ENDS SANS SILVIA GREEN.

YARMOUTH OFFERED TO STOP SUIT —HETTY SAID, "FIGHT IT; I DO."

Subpœnas for Miss Green and Mrs. Dahlgren Called a Device to Stave Off the Earl's Libel Suit—Tragedy of "When Little Pigs Begin to Fly"—Jury Supposed to Have Agreed.

The jury in the case of the Earl of Yarmouth against the *Telegraph* newspaper came to an end yesterday with the direction of Justice Blanchard that the jury bring in a sealed verdict to-day. The jury finished up early and went home.

The taking of testimony was concluded without the calling of Miss Silvia Green to the witness stand. Miss Green is the daughter of Hetty Green, who is commonly spoken of as the richest woman in America. One of the allegations in the defence was that the Earl was a fortune hunter and had come to the United States simply for the purpose of getting a rich woman to marry him. It was understood that Miss Green had been subpœnaed with the intent to prove that Yarmouth had wooed her.

The Earl of Yarmouth said after the trial yesterday that Miss Green was not the only rich woman summoned by the defence. He said that he knew that Mrs. John Vinton Dahlgren, whose engagement to Harry Lehr was recently reported, was a second, and there was still another whose name he did not know, or at any rate would not tell. He could not imagine why Mrs. Dahlgren should have been summoned. He had met her two or three times at the opera, he said, but his acquaintance with her was very slight and very formal. As soon as he heard that Miss Green had been subpœnaed he approached Mrs. Green and offered to drop his suit. He said that in England no gentleman would go on with a suit that involved a young lady in unpleasantness. Mrs. Green replied, according to the Earl's story:

"Why, young man, don't you think of withdrawing that suit. If you have a good case, fight it. That's what I do. You go right ahead with your suit. My daughter will be there and her testimony will not do you any harm. I'll be there all the time myself, too. If you like, I will go on the stand for you and testify. I have known about you for some time and I've never heard you were not a nice young man. Go on with your suit."

Mrs. Green added, Yarmouth says, that she did not want her daughter to meet him in the court room or to have her say anything to him until after the case was over.

"Then," she said, "if you are proved to be the sort of a man they say you are we will not have anything more to do with you."

So for two days Miss Green appeared in court to answer the subpœna and after that she and her mother waited in the Chemical Bank Building over the way ready for a summons by telephone to the court room, while, as Yarmouth understands, Mrs. Dahlgren waited at her home for a summons.

The Earl was still on the stand when the case opened yesterday morning. Mr. Wollman, the *Telegraph's* lawyer, had decided that he was not to be called "Mr. Yarmouth" any more, but Mr. Hope. Once in a while he forgot, though, and later in his summing up he talked freely of "Mr. Manchester, who married Miss Zimmerman," and "Mr. Marlborough, who married Miss Vanderbilt."

"If you were making a call, Mr. Hope," asked Mr. Wollman, "would you send in your name as Mr. Hope?"

"If it were a professional call," said the witness, "I would. But if it were not a professional call, why, certainly not."

He smiled behind his hand at Mr. Hummel. Mr. Wollman jumped forward and appealed to the court to make the Earl behave.

"You are trying to be witty with me," he exclaimed pointing an accusing finger at the Earl. "This is a serious matter."

"I so understood," said the witness with great calmness.

Q. Did you know that your name was put up at the Lambs' Club and that it was ordered to be taken down? A. I know that I was asked to let it go up and that I consented in a vague sort of way. You better ask the officers of the club about the rest of it; I know nothing about the matter.

Q. How do you pass your time? Have you anything to do except to sleep and eat? A. Oh, yes. I sleep and eat and walk and visit friends and hear music and I manage to live somehow.

Q. But you have any serious pursuit? A. I look for employment.

Q. You consider that a serious business? A. Very serious.

Q. But you never get anything to do? A. That's still more serious.

Mr. Wollman glared at the witness while the rest of the folks in the court room laughed loud and long, unchidden by the court.

For the defence Mr. Wollman said, in summoning up:

"If there is a fakir in politics it is right that the newspapers should show him up. If there are fakirs on the stage it is right that the newspapers should show them up. The Earl could have had anything he cared to say printed in any newspaper in the United States. He had no defence to make. He says that we made him ridiculous. We couldn't do that. The man must have been ridiculous before he could be made to appear so. If he had not taken to cutting up antics the way he did and pointing around nobody would have ridiculed him. There is no room in this country for a man who smokes cigarettes at 40 cents for ten and does not pay the valet who has paid his laundry bills.

"We find this Earl singing 'When Little Pigs Begin to Fly.' Laughter.) Do not laugh, gentlemen of the jury. This is a serious matter. That song is the tragedy of that young man's life. It was worthy of a young profligate who gave teas in his apartments. Think of it, gentlemen, of a man giving a tea. Think what a snappy, girlish mind a man must have who can give a tea. We have heard that he can sing a little and paint a little. We saw one example of his artistic abilities. It wasn't pleasant to look at. We don't want young men with such accomplishments around here."

Mr. Hummel when his turn came commented on the withdrawal by the defence of the charge that the Earl had been an associate of Oscar Wilde and of other disreputable persons who were named in the opening address of the defence.

"Was there ever," he asked, "a more villainous arrangement of a man, unsupported by any testimony, than the answer in this suit? We hear that Yarmouth is a coward. Because they hoped to frighten the Earl out of bringing the suit to trial. They hoped to blackmail him into a withdrawal. And where is Miss Green, who has attended the sessions of this court under subpœna, waiting to be called? They say that she dare not appear. Then how her evidence would have hurt them more than it could possibly help them. There was blackmail in that, too. They hoped that a message would come asking Yarmouth to drop the suit because the name of the daughter of the richest woman in America had been brought into it. But they did not know what a backbone that young woman's mother had. They could not know how bravely she could stand behind her daughter when an injustice was being done. They never meant to call her.

Justice Blanchard told the jurymen to remember that actors by the nature of their employment invited criticism of their performances and that a harsh criticism was not necessarily libellous. He also reminded them that only a part of the objectionable articles was in the nature of dramatic criticism. The jury went out at 4 o'clock.

DOZEN GAMBLING INDICTMENTS

Of Men Arrested in the Fifteen's Raids and Held by Justice Jerome.

The Grand Jury indicted yesterday these alleged gaming house keepers and poolroom men held by Justice Jerome: William Campbell, alleged manager of The Allen's place at 86 Sixth avenue, indicted for maintaining a gaming house; Lewis Hughes, William Stiles and George Wenstrup, indicted for violating the gambling act at 128 West Thirty-sixth street; Hugh Jones, John Daniels and Bernard O'Neil, indicted for running a gambling house at 45 West Thirty-sixth street; Edward Lyons, John Madden, indicted for being interested in a gambling house at 116 West Forty-second street, and Nathan Hudson and two of the Doe family not yet arrested, indicted for gambling in West Thirty-first street.

Prominent Venezuelans Here.

Among the passengers on the steamer Caracas, which arrived from La Guayra yesterday, were Señor E. A. Rendines, private secretary to President Castro of Venezuela, ex-Minister of Foreign Affairs Pedro Ezequiel Rojas and ex-Minister of Public Works José María Ortega Martinez. Señor Rendines is here on a leave of absence and will visit the principal cities of the United States.

Found Dead. Artery in His Wrist Cut.

READING, Pa., May 13.—John D. Fox, a farmer, aged 65, disappeared a week ago. To-day his body was found on the mountain, he having died of a cut in the artery of his right wrist. His money had not been disturbed.

FOURTH CADET CONVICTED.

Fainting Girl Testifies That He Sent Her to Suicide Hall With Knock-Out Drops.

Frank Gross, 22 years old, recently of 171 Allen street, pleaded guilty in the General Sessions yesterday to abducting fifteen-year-old Sarah Zimmerman, whom he compelled to earn money for him on the Bowery, at Suicide Hall and other resorts, by receiving men.

She testified that he gave her knock-out powders to put in the liquor glasses of men she went out with and that he beat her and otherwise used her cruelly. Her health is wrecked and she was in such shape when rescued from Gross that she had to go to Bellevue.

On the trial she fainted frequently while testifying. A physician remained at her side prepared to restore her when she fainted.

One of the witnesses for the people told Assistant District Attorney Train, after the trial, that Gross's friends were out in the corridors saying what they would do to the witnesses against Gross. Mr. Train advised the man to notify Capt. Walsh of the Eldridge street station. Mr. Train also heard from Capt. Walsh in the afternoon to the effect that on July 4 last Gross shot a man in an East Side resort.

Judge McMahon remanded Gross until Friday for sentence. He is the fourth cadet convicted this year.

ACCUSED OF GRAND LARCENY.

National Credit Men's Association Prosecuting Maurice Moses of Mount Vernon.

ROCHESTER, May 13.—Maurice Moses of Mount Vernon, N. Y., is on trial in this city to-day for grand larceny. He is defended by Leonard Bronner of Myers, Goldsmith & Bronner of New York city and Philetus Chamberlain of Chamberlain & Page of Rochester. The National Credit Men's Association is interested in this action, as the prosecution is in line with the policy adopted by the organization of taking into the criminal courts cases where it is claimed fraud in making a credit statement is apparent. The case of Moses has been watched at every stage, the criminal authorities say, and the result will have a great bearing upon the future course of the credit men.

The indictment charges that Moses, who for several years has operated stores in New Jersey, Pennsylvania and Montana, came to this city in 1898, and on Aug. 24 opened negotiations with Stein, Block & Co. for a large consignment of clothing. It is alleged that Moses obtained $1,600 worth of clothing from the Rochester firm on false representations. The complaints allege that Moses said that his assets were in the neighborhood of $77,000, with liabilities amounting to $22,000. As this left a net surplus of $55,000 he received the goods. It is also alleged that Moses represented that there were no judgments against him and that he had indorsed no paper. Four months after this alleged fraudulent deal Moses went into bankruptcy, his petition showing that he had no assets, with liabilities amounting to $26,000. Before getting the goods Moses signed one of the statements that are in use by all large credit houses, so that the prosecution has documentary proof of the alleged crime.

PAY OF ABSENT TEACHERS CUT NOW.

Apparently They Used to Be Absent on Full Pay in Brooklyn.

Corporation Counsel Whalen made public yesterday a letter that he received some time ago from President Miles M. O'Brien of the Board of Education, in which was contained some curious information in regard to the way the rules of the department were enforced by the Brooklyn borough board. On Nov. 20, 1900, President O'Brien wrote to President Robertson of the Brooklyn board, pointing out that the payrolls for the Brooklyn teachers for September and October, 1900, showed that only $4.50 was deducted from teachers' salaries in the first month and only $11.21 in October for absences. Mr. O'Brien wrote that it was unreasonable to suppose that the proportion of absences among the teachers was so low as that.

Immediately after the attention of President Robertson had been called to the fact that, in neglecting to note absences and make reductions for them, the board was violating the rules of the city board, there came a change in the custom of the board. In January of this year the deductions for teachers' absences amounted to $14,044.97. In February they were $7,768.24.

President O'Brien says that the enforcement of the rule has operated beneficially in two ways, by reducing the total of absences due to shirking teachers and by reducing expenses.

Mr. O'Brien wanted Corporation Counsel Whalen to tell him who was the custodian of the retirement funds of the Department of Education. Mr. Whalen says that the Comptroller is the custodian.

WHEAT STEAMER STRANDED.

Serious Delays to the Boat Carrying Cargo From Chicago to Liverpool.

MONTREAL, May 13.—The steamship Northwestern, one of the Chicago boats which are endeavoring to demonstrate the practicability of direct shipment from Chicago to Europe by way of the St. Lawrence canals, met with a serious mishap on Saturday afternoon. At Cardinal, the chief engineer of the canal system boarded the ship and notified the pilot to take the inside channel to pass a large dredge anchored just around Sparrow Hawk Point, two miles below Cardinal.

The current is so strong at this point that it is almost impossible to take the inside channel. All other large vessels, including the Meteor, the sister ship of the Northwestern, had passed the dredge on the outer side. When the Northwestern attempted to cross in front of the dredge the swift current caused her to strike the anchored craft. The captain of the steamship signalling full steam astern saved serious collision. As it was, the steamship was forced into shallow water and stranded. The Donnelly Wrecking Company is arranging to float the Northwestern.

The Northwestern was scheduled to reach Liverpool in every two days from Chicago, but she is now over ten days behind time.

PROTECTS SON'S ALLEGED SLAYER.

"The Boy's Dead, Anyhow," Says His Mother, "and This Man's Got Children to Support."

Frank Mulcahy, a coal driver, was held without bail yesterday in the Yorkville police court on suspicion of being responsible for the death of his brother-in-law, Thomas Cody, who died yesterday morning in Roosevelt Hospital of a fractured skull. It is supposed that Cody received his injuries in a fight between himself and his brother-in-law several days ago. Cody was then thrown out of Mulcahy's room, but walked home afterward with his aged mother, not knowing, apparently, that he was hurt.

Mrs. Bridget Cody, the mother, was called as a witness yesterday. Detectives McCauley and Burns said that she had told them that she had seen her son beaten and kicked by Mulcahy. Mrs. Cody shook her head.

"No, Judge," she said, "I cannot take an oath that I saw Mulcahy strike my son. The boy is dead, anyhow, and poor Mulcahy has four little ones to take care of."

Magistrate Flammer entertained a technical charge against the old woman to be able to detain her as a witness, the police fearing that she might disappear.

SHEEDY GETS GAMBLING APPARATUS.

Buffalo's Corporation Counsel Says Police Must Restore the Stuff They Seized.

BUFFALO, May 13.—Corporation Counsel Cuddebeck this afternoon gave an opinion to the local police that they must restore gambling apparatus which they seized last week. The property was taken from the old Cleveland Democracy clubhouse and is thought to belong to Pat Sheedy, the gambler. Sheedy made a demand for it and a legal opinion was asked for. Mr. Cuddebeck says, after referring to the fact that the suit was not seized while gambling was in progress:

"As the facts in the case are explained to me the apparatus was not seized under any of the conditions prescribed in chapter 9 of the Penal Code. I have given the subject careful consideration and endeavored to find some ground upon which the return of the apparatus seized might be successfully resisted; but I have been unable to do so. I am constrained to advise that it be returned to the claimant. If you obtain, as a condition of returning it, a promise that it will be removed from the city you will have done all that is possible under the circumstances."

DECORATED BY THE SULTAN

SEQUEL TO THE BATTLESHIP KENTUCKY'S VISIT TO SMYRNA.

Ruler of Turkey Conferred It Upon Capt. Chester's Son as a Token of His Appreciation for the Captain—Incidents That Led Up to This—Great Ado Made Over Yankee Warship.

The Sultan of Turkey has just decorated a young New York lawyer, Clarence Chester, son of Capt. Colby N. Chester of the navy, as a mark of his esteem for Capt. Chester, who could not accept a foreign decoration without the consent of Congress, for which he did not wish to ask. The decoration conferred is the Order of the Osmanie, and the story of how it came about that it was bestowed upon this young American is an interesting one. The order was founded in 1861 by the Sultan Abdul Aziz—about whose death one newspaper permitted itself to joke, printing the news of his demise under the caption "Abdul as wast—who gave it the name of his dynasty. It is designed to recognize all classes of merit. There are five classes in the order. That of which Mr. Chester is made member is the fourth class. The decoration has just been received by Mr. Chester, having been forwarded to him from Washington by the Turkish Minister, Ali Ferrouh Bey. The Minister received a new decoration himself at the same time also, as an outcome of the visit to the Sultan paid by Capt. Chester last winter.

When Capt. Chester took command of the new first class battleship Kentucky last fall to take her to Manila, his term of sea service had nearly expired. He was to leave the ship in the Orient and come home by ordinary travel, and the Navy Department permitted him to take his son with him on the trip. According to the Kentucky's schedule her last Mediterranean stop before making Port Said was to be Naples. Everywhere she went she was received with the greatest attention as she was the first of the new American battleships to go to the Mediterranean. At Naples orders were received for the Kentucky to go to Smyrna to remain for several days.

When she reached that port a Turkish Admiral and a Commodore came aboard her to pay an official call. They were greatly interested in her and went from the ship directly to the Governor's residence, whence a cable despatch was sent to the Sultan. It is believed in the navy that one of the things which caught the Turkish officers' eyes was the loaded cartridge belts of the Kentucky's men and the enforcement of the rule not to permit any one unauthorized to approach the ship, together with the evidence that her guns were shotted and that she was in war shape.

Shortly after the cable communication sent to the Sultan by his Smyrna officers a royal invitation came back by cable, bidding Capt. Chester and his suite to Constantinople to dine with the Sultan. Capt. Chester accepted the courtesy, taking to the capital with him his son Clarence, Lieut. W. F. Scott who was with Dewey at Manila Bay, Lieut. W. A. Moffatt and Ensign L. C. Palmer as his staff. They reached Constantinople on a Monday and expected to remain only a few days, but the Sultan desired that they prolong their stay in order that he might give them audience and entertain them at dinner after the Selamlik ceremony of the following Friday when he was to officiate as is his custom at the services in the mosque which he has had built near the palace.

In the meantime they were entertained by Ministers and others constantly. The Sultan sent almost as soon as they reached the capital to inquire if he could decorate Capt. Chester, and when it was explained to him that the captain could not accept a decoration the Sultan sent again to know if he could decorate the captain's son. The young man was naturally pleased to be the recipient of the tangible evidence of the Sultan's desire to compliment the American people and said that he would be proud to wear the decoration. That was the last he heard of it until the receipt of the package from the Turkish Minister, but a few days later he saw the Sultan under circumstances which it is said foreigners rarely meet on. During the Capt. Chester's stay he dined with the Sultan at his palace, the Sultan eating at the same table with his guests.

On the day of the Selamlik ceremony the Americans were taken to the diplomatic department of the palace, whence they witnessed the progress of the Sultan on his 200 yard journey between 30,000 of his cheering soldiers to the mosque and he looked up and bowed to them. On this journey the people of the city are not allowed to see their ruler who is well guarded by troops who keep up a tremendous cheering. The dinner came on the following Monday. At the audience which preceded it the Americans, accompanied by Minister Griscom, went to the palace and were received by the Sultan's Ministers. While they were all together in one apartment and the Americans were introduced around. They then went across into the Sultan's reception room, where the Sultan met them alone. He was in European dress, with the exception of his fez.

Mr. Chester said that the Sultan is a very courteous and intelligent man and that those in Capt. Chester's party were all favorably impressed with him. He conversed with animation on the Kentucky, about which he had evidently been very fully informed. He asked questions about her and and even inquired about the superimposed turrets. He expressed admiration for her.

The Sultan took a fancy, apparently, to Lieut. Scott, who had a medal of Manila Bay medal which he wore—the only bit of decoration in the group of Americans—he asked if he might give the Lieutenant a medal. Lieut. Scott expressed his pleasure at the thought of receiving a mark of the Sultan's esteem and immediately took measures to ask the permission of Congress. The Sultan told Mr. Scott that if he ever desired to leave the American service there would be a place for him in that of Turkey. The Lieutenant laughed and thanked him.

At the dinner there were all told twenty-five persons. Besides Capt. Chester and those who accompanied him there were present Minister Griscom and the Secretary and dragoman of the legation, and the Sultan, the Grand Vizier, took place and Barnum Island reverted to the new county. It was too expensive an institution for Nassau to maintain, and hereafter the county poor will be kept at the town poorhouses.

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WRECK ON ILLINOIS CENTRAL.

Chicago-New Orleans Train Ditched—Mail Clerk and Fireman Killed.

NEW ORLEANS, La., May 13.—The southbound cannonball train on the Illinois Central Railroad, from Chicago to New Orleans, jumped the track near Hazlehurst, Miss., at an early hour this morning in consequence of spreading rails. The train was badly wrecked.

C. E. Rose of Fulton, Ky., a mail clerk, was killed. Tom Lee, fireman, was badly crushed and died soon afterward. Gus Nelson, engineer, was badly injured and will probably die. J. B. Statham of New Orleans, assistant mail clerk, was badly injured and Charles Schenk, express messenger, was slightly injured. The passengers were badly shaken up but not hurt.

HOW JOHN KEPT HIS PLEDGE.

He Didn't Drink the Whiskey, but Dipped Bread Into It and Ate the Bread.

BUFFALO, May 13.—Some months ago John Mowlkowski was required to take the pledge and swore that he would not drink whiskey for one year. This morning he was arrested for intoxication on his wife's complaint. He swore that he had kept the pledge, that he didn't drink the liquor, but dipped bread in whiskey and ate it. He was permitted to go on paying a fine of $10 instead of being sent to the penitentiary, for breaking the pledge and getting intoxicated.

Passenger and Freight Line Through Adirondack Lakes.

GLENS FALLS, May 13.—Patrick Moynehan of Glens Falls has purchased the Blue Mountain and Raquette Lake Steamboat Company of the Forest Park and Land Company and has changed the name to the Raquette Lake Transportation Company. It will be operated in connection with the Clearwater and Raquette Lake Railroad, built a year ago by the late Collis P. Huntington. It will carry passengers through that lake, through the Marion River to the Carry, where a railroad has been built across the Carry a half mile. A locomotive will be stationed here to run across to the outlet of Utowana Lake. There will also be floats on both lakes, so that the cars may be floated through Raquette, Utowana, Eagle and Blue Mountain lakes without breaking bulk. The line cost the new owner about $100,000.

HAD HIS BRUISES PHOTOGRAPHED.

And Picture Was Taken as Evidence Against Men Who Grocer Says Mauled Him.

Ludwig Stuppinski, a grocer, at 175 Stanhope street, Williamsburg, quarreled about a week ago with Michael and Jacob Knepple, also grocers, of 190 Evergreen avenue, in a stable at 126 Stanhope street, where the three kept their horses. Stuppinski was badly kicked and punched. He complained at the Hamburg avenue police station, but the police, according to his story, told Stuppinski to get a warrant. Before doing so the grocer had his photograph taken, showing his injured face and head.

When the Knepples were arraigned in the Ewen street police court yesterday Stuppinski's face had almost healed, but he produced the photograph and notwithstanding the denial of the accused brothers Magistrate Lemon held each in $300 bail.

TO BE PASSENGER BRIDGE ONLY.

Intentions of Those Who Are Behind the Twenty-third Street Bridge Project.

William J. Amend, one of the directors of the North River Bridge Company, said yesterday that the statements credited to him in some of the papers on Monday morning were largely misquotations and exaggerations of what he did say.

"They say, for instance," he said, "that I am counsel for the North River Bridge Company. That is not true. I am a director of the company and so is my brother. That is our sole connection with the company. As to the statements that the Pennsylvania Railroad Company is back of the enterprise and regarding the New York terminal, I will refer you to Gustav Lindenthal of 45 Cedar street. He is the President of the company and can speak with authority."

"The statements in the morning papers," said Mr. Lindenthal, "are a hash of what has been matter of record for six or seven years. Mixed with this are a number of false statements and utter misapprehensions of the facts. It is said, for instance, that our New York terminal is to be bounded by Sixth avenue and Seventh avenue and by Twenty-fourth and Twenty-sixth streets. This is purely imaginary. Our New York terminal is not decided upon and never has been.

"It is not only not true, but it is a malicious misstatement when it is said that we waited until after the Governor's veto of the Bridge bill that was before him last week and that we then considered it appropriate to make announcement of the precise status of our affairs. We neither reached any such decision nor even discussed the question. It is true that the Pennsylvania Railroad Company is back of our enterprise and that Samuel Rea, the Fourth Vice-President of the Pennsylvania, is a director in our company. It was that before he became an official of the Pennsylvania Railroad Company. It is also true that negotiations are in progress with various railroad companies that may use the bridge. There is nothing new in that. These negotiations have been going on for some time.

"It is true Mr. W. H. Brown, the chief engineer of the Pennsylvania Railroad Company, did say that his company had investigated all sorts of bridges and tunnel projects and had reached the conclusion that the only practical method of transportation between Jersey City and New York was by water. Mr. Brown said that, but at the time he said it he was misinformed and was not in a position to speak authoritatively on the subject. For be transportation of freight the water route will always be the cheaper and the better. But our bridge does not contemplate the transportation of freight. It will be devoted to passenger traffic alone. As to the statement that the cost of the bridge will be $80,000,000, I should say that $100,000,000 would be much nearer the mark."

At the offices of the Pennsylvania Railroad Company in Philadelphia the following statement was issued in response to inquiries:

"The Pennsylvania Railroad Company has agreed to use the bridge and terminals when built in conjunction with other railroad companies terminating on the west side of the North River, but the Pennsylvania Railroad is not backing the North River Bridge Company financially, nor has it been asked to do so."

BARNUM ISLAND TO BE SOLD.

Will Be Knocked Down to Highest Bidder—How It Was Bought by Mrs. Barnum.

Barnum Island, for nearly thirty years a poor farm for Queens county, and for the past two years used for that purpose by Nassau county, will be sold at public auction on Thursday. The inmates, numbering nearly one hundred, had to find new homes yesterday, as the institutions on the island were closed. Sixteen helpless men and women were sent to the Jones Institute at Brookville, which is the poorhouse for the towns of Oyster Bay and North Hempstead, while four others were sent to the Hempstead town poorhouse. The remainder were told to seek homes for themselves, and after a winter of comfort must move along as best they can.

Barnum Island was presented to Queens county by Mrs. Barnum, wife of a well-known clothier in business in this city. She bought the property because she was interested in the welfare of poor persons. The purchase was made late one night across a swollen creek. Mrs. Barnum learned that a higher offer was to be made for the land the following day, and despite a heavy rainstorm drove as near the owner's house as the swollen creek would allow, and closed the bargain by shouting across the water.

When Nassau county was erected out of the portion of Queens county remaining outside of the borough of Queens a division of county property took place and Barnum Island reverted to the new county. It was too expensive an institution for Nassau to maintain, and hereafter the county poor will be kept at the town poorhouses.

YEAR, AT LEAST, FOR POOLSELLING.

Supposed Change of the Law Futile—Executive Clemency Invoked for Leroy.

An attempt in Chapter 688 of the Laws of 1901 to provide a milder punishment of convicted poolsellers has defeated itself. The law stood "imprisonment in State prison for not less than one year nor more than two years or by such imprisonment, together with a fine not exceeding $2,000." The amendment struck out "less than one year nor." But one year is the shortest term in state prison allowed by the law, so the change is without effect.

Consequently Recorder Goff sentenced yesterday for a year Benjamin Leroy, convicted of running a poolroom in Whitehall street a year ago. Then the Recorder wrote to Gov. Odell that he thought a commutation to three months would be just. Leroy was sent to the Tombs to await the Governor's decision.

Leroy is a codefendant with "James Worsted," known otherwise as Edward Engel, son of Martin Engel.

BOY AND GIRL ROMANCE SPOILED.

17 and 14 Years Old They Ran Away From Washington—Locked Up in Baltimore.

BALTIMORE, Md., May 13.—Frank Mack of 14 L street Northwest, Washington, and Miss Pauline Hastings of 23 L street came to Baltimore on Sunday, it is suspected, with ideas of a romantic marriage buzzing in their brains. Master Frank has reached the advanced age of 17, while Miss Pauline boasts of 14 summers. Both are now under lock and key at the Central police station, where they are held until their parents have been heard from.

When asked whether he was matrimonially inclined, Mack replied rather hesitatingly that he was not, but admitted proudly that Pauline was his best girl. The youthful pair were picked up in a lunch room at the corner of Baltimore and North streets at 2 o'clock this morning.

Cases of Diphtheria on the Rhyndam.

PHILADELPHIA, Pa., May 13.—Three children on the International Navigation steamship Rhyndam, which arrived here to-day from Liverpool, were sick with diphtheria and the 200 passengers were detained on the ship off the Washington avenue wharf. Physicians will examine every one on board.

Crushed to Death Under a Huge Rock.

Thomas Molloy of 325 West Sixty-ninth street was crushed to death yesterday in the Rapid Transit tunnel in Broadway, between Sixtieth and Sixty-first streets. A piece of rock, weighing about 300 pounds, fell on Molloy's head from the side of the excavation.

POWELL IS EXONERATED.

CHARGES OF A NEW YORK LUMBER FIRM NOT SUSTAINED.

He Is Assistant Naval Constructor at the Brooklyn Navy Yard and Senator Platt, Who Presented the Charges to the Department, Requested That He Be Transferred.

WASHINGTON, May 13.—Charges preferred by a New York lumber firm, through the medium of Senator Thomas C. Platt, against Assistant Naval Constructor Joseph Wright Powell were not sustained by a court of inquiry, whose report was received at the Navy Department to-day. Senator Platt requested the Navy Department to transfer Mr. Powell from the Brooklyn navy yard to some other duty, but the court's findings are by implication opposed to any action which would reflect on the officer concerned. The record of the proceedings and findings of the court has not been taken up for consideration by the Department.

Mr. Powell is the officer who, as a naval cadet, commanded the boat's crew of volunteers stationed at the entrance to Santiago harbor to effect the rescue of Naval Constructor Hobson and the men of the Merrimac after the Merrimac was sunk in the channel to prevent Cervera's squadron from escaping. For this service Mr. Powell was advanced in numbers. On the conclusion of his studies as a cadet he was commissioned and went abroad to study naval architecture. On his return to the United States in April, 1900, he was assigned to construction duty at the Brooklyn yard. He was born in New York, and appointed to the Naval Academy from that State in 1893.

The charges against Mr. Powell were preferred by Donnat & Pell, lumber dealers, who have furnished a great deal of material for the Brooklyn yard. They alleged that Mr. Powell had shown enmity to the firm and had done much to injure its business. His alleged animus against them, according to their written communication to the Navy Department, had been disclosed by Mr. Powell in statements to two of the firm's employees that Donnat & Pell were responsible for an attack upon him that had appeared in a newspaper. The firm alleged that Mr. Powell had threatened to injure it in its dealings with the Government on account of this article. It was charged also by Donnat & Pell that Mr. Powell had wrongfully refused to inspect 170,000 feet of lumber for the Brooklyn yard which it was his duty to pass.

Another charge was that after 100,000 feet of lumber had been delivered and unloaded at the Brooklyn yard by Donnat & Pell Mr. Powell ordered it reloaded on the firm's wagons and taken away, declining to permit the selection of such of the lumber as was up to the specified requirements. This, the firm alleged, caused it much trouble and expense.

When the charges were received at the Navy Department with Senator Platt's request for Mr. Powell's transfer they were transmitted to Rear Admiral Barker, Commandant of the Brooklyn Navy Yard, with instructions to investigate. Admiral Barker appointed the court of inquiry, whose report was received at the Department to-day. The court reports that, in its opinion, Donnat & Pell not only failed to substantiate by their own witnesses the allegations against Mr. Powell but had caused trouble and loss of time to the construction department at the Brooklyn yard by requests connected with the inspection of material furnished by them.

GOING TO EXPLORE CHINA.

American Museum of Natural History to Send an Ethnological Expedition.

The American Museum of Natural History is going to send an ethnological expedition to China. The enterprise will be under way in a few weeks and the investigations in the Flowery Kingdom will continue three years. The funds for the expedition are furnished by a friend of the museum, who withholds his name from public record. The museum has more friends than it once had, but has not yet enough to permit it to carry on all the work it would like to do.

Dr. Franz Boas, at the head of the department of ethnology, under which the expedition goes out, said yesterday that the object of the expedition is to give as clear as possible a representation of the present state of Chinese culture and of the influence Chinese culture has had over the whole of eastern Asia.

"It is a vast and important subject," Dr. Boas said, "and we think that the museum can be of service to the whole community in illustrating the lives of all classes of the Chinese. We are having dealings of large moment with that country now, and in the nature of events we must have in future much more to do with those people, and, as a matter of fact, we know little about them, speaking generally, in this country. If we want to deal sensibly with a people we want to know how they live and what they are. One of the chief objects of the expedition will be to make collections to show what they are doing and how they live over there, and we hope to be able to show really and somewhat clearly what the Chinese people really are."

Dr. Boas said that the museum in Columbia University would be benefited by the results of the expedition. The expedition will be under the direction of Dr. Berthold Laufer of Germany, who has already done some work for the American Museum. He is in this city now and will leave for China in about a month. He was with the Jesup North Pacific expedition of the museum for two years, working in Siberia along the Pacific coast. He is a specialist in Chinese ethnology and has written on the subject.

New York Newsboys Arrested in Buffalo.

BUFFALO, May 13.—Five New York newsboys giving the names of Edgar Bayles, Edward Hamilton, Harry Higgins, Richard Reiser and Michael O'Brien, were arrested in this city last night, when found sleeping in a barn on Mohawk street. They came here to see the Exposition. On their promise that they would return to New York they were released. It is said nearly fifty of the boys are here to see the Fair, but the police cannot locate them. It is thought they will keep in hiding in the suburbs until the rush begins.

Conventional clothing to the everyday man is like uniform to the army or navy officer—he gets out of it whenever he can.

Unconventional things to get into:

A yoke back pleated coat—a coat with a heap of style and a heap of comfort, worn with long trousers or knickers. $10 to $13.

Norfolk jackets—they're holding a revival. $10 and $13.

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PATRICK DEFENCE SYNDICATE?

Story That the Millikens, Brothers-in-Law, Are Willing to Spend $300,000.

A story was current yesterday in the Criminal Courts building to the effect that in St. Louis a syndicate had been formed to provide money for the defence of Lawyer Albert T. Patrick, accused of the murder of William M. Rice.

John D. Milliken and his brother, both of whom married sisters of Patrick and both of whom are rich men, were said to be at the head of this syndicate.

At the District Attorney's office it was said that W. S. Campbell, a representative in this city of the Millikens, had said that they were willing to spend $300,000 for the defence of Patrick. Unless these men might be called a syndicate, nothing more concerning the story had reached the District Attorney's office.

Lawyers Cantwell and Moore, of Patrick's counsel, said that they knew nothing of the syndicate story, but that they hoped it was true.

SECRET CHAMBER IN THE BAY.

House at 32 Baxter Street Had a Trapdoor and a Safe Deposit Place.

A curious secret chamber in the red brick house in the "Bay" at 32 Baxter street has been discovered by the men who are tearing it down. The house once had something of an unsavory reputation, and again was used for mission services. It was put up twenty-eight years ago on the front part of a lot in the rear of which had stood for many, many years an old wooden house which it is said was once a school, and once a Masonic meeting room, but which for nearly half a century at least was a sailors' boarding house.

Perhaps there is somebody in town who will tell what a peculiar secret compartment over a passageway at the side of the front house was used for. A yarn about its having been a hiding place for slaves in the underground railway system is disproved by the date of the erection of the building. The ground floor of the house is flush with the sidewalk. The ground level of the yard in the rear is about three feet lower. At the side of the house a passageway with a floor at the ground level of the rear yard was left to give access to the rear house. A few steps from the sidewalk led down to this passage at the street. The front house was built over the passage and up against the wall of the building next door.

The ceiling of the passageway was three feet lower than the second floor of the house, which second floor was extended over it, so that there was a space the width and length of the passageway and three feet deep, boxed in. Leading into this oblong space, which was without window or other door, was a trapdoor in the second floor. With a rug or piece of carpet or oil cloth, to say nothing of a regular halled-down carpet over this trapdoor, the box-like space was secret indeed, and many were the u