

JURY INDICTS SCANNELL

ACCUSED WITH WILLIAM L. MARKS OF ROBBERING THE CITY.

Conspiracy to Defraud and Maintenance in Office, Basis of the Charges—Both Give Verdict "Nothing in My Administration Warrants This," Says the Fire Commissioner.

Fire Commissioner John J. Scannell and William L. Marks were indicted by the Grand Jury yesterday, on charges growing out of the investigation of the Fire Department's recent purchase of supplies. Marks, it has repeatedly charged, has practically been the purchasing agent of the department under Mr. Scannell, and it is alleged that through him the department bought supplies of superior quality at exorbitant prices, he getting a liberal bonus out of the transaction.

Three indictments were handed down. The first, which is a document of about seventy-five pages of typewritten matter, names the Commissioner and Marks as co-defendants, and charges the crime of conspiracy on four counts: (1) Conspiracy to neglect duties enjoined by law; (2) conspiracy to evade the law and defraud the city; (3) conspiracy to prevent or obstruct the due administration of the law; and (4) conspiracy in demanding and obtaining money for the performance of furnishing the Fire Department with supplies. A man convicted on any of these counts is guilty of misdemeanor and punishable by a fine of not more than \$100 nor less than \$50, or both. In the case of a public officer, conviction would remove him from office and make him incapable of ever holding office again in this city.

Besides the two separate indictments are found against Commissioner Scannell, charged with neglect of duty on three counts, and against the city, (1) violation of the law; (2) mismanagement of the city. If convicted on the first count only the Commissioner could not be removed from office.

The Grand Jury handed up the indictments to Judge Cowing in General Sessions just before being discharged. The Court did not issue the warrants until after the Grand Jury had adjourned. They were taken to the office of the firm of Weeks & Battle, counsel for Scannell and Marks, appeared before Judge Cowing and announced that they would come immediately to court and furnish what would be the bail for the Commissioner and Marks reached court just as the Grand Jury was being discharged. They went immediately to the bond clerk's office, and there the officers were taken in prison or to the office of Alderman Michael J. Kennedy of the First district gave the property at 41 Pleasant street, owned by William J. Gordon, to the Grand Jury. J. F. Edman, of 1730 Broadway gave property of the firm of Weeks & Battle, and the Grand Jury approved by Judge Cowing, and the accused men went away.

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SAFER BREAKER FRANK MILLER HANGED

He Killed a Policeman in Birmingham, Ala., After Being Arrested for Robbery.

BIRMINGHAM, Ala., June 28.—Frank Miller, the noted safe cracker and murderer of the Birmingham police, was hanged this morning. He died protesting his innocence of the crime and saying that he was being judicially murdered. He walked to the scaffold with a firm tread and mounting it asked if any one desired to ask him questions. Solicitor Hefflin approached and asked him to tell the truth. Miller replied: "I have told the truth. I am innocent and so is Duncan. If you hang Duncan you will hang an innocent man 'New York Harry' is the guilty party."

Miller received religious consolation from Father O'Reilly, repeating the prayers in a low voice. He was hanged by a rope around his neck. Just then the trap was sprung. His neck was broken and he died without a struggle.

Sullivan's conduct on the gallows showed that he was playing for time, as he called for water twice. An hour after the Miller hanging, a colored woman, who was charged with the murder of Rob Callahan. Both men were colored and were hanged from the gallows. Callahan was a pick as the result of a petty quarrel. Williams died singing and praying, saying almost the same words as Miller.

Frank Miller, alias John Manning, alias John Hendricks, alias "Dutch Henry" was the leader of a band of police departments of the large cities of the United States as a safe blow and all-round crook. The trial was almost a farce. Miller was committed in Birmingham between the hours of 12 midnight and 1 o'clock on the morning of March 23, 1900. He was in prison by a gang of safe blowers and one by one Police officers were robbed.

On the night of March 27, the Police Department in Birmingham received information that the night watchman of the Standard Oil Company, in the extreme southwestern part of the city had been assaulted and killed after being charged the big safe in the office had been blown open with nitroglycerine and robbed. The Police Department was notified to be on the lookout.

Shortly before 1 o'clock, and but a few hours after the murder of the Policeman, Miller and George W. Kirkley met two suspicious men on the street. These men were followed and arrested. They were taken to the station after being arrested and got away. They were caught after a long chase.

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FREIGHT BY TROLLEY NOW

THE METROPOLITAN STARTS AN EXPRESS PACKAGE SERVICE.

Using the Old Third Avenue Mall Cars—Hopes to Work With Existing Express Companies—First Car Sent Out Yesterday Up Eighth Avenue—Other Lines to Have Them Soon.

For the first time in this city baggage was carried over the lines of the Metropolitan Street Railway Company yesterday. Preparations for the installation of a regular express service upon all of the surface railroads by Broadway, controlled by the Metropolitan company, have been in progress for several months. The old mall cars which were used on the Third avenue road have been converted into freight-carrying cars of the box type and will be used for the service. Each has a capacity of at least three times that of the largest express wagon in use. The cars are painted a dark yellow.

Only four cars were put in service yesterday and they were run entirely over the Eighth avenue line; but the officials of the Metropolitan Express Company, the organization which is to run the cars in name, hope within the next few weeks to operate at least ten cars over the Madison and Sixth avenue lines, in addition to those on Eighth avenue. Plans are also being made to run over the Twenty-third and Forty-second streets cross-town lines. So far the only depots decided on are at Fifth street and Eighth avenue, in Forty-second street, opposite the Grand Central Station; at 183rd street and Third avenue and at the present terminus at Fordham. As the company's business increases, however, stations will be added from time to time. Receiving offices will be opened in all parts of the city.

The plan of the company is to divide the city into districts with receiving offices in each. Baggage left at these places will be carried by automobile to the nearest depot, and there transferred to the express cars.

"Our aim is not to antagonize the existing express companies," said Henry Sanderson, the President of the new enterprise, yesterday. "It is our desire to have a working arrangement with these concerns. What we are mostly bent upon is to carry their long-haul business. By means of our cars, which will run on regular schedule time, the public will be benefited by having a more expeditious and more economical service than it now has."

With a horse wagon a man can rely upon receiving his trunk if it has to be carried any distance upon the same day that he checks it. It would take the best part of a working day for a truck to travel from the Battery to Fordham and back. We make the return journey in less than four hours. Another advantage to the public is that the number of trucks in the city will be lessened. Every truck taken of the street means a gain to the travelling public in the matter of accelerated speed for the surface cars."

It was just before 10 o'clock yesterday morning when the first express car started from Battery Park Place on its sixteen-mile journey to Fordham. The car was piloted by William J. Ryan, treasurer of the new company; George W. Stengerland, general manager; Green T. P. Hill, chief agent, and Thomas Miller, general master mechanic of the Metropolitan Street Railway Company. The first package received was from an express company, which had been waiting for the car at the depot and many were the happy preparations made for the future of the company.

Then without a stop, except those necessitated by the drawing up of passenger cars ahead, the journey was continued to the Fifth street depot. The car was shunted from the main line to a circular siding which entered at one opening to the depot and emerged from another on to the street, tracked by the platform of the building adjoining the siding was filled with baggage of all sorts and sizes. Only sufficient was loaded on the car to half fill it, as some of the packages had to be accommodated of the officials and about half a dozen of their guests. Ten minutes was occupied in stowing the baggage on board, and the trip northward was resumed.

The route taken was to 116th street, east to Madison avenue, north to 135th street, and then to the Union depot. At 135th street is the connecting point between the Metropolitan and Union lines. As the former is operated by the underground system and the latter by the overhead trolley, it was necessary to equip the express cars with both appliances. The operation of raising the underground plough and putting the overhead wire in about two hours after the start from the Battery, including the stoppage at 135th street, was completed by 11 o'clock. The car was then started on its way to Fordham, and the passengers were taken to their destinations.

With the four cars now in use an hourly service can be maintained, and it is proposed to do most of its heavy carrying at night. The service will also soon be extended to White Plains, New Rochelle, Yonkers and other points in the county. As no part of the journey of the first car from the Battery to Fordham yesterday was there any interference with the passenger traffic.

Applications Allowed for M. J. Dady and Others—Will Yield State \$10,000.

ALBANY, June 28.—The State Land Board today granted the application of Col. Michael J. Dady for a grant of seventeen acres of land under water at Onondaga Island, and also that of Dady \$100 an acre, therefore. The original appraisal was \$50 an acre, which was doubled on second appraisal. Mr. Dady, as the owner of the upland, said in his application that the land under water applied for is at present of no commercial value, and can only be made so by the construction of a dam and piers and bulkheads and says that the land between Canal avenue and the high water line at Onondaga, never can be used for any other purpose than for the erection of buildings which it has been intended to erect.

The Land board also granted eight acres of land under water at Onondaga Island, and also that of Dady \$100 an acre, therefore. The original appraisal was \$50 an acre, which was doubled on second appraisal. Mr. Dady, as the owner of the upland, said in his application that the land under water applied for is at present of no commercial value, and can only be made so by the construction of a dam and piers and bulkheads and says that the land between Canal avenue and the high water line at Onondaga, never can be used for any other purpose than for the erection of buildings which it has been intended to erect.

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