is attorney for the proponents of the will, said yesterday: "It has become perfectly clear that it is not the soundness of Miss Brush's mind or the propriety of the probate of the will that is on trial here, but the Church of Christ, Scientist. All other considerations have been cast aside by the contestants. They are paying no more attention to the matter of undue influence. Those same tactics were once before adopted in this court in the effort to break the will of a believer in spiritualism and the effort was as unsuccessful as I am sure this will be."

Latting & Wadhams, however, with the assistance of John M. Bowers, continued to lay before the court all the facts they could extract from the members of the First Church of Christ, Scientist, as to the friends with whom Miss Brush was surrounded the last few days of her life. There are now nine of them mentioned in the testimony. One of them, Mrs. Stetson, was the first reader of the church and its highest officer, who was Miss Brush's own attending "healer," and who took the data on which her will was drawn downtown to Lawyer De Lano, who is a trustee of the church and a member of the Building Committee; the witness of the will with Mr. De Lano was a woman prominent in the church. When Mrs. Stetson was absent from Miss Brush in time of illness Christian Scientists were with her day and night to report to Mrs. Stetson on her condition and on the "influences" which seemed to be exerted upon her, while she was in health for the last five years of her life, her friend and paid companion, a young woman prominent in the church, was with her almost constantly; when her death was known to be at hand her Christian Science dentist, Charles G. Pease, M. D., was summoned and he signed the death certificate when she died. For the last months of her life all her communication with her family, except one sister, who was a Christian Scientist likewise, was cut off.

The witness at the opening of the session yesterday was Miss Agnes Baile. She was one of the young women who came in to sit up with the patient nights when Mrs. Stetson was away, and who reported to Mrs. Stetson in the morning. She described her position as analogous to that of a trained nurse acting under the direction of a physician. But there was great difficulty in finding an agreement of terms between the witness and Mr. Bowers as in the following colloquy:

Q. How long did you assist Mrs. Stetson? A. I did not assist Mrs. Stetson.

Q. Were you independent of her? A. I was not.

Q. Then did not you assist her? A. I did not. I assisted the patient.

Q. Then you acted under Mrs. Stetson's direction in healing the patient? A. No. Mrs. Stetson did not heal the patient.

Q. Who did? A. The power of the divine mind healed Miss Brush.

Q. Then what did Mrs. Stetson do, as you understand the matter? A. She acted according to the rules laid down in "Science and Health" by Mary Baker G. Eddy. She was the agency by which the divine mind was brought to bear.

Mr. Bowers then read to the witness the directions specifically set down for the cure of consumption by Mrs. Eddy in "Science and Health," to the effect that the mind must cleared of all the false notions that the ailment could be inherited and that there could be any inflammation or tubercles or anything of the sort.

Q. How was this impression to be made on the mind of the patient? A. It was not to be made on the mind of the patient.

Q. On whose mind then? A. On the mind of the healer.

Q. What do you do when the patient has inherited consumption? Do you teach the patient that consumption cannot be inherited?

The witness did not answer. She looked at the carved work on the stone pillars and did not answer.

Q. Why don't you answer my question? A. I was trying—I was trying to think, Mr. Bowers, how I could answer you in language—that you could—you could—understand.

There was a giggle of delight along the rows of members of the church who gather daily behind Mr. Rand, the counsel for the church. Mr. Bowers a few minutes later asked Miss Baile if Christian Scientists ever used hypnotism in the treatment of their patients.

"Cer-tain-ly not!" exclaimed Miss Baile, rising on the arms of the witness chair to give added force to her words. Mr. Bowers smiled. There was an indignant murmur along the seats of the healers.

"Or mesmerism?" he added.

"Cer-tain-ly not!" said Miss Baile with even more vigor. Mr. Bowers drew out the information that the conviction must be in the healer's mind that disease was a delusion resulting from the presence of inimical spirits or evil which opposed the divine mind.

Mr. Bowers asked if Miss Baile ever reported contagious diseases. After much sparring as to terms Miss Baile said that the divine mind did not know of any such disease as measles. Mr. Bowers wanted to know whether she herself knew of the disease as one that was contagious. She asked whether he meant as it was presented to her human judgment or to her judgment as a Christian Scientist.

"To your human judgment," said Mr. Bowers.

"Well, to the human judgment," said Miss Baile, "it is contagious."

"Do you mean," asked Mr. Bowers, "that the disease is contagious when it attacks an ordinary person, but not contagious when it attacks a Christian Scientist?"

To the first part of the question Miss Baile answered yes. The rest of the answer, which was somewhat involved, was taken to mean that she thought that a true Christian Scientist would not take the disease from another, but that a non-believer might.

Mrs. Stetson, who hurried daily to Mrs. Stetson on the influences that were working upon Miss Brush's case, Miss Baile said that she did. Mr. Bowers, in a subsequent question, compared the health of the healers, who relied on prayers, with that of those who believed the disease from which Miss Brush was suffering. He was corrected by Mr. Rand, by whispers from the First Church chorus in the background and by the witness.

The next witness was Miss Isabella Margret Duncan. She was a young woman who was hired by Miss Brush through Mrs. Stetson at 75 cents an afternoon to read aloud the book "Science and Health" and other Christian Science literature. After Miss Brush's death she became Miss Brush's companion. Sometimes she was paid and sometimes she was not. For a time after Miss Brush broke off with her relations she lived at Miss Duncan's home. Miss Duncan performed all the duties of a secretary for her, even to the filling out of blank checks.

Miss Duncan told of the visits of Dr. Pease to Miss Brush. She said Dr. Pease was Miss Brush's dentist and had done dentistry for her. Very few Christian Science healers had as yet sufficient understanding of the divine mind, she said, to undertake the healing of the teeth. Under these circumstances Mrs. Eddy countenanced the work of a dentist.

Miss Duncan denied with great spirit that Dr. Pease had ever administered medicine to Miss Brush, although Mr. Bowers asked her the question repeatedly. She said that he could not belong to the church if he did such things. She said that she had heard him declare in public meetings at the church that he had found in Christian Science a far more efficacious means for the treatment of human ills than drugs. Dr. Pease had been summoned to the deathbed of Miss Brush, Mr. Bowers asked why. Miss Duncan said that she understood that Miss Brush had asked that he be sent for. He signed the death certificate. Mr. Bowers asked if he had not been summoned simply because it was necessary to have him sign the death certificate. Miss Duncan said that this was not so. She differed from the other witnesses in saying that for many months before Miss Brush's death Miss Brush had been steadily failing.

The next witness, when the case goes on Friday, will be Dr. Pease.

No Blame for Vicar-General Barry's Death.

Coroner Bausch and a jury inquired yesterday into the death of the Very Rev. John E. Barry, Vicar-General of the Diocese of Manchester, N. H., who was instantly killed by a Broadway cable car in front of the Astor House on Nov. 14. The jury decided that Father Barry's death was accidental and exonerated the gripman from blame.

VICTORY FOR THE BEE KEEPER.

The Jury, After Hearing Much Bee Lore, Decide That Bees Cannot Injure Peaches.

GOSHEN, N. Y., Dec. 19.—The trial of the suit brought by William H. Utter against his brother, Jeffrey W. Utter, was continued here to-day. J. W. Utter, bee keeper, appeals from a judgment of $25, secured by his brother, W. H. Utter, peach grower, for damage to his peaches by bees. Several witnesses were sworn by the defence. Among them were L. L. Moffat, James E. Rhodes and J. Frank Backster. Moffat testified that bees would not attack sound peaches, and that the trees which had died succumbed to wet feet, which means that water had collected at the roots. Rhodes, who is both a bee keeper and peach grower, testified that bees were a distinct benefit to peaches, and furnished enough evidence to establish a counter claim against the plaintiff. Backster is a bee expert and his testimony was also favorable to the plaintiff.

The star witness for the defendant, however, was Prof. Frank Benton, an assistant entomologist of the United States Department of Agriculture. He had spent thirty years studying bees and for that purpose spent four years in Austria, four in Germany and several in Eastern countries in pursuit of bee knowledge. He said that the tongue of the bee was soft and pliable and could not puncture a peach. The inner tongue of the bee is spoon-shaped and covered with hair. It cannot become rigid. It lays its food which is called nectar, and is fond of rotten peaches. Its feelers are soft and cannot pierce any substance that offers the least resistance. They are supposedly the organs of touch and smell, by which bees recognize each other by the odor of the body. Some times they will meet and wind their feelers about each other. This is their method of shaking hands.

This testimony knocked the bottom out of William H. Utter's cause and the case was given to the jury. They were out fifteen minutes and brought in a verdict of no cause of action, which is a victory for the bee keepers.

BEQUESTS TO ALIENS.

Contest to Decide Whether an Estate May Be Sold, the Proceeds to Go Abroad.

GREENWICH, Conn., Dec. 19.—The contest over the will of the late John Talbot of Greenwich is likely to result in prolonged litigation in the Connecticut courts, because the testator provided that his real estate in Greenwich should be sold and the proceeds be divided among his nephews and nieces, children of his brother, Charles Talbot, who live in England. He left an estate valued at $90,000 and the will was admitted to probate in the Greenwich Probate Court. Other nephews and nieces made the claims that their English cousins could not inherit the proceeds of the sale of the real estate because they are aliens and under the Constitution aliens are debarred from inheriting real estate in this country, and the proceeds of the sale occupied the same place as the real estate in the estate.

William M. Ritch, the executor, was in doubt and through Samuel Fessenden, his attorney, petitioned the Superior Court to construe the will. Judge Taylor of the Stamford Probate Court has been engaged by the English cousins. Whichever way the Superior Court decides the point, the case will be appealed to the Supreme Court of the United States on account of the new question involved.

GIFTS TO WELLESLEY COLLEGE.

President Hazard Announces Donations of More Than $100,000—Names Withheld.

WELLESLEY, Mass., Dec. 19.—President Hazard of Wellesley College announced to-day that gifts of money aggregating more than $100,000 had been received from women whose names are withheld at the request of the donors. The sum of $50,000 is given outright to endow the Kimball professorship of Art. A gift of $5,000 toward a gymnasium has been received. The interest on $50,000 will be paid to President Hazard at her pleasure to endow the chair of Biblical history and literature.

From Prof. W. O. Crosby of the Massachusetts Institute of Technology comes a variable gift of ores from the zinc and lead regions of Missouri, numbering thirty-three specimens. The Rev. E. Winchester Donald of Trinity Church gives a prayer desk for the chapel, and Dr. Donald and Dr. Lyman Abbott donate a prayer book for the desk. The Misses Mason of Boston give a statue by Greenough, "La Revenue," and a small statue by Crawford.

PUNCHED IN A BOWERY MUSIC HALL

"You're a Sucker to Come In," Said the Manager to the Young Man Who Protested.

Milton M. Stern, a law student of 1065 Lexington avenue, accused Edward McClaw, the manager of the Empire Music Hall at 253 Bowery, and George King, a waiter there, of assaulting him in the place on Tuesday, when they were arraigned in the Essex Market police court yesterday. The music hall is run by a politician well known in "de Ate." Stern alleged that King introduced him to a woman and that drinks were immediately served without being ordered. When he refused to pay for them the employees knocked him down and King grabbed a dollar out of his hand. The student said he appealed to McClaw and received the reply:

"You're a fool to come in here and a sucker to let yerself get robbed, see?"

The prisoners were fined $5 each.

THE ADMIRAL PHILIP FUND.

Already the Committee in Charge of It Has Received $16,587 in Contributions.

The contributions to the Admiral Philip memorial fund now amount to $16,587. The income of the fund when the fund is completed is to go to Mrs. Philip during her lifetime, and after her death it will be devoted to the maintenance of the Naval Branch Y. M. C. A. in Brooklyn, in which the late Admiral took a deep interest. Some of the recent subscriptions follow:

Miss Helen M. Gould	$1,000
John S. Kennedy	1,000
William G. Low	1,000
C. M. Schwab	1,000
H. H. Cramp	500
Andrew Carnegie	500
John D. Rockefeller	500
James Talcott	500
Robert M. Thompson	500
W. K. Vanderbilt	500
Seth Low	500

ROCKEFELLER MADE DIRECTOR.

Rumors Concerning His Activity in Lincoln National Bank's Affairs.

William Rockefeller was elected a director of the Lincoln National Bank yesterday. The view was taken in the financial district that the National City Bank interests now control the bank. Last July James Stillman, President of the City Bank, bought a block of Lincoln Bank stock of about 1,000 shares which had belonged to the late Cornelius Vanderbilt. William Rockefeller is understood to have purchased additional stock since then. One result of the new control, it was rumored yesterday, may be changes in the Lincoln Bank management, including the possible retirement of Gen. Thomas L. James as President.

HAMMERSLOUGH BROS.

RETIRING FROM BUSINESS.

The joyous hour has arrived. O luckless father of your family, when Santa Claus will hold you up, banditti fashion, and relieve you of about every dollar you own. As compensation for your generosity you will possibly receive a few embroidered slippers and a smoking cap or two, with tassels; but if you yearn for something more substantial, come here before the gift fiends get it all and buy yourself a fine new suit or overcoat.

None more beautiful—none more reliable—than those collected here on our three big floors; and none at such low prices—anywhere.

For, we are going out of the retail business and in order to dispose quickly of our entire stock we offer every garment—suits, trousers, overcoats, Raglans, full dress and Tuxedo suits, etc.—at exactly 60 CENTS ON THE DOLLAR.

Several hundred of our finest $12, $15 and $18 fall overcoats are now reduced to $6.50. Some silk-lined.

OUR ONLY STORE 830 BROADWAY BETWEEN 12TH & 13TH STREETS.

WHY I DID IT—BY DEVERY.

YORK AND M'LAUGHLIN RAN BROOKLYN UNTIL HE WAS TIRED.

McClusky Was Too Chesty and Wouldn't Confide in the Chief—No Politics in It—Chief Wont Resign—Did He Exceed His Powers?—More Transfers Just Announced.

After four days of invisibility and silence Chief Devery announced yesterday that he was "at home." He evidently expected reporters at his house. They came and he dictated a statement about his sweeping transfers of high police officials. He said:

"York and the Brooklyn crowd have been throwing mud at me since Saturday. I want to tell you something about Mr. York and his Brooklyn people. When I was made Chief of Police York told me I must keep my hands off Brooklyn. He said he would be responsible for that borough. I did keep my hands off and let him run it. But I finally concluded I was Chief of Police for the people of this community and not for the politicians. York and McLaughlin ran Brooklyn to suit themselves. McLaughlin did nothing. He loafed around with a high hat on the back of his head. I never could get him to my office at Police Headquarters. He has never been there since I was Chief of Police. I never talked police business with him, because I could not get him to come. I could do nothing in Brooklyn on account of York and knew nothing about what was going on there. York's instructions were for me to keep my hands off.

"I refused to do so any longer, and you know what the result is. I did not want to bring vice there. Whatever is going on there that is wrong York is responsible for. He said he would be and he is.

"I made up my mind to move McLaughlin because I believe in the people and not politicians running the Police Department.

"I don't give a rap what Whalen says about my right to make transfers. I knew what I was doing and I stand by what I have done. The Police board can make the deputy-chief, but after they have made him he is subject to the orders of the Chief of Police. When the charter was framed it provided for the organization of the Police Department. It gave the right to the Police Department to appoint the Chief and his deputies, but after their appointment the commissioners had nothing more to do with their disposition except in the case of charges.

"Let me tell you, I am not stuck on my place. Providence put me there. I didn't have much hop. But since I'm here I am going to be the Chief, and nobody else. I am not going to resign. Get that straight. Neither am I afraid of the Police Board removing me.

"If the board deems fit to make transfers over my head that is another matter. They know the law on that subject and so do I.

"I have seen it printed that the transfers were made at my request. Now, let me say most emphatically that Tammany Hall, Senator Platt or any other politician had nothing to do with it. There was no political interference. I am not dealing with politicians as Chief of Police. And you can say right here that I believe that there is no place in the Police Department for politics. And you can say further that politics will not be permitted to interfere with it while I am Chief of Police. I want have it and they know I want have it. I believe in putting men in responsible positions who know how to treat people decently.

"You ask why I removed Chief of Detectives McClusky. I'll tell you. Because he was too 'chesty.' I took upon the Detective Bureau as part of my own office. It is treated as part of the Police Department and is under the supervision of the Chief of Police. I believe in the Chief of Detectives controlling his own men, but at the same time I want to know what is going on. Under McClusky I did not. Take the dice case, the Ikes burglary and other mysteries. I wanted to know all about those cases. I work just as hard as any other man in this department and I am responsible for the entire police. Now, I couldn't get McClusky to give me any information. Then I waited for him to confide in me and seemed affronted. As Chief of Police I could not and would not tolerate that. The sort of men I want in responsible positions in this department are men like Titus. He is an able officer, treats people well and understands his business. McClusky was a good man, too, conducted his office ably, only he was too 'chesty.'

"They say I sent my own men down to Coney Island to look after things. I never did. I haven't sent a man down there. York and McLaughlin did send their men down there, and whatever has gone wrong they know about it and are responsible for it. They've been shielding themselves too long. I don't propose to stand for what York is responsible for. As to the other transfers, I have not anything against the men, but it is good for the department to shake them up now and then. I repeat that all the transfers were made solely on my own judgment without consultation with another individual and absolutely without political advice."

The Chief added to this that he had intended to spend a part of his vacation out of town, but that he guessed he would stay in town now, and that he thought it quite possible that he would be back in his office and at work on Christmas day.

When President York of the Police Board was asked about the Devery statement he said that he had read some headines about it, but that he had not read the interview. Until he did read it, he said, he would have nothing to say about it.

"It will keep," he said, and then with a smile he added: "Some things will keep, you know, and some things will not keep."

"Is Devery one of the things that will not keep?" he was asked. He merely smiled.

"Do you think that Providence made Devery chief of police?" a reporter asked Mr. York.

"I don't know," responded the President of the board. "Providence is very wise. It established an asylum at the upper end of the island."

When the statement that he was transferred from the Detective Bureau because he was too "chesty" was shown to Capt. McClusky he laughed and refused to say anything.

Corporation Counsel Whalen did not send Mr. York an opinion yesterday on the legality of Chief Devery's transfer of deputy chiefs. Mr. Whalen said that he had not written the opinion yet. Mr. York expects the opinion this morning at 11 o'clock, and expects that it will sustain his contention that a deputy chief cannot be transferred without the board's consent. If York is sustained Clayton will go back to Queens and McLaughlin will take up his work again in Brooklyn.

James Shevlin said yesterday that he was at a meeting of governors at the Democratic Club on Tuesday night and had a talk with some of the Tammany leaders who all declared that Devery did not consult them about the transfers. The Police Board did not meet yesterday because President York stayed at the office of Corporation Counsel Whalen until 4:30 o'clock. It will surely meet to-day, according to Mr. York, and the probabilities are that a number of the Civil Service Board for the eligible list of sergeants to be promoted to captaincies will be passed. It was said yesterday that when the request reaches the Civil Service Commissioners, they will decline to furnish the list on the ground that protests against their ratings have been made by some forty of the sergeants who are on the list. These sergeants say that after getting the full 25 per cent. awarded by the Civil Service Commissioners, they have been underrated by the Police Board on their records in the department.

Transfers that were made last Saturday by Chief Devery, in addition to those made the day before, were made public yesterday. The transfers are mostly the result of the transfers of the day before, each captain and inspector transferred taking men who had served under him in his old post along with him to his new post. These are the more important transfers: Sergts. Patrick Welsh, Myles Murphy, Patrick Boyle, to High Bridge; James McGlynn, High Bridge, to Mulberry street and then to Kingsbridge; Jacob Brown, Grand Central depot, to Elizabeth street; John McNamara, Elizabeth street, to Grand Central station; Roundsman Herman Weiss, from Kingsbridge to the Mulberry street station.

The other transfers were of patrolmen and precinct detectives. Detectives Curry and Henderson and Policeman Shill, who were with Capt. Price in the Tenderloin station, but who have been serving in various precincts while the captain was at the Grand Central depot, are restored to Price in his new berth, the Elizabeth street station.

Hugh McLaughlin, the Democratic leader in Brooklyn, said last night:

"We offered twenty shillings reward for information as to Devery's whereabouts a few nights ago. Well, he has been heard from."

What do you think of the statement he makes regarding the recent transfers of Deputy Chief McLaughlin, Capt. McClusky and others?" he was asked.

"The interview speaks for itself and is a confession of guilt," he replied. "Any lawyer will tell you that statement is a plea of guilty. It is the answer of a man who finds himself in a bad fix and who realizes that he must say something to satisfy the public. One police official, he says, is guilty of wearing a high hat; another officer is 'chesty.' Now what does he mean by 'chesty'? That is some of his slang we don't understand over here. He ought to send over an interpreter to explain to us what he means. It is the first time in my experience that I ever knew it to be a crime to wear a high hat or that an honest man should be put out of office for wearing one. Deputy Chief McLaughlin has had the high hat habit for twenty years. It is a good thing Devery did not discover it before or he would have lost his job altogether."

Then speaking in a more serious strain the Democratic leader declared that Devery's whole answer was a very weak one to an important public question.

PLANS OF THE FIFTEEN.

Report of the Sub-Committee on Plan and Scope Adopted by Whole Committee.

The Committee of Fifteen had its first business meeting at the office of George Foster Peabody, 27 Pine street, yesterday afternoon. It was practically an organization meeting, for all of the members of the committee were together for the first time, officers were elected and the report of the Plan and Scope Committee was adopted without change. William H. Baldwin, Jr., President of the Long Island Railroad, was made chairman of the committee; E. R. A. Seligman was elected Secretary and Mr. Peabody Treasurer. Mr. Seligman was empowered to engage an assistant secretary to do the routine work, and offices were rented in the United Charities Building at Twenty-second street and Fourth avenue. Meetings will be held there every Wednesday afternoon.

The report of the Plan and Scope Committee follows:

First—To institute a searching inquiry, uninfluenced by partisan considerations, into the causes of the present alarming increase of gambling and the social evil in this city, and to collect such evidence as shall establish the connection between existing conditions and those who, in the last analysis, are responsible for these ends.

Second—To publish the results of such investigation in order to put our fellow citizens in possession of facts and to enable them to adopt such corrective measures as may be needed.

Third—To promote such legislation as shall render it less difficult to reach offenders and as shall put an end to the shifting and division of responsibility in the local administration of the laws relating to vice and crime, to the end that public officers and their subordinates may be held to a strict accountability for their acts.

Fourth—To suggest and promote the provision of more wholesome surroundings and conditions, in order to lessen the allurements and incentives to vice and crime.

Mr. Baldwin said that it had been decided to carry out the provisions of the report. He was asked if there would be any public hearing. Smiling, he said: "Oh, they wont catch us in that trap. We know exactly how to get what we want in the way of information, and we have plenty of funds."

PRICE GETS AFTER PULLERS-IN.

Reform Hits Baxter Street From an Unexpected Quarter—Consternation There.

Police Capt. Price, who was recently placed in charge of the Elizabeth street station, instructed the outgoing squad at noon yesterday to put a stop to all unlawful "pulling in" in front of the clothing stores in his precinct. It was all right for "barkers" to stand in their doorways and shout, he said, but when it came to blocking the sidewalks and actually laying hands on passersby it was time to stop.

The order created a stir among the pullers-in. In Baxter street, where the profession is practised with the most enthusiasm, consternation was greatest. As soon as the bad news spread several of the bewildered barkers sent for the delegates of the Pullers-In Protective Union and sought advice as to what should be done. It is probable that a meeting of the union will soon be called to decide on some action, but for the present any one walking within the boundaries of the Elizabeth street precinct doesn't have to buy a suit of clothes unless he wants to.

For a time the "barkers" were at a loss to account for the new order. "Is id reform?" they asked each other. Then the truth came out. They had brought calamity upon their own heads. It seems that soon after Capt. Price's advent to Elizabeth street last Saturday he began to look his territory over to get his bearings. While strolling through Baxter street an ambitious "barker" thought the captain did not show sufficient interest in his monologue and grabbed him by the arm.

"You don'd believe id," he whispered confidentially. "But gome in vonce, gome in. You neffer seen such glothes."

The captain brushed the man away and resumed his walk at a slightly brisker pace. Later came the order. One of the most prominent barkers in the profession, who wishes his name withheld for obvious reasons, had this to say about the matter last night:

"Id was a mistake, dat vat of id. Der whole profession should not suffer for von. And id ain't only der 'parkers' but der glothiers, too. Id vill ruin pisness in der brecinct. Id discriminates in favor of der broherty owners outside. Ain't id."

VICE CRUSADE IN CHICAGO.

Judge Gibbons Has a Private Conference With the Grand Jury—Reporters Examined.

CHICAGO, Dec. 19.—Judge Gibbons, in accordance with whose special instructions the Grand Jury has entered upon the investigation of vice and City Hall scandals, went before the jury shortly before noon to-day. The object of his visit and what he said to the jurymen was not given out. Speculation as to the conference was to the effect that Judge Gibbons gave the jurymen an elucidation of his instructions, and left with them a bundle of communications he had received relative to basement resorts, "loan sharks" and other subjects of special investigation.

The Grand Jury sought enlightenment this afternoon from newspaper men employed by the various morning and evening papers. Recognizing that it is the business of newspaper men to keep in touch with current events, the tribunal decided that the best way to begin the special investigation of dens of vice and City Hall scandals was to summon the men who collect news of every description. Several were examined during the afternoon.

NEW YORK CENTRAL SHOPS BURNED.

$20,000 Worth of Cars Also Destroyed in Buffalo—Investigation Begun.

BUFFALO, Dec. 19.—The New York Central Railroad officers are making an investigation to-day regarding the origin of a fire which destroyed the railroad's paint and car shops in Lovejoy street, causing a loss of $10,000, and damaged cars to the extent of $20,000 at an early hour this morning. While it is not asserted that the fire was of incendiary origin, the investigation that is being made leads to the belief that the officers have a suspicion of this kind. Although the fire was got under control at 9 o'clock this morning, it is still burning and will continue to do so throughout the day. Cars were scattered along a track 1,200 feet in length partly burned or totally destroyed, according to the inflammability of their contents.

Tiffany Favrile Glass

In no other glass is it possible to obtain the richness in metallic lustres and marvellous color effects found in Favrile Glass.

TIFFANY STUDIOS
333 TO 341 FOURTH AVENUE
(Bet. 24th and 25th Sts.) New York.

No more beautiful Christmas gifts can be found than the vases, bowls, etc., of Favrile Glass and lamps of Metal Work and Favrile Glass.

The large pieces all bear the name Louis C. Tiffany in full, the smaller the initials L.C.T. Prices from two dollars up.

Christmas Gifts

TRUNK MAN WILL SUE CITY

FOR SEIZING HIS SHOWCASES—ENGAGES ABNER McKINLEY.

Story That Immunity Was Offered the Doyles for Pay, but That They Said No—Florry Sullivan, Head of Incumbrance Bureau, Also to Be Sued—Seized Goods Stolen.

Daniel Doyle, who is in the leather goods business under the Astor House, has engaged Abner McKinley, brother of the President, to bring suits for damages against Florence Sullivan, superintendent of the Bureau of Incumbrances of the City of New York. For many years Doyle has been fighting the Bureau of Incumbrances. Mr. Doyle's father, who is interested in the concern, has been in business there forty-five years.

According to statements made by friends of the Doyles they have been annoyed because they refused to buy immunity. The privilege of putting trunks and travelling bags and showcases on the sidewalk in front of their place of business was offered if they would pay for it. They refused to contribute, and city officials have caused their arrest and otherwise annoyed them. On one occasion a young man who was in their employ was brutally beaten by an inspector in the Bureau of Incumbrances and remained for many weeks in a state bordering on the grave. The man who assaulted him was indicted, tried and convicted.

But the inspectors from the Bureau of Incumbrances continued to make war upon the Doyles and their last act was to seize the Doyle showcases a week ago. At that time a part of the contents of the showcase disappeared after the showcases had been removed to the corporation yards. The Doyles complain that a number of valuable leather purses were stolen. Although the Doyles have paid fines regularly and get their seized goods back, they have never before made charges of larceny in connection with the removal of their goods. Now they will apply for warrants for the arrests of persons who they believe stole the leather purses.

Aside from this it is the intention of the Doyles to bring a civil suit for damages against the city and also a personal suit against Florence Sullivan the superintendent of the Bureau of Incumbrances alleging that the removal of the show cases was illegally done. Young Mr. Doyle alleges that a representative of Supt. Sullivan secured a court order which aided the bureau to make the seizure and that this court order was based on affidavits which alleged that the Astor House is built up to the street line and that therefore Doyle is not entitled to the usual ten inches of sidewalk space allowed for show windows, which space his cases occupied. Doyle says that he has had the property surveyed by men who will go into court and swear that the Astor House is not built to the street line. Another thing that Doyle will make use of is the fact that sidewalk privileges are enjoyed by other merchants. He calls attention to the fact that the Metropolitan Hardware Company at Vesey and Church streets is permitted to have sales counters on the sidewalk and that opposite the Brooklyn Bridge in the roadway Supt. Sullivan has permitted a Greek pedler to erect a shanty for the sale of cut flowers. These matters Doyle says will figure prominently in the civil actions which he will bring against Sullivan and the city.

JAIL TOO GOOD FOR HIM.

Magistrate Regrets He Can't Take Personal Satisfaction Out of a Woman Beater.

"I wish I had the right to take the law in my own hands," said Magistrate Zeller to a prisoner in the Jefferson Market police court yesterday. "If I did I would take you into my office and give you the soundest thrashing you ever had in your life. Imprisonment is entirely too good for you."

The prisoner was George L. Martine, a driver of 36 East Fourth street, who was accused of assault by his common law wife, Nettie Zeiner. The woman testified that she met Martine in Washington Square at noon yesterday and he blackened her eyes and knocked out eight teeth in her upper jaw. The blows on her mouth were delivered so rapidly that the loosened teeth were forced down her throat. The assault was unprovoked, the woman said. She presented such a shocking appearance that the Magistrate could not bear to look at her or at him. Martine's defence was that he had just found out that the woman had a husband and two children living.

"That is no excuse," cried Magistrate Zeller. "You are the worst brute I ever had before me. You are a scoundrel, a coward, and a disgrace to mankind. I wish I could take you out and thrash you. I will hold you for trial, charged with felonious assault. That is the worst I can do to you."

CONNECTICUT "STONE FENCES."

Movement to Require a License to Sell the Jamaica Ginger-Hard Cider Combination.

GREENWICH, Conn., Dec. 19.—Temperance people and out-and-out Prohibitionists are becoming alarmed because of the drunkenness in no-license towns in Connecticut and their inability to stop it. The tipplers imbibe what are colloquially called "stone fences." These are made of Jamaica ginger and hard cider. Four drinks of this concoction are sufficient to send even the best-trained toddy drinkers down the street with a twist in his walk and his head full of grand opera airs.

The stone fence is sold for 50 cents a drink, and there is a wide margin of profit at that price. It is made by anybody who is inclined to go into the business and has the money with which to buy the ingredients, and there is no law to prevent the manufacture and sale of the stone fence. It is said by physicians to be a hard proposition for the stomach to wrestle with, and those addicted to it are quite likely to die from gastritis, inflammation of the kidneys and cirrhosis of the liver.

It is said the General Assembly will be asked to pass a law at its session in January to place the decoction on the list of intoxicating beverages, so that a license must be obtained before it can be sold.

CHARTER REVISION EXPENSES LOW.

Board Used Less Than Half of the $25,000 Appropriation.

The Charter Revision Commissioners have been casting up their accounts in order to make a report of their expenditures to the Legislature. The appropriation for the commission was $25,000, which was to be raised by the city. The act provided that the commissioners should serve without pay, and all the expenses attached to the commission was for office rent, stationery and attendants. Each of the fifteen commissioners paid his own expenses, and the result is that more than half the appropriation is unexpended. It was said yesterday that the account would not contain any items for "refreshments," such as are found in other such accounts, and that the commission would prove to be the cheapest one has ever been authorized by the Legislature.

FELT A HAND AT HIS STUD.

Dr. Pyle Grabbed the Hand and Nabbed a Supposed Thief in a Crowded Car.

Dr. Edwin W. Pyle of 338 Bergen avenue, Jersey City, a physician in the New York Eye and Ear Infirmary, was in a crowded Twenty-third street car at noon yesterday and felt a tug at a large diamond stud he was wearing. Directly in front of him stood a man with a newspaper he was reading so held that it shut off the doctor's view of his stud and hid the hand that was seeking to unscrew it. Dr. Pyle seized the hand and called for help. The car was stopped and a policeman placed the would-be thief under arrest. In the Jefferson Market police court he said he was Charles Murray of 751 West Forty-eighth street. Magistrate Zeller remanded him till to-day to give the police time to look up his record.

School of Health Incorporated.

ALBANY, Dec. 19.—The School of Health, with principal offices in New York city, was incorporated to-day to found and carry on a School of Health in New York city, with branches in other cities, for mental and physical culture, instructions in sanitary laws, the laws of heredity, the evil effects of tobacco, alcohol and morphine upon the human system, and the chemistry of cooking, food values and their adulterations. The directors are: Dr. Ella A. Jennings, Dr. Egbert Guernsey, John J. Plunkett, Sylvester M. Weimer of New York city, George Donaldson, Cliff Side, N. J., and Mrs. E. C. Hazard of Shrewsbury, N. J.

Fire Chief Hogan's Widow Marries.

The announcement was authorized in Jersey City yesterday of the marriage on Dec. 9 at Newark of Mrs. Hogan, the widow of Battalion Chief John Hogan of the Jersey City Fire Department, and Charles Herig, a Greenville newsdealer. Hogan committed suicide last August after trying to murder his wife. He cut her several times with a knife, and she was in the City Hospital for several days.

BEST & CO
LILIPUTIAN BAZAAR

Useful Presents.

Everything for the Children is here all the year round in the best assortments, but at this particular time many departments are more abundantly supplied than usual with goods especially suitable for Holiday Gifts.

Boys' House Coats, of appropriate materials, in bright plaids and checks, plain blue or brown, with plaid or check lining, cuffs and facing, silk bound or corded edges, $3.75 to $7.50.

Boys' Blue Chinchilla Reefers, 6 to 13 yrs., $7.00 to $12.50.

Double-Breasted Blue Frieze Box Overcoats, all wool and wool lined, 6 to 18 yrs., $11.50; 19 to 16 yrs., $12.50.

Sailor Suits, all wool blue cheviot, hand silk embroidered, 3 to 12 yrs., $5.00 to $8.75.

Dress Suit Cases for Boys, sole leather, finished with brass lock and rivets; colors, black, tan and green, also Texas steer, silk lined, at prices from $3.00 to $7.25.

Fancy Double-Breasted and Single-Breasted Vests, in bright colors, of silk and wool, and of fancy plaid cheviots, sizes 8 to 16 yrs., $4.00 to $6.50.

Neckwear for Boys and Youths—Teeks, Four-in-Hands, Imperials, Puffs, Bat Ties, Butterfly Ties and Bows, especially selected for the holiday season; special teeks, puffs, four-in-hands and imperials, 50c.

Umbrellas in great variety, from strong school umbrellas to the dainty cardinal and Royal blue silk, with jeweled, Dresden and pearl heads, 65c. to $6.50.

Babies' Short Coats, crepon elderdown, box back, double-breasted, hood and belt of elderdown; colors, gray, tan, red and white, sizes 1, 2 & 3 yrs., $4.85.

Boys' Suits—broken lots—suitable for Gifts, at greatly reduced prices.

A large assortment of Toys and Games at popular prices.

Dolls in great variety, at prices from 25c. to $25.00.

Dolls, 18 inches long, dressed, sleeping eyes, $1.00.

Dolls' Go-Carts, rubber tired, $3.75.

Rocking Horses, made of real skin, $6.

Books specially selected for Children, in large variety, bound and unbound.

Mechanical Trains, running on tracks, $1.00.

Flexible Flyers (boys' sleds), $2.25.

Baby Sleighs, $10.75.

60-62 West 23d Street.

For a HOLIDAY PRESENT and all-the-year-round reminder

A Sparklets TRADE MARK BOTTLE IS UNIQUE

A Soda Water Fountain in every home

It is Original, Always Useful and a Daily Money-Saver

Pay from $1.50 to $5.00 according to your choice

Come to the store 1127 Broadway, New York, to see it in use, or ask your druggist

MRS. BATHGATE DENIES ALL.

Faints After Giving Testimony in Divorce Suit Brought by Her Husband.

Vice Chancellor Emery in Chancery Chambers, Jersey City, reserved decision yesterday in the divorce suit of James Bathgate of Hackensack, assistant receiving teller of the National Park Bank, this city, against his wife. Mrs. Bathgate was on the stand in her own defence for nearly half an hour. She was very dramatic and denied all the allegations which had been made against her. According to Mrs. Bathgate, Leland Atwood, the young architect who was named as corespondent, was brought to her home by Bathgate. Her husband, she said, told her that Atwood was a nice young man who wanted the influence of good society. He asked her to entertain the architect whenever he called.

Mrs. Bathgate testified that her husband gave her only $2 a week for her personal expenses and that she was compelled to take in sewing. She shed tears when asked if she didn't su