The Sun.

THURSDAY, OCTOBER 17, 1901.
Rain and cooler this afternoon; fair to-morrow.

VOL. LXIX.—NO. 47. NEW YORK, THURSDAY, OCTOBER 17, 1901.—Copyright, 1901, by The Sun Printing and Publishing Association. PRICE TWO CENTS.

MOLINEUX WANTS TO BE TRIED

SAYS HE WOULD RATHER BE IN A CELL THAN OUT ON BAIL.

Likely to Be in the Tombs a Long Time—May Be Brought Down To-morrow—Decision May Exclude Forged Will on Patrick's Trial for Murder.

Roland Burnham Molineux, for whom a new trial has been ordered by the Court of Appeals in the longest series of opinions ever rendered by that judicial body, will in all probability be removed to-morrow from the Sing Sing Prison death house, where he has spent eighteen months, to the Tombs. There is a bare possibility that he may be removed to-day. The remittitur was mailed yesterday afternoon in Albany by the clerk of the Court of Appeals, but it had not reached any one in this city at the close of business hours.

Molineux learned the news authoritatively early yesterday morning at his cell in Sing Sing prison. Warden Johnson didn't tell the prisoner on Tuesday night because he wanted to be sure he wasn't making any mistake. When the Warden reached the cell he found Molineux already up. The prisoner received the announcement with a sort of nervous laugh. Of course he was glad to hear the news, he said.

The Warden said later that Molineux had very likely had at least an inkling before the official announcement, as such news travels quickly in Sing Sing by its own mysterious paths.

In the course of the day Molineux said twice that he wanted full vindication in the shape of a new trial and an acquittal. The first time he said it was in the presence of Superintendent of Prisons C. T. Collins of Troy and State Treasurer J. P. Jaeckel and Lispenard Stewart, President of the Prison Association, who are both members of the State Parole Board and were in the prison on business connected with the board. They asked him if it was true that he wanted a new trial so as to be vindicated.

"Yes," said the prisoner. "That is my wish and my father's. Nothing but an acquittal will satisfy me now. I would rather be in this cell than to go out on bail."

Molineux repeated this to his brother, Leslie Molineux, who came to the prison in the afternoon and remained an hour. Leslie explained to Warden Johnson that the family wanted to have one of their members have a good long talk with the prisoner, and he, Leslie, had been selected to represent the family. Mrs. Molineux will see her son to-day for the first time since the court's favorable action on the appeal.

Cell 5 in the Tombs, which was formerly occupied by Molineux, was whitewashed and put in readiness for his reception by Warden Hagan. Molineux will have his own furniture, including a bed, table and armchair and an old-fashioned lamp which Gen. Molineux brought over to the Tombs for his son's use.

THERE WILL BE ANOTHER TRIAL.

How long Molineux will occupy this cell this time is an interesting question. It would take several months at least to get the case ready for another trial. There were ninety-seven witnesses at the last trial and these will have to be looked up. Mr. Philbin and Mr. Osborne, who prosecuted Molineux, absolutely refused to discuss the case yesterday. Assistant District Attorney Townsend said it seemed to him that it would be a very difficult matter to convict Molineux again with the Barnet testimony ruled out. That is pretty nearly every one's opinion, but it does not follow that Molineux will have no new trial. Indeed, the opinion about the Criminal Courts Building seemed to be that he would be tried a second time for the reason that whoever the District Attorney may be, he probably would not care to take the responsibility of ordering otherwise in the case of a man who had been tried and convicted by a jury when considerable of the case had been upheld by the Court of Appeals.

Mr. Weeks and Mr. Battle, Molineux's counsel, said yesterday that they had arrived at no decision in regard to asking for Molineux's release on bail, and there is no doubt that if they made such a request it would be refused for some months, at any rate.

Mr. Weeks said that the Barnet evidence was the keystone of the prosecution and was the principal point of attack.

"In the event of a new trial," he said, "the prosecution will have to confine its testimony to the circumstances surrounding the sending of the package to Cornish and possibly the letters sent in the name of Cornish to the Broadway letter box. In the matter of handwriting the testimony will have to be confined to comparisons between the address on the poison package and exhibits of Molineux's handwriting which are recognized as standard by the court. The Court did rule, contrary to our expectations, that the writings by request can be used, but we do not believe that this will injure his case with the Barnet evidence and letters eliminated. I do not see where they have a leg to stand on."

Mr. Battle said: "All the handwriting that is really ruled out by the decision is the Barnet letters. There were nine letters which had Barnet's name attached and five envelopes. One of the letters was the prescription blank made out in the name of Barnet. It was this that Osborne made so much use of in building his Frankenstein. It was this blank which he said Molineux fitted in description and it was one of the most important exhibits to the prosecution in the whole case from the use Osborne made of it. It cannot be used now nor can any of the letters, all of which were to medical firms. As to the Cornish letters, the Court has left that matter open. It has, however, prescribed the rules under which they must be established as competent evidence and that is by common law evidence."

IMPORTANT QUESTIONS SETTLED.

Perhaps no decision rendered in many years will have so important a bearing on future cases in criminal practice. A case in point is the Patrick murder case. Patrick's counsel will apply the decision at once. Lawyers have awaited the decision with the greatest interest, it was said by several lawyers yesterday, for the ruling on three points if on nothing else. Principal of these was whether Justice Fureman's ruling would be upheld. The latter ruled in another case, it will be remembered, that the "writing in dispute," as the statute is worded, must be the subject of the litigation to be admitted in the case at all, for instance, the signature of a note or will in a forgery case. This has not been upheld.

Another point was the question whether or not the writings which Molineux did at the request of the experts and which were used among other things as a standard of comparison were admissible. The decision of the Court is that they were admissible. Lawyers were divided on that point, although many felt as the Court has now held, that it was simply going back to the first principle of law that any statement which a person voluntarily makes and which he cannot be compelled to make can be used against him. The third point of interest to lawyers was the Barnet evidence. Nearly all lawyers felt that this was not admissible, as the Court has decided.

EX-SENATOR HILL CONSTRUES DECISION.

One of the lawyers who was most interested in the decision because of his connection with the case was David B. Hill, who said in the course of an interview yesterday:

"In the Court's decision there appears to be but one new point of law brought out and that is that the Court shall not receive in evidence solely for the purpose of comparison any handwriting otherwise prejudicial to the defendant. Such a letter would be one in which a crime were proposed or in which there was anything reflecting on the defendant, as there was in the Barnet letters. It seems to me to narrow the field down almost to purely business letters. In the Carlyle Harris case evidence that Harris had proposed to commit a crime was received by the trial court which was sustained by the Court of Appeals. In the Molineux case the crime was consummated through letters and the evidence was vastly of more importance. The opinion of the Court on this point cites no precedents. I know of none that will sustain them, but the complete decision may give citations. The evidence called hearsay, the talk between Barnet and his doctors, I regarded as decidedly relevant.

FORGED WILL RULED OUT IN RICE MURDER CASE?

"But the important thing to consider about the decision is the bearing it will have on cases such as the Rice murder. In the Molineux case Molineux was supposed to have forged a letter from Barnet to get the letter box. In the Rice case the contention of the State is that the will was forged and then the man murdered. Inasmuch as the Barnet evidence has been ruled out I don't see how the State can get in the fact of the forgery of the Rice will on the trial of Patrick for murder."

Senator Hill said that he did not think Molineux would be admitted to bail as in no other case where the circumstances were identical had it ever been done.

Patrick's counsel, Robert Moore, said yesterday that the importance of the decision in the defence of his client could not be overestimated.

"In the first place," said he, "the decision is of great importance in that it upholds handwriting evidence but restricts it greatly. Heretofore the rule has been that disputed handwriting could be compared with any established writing. The Court rules that hereafter no writing prejudicial to the defendant which it might be attempted to put in evidence on the plea that it was for the purpose of comparison with the disputed writing can be used at all. This is of vital importance in the Patrick case. The will, the four checks, and the three assignments are all, under this ruling, prejudicial to the defendant and are not relative to the issue in the murder case. We shall contend that they cannot be admitted. The Court have not given a hard blow at handwriting evidence as some seem to think. They only restrict it.

"In the Molineux case the prosecution undertook to establish certain letters by expert testimony to be valid standards of comparison. Having established them then they got the experts to come forward and say the writing was the same as on the package.

"Now, only the conceded writings of Molineux and those he did by request, whose genuineness cannot be disputed, can be used. One other point has been established; namely, that hereafter it is for the jury and not for the Judge to decide whether writings as a standard of comparison have been established to the satisfaction of the Court. While the prosecution has lost some it has not lost all, and I should think the case would be retried."

Gen. Molineux did not go to visit his son yesterday. He said he had been informed it would be two or three days before he would be released, and that he might not go up until the day that he came out, in which case he would come down with him.

"I may decide to go up to-morrow, but I hardly think so," he added. "I feel very happy, but there is one thing I want denied, and that is that I said I knew who the guilty person was, and in course of time I would reveal who he was. That isn't true. I never made such a statement at all. What I did say was that I would devote my life to proving my son's innocence, but as far as saying I knew who was guilty, that is absurd."

He said that he had been misunderstood by the reporters who saw him on Tuesday night when they quoted him as saying that he knew the slayer of Mrs. Adams and hoped to be able to make public his name.

"We are not prepared," said Gen. Molineux, "to make any such broad statement. Of course, we have our opinions and considerable information to back them up, but I do not wish to go on record as saying what it was represented I said."

THREE SAFE ROBBERS SHOT.

Two Were Caught and One Escaped in a Fight With Citizens.

EVANSVILLE, Ind., Oct. 16.—A running fight between safe robbers and citizens took place at the small town of Howell near here early this morning. The robbers entered a store and blew open the safe with dynamite. The noise of the explosion aroused the citizens, who rushed to the scene. The robbers attempted to intrench themselves in the store, but were driven out by a fusillade. They made a bold dash, firing right and left, and succeeded in breaking through the line.

The citizens, led by Marshal Sumpter, gave pursuit, and a running fight was kept up. One of the robbers was seen to stagger and fall. Regaining his feet, he succeeded in making his escape. Two others were shot down and so badly wounded that they were unable to get up. One is in the hospital and one in the hands of the police. The one in the hospital is in a serious condition and, though he has been told that he cannot recover, refuses to make a statement or disclose his identity. The one held by the police is equally secretive.

It is believed that there were more men in the gang and that the one who escaped was aided by confederates. Marshal Sumpter was wounded in the fighting, receiving a bullet in the leg from a revolver fired by one of the bold burglars. He was unable to continue the fighting.

RIFLE BANGS TELL OF FIRE.

Little Blaze in Castle Williams Put Out in a Hurry.

There was a small fire on Governors Island last evening which caused a bit of excitement, but did little damage. Most of the excitement was due to the fact that the fire was in Castle Williams, where there are about 200 prisoners. A sentry saw smoke pouring out of one of the casements in the first tier. He at once fired two shots, which is the fire signal, and the other sentries did the same. As the shots rang out they were heard by the pilots and passengers of several passing boats, one of which was a revenue cutter. A rumor was started that there had been a general escape of prisoners from the fort.

The shots of the sentries alarmed the buglers in Fort Columbus, who gave the alarm for the soldiers to organize as firemen. The soldiers manned the engine, hook and ladder and hose cart, which make up the fort's fire apparatus, and tore down to Castle Williams. In the meantime, the fire, which was in some furniture stored in the casement, had been put out by the guards, who turned the hose on it.

It was found that the prisoner who had a cell above the casement dropped a cigarette through the stove hole and that the packings of the furniture caught fire from it. The prisoners were not disturbed.

Poland! Poland! Poland! Poland!
The purest natural spring water in the world.—Adv.

ROGERS WILL CASE SETTLED.

RELATIVES' LEGACY OF $250,000 TO BE DOUBLED.

Metropolitan Museum of Art Will Get All the Rest of the Locomotive Builder's Millions and That Speedily—Everybody Pleased to Avoid Litigation.

The threatened litigation which seemed likely to delay for a long time the handing over of the bulk of the millions of the late Jacob S. Rogers of Paterson, N. J., to the Metropolitan Museum of Art in this city has been settled, according to a statement issued yesterday by Robert W. de Forest, counsel for the museum, and the museum will now receive in the ordinary course of administration the legacy provided for in Mr. Rogers's will. Just how long it will take to enable the museum to acquire the money will depend on several things, but Mr. de Forest said it ought to be within six months, roughly speaking.

About the settlement, the New Jersey lawyers acting for some of Mr. Rogers's relatives who were disappointed at the very small amounts they got by his will were very reticent yesterday. Mr. de Forest says that according to the agreement the relatives will receive $250,000 in addition to the $550,000 which they were to receive by the terms of the will. This is Mr. de Forest's statement:

"The effect of this settlement will be to put the museum within a short time in possession of Mr. Rogers's residuary estate, the value of which is upward of $5,000,000, and to enable it to promptly carry out his benevolent intentions, the execution of which might otherwise have been delayed for several years by protracted litigation. The amount paid in settlement was $250,000, about 5 per cent. on the amount involved, and not much more than a year's normal income on this amount of property.

"Mr. Rogers's testamentary capacity has been fully vindicated by the decision of the Chancellor of New Jersey admitting his will to probate, and the withdrawal of any charges of lack of capacity by those of his heirs who appeared in that proceeding. While further litigation over his will was quite possible at the instigation of other members of his family, the chief subject of settlement was the claim made against his estate that by making the museum his residuary legatee he had violated an agreement alleged to have been made between himself and his deceased brothers (whose surviving children are his next of kin) whereby these brothers, in default of issue, were to make mutual wills leaving their property to the others or to their issue.

"There is some reason to believe that an agreement of this general character once existed, though it is certain that if it did exist, Mr. Rogers did not suppose it to be operative at the time he made his will in favor of the museum. That such an agreement might have been made at some time respecting the family interests in the Rogers locomotive works at Paterson, would not have been unlikely. These works, which were the foundation of the Rogers fortune, were established by the father of Jacob S. Rogers, and handed down by him to his sons, and a desire to keep these works in the family would not have been unnatural.

"In any case, the amount paid is unquestionably less than the expense and loss incident to protracted litigation, however successful, and even if family claims have by this settlement been recognized to a greater extent than under the will—his legacies to members of his family aggregated $250,000, and by this settlement these legacies are practically doubled—the available amount of Mr. Rogers' public bequest is unquestionably increased, and the time within which the public can benefit by his bequest is materially shortened.

"The settlement has been made with the full acquiescence and assent of Mr. Rogers's executors, and with the approval of all of those members of his family who, however disappointed by the terms of his will were ready to have his testamentary intentions carried out because those intentions were his."

Mr. de Forest was asked if the museum would be obliged to pay a legacy tax on Mr. Rogers's bequest. He said that both New Jersey and New York States were claiming such a tax, but as the law was not finally settled in either State he did not care to hazard an opinion.

"In one point," he said, "I have a strong opinion, and that is that no such tax should be imposed on bequests to public institutions like the museum, which are doing public service and are supported in large part by public funds. It is proper public policy to encourage, not to discourage, such benefactions. It is not proper public policy to diminish by State taxation the resources which must be supplied by city taxation. The museum, in common with other like institutions, until a recent obscure amendment of the Inheritance Tax law, the effect of which could not have been apprehended by the Legislature, has been unquestionably exempt from legacy tax, and public opinion should be sufficient to alter the law if necessary to continue the exemption.

"European museums receive large amounts of money from direct Government grants for the very purpose for which Mr. Rogers, in America, gave his private fortune, and while it may not be American policy to make such grants from money raised by taxation, it should not be American policy by taxation to diminish the gift or discourage future gifts of like character."

As to how the extra $250,000 provided for in the agreement would be divided among Mr. Rogers's relatives, Mr. de Forest said he did not know, although he said he had been given to understand by Richard V. Lindabury, counsel for many of the relatives, that every one of the relatives would receive something. Mr. Lindabury was seen at his office in Newark, N. J., but he declined to say even whether an agreement had been reached. Mr. Lindabury did say that the "mysterious woman in black" who was seen in court when the will was being discussed was still a myth so far as he knew; consequently, he said, she wouldn't get any of the $250,000.

It was said in Newark on authority that the agreement would allow of the immediate sale of Mr. Rogers's real estate in this city and in Paterson and other New Jersey towns. This real estate is said to be worth about $1,000,000, and was left as a legacy in trust, Thomas B. Bradford and Theodore B. Rogers, Jr., two grand nephews, to receive from it $500 each every year.

Gen. L. P. di Cesnola, director of the museum, expressed his pleasure at being able to anticipate that the museum would enjoy the benefit of Mr. Rogers's gift sooner than had appeared likely, but said that he was unable to discuss the possible disposition of the money, which the bequest would enable the museum to spend. The terms of the bequest preclude the museum trustees from using any of it for maintenance purposes, and limit them to the purchase of rare or desirable works of art and additions to the library.

Gen. di Cesnola said that since the announcement of the Rogers bequest he had received from all parts of Europe offers of almost every sort of article that could by any possibility be included in a museum. The offers, he said, numbered more than 200. One was for an elaborately arranged clock which will run for a century. By the time the news of the bequest reached publication in the European papers, the General said, the value of the bequest had been augmented to 50,000,000 francs, or about $10,000,000. The General said that no plans had as yet been made as to the purchases that might be made. First, the museum must be in possession of the fund.

Gen. di Cesnola expects the total of the bequest as received, net, by the museum, to be something above $5,000,000, perhaps $200,000 above. He thinks the estate amounts to nearly $7,000,000. Just about how glad the museum authorities will be to have the money may be guessed from the fact that they now have only $4,000 to spend in this way.

LOCKED IN WITH TWO GIRLS.

Experience of a Red-Whiskered Man in a Broadway Store.

Shortly before 9 o'clock last night a little girl heard violent rappings on the door of 198 Broadway, which is the Dennison Manufacturing Company's building. The little girl stuck her ear to the keyhole and heard a man's and a woman's voice. She could not understand what they wanted, but distinguished the word "policeman."

"Mister, dere's a moider goin on in a building down the block," she told Policeman Murphy, who was only a block away.

When Murphy reached the door on a run he learned from a man's voice inside that there was one man and two women, employees of the place, who had been locked in since 6:30 o'clock. The voice said that all three were hungry and would be glad to get out, but objected to having the door broken. All manner of keys were tried with no success. Then the voice on the inside said it might be a clever idea to telephone to the house of the President of the company and have him come over and let them out. The policeman telephoned and came back and told the owner of the voice that a messenger boy was on the way with two keys. Meantime a large crowd had collected.

At 10:30 o'clock a Brooklyn messenger boy arrived with the two keys and the door was opened, allowing a middle-aged man with red whiskers and two young women to come out. The three refused to tell the policeman who they were. The messenger boy had a ticket which showed that he had come from H. K. Dyer of 86 Leffert's place, Brooklyn. Mr. Dyer is the President of the Dennison Manufacturing Company, which makes paper flowers and tags.

$14,000 IN JEWELRY MISSING.

Salesman's Trunk Missing Bound From Providence to Boston.

PROVIDENCE, R. I., Oct. 16.—No trace has yet been found of the trunk filled with $14,000 worth of jewelry samples which was shipped from this city to Boston three weeks ago by the jewelry firm of Martin Copeland & Co. The missing jewelry was in a red rawhide-covered sample case of the kind used by travelling salesmen. It was filled mostly with solid gold chains, with some gold rings and was prepared for an extended trip by E. W. Martin, a member of the firm who acts as salesman for the concern. He was to start on a selling tour which was to begin in Boston, and the trunk was shipped from the office of the firm at 101 Sabin street, on Saturday, Sept. 28, for delivery to D. C. Percival & Co., at 375 Washington street in Boston.

It was taken from the jewelry shop in this city to the railroad station by an employee of the Earl and Prew Express Company. At that time the strike of express and freight handlers in Boston was in progress, and the Earl and Prew Company was involved in that disturbance to such an extent that it turned over the trunk load of jewelry to the Adams Express Company for delivery.

It has been found that it was delivered to the express car in a train made up to go to Boston. The driver who carried it to the station remembers delivering the trunk at the express office in the railroad station. The men who handled it between the express office and the express car remember it distinctly. The express messenger whose duty it was to take an inventory of the contents of the car between here and Boston says he had so great a volume of express packages to care for at that time with the pressure put upon the Adams Company because of the strike situation in Boston, that he was unable to make the customary complete list of all the parcels committed to his care. He has no record of the trunk.

Mr. Copeland said he had last night received word intimating that a trunk of the character of the missing one had been delivered to I. Robbins, jeweller, at 611 Homeward avenue, Pittsburg, Pa. He said he could find no reference to such a firm in the Jewellers' Directory which he possessed.

"I'M BOSS," SAID THE COOK.

And She Routed in Turn Mistress, Master and a Policeman.

Kate Kelly, who was cook for the family of William C. Willingham at 164 West Seventy-sixth street until 7:45 P. M. yesterday, got a bottle of whiskey yesterday, sat down in the kitchen and drank it. Then, when Mrs. Willingham came in and said it was time to get dinner, Kate rose in her wrath and drove Mrs. Willingham out.

"I'm the boss," said Kate.

Then she put on the beef to roast and sat down and drank some more. Mrs. Willingham went to her room and stayed there. The other members of the family stayed away from the kitchen. Then Mr. Willingham came home from his office. He smelled burning meat and went to the kitchen to see about it. Kate was asleep, but she woke up and drove him out.

"I'm the boss here," she said.

Policeman Quinn was summoned. Kate put him to flight with her rolling pin and he went for reinforcements. He came back with two other bluecoats and a patrol wagon and then Kate gave in. She was locked up in the West Sixty-eighth street police station.

BOSTON'S BIG REGISTRATION.

Largest Ever Known in the City's History—Democrats Pleased.

BOSTON, Oct. 16.—The closing of the registration books for the State election late to-night found a total of 108,240 names on the voting list, the greatest number ever before recorded in this city. The record for the last Presidential election was 106,329, and for the city election for the same year, 106,879 names were on the list. On Sept. 1, 18,876 names were dropped, but the new registration beat those figures by 1,500, the total added up to the hour of closing being 15,237.

The Democrats contend that the greater part of the gain is theirs, even in the strongly Republican wards, and they are confident of giving Josiah Quincy, the Democratic candidate for Governor, a handsome majority in Boston.

"To Washington in Five Hours."
From New York, Royal Blue five-hour trains leave foot of Liberty Street 11.30 A. M., 1.00 P. M. and the "Royal Limited" (no excess fare) 3.40 P. M. (other fast solid trains at 8.00, 10.00 A. M., 1.30, 3.00, 7.00 P. M., and 12.12 night. Leave South Ferry five minutes earlier. Unequalled dining and cafe car service.—Adv.

Poland! Poland! Poland! Poland!
The purest natural spring water in the world.—Adv.

Chosen by Connoisseurs.
The Pennsylvania Railroad's trains to the West are composed of the finest equipment possible to obtain and run on rapid schedules.—Adv.

Saratoga Aromatic Water fresh from Saratoga is now sold on the Saratoga plan of all you wish to drink for 5 cents at the Wilson Drug Stores: Broadway and Wall—183 Broadway—1862 Broadway and Broadway and 42d st.—Adv.

SHEPARD TELLS OF THE TERMS

WHAT HE SAID WHEN ASKED TO RUN FOR MAYOR.

First They Must Read Those Speeches of 1897; Then They Must Understand That He Is the Same Old Shepard—Low's Attacks on Croker Make Him Sad.

Edward M. Shepard, the Squire's candidate for Mayor, made two speeches last night in Williamsburg. One of them, at Arion Hall, was a big meeting, although it cannot truthfully be said that it was overcordial in its greeting to the candidate. The other, at Teutonia, was a frost. Only about half the seats in the hall were filled. It is the first time any candidate of either side of the present campaign has faced such a condition of affairs. The Democrats of the neighborhood, however, say that the lack of a full attendance at the meeting does not mean anything except that the people thereabouts are too well grounded in their Democracy to need instruction. "They'll vote all right," said one political light, "but they don't want to be bothered beforehand."

Mr. Shepard's utterances last night were full of characteristic tolerance for the crudities and unkindnesses of his opponent, Mr. Low. He closed his speech by telling his hearers exactly what he said to Mr. Croker's representative who came to him three weeks ago with the offer of the nomination. Some of the leaders on the platform tried to stir up some applause for the touching chronicle, but the sensible, hard-headed Germans of the audience blinked stolidly and held their peace.

Mr. Shepard was introduced by H. B. Scharman. There were about 2,000 people in the place and they raised the dust for a second or so when Mr. Shepard came forward and began describing graceful curves in the air with the tips of his fingers while he said:

We are told that there is but one thing involved in this contest—the destruction of a great political organization on the other side of the East River. I read the other night in the *Evening Post*, a newspaper most vigorously supporting the fusion movement that the fusionists were agreed upon this thing only, that they were here to do what they could to destroy that organization in Manhattan to which I have referred.

Fellow citizens, what is it we are voting for at this election? Is it not for this city of New York and its good government, its magnificent and wholesome development during the years 1902 and 1903? Are we to listen to it that you, whose homes are here, whether you be Democrats or Republicans, you whose lives must be lived here, you who look to ability and to character, and to a far-sighted vision in dealing with the affairs of a great city, are we to listen to it that you are to be concerned in this election wholly with one partisan factional in its attempt to put an end to an organization that you dislike? Is that the end of a great municipal election?

I read the speech of Mr. Low with interest—I have read every one that he has delivered—and almost from the beginning to the end of them his talk is upon the politician or upon that politician upon the Democratic side and of quotations from speeches I have made and have not taken back. Those speeches of my adversary are made up of bits, and of the original wit and humor with which he illuminates his speeches. [Laughter.]

How much further do you go? How are we told what is to be done with the affairs of this great borough? What are we told of the intercommunication between the boroughs? How much time is given to that great question of personal liberty? [Applause.] All of that is subordinated to a cry. I say to you that a Mayor does not sit in the City Hall to build up or to pull down any political party. He is not chosen for partisan purposes.

Mr. Shepard said that he was glad to hear Mr. Low say that he was liberal and wanted liberal excise laws. But, he said, without any doubt of Mr. Low's sincerity, he could not see how Mr. Low could expect to escape from the dominant tyrannical ideas of his party with regard to personal liberty. Mr. Shepard said that as soon as the debt limit would permit there ought to be a system of rapid transit by bridges and tunnels which would enable one to go from any part of the city to another in ten minutes, and if not in ten, in fifteen, and if not in fifteen, at least in twenty minutes. Then he went on:

Mr. Chairman and my fellow citizens; I have talked longer than I meant to. I can only say this in conclusion. I was nominated for this office on the record of what I have said and of what I have done. When they came to me two weeks ago Tuesday morning with the suggestion that the nomination might perhaps be made I said:

"Gentlemen I want first to know whether you have read my speeches delivered in 1897 and my speeches delivered before and since then. I want to know whether you and all others who are considering my nomination have read those speeches and the other records of my ideals of public life and political behavior. Until you have read them, and until you have realized that they speak the ideal of the man you ask to be Mayor, I ask that you offer me no nomination. [Applause.] For until it is known what the policies are upon which I insisted then, you cannot know upon what I insist now. If you make me Mayor—I don't ask you to make me Mayor—but if you do, you do so under the understanding that the man who is to be Mayor is the same Edward M. Shepard of old. [Applause.] Where I stood then, I stand now. If you put me in the Mayor's chair there I shall stand indestructible until I go out of it on Dec. 31, 1903. [Applause.]

As soon as Mr. Shepard was through he was hustled down a back stairway and into a cab. He was taken to Teutonia Hall in Harrison street. He found there a room which would have held a thousand people, but there were about 600 men in the chairs. Big Police Captain Murphy fell in line in front of Mr. Shepard and the biggest policeman of Capt. Murphy's command fell into line behind and Mr. Shepard marched up the aisle looking very much as though he was a small boy who had been caught shooting peas at the bald spot of the leader of the band.

Several of the men in the room stamped their feet when Mr. Shepard was recognized. Almost everybody looked toward the platform when he climbed the steps. The chairman of the meeting, a tall blond gentleman who spent most of his time when he was not talking fixing his necktie, marched to the front and nodded at the band. He winked. Neither in the band nor anywhere else was there the slightest response to the signals.

"Hey," said the chairman, "Hey, you!"

The leader of the band jumped up with a start and shouted back. "What is it, hey?"

"Wake up," answered the chairman, with some asperity. "Why don't you play?"

Everybody grabbed his instrument and the band said: "toe-dee-umtump-toodle tump-toodle-toodle-tum."

The chairman waved his arms upward as one who would try to persuade a hen to fly over a fence.

"Hooray!" he said.

About half of the men in the audience then caught the idea that they were being called upon to give an "ovation" to Mr. Shepard. For a few seconds some of them applauded. Mr. Shepard bowed in appreciation, but he didn't spend any time thanking his hearers for the warmth of their reception. Mr. Shepard said nothing in his Teutonia Hall speech essentially different from his speech at Arion Hall, except that while a candidate was at the mercy of a Campaign Committee, and had to take orders from them, "the Mayor, when he is elected, must not—and shall not—take any orders from anybody."

An Itinerant Hostelry.
The Pennsylvania Limited offers all the grandeur and convenience of a great modern hotel. Rapid schedule from New York to Chicago.—Adv.

Antediluvian Rye.
The aristocratic whiskey. Duffies Brothers, 527.—Adv.

PHASES OF THE BETTING.

Even in Some Actual Transactions—Odds on Shepard Reported.

While the Tammany betting pool endeavored yesterday to have the Wall Street betting quotations upon the Mayoralty contest favor Shepard, the bulk of the genuine bets in the financial district yesterday were reported as having been made at even terms. Here are some of the even money bets: Provost Bros. & Co., $1,000 on Low with L. L. Benedict & Co., both firms acting for clients; F. F. Ames $500, H. Content $300, Frank Broderick $200, all three bets made on Low with S. S. Schuyler; John A. Bambrick $300 on Low with R. G. Brosseau; Joseph Mallon $500 on Low with James S. Clarke; L. Agostini $500 on Low with C. M. Minzesheimer.

Mr. Minzesheimer made a wager of $500 to $400 on Shepard with Feutchwanger & Co. F. Philips bet $600 to $1,000 with L. McConnell on Low, and also made another wager of $500 even with McConnell on the election of the Sheriff for Kings county. Late in the day J. J. Judge tried to find a Tammany taker for a bet of $800 to $1,000 on Low, but without success. Mr. Judge also offered to bet any part of $5,000 at odds of $100 to $75 that Low will carry Kings county.

Unverified reports were that Hugh L. Smyth & Co. of 53 Broadway, representing a client, had placed a bet of $9,000 to $10,000 on Low with John R. Considine, and that H. F. Brooks had bet $20,000 to $25,000 on Low, the Shepard end being taken by Fred Oakes.

TYPHOON IN LUZON.

Town of Baler Wiped Out—20 Dead in Manila Bay—Great Damage Done.

Special Cable Despatch to THE SUN.

MANILA, Oct. 16.—The worst typhoon in ten years has been raging for the past few days. Its centre has been about sixty miles from Manila. Eight miles of railroad have been destroyed and half of north and central Luzon has been submerged.

A majority of the telegraph lines have been damaged and Government and other vessels have suffered. Twenty persons have been killed in Manila Bay.

The town of Baler has been demolished.

MR. ROOT ALMOST WELL AGAIN.

The Rumors That He Will Resign From the Cabinet Are Untrue, His Wife Says.

Mrs. Root, the wife of the Secretary of War, said last night that it was not true, as has been rumored in the last few days, that Mr. Root intends to resign from the Cabinet on account of ill health. Mrs. Root said that the Secretary had no intention of resigning, and stories to that effect didn't originate with him.

Mrs. Root left the Adirondacks, where the Secretary is, last Friday. She will return to Washington to-day. Mr. Root, she said, will probably remain in the woods for a week or ten days longer. When she left him he was much improved and in fact was practically fully restored to health. To insure complete recovery, however, he intended to rest for a week or more. His ailment has been an eruption under the armpits.

"For a man in good physical condition," said Mrs. Root, "it wouldn't have mattered much, but Secretary Root was run down and not in the best of health. He is almost in his normal condition now."

DIDN'T WANT A STEPMOTHER.

Young Woman by Force Prevents Her Father From Eloping.

INDIANAPOLIS, Oct. 16.—Joseph Weishiser, a wealthy farmer and widower of Tipton county, who celebrated his sixtieth birthday last week, started to elope last night with Miss Minnie Emery, the twenty-year-old daughter of a neighbor. Miss Pauline Weishiser, the farmer's daughter, suspected her father's intentions and set a watch upon him. Half an hour after he left with his intended bride, Miss Pauline mounted her bicycle and started over a muddy road and in a drizzling rain after the elopers. She overtook them jogging along towards the county seat in a buggy.

Jumping from her wheel, the girl grabbed the horse by the bridle and compelled her father to turn around and accompany her back home. Miss Emery was left at her father's door and Mr. Weishiser went home with his daughter who declares that he shall not marry.

JUDGES IN A CHALLENGE WALK.

Seven-Mile Tramp by Justice Stover and County Judge Rockwood.

SARATOGA, Oct. 16.—Justice Martin L. Stover of Amsterdam, who is holding the October session of the Supreme Court at Ballston Spa, is developing a reputation as a pedestrian, as is also County Judge Nash Rockwood of Saratoga Springs. At the conclusion of yesterday afternoon's session at the county seat, when they missed by only a few seconds the regular northbound Saratoga train, Judge Stover challenged Judge Rockwood to walk the seven miles that separate Ballston Spa and Saratoga Springs. The challenge was promptly accepted. They were accompanied along the dusty and weary miles by Lawyer Forthmiller of Saratoga Springs. The fact that a contest was in progress was telephoned here, and when the travel-soiled and weary judges dragged themselves into town they were surprised to find a delegation at the outskirts to welcome them.

BOY HURT IN CAMPAIGN CROWD.

Pushed Under a Horse Car Which Cut Off His Leg.

Martin Greenberg, 8 years old, of 18 Ludlow street, was pushed under a Grand street horse car last night and lost his leg. A crowd was following and hooting at a parade of the Home Republican Club, an organization which Martin Engel is said to be backing in his struggle to defeat Charles S. Adler, the regular Republican candidate for Assembly in the Eighth Assembly district. The driver of the car, Frank Brown, didn't know that he had run over the boy until he had reached the Bowery. There the crowd pulled him off his car. A policeman arrested Brown and the boy was sent to Gouverneur Hospital, dying.

60,000, SAYS CROKER.

Adopts the Mayor's Figures on Tammany City Plurality.

A Tammany man who had been in conversation with Squire Croker said yesterday that the Squire was convinced that the Tammany ticket would be elected, and that he thought that the plurality for the city ticket would be 60,000. This man also said that the Squire thought that the Kings county and the Brooklyn borough Tammany tickets would be elected.

Special 5-Day Tours to Washington.
Royal Blue Line. Pennsylvania conducted, 5 days, Oct. 19, [illegible] Inclusive allowances at [illegible] 355 and 1323 Broadway.—Adv.

$5.00 by the New York Central and $6.00 by the West Shore, New York to Buffalo and return, October 18th, 19th and 20th. Good only in coaches. Lowest rates yet made for the Pan American Exposition.—Adv.

PLATT SUMMONS DADY BACK.

CABLES TO HAVANA AND IT'S COME BACK OR RESIGN.

One-Sided Election Board With Tammany Running the Whole Thing Won't Do—Morris, Ten Eyck and Woodruff Consult With the Senator About It.

The Hon. Thomas Collier Platt, Senior Republican Senator for the State of New York, and leader of his party in the State, sent the following cablegram last night:

Hon. Michael J. Dady, Hotel Inglaterra, Havana, Cuba:

Your duties at the Bureau of Elections require your immediate presence. Return by first steamer. Answer. T. C. PLATT.

At midnight no response had been received from Col. Dady. An answer is expected to-day.

When THE SUN printed yesterday morning that Col. Dady, the Kings county Republican member of the Board of Elections, had sailed for Havana on Saturday last, there was an unhappy feeling in Republican party circles, not only in New York, but in Brooklyn. Every man Jack understood that Col. Dady had no right to leave New York city at this time.

Republican headquarters in Brooklyn and Republican headquarters in New York were pestered all day with telegrams and telephonic communications, all to the effect that either Col. Dady should resign his office or return at once.

President Morris, Chairman Ten Eyck of the Executive Committee of the New York Republican County Committee and the Hon. Timothy L. Woodruff, the Great Man in Brooklyn Republican politics, called on Mr. Platt yesterday morning at his office in 49 Broadway. They had a discussion as to the advisability of either recalling Col. Dady or compelling him to resign. Meantime all sorts of telegrams and telephonic communications were poured into Senator Platt's office. Some of these messages told of the valuable contracts which Col. Dady had in Havana and Cardenas and Cienfuegos. It was finally decided that it wasn't a question of contracts in the interest of Col. Dady. He may have his own personal pocket to conserve, it was said, but it was decided that he must return to New York or resign his office.

Later, at the Fifth Avenue Hotel, Senator Platt had a conference with President Morris, Chairman Ten Eyck and National Committeeman Gibbs and as a result of this conference the cablegram was sent to Col. Dady.

Col. Dady, a number of months ago, decided to resign as the executive chairman of the Kings county Republican organization. He gave as his reason that he wanted to devote his entire time to the Board of Elections, which he said was a very powerful board in controlling affairs in elections. He did resign as chairman, but his presence at the meetings of the Elections Board in Mulberry Street have been infrequent.

It is true that his colleague, the Hon. Charles B. Page, the Manhattan Republican member of the Board of Elections, has visited the office at frequent intervals, but he doesn't weigh much with the board. John R. Voorhis, the Tammany President, is there in Mulberry street from 8 o'clock in the morning until 6 o'clock at night. Dady has been there very seldom. Page goes there late in the afternoon. Meantime Voorhis and Aaron C. Allen, the Chief Clerk of the board, who was arrested in the campaign of 1899 in the Nineteenth Assembly district for alleged illegal voting, run the board, according to competent testimony.

Every Republican and every friend of the fight against Shepard said last night that it was far better to speak right out in meeting about the situation in the board, and insist that there shall be an active and vigorous Republican commoner to stand by Mr. Page in demanding a fair count at the hands of Voorhis and McGuire, the Tammany and McLaughlin commissioners.

BRIDAL PAIR KILLED.

**Bride's Brother