The Sun.

FRIDAY, NOVEMBER 8, 1901.
Fair to-day and to-morrow.

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CRUMBS OF TAMMANY COMFORT

MANY OFFICEHOLDERS PROTECTED BY CIVIL SERVICE LAW.

Hostile Organizations Can't Get Into the Democratic State Convention Except by Carrying Primaries—Croker Says That He Will Talk No More.

Richard Croker announced yesterday at the Democratic Club that he would not talk any more for publication. Since the election Mr. Croker has been asked a great many times what his plans were and whether he really intended to quit the active leadership of Tammany Hall. Yesterday when the usual questions were put to him, he smiled and then said:

"I have nothing more to say. I do not think there is any use in your coming to see me again. I have done with talking. Do not ask me about anything, for I simply will not talk."

The Tammany politicians were resting yesterday, and none of them had much to say about the prospect of a reorganization of the Hall. The workers and leaders of the organization generally are very bitter against Mr. Croker, but they have as yet had no opportunity to formulate plans. Many of the Tammany officeholders are protected by the Civil Service law and cannot be removed from their berths, except on charges, or under the authority granted by the new Charter to the Board of Aldermen to limit the number of employees, to the Board of Estimate to reduce appropriations for salaries and to the heads of departments and Borough Presidents to abolish offices. In case men are removed from office under these provisions of the Charter, it is the opinion of members of Tammany Hall's Law Committee that they will go on the eligible list at its head. An effort will be made when the first removal is brought about under the administration of Mayor Low to have this rule established by the courts.

The Tammany leaders profess to be entirely at ease as to their standing in the next State Convention, and it was declared by several of them yesterday that they had no fear of being supplanted in it by a delegation elected by the Greater New York Democracy or by any other organization. Their confidence in their ability to hold on to the organization in Manhattan and The Bronx is based upon the Primary law. Under this law it is provided that the various party conventions shall be made up of delegates elected by registered voters who have enrolled in the party for which the election of delegates is to be held. The delegates are elected at the primaries and their election is certified by the Commissioners of Election, who have no option in the matter but to certify the men receiving the highest number of votes cast at the primaries.

The Tammany men say that the only way in which the Greater New York Democracy or any other organization can get a man seated in the Democratic Convention as a member of the delegation from this county is by electing him at the primaries, and the Tammany men believe that they will still be able to win out at the primaries. The worst that can happen, they say, is that there may be a divided delegation from New York county at the next State Convention, as there would be if the Democratic opponents of Tammany could carry any of the Assembly districts.

Any man presenting himself at a State Convention and demanding admission who did not have his certificate of election from the Board of Elections would have no standing whatever, and if through the sympathy of a majority of the delegates he got a seat in the convention the man ejected to provide the seat for him could have the whole proceeding reviewed by the courts.

An interesting case bearing on this point was decided by the courts in the contest between Charles A. Hess, Republican leader of the Twenty-sixth Assembly district, and F. Norton Goddard, the Republican leader of the Twentieth Assembly district, in the convention for the election of delegates from the Thirteenth Congress district to the Republican National Convention in 1900. The temporary chairman of the convention refused to call the names of certain delegates which appeared on the temporary roll certified by the Bureau of Elections, because of the protest entered by Hess, and the temporary organization of the convention was by means of this action put into the hands of Mr. Hess. Capt. Goddard appealed to the courts, which decided that under the law the chairman had no business to alter in any way the temporary roll as prepared by the Bureau of Elections, and the same rule the Tammany man believe will hold in the State Conventions.

GROSS FRAUDS IN MARYLAND.

Republican Votes in the Thousand Thrown Out to Get the Legislature.

BALTIMORE, Nov. 7.—Reports received from southern Maryland counties show that the grossest frauds were perpetrated there by the Democrats. In Calvert county 2,195 out of 2,500 registered voters cast their ballots. Of these 460 Democrats and 840 Republicans were counted, and 800 ballots, nearly all Republican, were thrown out. In St. Mary's county 900 Republican votes were thrown out and in Prince George's 1,250 went overboard, 1,000 of which were Republican.

As the matter now stands the Democrats will organize both houses of the Legislature, with a majority on joint ballot. They will have 46 out of 85 in the House and 17 out of 28 in the Senate. This means that A. P. Gorman will be sent back to the United States Senate.

Berring (Dem.) for Comptroller carries the State by several hundred, while Barnes (Rep.) for Clerk of Court of Appeals wins by over 2,000. Many of the candidates are going to take the frauds practised by the Democrats into the courts, and the litigation promises to tie up county proceedings for a long time.

PLATT BACK WITH NO NEWS.

Has Been Talking With the President About Federal Offices.

Senator Thomas C. Platt, who has been in Washington, where he called on President Roosevelt and talked with him in regard to the Federal officeholders in this city, returned to his home at the Fifth Avenue Hotel last evening. Senator Platt said that he had no news.

SOLDIER FOR POLICE HEAD?

Gross of Politicians Almost Mayor Low's Choice for Murphy's Place.

Although it is known that Mayor-elect Low has as yet not had time to pay much attention to the appointments he will make, he is anxious to present the idea that the next Commissioner of Police will be a man of military training. Whenever politicians not primarily it was said that a military man would probably be selected by Mr. Low

Round Trip Tickets to California

[illegible] at all ticket offices, offering diversity of [illegible] going and returning via Chicago & North-[illegible] Union Pacific and northern Pacific Ticket Offices, 461, 287 and 289 Broadway.—Adv.

for this post, which is considered the most important he has at his disposal. The name of Gen. Francis Vinton Greene, ex-President of the Republican County Committee, who is a West Pointer and who is thoroughly acquainted with the situation in New York city, was mentioned frequently. It is not known whether Gen. Greene could accept the post. His large business interests compelled him to resign the Presidency of the Republican County Committee at the close of the campaign of 1900, and it was said yesterday that nobody was authorized to speak for Gen. Greene in this matter.

The name of Gen. Wesley Merritt has also been mentioned as that of a man whose experience would fit him to handle the municipal army, but Gen. Merritt's disposition in regard to the acceptance of any public office is not known. There are a number of other military men whose names are spoken of.

RIVER IN UPPER BROADWAY.

Water Main Broken by a Blast Floods the Street—Leaves Three Feet of Mud.

A 36-inch water main at 133d street and Broadway burst yesterday as the result of the setting off of a blast in the conduit of the Consolidated Gas Company and the water flooded Broadway from that point to 129th street, drove scores of workmen from the Rapid Transit tunnel, left hundreds of apartment houses, St. Luke's Hospital and Columbia University without water for several hours and did much damage to the street.

A gang of workmen was at work in the conduit at 133d street, which is very steep at this point. The ground is solid rock a few feet under the surface, and this made it necessary to blast to dig the conduit. In digging down the water main which supplies water for that section of the city was exposed. When the blast was set off the usual precautions were taken to prevent the rocks from scattering, but in some way a large piece of rock was hurled against the water main with force enough to burst the main.

There was an instant rush of water, and in a few seconds the street looked like the rapids near a waterfall. Somebody who saw the danger to the men at work in the Rapid Transit tunnel, rushed ahead and told them to run for their lives. They barely had time to scamper to safety. In a few minutes water in the tunnel was nearly ten feet deep.

The water rushed on down to 129th street, where it took a zigzag course into Manhattan street, causing people and horses to get out of the way in a hurry. Word was sent quickly to the Water Department, and the water was shut off at 135th and 118th streets. A gang of men was soon at work repairing the break, and the main was in order last night.

A man driving an express wagon on Broadway a few hours after the accident occurred sank, horse and all, nearly three feet in the mud. The horse was got out with difficulty.

$600 PENALTY FOR MAY IRWIN.

Actress Went On Collecting Rents While the Court Waited on Her.

May Irwin, the actress, bought a double-tenement house at 144 West Twenty-eighth street, subject to a mortgage for $25,000 held by Pauline Echeverria, the obligation of which Miss Irwin did not assume, and now the mortgage has been foreclosed by judgment of Justice Scott of the Supreme Court. The time of maturity of the mortgage had been extended in writing to May 1 last. Whether there had been a further extension by oral agreement was an issue in the case.

An answer setting up an oral agreement to extend the time for one year from May 1 last was interposed by May Irwin. Fernando G. Echeverria, for the plaintiff, contended that May Irwin had put in a sham answer in order to delay the trial so that she could continue to collect the rents. There are twenty families in the tenement.

Miss Irwin had got an extension of time to answer on an affidavit that she had a good defence. She did not swear to her answer setting up the oral agreement. It was verified by her counsel on information and belief, because she was then out of the county. As an answer was interposed the case had to be put on the calendar to await its turn, and when it came up for trial before Justice Scott a few days ago May Irwin did not appear, nor was she represented. The judgment was taken on default.

Unkind things were said by counsel for plaintiff in asking that the court grant an extra allowance of $1,250, because of the answer Miss Irwin put in. It was squarely stated that the actress had worked off a sham answer on the court and had thereby secured the rents of the property for several months.

Justice Scott granted an extra allowance of $600. It is understood that the property will bring more than the amount of the mortgage and costs, and in that case Miss Irwin will have to pay the $600 for her fun in court.

DEAD MEN ON PAYROLLS?

Deputy Commissioner Moffett Thinks He Has Unearthed a Swindle.

Deputy Commissioner Moffett of the Department of Water Supply in Brooklyn recently removed from the payroll of its department the names of Thomas Massey, John Downing and Simon Newman, who were classed as laborers. Up to March 30 last, when each resigned, the three names appear on the records of the Department of Highways, and it was inferred that the men were transferred to the Department of Water Supply at that time. A few weeks ago Mr. Moffett had cause to suspect that the names were fictitious and had an investigation made. It failed to disclose the identity of the men, none of them having ever been known at his specified address. Mr. Moffett notified District Attorney Clarke of his discovery, and a thorough inquiry is to be made.

Commissioner Farrell of the Department of Highways could throw no light on the subject, but he was confident that there are no "dead men" in his department. There have been rumors in the course of the past four years that Mr. Moffett found his place at the head of the Water Supply Department so disagreeable owing to the demands of the Democratic managers for patronage that he has frequently threatened to throw up his job in disgust. He counts as offended some of the district leaders that they turned him down at the primaries in September, thus depriving him from the chairmanship of the County Committee.

BADLY AFFRAID A BRIDEGROOM.

Callithumpian Serenaders Steal John Howard and Miss Bring Him Home.

Some mischief-loving Callithumpian serenaders made an attempt last night to serenade a bridegroom. John Howard, a well-known merchant, on his arrival at his home with his bride, who was Miss Anna Roberts of Brooklyn. When the newly married couple arrived at their home a delegation took up places in front of the Howard home for two hours. Residents and casual students were fined Mr. Howard came out to thank his friends for their attention and was asked and placed in a waiting carriage. He was driven away. The serenaders then thought decided that it was wisest to allow Mr. Howard to return home.

Barnett's Extract of Vanilla

has taken gold medals against all other brands.—Adv.

JEROME ON CITY PROBLEMS.

SAYS HE FAVORS DESTROYING RAINES LAW HOTELS.

Would Minimize Social Evil by Repealing Laws That Give Opportunity for Blackmail—Says the New Administration Will Not Get Gay—His Plans.

LAKEVILLE, Conn., Nov. 7.—Justice William Travers Jerome, District Attorney-elect of New York, took particular pains to-night to emphasize the fact that in no sense could the election of the fusion ticket be attributed to any one man, but rather to the concerted effort of all those who desired a deliverance from the Tammany yoke. No man of those elected, he pointed out, was under any party pledge. Every one had worked for the success of the ticket with a singleness of purpose and there was no doubt in his mind but that the forces united in the campaign would be kept together, now that the election was over.

Justice Jerome enunciated his views on the Raines law question and said that the bill for its reform would be presented at the next Legislature. He said about the election:

"There never has been an election which has left more cordial feelings. None of the candidates was under obligation to any one organization. The fusionists have the whole public service and they ought to be able to administer it effectively. The administration can do things in the city that no other administration could do.

"I do not know yet what the complexion of the Board of Aldermen is but I look for good things there. After a result so surprising to some the new administrators will not get gay. I think they can be got together on the excise question. The good people, the ministers, have learned of the conditions through the missions. The ministers have been brought to see the evil of the law as it stands and the evil is generally recognized. I think it will be possible to present a solid front on the question.

"When we try to accomplish the reform we will be armed with a definite proposition. It will not be a general request for the reform but the introduction of a bill which will remedy the obnoxious features of the law. If necessary I will take the initiative in the matter. I am absolutely pledged to the people on that matter. I have made no pledges on which I will not qualify.

"Certainly, the most important legislation is the reform of the Liquor law. It should be reformed so as to take politics out of it. It is a serious thing that in any business persons should be ostracized by reason of their connection with that business. Anything that tends to break down the self-respect of any class should be remedied."

"What is your conception of the necessary reform in the law?"

"I have already outlined that in a general way in the campaign. It would be the destruction of the Raines law hotel and there should be certain regulations as to Sunday closing. I do not care to enter into further details."

Justice Jerome, in commenting on the administration of the Police Department, said that it was his opinion policemen have had to pay to get on the force, and that the last batch of appointments by the old Police Board furnished proof of it. In reply to a question Mr. Jerome said:

"I think New York policemen have to pay to get on the force. The method of dividing up the appointment of the captaincies adopted by the old Police Board is fair proof that appointments in the department are paid for."

"What are you going to do to facilitate the detection of blackmail by policemen and others?"

"I shall have a complaint department with an honest lawyer in charge of it, and any official who tries blackmailing or persecution will doubtless discover he has picked up a hot poker."

"What about licensing or segregating vice?"

"No English-speaking people," said the Justice, "will stand for the segregation or licensing of vice. Personally, I believe our laws can be so amended as to minimize the social evil. The present law presents practically no check to it. There will come a time, perhaps, when men will be saints, but a large percentage of the human brotherhood falls short of that estate now.

"There are two sections of the Penal Code which bear directly on the social evil. One section makes it unlawful for people to congregate at disorderly houses. That section of the law permits of the existing widespread system of blackmailing in New York city. The other section tends to put disorderly houses under the ban of the law as public nuisances. I would like to see the first section of the law amended so as to allow a disorderly house to continue as such without it being a criminal offence to maintain it; simply make it unlawful. Then the disorderly-minded would probably gravitate to certain recognized resorts. If a robbery or an assault or solicitation from windows or doors took place in the house, such a resort should instantly be closed and its inmates arrested and punished for disorderly conduct.

"It seems to me that the subject cannot be dealt with by criminal law. The criminal law can be used to minimize the evil, but hitherto the attempt to extirpate it has not met with favorable results. One of the incidental results of trying to suppress the evil in New York has been to drive hundreds of disorderly women into the tenements. This has fostered many attendant evils, the cadet system among the rest.

"How soon do you expect to produce results commensurate with your general pledges made from the platform?"

"I shall qualify under all the contracts I have undertaken sooner or later. Probably the results of the first six months will be less than satisfactory to the reading public. But I have four years, and a lot can be done in four years by keeping at it. I have my own ideas as to what I can do, and as to the best way to do it. These ideas I am not ready to discuss in detail at this time. I have certain definite plans mapped out and their working out will not be hastened by the issue by unreasonable clamor or criticism.

"The very election of the fusion ticket and the unanimousness in the minds of certain forces, which constantly make for crime and intriguing, that they have no longer friends at court, will in itself prevent many hands from trying their trade. They'll simply call their destiny until a time when they can feel that they can engage the law with practical impunity.

"One-half of the battle for decency already is won because of this. The existing conditions are so well calculated to arouse citizens, as anything that can be mentioned. One of the most unfortunate and significant things of the entire campaign was that good Republican police officials of for my campaign fund. The man came here seeking liberty and citizenship. He became the victim of Tammany oppression, and although he got a citizen to contribute to a cause which he believed would secure for him the thing which he came all the way from Russia to get. Think of a man traveling all that distance in search of liberty only to find oppression and persecution where liberty is supposed to be as free as the air we breathe. Such conditions are intolerable. Tammany Hall can rightly claim that upon us as a part and parcel of our lovely politics."

Poland! Poland! Poland! Poland!

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

In Paris and Minneapolis only one right from New York by the New York Central. Reserve berth agents, 353 or 1184 Broadway. New York, or 32 Fulton Street, Brooklyn.—Adv.

MRS. CHARTRAND EXONERATED.

Coroner's Jury Finds the Shot That Killed Her Husband Was Accidental.

Coroner William Parslow of Hudson county and a jury held an inquest last night in Coyle's Hall, Hoboken, into the death of John Chartrand, the manager of the Hoboken skating rink, who was shot and killed by his wife Vencedora on the morning of Thursday of last week. After she was arrested she made a statement to the police that her husband had given her the pistol to protect herself with on the morning of the shooting, as he wished her to feed his dogs while he was on a hunting trip, on which he was to start that morning. The verdict of the jury was that Chartrand had met his death from a pistol shot fired by his wife on the morning of Oct. 31, but in their opinion, according to the evidence, the shooting was accidental.

Police Sergeant Goode testified that Mrs. Chartrand told him when brought before him at the time of her arrest that the revolver was discharged by the trigger catching her sleeve when she was embracing her husband. She also told him that she never had seen the revolver before her husband handed it to her.

William Nolte who has a gun store at 603 Washington street, testified to having received a call from a woman whom he described as small, on Monday, Oct. 28, who asked him for a second hand rifle. He told her he didn't have one and she then asked for a revolver.

He showed her a 32-calibre weapon. She asked him to show her how to use it and he did so. She left saying she would come back again. She called again on Wednesday afternoon and bought the revolver and asked for a load of cartridges. He sold her five cartridges, charging her in all 80 cents. He identified the revolver and cartridges, two of which had been fired, as those he sold to the woman.

Mrs. Chartrand was not present at the inquest, but she was represented by Assemblyman John J. Fallon as her counsel.

The reason Mrs. Chartrand was not identified as the purchaser of the pistol appears to be that she was not present at the inquest. Why the Coroner did not have her there, or adjourn the inquest until Mr. Nolte could have an opportunity to see her, does not appear. Mr. Nolte also testified that a boy, John Nicholson was present when the pistol was purchased, and that he also would have been able to identify the woman. The description given of the purchaser of the pistol agrees with that of Mrs. Chartrand. The jury and Coroner evidently considered the contradiction of Mrs. Chartrand's statement that her husband gave her the pistol as of no importance.

DON'T WANT ROOSEVELT NOW.

Savannah Military Company May Withdraw Its Invitation to Visit Them.

SAVANNAH, Ga., Nov. 7.—It is quite probable that at the next meeting of the Savannah Volunteer Guards, Battalion of Heavy Artillery, the invitation recently extended to President Roosevelt to be present at the celebration of the 100th anniversary of the battalion next spring will be withdrawn. A movement in that direction is on foot, and a majority of those who extended the invitation are now in favor of withdrawing it.

This is one of the direct results of the entertainment at dinner of Booker Washington by President Roosevelt recently. The members of the battalion do not feel now they can have the President here. The fact that he has seen fit to place a negro on social equality with himself, it is feared, would keep away from the celebration many Southern leaders.

The invitation from the guards was extended to President Roosevelt through Congressman R. E. Lester shortly after Roosevelt went into office. Col. Lester called and personally presented the invitation, which was practically accepted. The President said he hoped to be in the South about the time of the celebration and that he would in all probability be here on that occasion. The guards were considerably gratified at the manner in which their invitation was received, but since the Booker Washington incident there has been a change of sentiment.

Officers of the battalion were seen to-day in reference to the meeting next Monday night and its probable result, but they declined to talk.

KNIFE TEST TO SHOW NERVE.

Young Wilson's Wife Said He Was a Coward, So He Cut His Throat a Bit.

A young man who at first told the police that he was Harry G. Wilson, an actor living at 210 East Twelfth street, was locked up in the Tenderloin police station last night for attempting suicide. He said afterward that he was Harry G. Leslie of Pittsburg.

Leslie left his wife Louisa several days ago and has since been knocking about the Tenderloin. Last night he met her on Broadway at Twenty-eighth street and asked her forgiveness. She said she'd given him chances before and that it was no use. Young Leslie became loud in his pleading and a crowd collected.

"Let's go to a restaurant and talk it over quietly," he suggested.

His wife, not wishing to make a scene, consented to this. They went to a place in Twenty-eighth street and sat down at a table in the rear of the room.

"Please forgive me," he begged.

"No."

"If you don't, I'll kill myself."

"You," said his wife contemptuously. "You're too big a coward. You haven't got the nerve."

At that Leslie pulled out a pocket knife and quickly jabbed himself in the throat four times. He then rushed out of the restaurant followed by his frightened wife. Outside a policeman stopped him. An ambulance was called from the New York Hospital and Dr. Chittendon sewed up Leslie's wounds. They were not serious. Then he was locked up.

SHOT IN ROW OVER NEGROES.

Disputes Result in Encounters Between Whites—One Man Killed.

COLUMBIA, S. C., Nov. 7.—F. L. Ashill, a lawyer of Lexington, and for four years member of the Legislature, was killed near Leesville yesterday by C. W. Boliver, a merchant of Batesburg, who also runs a plantation. Boliver and one of his negro tenants could not agree about the division of the crop and the negro shot for Ashill to implore him. Boliver met the lawyer driving along the road toward his place and opened fire on him. Ashill jumped out on the opposite side of the buggy and ran calling for help and saying he was shot. He fell just through the lines. Boliver has been arrested.

Dr. F. J. Jones, a practising physician, and M. B. Watson, a young planter of Edgefield, had a shooting affair yesterday. Dr. Jones's attempt to intervene in a case between Watson and a negro farm hand. Watson is shot through the body and is reported to be dying. Dr. Jones left and is sheltered.

Married to a Baroness

HUNTINGTON, N. Y., Nov. 7.—Miss Jessie Matthews of Portsmouth, Ohio, and Robert Routh, bartender at the Sun Tan school, were married today in the harbor by a minister. Routh said he was too busy to quit work and so Miss Matthews consented to be married in the harbor. While the ceremony was going on two big boats passed about in their engine in the season.

White Label Guinness Stout.

It takes you up.—Adv.

YOUNG DOCTOR SHOT DEAD.

DR. C. M. SPALTER KILLED BY DR. E. E. TULL'S GUN.

They Were Duck Hunting From Naphtha Launch in the Sound and Dr. Tull Had Passed His Gun to His Friend Without Looking Round—Purely an Accident, Says Dr. Tull—Formally Held in $1,000

Dr. Charles M. Spalter, a young physician who recently opened an office at 57 West Eighty-second street, in this city, had the top of his head blown off and was instantly killed yesterday afternoon by the discharge of a shot gun in a naphtha launch in which he and his friend, Dr. Edward E. Tull of 119 West Eightieth street, were duck shooting off Premium Point, a short distance from New Rochelle, in Long Island Sound. Dr. Tull went back with his friend's body and surrendered to the Mount Vernon police. He was later released in $1,000 bail on his declaration that the shooting was an accident.

The shooting occurred near the house of C. Oliver Iselin. There were no witnesses. Dr. Tull himself declares that his back was turned at the time the gun went off. Several men, however, were fishing in the Sound a short distance away, among them being by chance Sergt. Merz of the Mount Vernon police. The sergeant, on hearing the explosion and seeing that something had gone wrong, pulled up his line, rowed over to the launch and asked what the matter was.

"Dr. Spalter, my friend here, has shot himself," said Dr. Tull, pointing to the body of the dead man as it lay in the launch. "What shall I do?"

The sergeant said the best thing for Dr. Tull to do was to go ashore at once and explain the affair to the authorities. Dr. Tull, who was pale and intensely excited, immediately went ashore and to the Mount Vernon police headquarters, and Coroner Banning was summoned. To him Dr. Tull said that the shooting was wholly accidental. After he had heard Dr. Tull's story Coroner Banning said:

"Do you know anybody here who will go on your bond for $1,000?"

Dr. Tull said that he did and named Dr. Archibald M. Campbell, one of the best-known physicians in Mount Vernon. When Dr. Campbell was asked if he would furnish $1,000 bail he quickly answered that he knew Dr. Tull so well that he would gladly furnish bonds for $50,000 if necessary. The bond was quickly made out and Dr. Tull departed for this city, where he has a private sanitarium.

Dr. Tull's story of the shooting as told to Coroner Banning and a reporter from THE SUN was that he had known Dr. Spalter for two years, that the latter had come to this city from his home in Keene, N. H., and that he had met him at a clinical lecture and had taken a fancy to him. Dr. Spalter, he said, was 26 years old. Dr. Tull is about 35 years old.

"We frequently went away together on outings," said Dr. Tull. "In the summer we frequently went bathing together, and we have been on several shooting trips. I always liked him very much and was anxious to help him along. Only a few days ago he opened an office at 57 West Eighty-second street.

"The launch which we used this afternoon is mine and is very good for shooting purposes. Only the other day we went up to Mount Vernon to shoot ducks, but the wind was so high and the water so rough that we had to return. We made an agreement to go again this morning, but it was so cold when we got up that we decided to wait till afternoon. We left the boathouse where the launch was stored at about 2 o'clock. We were near Mr. Iselin's house when the accident occurred. I was up forward, steering the launch with one hand and holding my gun with the other. Dr Spalter was sitting near the stern holding his gun. Both guns were hammerless and equipped with hair triggers. I was having some difficulty in steering with one hand and I turned around half way and said:

"'Spalter, hadn't you better hold my gun for a while so I can steer?'

"He said 'All right,' and without looking at him I passed the gun back. Then came the explosion. I turned and as I did so he fell right into my arms, nearly upsetting the boat. He had been instantly killed.

"The affair was purely an accident. The gun had passed from my hand. I think it must have struck some projecting piece of the launch's machinery in such a way as to explode it. We were perfectly good friends and I wouldn't have had such a thing happen for anything on earth."

Dr. Tull's story was convincing to the Mount Vernon authorities and they showed no hesitation in admitting him to bail. Dr. Spalter's body was sent to the Mount Vernon morgue and his father in Keene, N. H., was notified.

Dr. Spalter was a graduate of Harvard University and for a year or two after graduation was attached to a Boston hospital. He came to this city about two years ago and entered the Women's Hospital in East Fiftieth street, of which he became house physician. He left that institution in June and was encouraged by his friends, among whom were Dr. Tull and Dr. Leroy Broun of 70 West Eighty-second street, to open an office on the upper West side. He moved to the house at 57 West Eighty-second street two weeks ago, but had not yet displayed his shingle.

Dr. Tull was graduated from the University and Bellevue Hospital medical college in 1897, served for some time in the Women's Hospital and is a member of several medical societies. He specially has been gynecological work.

Dr. Broun, who was a friend of both Dr. Tull and Dr. Spalter, said last night that the two were always warm friends. Both were of athletic build and were fond of outdoor sports. Neither was married.

KEENE, N. H., Nov. 7.—Dr. Charles M. Spalter is the son of Mr. and Mrs. M. H. Spalter of 124 Court street, this city. Dr. Spalter entered the Harvard medical school in 1896 and received his degree four years later. Dr. Spalter's parents received a telegram tonight informing them of their son's death and are completely prostrated.

Frightened Student Kills Himself.

NORTH BEND, Ind., Nov. 7.—Peter Mulgrew, of Cleveland, a Notre Dame student, while wrestling this morning injured a fellow student so he thought fatally. In his fright over the accident he shot himself through the head, killing himself instantly.

Latest Marine Intelligence

Arrived: Sc Cecil, Petersen, Brooklyn.

Poland! Poland! Poland! Poland!

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

IRVING CAME NOT.

Distinguished Party at the Lawyers' Club Had Luncheon Without Him.

Charles Stewart Smith, conceived the idea of giving a luncheon to Sir Henry Irving at the Lawyers' Club yesterday and had one of the club's private dining rooms decorated with chrysanthemums and violets. Mr. Smith invited J. Pierpont Morgan, James H. Hyde, Cornelius N. Bliss, James J. Hill, Morris K. Jesup, ex-Attorney-General Griggs, J. Edward Simmons, Frederick D. Tappan, John S. Kennedy, J. Kennedy Tod, John Harsen Rhoades, H. C. Fahnestock, William E. Dodge, John A. Stewart and Andrew Carnegie. Most of them came.

While they were waiting for Sir Henry a telegram was brought to the dining room saying that he had a cold and regretted that he could not come. So they had luncheon without him.

It was said at the Knickerbocker Theatre last night that a slight indisposition had made it necessary for Sir Henry to give up either the luncheon or the evening performance and that he had decided that it would be better to give up the luncheon than to disappoint those who attended the theatre.

THEATRE MANAGER ARRESTED.

Rang Up a Fare in a Car, Then Fought With the Conductor.

John H. Springer, manager of the Grand Opera House, and William Chelan, an Eighth avenue car conductor, were arrested for fighting at Eighth avenue and Thirty-second street last night. Springer, who was on Chelan's car, rang the fare bell in an attempt to grab a strap and then refused to pay for the fare he had rung up. Chelan stopped the car and the two talked fisticuffs. Chelan told Springer that if he wanted to fight they could do so on the street. They did, and a large crowd enjoyed it until a policeman nabbed them both. At the Thirty-seventh street police station they made counter charges of assault. Springer was bailed out later by Dr. John C. Dickson of 272 West Thirty-fourth street.

COAL FAMINE IN CLEVELAND.

Railroads Can't Get Cars Enough to Haul the Product.

CLEVELAND, Nov. 7.—Cleveland is threatened with a coal and coke famine and manufacturers are fearful that it may seriously interfere with their business. The trouble is with the railroads. They are unable to get cars and unable to haul those they do get. The mines in the coal district are very low and the water is impregnated with sulphur. The result is that the locomotive boilers are corroded and some of them burned out and entire trains are often laid out.

When coal and coke finally get here it is almost impossible to get it delivered. Business in all lines is so good that the railroad yards are congested and the cars can't be moved. The men who have contracted for their winter coal are getting it a half ton at a time and are considering themselves lucky at that.

SAVED BY BLUECOAT AT A FIRE.

Policeman's Name Is Trojan—He Works Like One—Rescued a Crippled Woman.

Some one dropped a lighted match on the second floor of the three-story frame building at 431 West Thirty-sixth street last night and it started a blaze which wasn't noticed until the fire and smoke had got up to the floor above, where Mary Nelson and Sarah McKnight live. Mrs. McKnight is 60 years old and a cripple.

Mrs. Nelson got out and she told Policeman Trojan that Mrs. McKnight was still in the house. Trojan ran upstairs, seized Mrs. McKnight who had been overcome by the smoke, and without assistance got her to the street.

The firemen attended to the fire and Mrs. McKnight was soon revived by an ambulance surgeon. Policeman Trojan is one of the "strong men" of the Police Department.

CAN'T GET ENOUGH OIL.

Cleveland Man Says the Standard Is Unable to Supply the Demand.

CLEVELAND, Nov. 7.—Mr. Demarest, President of the Cleveland and Warner Oil Company and also of the Cleveland and Marietta Oil Company, said to-day that the Standard Oil Company is unable to get sufficient oil to supply the demand.

"We have those wells at Warner, Ohio, in operation," he said, "and just as soon as the oil began to flow the Standard laid pipes to our tanks and it is taking all we can produce at $1.30 a barrel. The Standard company's expert told me the other day that the Standard would run five times as much oil as is produced at present. The company's men watch the wells and the drilling almost as close as we do and know when one of them comes in almost as soon as we do."

WOMAN'S OATH AND MAN'S.

Magistrate Mott Evidently Doesn't Think Much of the Woman's.

Miss Marie Ellerbrock of 320 East Eighty-seventh street, a schoolteacher, visited the West Side police court yesterday to ask for a warrant for some bad boys who threw stones at her scholars. Miss Ellerbrock was sure of her culprits, but she had not seen them throw any missiles.

"That's just the difference between a man and a woman," Magistrate Mott informed her. "When a woman thinks a thing is so she's ready to swear to it. But it's different with a man. He doesn't swear to anything unless he knows it."

Miss Ellerbrock went away to get eye witnesses.

WHY THE BOAT DIDN'T START.

The Flushing's Engineer Was Dead, Alone in the Ferryboat's Engine Room.

William Hirst, who had been an engineer on the Long Island ferryboat line ever since it was started, died suddenly of apoplexy last night while at his post on the ferryboat Flushing.

The boat was in her slip at the foot of East Thirty-fourth street. Hirst was alone in the engine room. The pilot gave the starting signal but the machinery didn't start. He waited several minutes. Then somebody went down to the engine room and Hirst's death was discovered.

Hirst was 57 years old. He lived at 118 Bedford street, Long Island City.

MARRIED A MAN TO TWO WOMEN.

Mistake Made by Mayor Hunter of Lockport in His First Marriage Service.

LOCKPORT, N. Y., Nov. 7.—Mayor Hunter to-day, in the embarrassment of his first marriage service, inadvertently married Mary Hussey and Angelina Supel, pretty Italian lassies, to Joe Scotch, white Tony Scotch, who had come to marry Mary, stood by, and the witnesses, fellow officials of the Mayor, enjoyed the joke immensely. The Mayor did not discover his mistake until the whole thing was done, and the Italians were too ignorant of American civil rites to know the difference. So the Mayor pronounced the four "husband and wife" and sent them off to the priest for the proper religious service, which would undo his error.

CONVICTS BOLT, SHOOT GUARD.

28 ESCAPE FROM PRISON AT LEAVENWORTH, KAN.

One Killed, One Injured—Officers Held in Front of Men as Guard or Others Would Have Been Shot—200 Refused to Join Mutiny—Cavalry in Pursuit.

LEAVENWORTH, Kan., Nov. 7.—Twenty-eight desperate convicts, after murdering one guard and seriously wounding several others, escaped from the new Federal prison this afternoon. They are armed with fully a score of guns and revolvers, taken from the guards, and are now at large west of the city. Troops from Fort Leavenworth, guards from the prison and police from the city are in pursuit, but there is little hope of capturing the men to-night.

The mutiny is the worst of the kind which ever occurred here. About three hundred of the convicts in the Federal prison at Fort Leavenworth are taken each day from the old prison to the site of the new one, now in process of erection, to work upon the new buildings. The new prison is surrounded by a temporary stockade or fence and is guarded by thirty guards. It was here that the convicts escaped today.

About 3.30 o'clock four convicts marched into the office of Supt. F. Hines. With Hines were W. F. Carroll, master stone cutter, and Harmon Bone, another official. The convicts were armed with three revolvers taken from guards. They cried out:

"We want you. Throw up your hands."

The officers threw up their hands and they were then commanded to walk out of the door. The convicts marched their prisoners in front of them to the west gate of the prison, holding revolvers against their necks. The guards on the outer walls were alarmed by this time, and as the party approached the sentry at the gate, Guard Hoffman, stationed there, raised his gun to fire at them, but Supt. Hines cried out to him to stop or he would murder the officers. The convicts forced him to surrender.

Here, the convicts, who had been joined by twenty-four others, took possession of the guns left at the gate by the guards who were on duty on the inside of the walls. They secured three shotguns and a number of revolvers. Thus armed, the gang of desperate men turned from the gate, which they could not open, and started for the south side of the prison site, marching the captured officers in front of them.

The guards stationed in the towers on the walls began firing at the escaping convicts. Guard Tilpart, held by the convicts, dashed from in front of them and around a corner of a building and escaped. He was fired upon by the prisoners, but was only slightly wounded. As the convicts rushed for the south side of the prison site the fusillade from the armed guards on the wall became furious. Several hundred shots were fired, but only one convict was killed and one wounded. This occurred at the south wall, where they stopped to batter down the wall of heavy upright timbers.

Guard Waldrup, who was stationed near by in a tower, was shooting at the convicts. The fire was returned, and Waldrup fell, wounded in the stomach. He raised himself and shot Convict Fort dead. Another shot from a convict struck Waldrup in the forehead, and he fell, mortally wounded. Another convict, colored, was wounded in the fight at the wall, where they escaped. A hole was rammed through the wall by the convicts and they went out on the run. Several of their number were slightly wounded, but escaped with them.

The convicts remaining in the prison cheered the escaping desperadoes, but as they were short-term men they did not care to leave.

The prisoners went southwest from the city, securing several farmers' teams and buggies as they went, forcing them to give them up. As soon as they had escaped they turned loose the officers, whom, until this time, they had compelled to walk in front of them.

The escape caused the greatest excitement at the prison, the post and in the city. The convicts cut telephone wires from the prison and it was some time before word could be carried to the post.

The new Federal prison is two miles from the post, where the present prison is located and from which place the convicts are brought each day to work on the new prison. It is at the northwest outskirts of the city.

As soon as word could be sent extra guards from the prison and a number of cavalrymen were sent to the scene of the trouble. The prison was at once put under military rule. Over two hundred convicts remained within the walls, having refused to accompany the escaping prisoners, although they could have done so. They howled and yelled in wild excitement and refused to obey the guards. A posse of guards and soldiers entered the prison, herded the remaining convicts outside of the walls and then marched them back to the prison at the post. The remaining guards and soldiers, about fifty in number were sent on the trail of the escaped prisoners.

Guard Burrows was shot in the neck in the fight and is seriously wounded. Warden McClaughery of the Federal prison was not in the city today, but returned tonight. About fifty troops, under Capt. Hughes of the Fourth Cavalry, are in pursuit of the convicts.

The excitement in the city was intense. Hundreds of citizens rushed to their homes and armed themselves. Then they took up the chase, joining the cavalry on the hunt. The convicts went scudding over the hills and across fields in their wild efforts to escape. The constant crack of revolvers and rifles could be heard. For some time after the convicts made the first break the noise of firearms sounded much like a battle.

DEFAULTER FOR $17,000.

Treasurer of the Order Maccabees Resigns and Confesses to Theft.

DETROIT, Mich., Nov. 7.—Charles D. Thompson, Supreme Finance Keeper of the Supreme Camp of the Knights of the Maccabees, has tendered his resignation