

SPIWACK'S RUIN AVERTED.

PRIME COURT TO THE AID OF AN LOST SIDE FROM HIM. Uninvited Stars Deserted Him and His Audience Were Up in Arms—Now the Lewinwirths, Sam and Annie, Can't Tell the Court Removes the Ban.

Sam Spiwack, proprietor of the first night club in New York, the Atlantic Garden at 133 Eldridge street, stood in the little box office on Friday night and beamed with happiness at the manager, Louis Bauch. The sale of tickets was unprecedented, even for a Friday night. The garden was filling up rapidly and the waiting patrons formed a line out into the street and the next corner.

The reason of the crush was not hard to find, for the announcements that littered the bill and street outside read as follows:

WELCOME! WELCOME! TO THE FIRST JEWISH ATLANTIC GARDEN. SAM AND ANNIE LEWINWIRTH WILL TOGETHER WITH OUR STAR COMPANY, PRESENT THE GREAT EVENING OF THE FIRST APPEARANCE OF THE WELL KNOWN SAM AND ANNIE LEWINWIRTH.

After weeks of work on Spiwack's part the Jewish comedians had forsaken the Bowery for the Spiwack stage. Thirty-five dollars a week for only one performance was a temptation that the Lewinwirths could not resist.

Last Monday "the Peerless Sam" had publicly announced his forthcoming engagement and in introducing the proud Spiwack to the audience, he had bade them come, laugh and be happy.

Before 8 o'clock the garden was full and the line of ticket buyers had been swamped up inside, but there was no sign of Sam and Annie. The audience became impatient. The hour for the great turn came and Spiwack in true managerial style assured the murmuring spectators that his star had just telephoned that he was on his way downtown.

An accident happened to the carriage, but all would be well by 10 o'clock. The audience cheered and Spiwack's courage came back. Scarcely had Spiwack returned behind the scenes when he was accosted by Al Sankoff, the Eldridge street notary, breathless and excited.

"Jonas," he exclaimed, "you're a ruined man! Sam and Annie won't come in here. They've gone to the city."

Spiwack shrieked and refused to believe it. But Sankoff insisted. He had just returned from the Thalia concert hall in Broome street, and he had heard Lewinwirth announce that he would not appear in Spiwack's stage.

Demands for the return of the admission money were only increased by the information that Spiwack had departed with the order was finally restored by the expedient of putting out the lights and closing up.

THE LONDON MARKET.

American Railroad Securities Less Eratic. Special Cable Dispatch to THE SUN. LONDON, Sept. 27.—In to-day's market money advances were obtainable in the early dealings, but the rate of discount remained firm. Next week the consol settlement requirements must be met, hence it is expected that the borrowing of money from the Bank of England must continue.

There was some hesitation in the market for American railroad securities to-day, but under the influence of a firmer tone in New York the tendency was less erratic. Chicago, Milwaukee and St. Paul and Louisville and Nashville were strong but featureless. Consols, English railways and foreign government securities were steady, with little doing. South African mining shares were a trifle off.

CONTROL OF L. & N.

Representatives of Atlantic Coast Line Said to Have Made This Offer. A proposition to turn the control of the Louisville and Nashville Railroad over to the Atlantic Coast Line interests is under consideration. A syndicate stands ready, it is said, to furnish the necessary cash and credit to finance a deal which shall give to the Atlantic Coast Line Company of Connecticut, a securities-holding company, the 300,000 shares of Louisville and Nashville stock now held actually and on option by J. P. Morgan & Co.

This proposition, it was learned yesterday, will meet with opposition from the minority stockholders of the Louisville and Nashville road. The underwriting syndicate offers \$130 a share, but it does not include all of the shares in its offer. Only a controlling interest is desired. Wall Street scented a fight and the stock exchange transactions in Louisville and Nashville stock yesterday were significant.

On sales of 37,100 shares the price dropped yesterday from 154 1/2 to 148 1/2, with a net loss of 4 1/2.

A member of the firm of Kuhn, Loeb & Co., which was reported to be in the proposed underwriting syndicate, said that he knew nothing about the matter. President John Skelton Williams of the Seaboard Air Line Railway said yesterday: "Whether the purchase of a controlling interest in the Louisville and Nashville by the Atlantic Coast Line Railway will prove a profitable and valuable acquisition, or whether it will prove a misfortune, for both will depend entirely upon the policy which shall be pursued in the new road."

The lines of the Louisville and Nashville system are held open for the interchange of business on a fair and reciprocal basis. The union of these two important systems may be made advantageous to both, but if an attempt is made to interfere with the free interchange of business between the Louisville and Nashville connections, such a policy will be followed in the course of the construction of new railroads into the Louisville and Nashville territory and the building of such additional mileage throughout the South. Such additional mileage can undoubtedly be built for less than one-half of the cost per mile of Louisville and Nashville, if the lines of Louisville and Nashville are paid for by their stockholders, who have heretofore paid between the Louisville and Nashville Railroad and its several connections, will not be interrupted. It is certainly the desire of the Seaboard Air Line to maintain cordial relations with both allies and competitors.

It is certain, however, that nothing has been done and nothing will be done, which will affect adversely the courses and business of the Seaboard Air Line system. The lines of this system now run from Baltimore, in the North, to the southern limits of Florida in the South and to Montgomery and Birmingham, Ala., in the Southwest. The business of the system at the present time is limited only by its capacity to move the freight which is offered to it, and these conditions will not be interfered with by any action of connecting lines.

Syracuse's Defunct Bank Will Pay in Full. SYRACUSE, Sept. 27.—An agreement was made this afternoon by the directors of the defunct New York State Banking Company and the First National Bank whereby all the business of the National Bank which had been turned over to the latter institution. Depositors of the New York State Banking Company will be paid in full. The First National Bank will begin the payment of creditors on Monday morning. Chief Examiner George S. Leonard has been working since Sept. 18 winding up the affairs of the bank, which failed on that date.

Lake Shore Has Trolley Rival for Freight. The Lake Shore Railroad's freight traffic through Ohio is being cut into by the aggressive competition of the Cleveland and Eastern Electric road, which operates about 100 miles of trolley line. This electric road has always secured a large proportion of the local freight traffic in its territory. Its rates are lower than those of the steam railroad and its most instances deliveries of consignments are quicker. Milk and farm produce form the great part of the business given to the electric line.

BANK STATEMENT BETTER.

NO OFFERS TO SELL 5% OF 1901 AT THE GOVERNMENT'S PRICE. About \$14,000,000 Will Be Released by Acceptance So Far in of Secretary Shaw's Offer to Prepay Interest—Stocks Rally Sharply, Then Weaken.

The deficit of \$1,642,059 in the cash reserves of the local banks reported by the weekly statement of deposits, issued a week ago, was changed yesterday into a surplus of \$3,236,025. The statement reported a decrease on loans of \$13,352,600, reflecting the liquidation in the stock market early in the week. The surplus of the statement was that it showed a net increase in cash of \$1,769,709, when a decrease had been anticipated. Special holdings showed an increase of \$1,072,000 and legal tender holdings a decrease of \$182,900.

The effect of the statement upon the stock market, which had become weak prior to its appearance, was to drive the bears to cover. There was a short rally and prices of the active issues nearly recovered their early losses. The market failed to hold, however, fresh outbreaks of weakness occurring in Louisville and Nashville and St. Paul shares, which unsettled the list. There were a few dealings in money on call yesterday. The loans were all at 6 per cent., except that an odd lot was loaned at 7. The foreign exchange market, as usual on a Saturday, was quiet, practically no business being done. The tone was steady to firm.

A quite general opinion appeared to exist that the action so far taken by the Secretary of the Treasury to give relief to the money market had failed to meet the exigencies of the situation. This, it was said, was particularly the case with the offer to buy 5 per cent. bonds at 105 when they were 105 1/2 bid, 100 1/2 asked in the open market.

The Canadian Bank of Commerce yesterday shipped \$100,000 gold from this city to Montreal.

Washington, Sept. 27.—Secretary Shaw has received no offers from New York or elsewhere in response to his announcement of yesterday that the Treasury was willing to buy 5 per cent. bonds of 1901 at 105. Heretofore when the Government has entered the market to purchase bonds, offers have always been made on the day following the announcement of the Government's intention. The fact that no offerings of bonds have yet been made under yesterday's announcement tends to confirm the opinion that both the banks and private holders of the 1901 securities will be unwilling to sell at so low a price as 105. It is believed that an offer of 108 might have been accepted by a few holders, although 100 1/2 is asked, according to current market quotations. Incidentally it is remarked that only a little more than \$1,000,000 worth of the 100 fives are held by national banks.

Secretary Shaw gave notice to-day that he had so far modified the concluding paragraph of his official notice of the 25th inst., which provided for the prepayment of interest on bonds, as to permit the prepayment of interest due Feb. 1 and May 1, 1903, on the 3 per cent. loan of 1908-1918 from and after Oct. 13 next.

In response to the notice given to-day the Secretary has received telegraphic advices from New York and several Western cities indicating a desire on the part of bondholders to avail themselves of the offer of prepayment. These telegrams call for a disbursement of about \$14,000,000 in advance interest under the Secretary's offer.

Charles H. Fancher, president of the Irving National Bank, has been elected president of the Bankers' Life Insurance Company to succeed Richard Morgan, who resigned recently because of ill health. Mr. Fancher's place as first vice-president was filled by the advancement of the second vice-president, William Sherer, to the first vice-presidency, and William H. Reed, president of the Bankers' Safe Deposit Company, was elected second vice-president.

Big Bicycle Factory Closed. HARTFORD, Conn., Sept. 27.—The Pope factory of the American Bicycle Company shut down this noon for an indefinite period. The notice was signed by Receivers R. Lindsay Coleman and Albert A. Pope, and said that, awaiting reorganization of the company and owing to the high price of coal, the move was necessary. It is said the closing is temporary and that the factory will be reopened within a month.

Advance Demand for Pig Iron. It was stated in Wall Street yesterday that nearly all of the Southern pig-iron makers have booked orders for their full capacity up to June 30, 1903. It is expected that they will soon come together and fix the schedule of prices for the last six months of 1902. It is surmised that if conditions continue as they are now, an advance in the schedule will follow.

Pennsylvania No Longer Blocks Wabash. Robert Pitcairn, assistant to President A. J. Cassatt of the Pennsylvania Railroad, says of the Pennsylvania-Wabash controversy: "The Pennsylvania accepts the entrance of the Wabash Railroad into its territory as an accomplished fact and is not seeking to throw needless obstacles in the way of its competitors."

THE ALPINE BACHELORS BACHELORS BACHELORS Broadway & 33d Street Comfortable Convenient Centrally Located Heat, electric lights, individual tele-phones, baths, all night elevator. Rents \$50 and upward. Estate D. H. MALPIN Tel. 624-29th, or Superintendent on premises.

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STANDARD OIL HAS A RIVAL.

BIG INDEPENDENT REFINERY IN WELLSVILLE, N. Y. Company Controls Pipe Line to Allegheny Oil Fields—Capacity of Refinery is 1,000 Barrels a Day—Has 42,000 Barrels of Crude Oil to Begin Business.

WELLSVILLE, N. Y., Sept. 27.—Wellsville's big new independent oil refinery was formally opened to-day. It is the most modern and the largest independent refinery in this country. It represents an investment of \$150,000, and the stockholders are all producers of Allegheny county and allied independent interests in Philadelphia. The capacity of the refinery is 1,000 barrels a day, but for the first few months it is expected that 700 barrels of oil will be used daily. The plant covers fourteen acres. The buildings are of brick and iron, and in addition to the refinery there is a modern wax plant for the utilizing of the paraffin that comes from the stills. The output of the refinery will be water-white and export kerosene, benzine, gasoline, cylinder oils and distillates. The distillates will be shipped to an independent refinery in Philadelphia for complete treatment.

The crude oil for the new refinery will come from the Allegheny county oil field, through the lines of the Union Pipe Line Company, an independent corporation that reaches all the districts of the field and has pumping stations at various points to force the oil into the line that leads to the big storage tanks in the refinery yards. At present there are 42,000 barrels of crude oil in storage at the refinery to begin business with. The refining company owns a controlling interest in the pipe line and will be able at all times to secure all the crude oil needed. The product of the refinery has been sold under a ten-year guarantee contract to the Union Petroleum Company of Philadelphia, which has a line of tank steamers, and through them

the product of the Allegheny county wells will reach the European markets. The Allegheny county oil field produces over \$750,000 worth of high-grade crude oil a year, and for more than twenty years the Standard Oil Company has had a complete monopoly of the piping, refining and marketing of the oil. Already nearly 50 per cent of the producers have either connected their tanks with the new line or signified their intention of doing so as soon as the refining starts.

What the attitude of the Standard Oil Company will be toward the new concern is a matter of much speculation. For several months the new concern has been paying a premium of one cent a barrel for all oil purchased, and it will continue to, and will meet any premiums put on by the Standard. The capital stock of the refining company was increased to-day from \$100,000 to \$200,000.

POOR SPELLING OF COLLEGE MEN. Students of Northwestern University Trip Easily—Must Go in "Pity Sakes" Class. CHICAGO, Sept. 27.—Freshmen of Northwestern University took an hour from football practice yesterday afternoon for the annual spelling lesson under Dr. J. Scott Clark. Out of 250 first-year students, only 132 "stood up" throughout the professor's examination. The rest are doomed to the "pity sakes" class for the remainder of the year.

Furniture With a Meaning is beautifully defined in our showing of pieces for Library or Living room purposes. The essential item of comfort with simplicity of design, are merged into the deep seated Kensington Sofa, the Washington Study Table and the tall Fireside Chairs. All bearing the imprint of fine construction and absolute serviceability. Grand Rapids Furniture Company 34th Street, West, Nos. 155-157. Minute from Broadway.

TO HAVE A WOLF DRIVE. Mississippi Citizens Near Yazoo Gathered Seriously by the Animals. NEW ORLEANS, Sept. 27.—Wolves are terrorizing the people in the Lake George neighborhood of Yazoo county, Miss., twenty-two miles from Yazoo City. The country is sparsely settled, but is a great hunting locality. Wolves have occasionally been seen there but they have never before been so numerous and the people are unable to account for their great increase. Lately they have been seen in large packs, and have killed a number of cattle. The women and children are nearly scared to death, and even the men have been going around with their guns, but without having accomplished anything in curbing the nuisance. Brevet Butler, one of the largest planters of the neighborhood, has organized a wolf drive, which will be made up by men from the adjoining county, and it is hoped to exterminate the wolves.

Saks & Company Specialists in Apparel for Men, Women and Children. ADVENT THE doors of our new store "In The Heart of New York" will swing open Monday, September 29th. We request the discriminating public to be our guests for that day--after that to be our patrons. It is a unique establishment--nothing like it anywhere. Like Athena, the store has sprung to life full grown. There was no uncertainty as to what we meant to do. We planned the best and finest business in our particular line that could be devised, and our location and building must fit our business. But there was no suitable building in the heart of New York. So we chose our location calmly, took the class of people we expected to deal with into account, and settled on the most central spot in the most wonderful city of the world. We have aimed to overtop every other store in New York in convenience of service, generosity of store methods, and absolute correctness of fashions. We have chosen only the best of everything, including the men and women who are to man our shop; and, if we have not created the ideal apparel shop, we certainly have evolved a higher standard for future efforts toward that end. Our buyers, each a master of his or her department, were sent throughout the marts and fashion centres of this country and Europe in search of the useful and the beautiful. They are all back safe--their selections are now at your service. Men's, Women's and Children's apparel of every description, either to protect or adorn the person of man and his family--no matter how important or how trifling--including Jewelry, Tourists' Goods, Athletic Paraphernalia and Sportsmen's Requisites, will be here for your consideration--but in a new way. We have devoted the same thought and study and allotted the same generous space to each individual apparel shop. None has been neglected. You may safely select whatever you require, confident in the knowledge that our stock exhausts the subject, whether it be for man, woman or child. We do not believe there is an imperfect piece of merchandise under our roof. Not an article is here that was not made for this Fall--in this Fall's fashion. It is a full-grown store--full of fresh new things to wear--many of them things that have never been shown before, even in New York. Our standard of merchandise begins where merit does, and ends with the best. The prices will always be fair--as low as can be named for equal excellence anywhere. We shall aim to provide the unusual or difficult to find articles as thoroughly as we will those usually found in first-class shops. Gradually, we expect this reputation to bring us the most desirable patronage in the various lines, not only of New York, but of the entire country which drifts to and through New York--for we are in the very heart of the city, and visitors from everywhere will find it the easiest store in the Metropolis to reach. Our system of delivery embraces the entire United States--from Alaska to Florida--and its dependencies. For this service we make no charge. We enter the list of merchants of the great City, recognizing the abilities of many whose standards if we equal we will not have labored in vain, and which, if we excel, we shall have just cause to be proud. Like some great battleship, the store stands awaiting trial. We shall weigh anchor at nine o'clock Monday morning, and the test cruise will begin. Broadway 33rd to 34th Sts. Saks & Company In the Heart of New York

PLANS OF THE CHORAL UNION.

The Seasons' to Be Sung--Classes for Sight Reading This Winter. There will be in all sixteen classes for the study of sight reading under the auspices of the People's Choral Union the coming season. The work has progressed steadily since Frank Sinatra began it in 1892. He will, as usual, continue to exercise general supervision of all the classes and select the teachers who will have the direct instruction. He personally conducts the rehearsal of the chorus of graduate members, which meets every Sunday afternoon at Cooper Union.

The following classes for elementary instruction will open in October, when the meetings will be held every Sunday afternoon at Cooper Union: Sight Reading at Livingston and Eldridge streets; Beethoven Hall, 210 Fifth street; St. Bartholomew's House, 199 East Forty-second street; National Academy of Music, 110 West 42nd street; Columbia Dancing Academy, at Sixth avenue and Fifty-ninth street; and at the Lenox Avenue Church, at Lenox avenue and 124th street.

The evening classes for beginners will be held on Thursdays in the following places: Judson Memorial Hall, Baptist Church, Hall near Park street; West Hoboken; on Monday evenings in the following places: Bethany Lutheran Church, Teasdale place, near Third avenue; The Bronx on Friday evenings at Masonic Temple, Richmond avenue and Bennett street; Port Richmond, Staten Island, and at Astral Kindergarten Hall, Franklin and 106th streets; on Tuesday evenings at Holy Innocents' Church Hall, Hoboken, and Turn Hall, 128 Danforth avenue, Greenville.

The advance classes this year will meet at the United Charities Building, Fourth avenue and Twenty-second street, on Sunday afternoons at 3, on Tuesday evenings at Broadway street Chapel, Stapleton, Staten Island, and at Public School No. 4, on Malone street, West Hoboken. Applicants for membership in the classes should present themselves at any of the places of meeting or at 41 University place, or 2052 Lexington avenue, the Manhattan offices of the People's Choral Union, which are open every night excepting Sunday from 8 to 10.

The oratorio to be sung by the union at its public performance next spring will be Haydn's "The Seasons." Run on the Fulton Savings Bank. OSWEGO, N. Y., Sept. 27.—This morning there was a run on the Fulton Savings Bank of Fulton, N. Y. Yesterday the doors of the bank were closed for a time, and it was rumored that the bank was involved in the failure of the New York State Banking Company of Syracuse to the extent of \$20,000. This morning when the bank opened for business a large number of depositors applied for their money. All demands were promptly met by the bank. The officers say that the bank is solvent, that there is a surplus of \$75,000 and that the depositors will not lose a cent.

Days in Jail Because He Couldn't Pay a Board Bill. COOPERSTOWN, N. Y., Sept. 27.—Because he could not pay a board bill of \$5 George Grant has been sentenced to sixty days in jail. He was brought here from Oneonta last night. During the summer Grant was a waiter at one of the hotels here. He has many friends, who consider the sentence an unjust one.