

THE AXE FALLS ON ONEILL.

POLICEMAN WHO DARED TO TELL DISMISSED FROM THE FORCE.

York Finds Him Guilty of Unbecoming Conduct and Murphy Adds the Dismissal—He'll Appeal to the Courts and He'll Be Taken Care Of, Anyway.

Patrolman Edward Oneill, the ex-cavalryman who directed attention to the transfer "shaking-down" system in the Police Department and, goaded to desperation by having been transferred five times in a matter of months, yesterday was paid to be let alone, openly talked back to Deputy Commissioner Devery when lashed by Devery's tongue in the trial room at Headquarters, was dismissed from the force yesterday by Commissioner Murphy.

In the department and outside of it this "breaking" of Oneill is taken as an endorsement of Tammany that the organization will sustain Devery, no matter what he does, and that policemen must submit, pay up when the transfer bureau's collector makes his rounds, and look as pleasant as possible over the robbery.

Commissioner Murphy says he is sorry for Oneill and that he has any objection to the policeman's trying to get back his job through the courts (if he can), but he doesn't think that any injustice has been done.

The rank and file in the department has its own opinion and when at 4 o'clock yesterday afternoon it was formally announced in every police station in the city that Oneill was dismissed, the members of the force there were many signs of discontent. Oneill, however, will not be forgotten. His case will immediately be taken to the Supreme Court by the men who have interested themselves in it and whether he is successful in gaining his reinstatement or not the Committee of 15 will see that he does not suffer.

The charges on which Oneill is dismissed were preferred against him by Devery after Oneill had told the Deputy Commissioner that if he had not refused to be "shaken down" and had paid \$25 for a transfer he wouldn't have been fined thirty days' pay as he had been a minute before by the Deputy Commissioner.

Col. Murphy's announcement that Oneill had been dismissed was made about noon. An hour before that every one in Mulberry street had known it. The Commissioner announced the fact as if it were of no importance.

"There is nothing new to-day," he said to the reporters who went to see him, "that is except Mr. York finding out that Oneill has been dismissed. I've approved the findings and ordered Oneill dismissed. Here they are."

Then he handed to the reporters copies of Mr. York's decision. In full it is as follows and there is no recommendation to dismiss him in it:

In the matter of the trial of the charges on Patrolman Edward Oneill, the charge was charged on the conclusion of the hearing of the trial of a similar charge against him, held by Deputy Commissioner Devery on Aug. 29, 1901. The language used by the officer, as charged in the specifications of the complaint, was used, according to the record, in the presence of the witnesses, and that he would fine him (Oneill) thirty days' pay.

The accused was present defending himself upon a charge of "conduct unbecoming an officer" and "conduct unbecoming a policeman." He was heard in his own defense, and this included the right to produce witnesses, and to question them as to facts bearing upon the facts in dispute.

DEVERY RUNS FROM JEROME.

GETS A WRIT TEMPORARILY STOPPING HIS TRIAL.

He Alleges That the Justice is Biased Against the Police and Himself, and Justice O'Griffin of the Supreme Court Issues a Restraining Order.

Deputy Police Commissioner William S. Devery obtained an alternative writ of prohibition from Justice O'Griffin of the Supreme Court yesterday restraining Justice Jerome and the trial of Edward Oneill against the police and himself, and Justice O'Griffin of the Supreme Court issues a restraining order.

The charges of Oneill on which Devery was arrested and held in \$1,000 bail were in part that Oneill had not been fairly tried and Edward Oneill in the said complaint, was acting as a judge and in a judicial capacity, and for any error or omission, if any, which your petitioner may have committed in said trial, your petitioner is not criminally liable.

The reasons why Jerome will not do as Judge are stated to be: "Inasmuch as the said Jerome has been and now is biased and prejudiced against your petitioner, and your petitioner's belief as to the said bias and prejudice is founded upon the professional associations in the past of the said Jerome and the prominent different capacities in so-called crusades against the police department of the city of New York during the last decade."

A similar narration of Justice Jerome's actions in the past against the police is given, as was presented several months ago to the committee of 15. Devery also stated that the public opinion leading to these matters resulted in the appointment of the committee of 15.

The fact that Justice O'Griffin had signed the writ was quickly known to the Criminal Courts Building. Former Police Commissioner Oneill arrived at Justice Jerome's chambers just before 11 o'clock.

"Well, we'll go out and adjourn the case just to keep the matter alive," said Justice Jerome, leading the way to the Sessions court room. The District Attorney's office was represented by District Attorney Philip and Assistant District Attorney James and the trial was adjourned until Sept. 30 at 2:30.

Mr. O'Griffin said that he would adjourn the case until Sept. 30 at 2:30. He said that he would adjourn the case until Sept. 30 at 2:30.

STRANGERS BURIED HIM.

Had Left Money, Put in Claims for It.

Nearly three hundred persons have put in a claim for a \$100,000 estate left by Bernard Flood, a Hudson avenue saloonkeeper, who died intestate in October, 1897.

"BUD" ELLIS WILL PROVED.

Estate Goes to His Mother—No Mention Made for the Widow.

The will of John Elmer Ellis, who is better known in the theatre and hotel district as "Bud" Ellis, was admitted to probate yesterday without a contest.

MAN HUNT IN HARLEM SWAMP.

POLICEMEN ON HORSES, IN BOATS AND ON FOOT CHASE A NEGRO.

McMoran's Crew Pointed Out Fugitive's Whereabouts From the Hiding-Triod Suicide When Caught in the Mud Wanted for Stabbing Another Negro.

The police reserves of the East 122nd street station, assisted by Central Office detectives, mounted men and a number of citizens, had a four-hour hunt yesterday for a negro who was wanted for the murder of William Clemens, a negro employed on the new Lenox avenue bridge, who was wanted for stabbing Benjamin J. Handell, a negro of 228 East 122nd street, with whom he had quarreled the night before over Clementine Moore.

The detective had not been there long, when the Moore girl came and asked for Clemens's envelope. She was told that the man must come for it himself.

When last week only two complaints were made against policeman THE SUN told that rounder sergeants and constables had actually agreed not to make complaints against the men.

DEATH FOR JAIL BREAKER.

The Negro Slayer of Keeper McGovern Convicted of Murder.

Arthur Flanagan, a negro waiter 29 years old, who gave his address as 41 Arthur street, Pittsburgh, was convicted yesterday in General Sessions before Judge Cowing of murder in the first degree.

SAB THE BUCKS IN BATTLE.

Dr. Sylvester Brings in a Wild Animal Story From Long Island.

Dr. Frank E. Sylvester of 90 Lexington avenue has been telling his friends a story of an adventure he says he had on Long Island.

THREE CAUGHT AT DR. HINSLER'S.

Crabbed by the Butler and \$2,000 Worth of Jewelry Recovered.

LONG BRANCH, N. J., Sept. 25.—Two professional sneak thieves planned to rob the Elberon cottage of Dr. J. B. Bissell of New York this afternoon.

NO COAL STRIKE IN PROSPECT.

Leader Mitchell's Friends Call on President Underwood.

There was no further conference yesterday between President John Mitchell of the United Mine Workers and any of the presidents of the coal-carrying railroads.

MERCHANTS' CHARGES SHELVED.

Col. Murphy Sends 'Em to Mr. Whelan's Pigeon Holes—But He Can't Lose 'Em.

That Tammany is prepared to hold on to Mr. Devery in spite of public opinion has become apparent yesterday when Police Commissioner Murphy returned the charges made by the Merchants' Association against his First Deputy Commissioner to Corporation Counsel Whelan for a legal opinion.

Wearily, He Has the papers. Anyhow, these things happen in the charges. They are only a rebuff of what Devery has said at the trial.

Col. Murphy added that he expected to hear from the Corporation Counsel "in a few days."

Why, if legal advice is necessary, it was not sought from ex-Judge Edward Browne, who was assigned to the Police Department as a Special Assistant, Corporation Counsel some time ago nobody knows.

Commissioner Murphy was still unable to say yesterday whether or not Mr. Devery would preside at the trial this morning. Col. Murphy says he won't be able to tell until the morning comes.

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Dyspepsia and Indigestion

To get rid of these ailments you must start at the seat of the trouble by setting the stomach right. The stomach supplies the strength for every department of your body. If your face is pale it shows clearly that there is an imperfect circulation of the blood. It shows also that the blood is thin, watery and weak.

Johann Hoff's Malt Extract

with his meals will realize the difference. Not only is the disorder gone from the stomach but there is the unmistakable prompting of strength and energy, because the nutrition in the food is penetrating to every portion of the body.

Dr. J. M. Powers, of Warrensburg, Mo., writes: Johann Hoff's Malt Extract is always a builder; always a blood maker by making digestion more perfect.

Beware of imitations. Get the Genuine JOHANN HOFF'S MALT EXTRACT and you will not be disappointed.

Eisner & Mendelson Co., Sole Agents, New York.

NURSES DIDN'T KILL CHRISTIE.

Verdict of Jury in a Bellevue Case—Broken Bones Not Explained.

A Coroner's jury decided yesterday that John Christie, of 30 West Thirty-sixth street, who died in the insane pavilion in Bellevue Hospital on June 18, came to his death by acute phlegmonous gastritis due to natural causes.

Coroner's Physician O'Hanlon who performed an autopsy, declared that death was caused by traumatic peritonitis due to violence. His autopsy also stated that the body was bruised and discolored, and that two of the ribs had been broken.

Police Officer McMoran of the West 122nd street station, who was the first witness, testified that he arrested Christie, who was acting strangely in the hall of 45 West Thirty-sixth street.

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HEAVY HURT KILLED DR. PURVES.

He Had Thought Himself Only Slightly Ill—Funeral on Saturday.

The sudden death of the Rev. Dr. George Tylor Purves, pastor of the Fifth Avenue Presbyterian Church, at his home, 30 West Fifty-eighth street, on Tuesday night was due to heart disease.

Dr. Purves spent the summer at Bay-head, N. J., and his pulpit was occupied by the Rev. Hugh Kilpatrick of Edinburgh, Scotland, for some time last fall but he was suffering only from a slight indisposition, and his death is a great shock to his congregation and friends.

Dr. Purves died on Tuesday night at his home, 30 West Fifty-eighth street, at his home, 30 West Fifty-eighth street, at his home, 30 West Fifty-eighth street.

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GOLD SEAL Champagne. America's Best. Gold Seal Champagne. America's Best. Gold Seal Champagne. America's Best.