

NOT A REAL GAINSBOROUGH?

CHARLES HENRY HART, ART CRITIC, SAYS THE GAINSBOROUGH OF PENNSYLVANIA, WHICH HELD IT WAS IMPOSED UPON—THE SUPPOSED GAINSBOROUGH OF FRANKLIN IS NOW OWNED BY LORD LANSDOWNE, BUT IT'S A PICTURE OF ANOTHER MAN.

PHILADELPHIA, Dec. 25.—The authenticity of the so-called Gainsborough portrait of Benjamin Franklin, now in the library of the University of Pennsylvania, and presented to that institution by the class of '52 with elaborate ceremonies on Feb. 22 last, is attacked vigorously by Charles Henry Hart, art critic and well-known art critic of this city and an acknowledged authority on Colonial portraits.

Mr. Hart is a member of the General Alumni Association of the university, a graduate of the class of '69, law. He explains that far from having any desire to "take the real Gainsborough" as he has in her interest that he raises his voice, asserting that the university has been imposed upon. It was his original intention to make his statement at to-night's meeting of the American Historical Association.

Mr. Hart says first that there never was a Gainsborough of Franklin. He also believes that the real Gainsborough, now in the gallery of Lord Lansdowne's Gainsborough is really a picture of Surgeon-General Middleton. He declares that the supposed valuable portrait of Franklin in the possession of the University of Pennsylvania is a portrait of Franklin of no great value.

In addition to much data in support of his claims Mr. Hart presents two photographs from Lord Lansdowne, showing that he has the real Gainsborough in his possession and that what was once erroneously thought to be a portrait of Franklin is really a portrait of Surgeon-General Middleton.

Joseph G. Rosenzweig, who presented the portrait on behalf of the class, read Mr. Hart's criticism with much interest. "Mr. Hart is noted for controversialism of the kind," he said, "I know about the picture of Franklin is that it was bought on behalf of the class of '69 from Christy of London, one of the most noted picture dealers of the world. It was bought for a Gainsborough, who made many portraits as a young man that are not extraordinarily valuable. I cannot see that Mr. Hart has any case or offers much that is new. For my own part I do not care to engage in a controversy over the matter."

Provost Charles C. Harrison said: "The picture was bought and presented as a genuine Gainsborough. I have always considered it as such. In presenting the portrait, it was announced that it was known by Flucher's life of Gainsborough that he painted for Lord Shelburne a picture of Franklin at the time of the signing of the Treaty of Paris.

It was further said that "while it is not the condition of the portrait yet it is not doubted likewise of Franklin as he sat to Gainsborough, and for not the original painted by him for Lord Shelburne, it is a replica that may well take its place in the library of Franklin's university."

Mr. Hart first denies that Flucher says that Gainsborough painted a portrait of Franklin for Lord Shelburne. He says: "Franklin left England for America in May of 1775, at which time, it is important to note, he abandoned his cumbersome wig for his hair, and that he was never revisited England and there is not a word anywhere pointing to Gainsborough having been in France, where the Treaty of Paris was signed and where Franklin resided from the close of 1778 until the fall of 1788 and it will hardly be pretended that the great patriot crossed the ocean and visited this country."

"Therefore if Gainsborough painted Franklin's portrait, he had to paint it in England prior to May of 1775. If he had done so the portrait of Franklin from Gainsborough's brush would show the philosopher and statesman in 'his cumbersome wig for his hair' and that there is no portrait of Franklin in the Lansdowne collection to-day and that it was said: 'The Gainsborough of Franklin is not that of the illustrious statesman and philosopher, which unequivocally it is not. Fortunately I am in possession of the facts to take the place of these hyperbolic fancies.'"

CHRISTMAS ABROAD.

Mid Weather Milligates the Distress Among London's Poor.

LONDON, Dec. 25.—The usual Christmas services and festivities were observed under conditions of weather, which happily lightened a distressing day, but widely affecting the poorer classes. The cold spell disappeared some days ago and Christmas Day in southern England was almost warm.

In London the temperature was 50 degrees. The Midland and Northern districts were affected by a destructive gale, but the temperature was mild. The London streets presented their customary Christmas aspect of ghostly quiet, festive pleasures engrossing the citizens.

In Berlin, gray, wet and gloomy weather emphasized the unalarming distress of the poor, unoppressed members of the city who were warmed and fed at the city institutions and Salvation Army shelters. The more fortunate celebrated the day in accordance with the cherished traditions of Christmas trees and family gatherings.

The Emperor and his family had an old-fashioned Christmas at Potsdam, where Chancellor von Bismarck and his wife were the only guests. The Emperor took his usual Christmas stroll through Sans Souci Park, distributing new coins to the soldiers and aged persons whom he met.

The *Vossische Zeitung* and the *Vorwaerts* prior, disapproved of the governing class, especially the Christian church as represented in Germany. The *Vossische Zeitung* says that in view of the increasing power of the party of intolerance and retrogression it is impossible to regard Christmas as a festive season.

The Pope celebrated midnight mass on Christmas eve. He did not suffer from the exertion. Midnight masses were celebrated in thousands of churches throughout Italy. The capital presented the customary Christmas scenes. Crowds of people thronged the Corso and other favorite thoroughfares.

FILIPINO GOVERNOR'S WORK.

Adopt Plans for Improving Conditions in the Islands.

MANILA, Dec. 25.—The convention of the provincial Governors has concluded its sessions. The last days were devoted to a discussion of improvements, involving amendments to the provincial and municipal laws, curtailing the powers of the constabulary by permitting inspectors to remove municipal police without the consent of the Governors, and authorizing the President to arm the police.

Gave Employees the Money He Won.

MATINEA, Dec. 25.—John O'Brien, prosperous English ironmaster here, was the first prize of 5,000,000 pesetas in the State lottery. He distributed the money among his employees.

Italy's Aid for England in Africa.

ROME, Dec. 25.—Italian warships will assist in the disembarkation in Italian Somaliland of the British troops who are to operate against the Mad Mullah.

MRS. W. A. CLARK OPERATED ON.

ABECESS REMOVED FROM HER RIGHT SIDE—She Stands the Operation Well.

BUTTE, Mon., Dec. 25.—A surgical operation was performed this afternoon on Mrs. W. A. Clark, Jr. It was made necessary by the discovery of an abscess on the right side. The operation was performed by Dr. Perkins of Denver. A 2-45 o'clock he issued a bulletin to the effect that the patient had stood the operation well and was resting.

PENSIONERS' MONEY IS GONE.

TRUSTED TREASURER SHORT IN BENEFIT ACCOUNTS.

Capt. Meeker, who had charge of the Salvage Corps of the Underwriters' Protective Association, could not pay Widows and Orphans Their Due.

Capt. Francis J. Meeker, superintendent of the salvage corps operated by the Underwriters' Protective Association in Newark, was arrested by a detective in New York, charged with embezzling \$5,000 of the funds of the Newark Firemen's Relief Association, a local branch of the State Association.

The association has on its list of pensioners about 165 widows, orphans and aged or disabled members. Its income was derived from donations and from a 2 per cent. tax on all foreign insurance. Each pensioner receives \$36 quarterly, the widows \$24 and the orphans under 14 years old, \$15. At Christmas time the widows usually receive \$10 extra, and there has never been a slip until this season.

The association has about \$150,000 invested in bonds and mortgages and good stocks. Assistant Chief William Astley is president of the association. Its affairs were investigated as usual on Dec. 15 by the finance committee of the board of representatives of the association. A discrepancy of \$100 was found. Capt. Meeker said that this was an oversight and as he promised to make it good the next morning, nothing was said about it.

It was expected that Capt. Meeker would pay out to the beneficiaries \$3,128 on Tuesday, but he was not prepared to do so, although he had a check for that amount properly made out and signed. What has become of the money is not known. It was not presented at the bank and some of the firemen said yesterday that it was doubtful if there was money to meet it.

Capt. Meeker did not pay any of the beneficiaries on Tuesday. He excused himself by saying that he had to attend a trial at court.

On Wednesday he was seen wandering around the street at 4 o'clock in the morning and was found by the stationer and keys were found on his desk by one of the company that night.

Meanwhile the pensioners, widows and orphans were clamoring for their Christmas money. Receiving no satisfaction, they went to the various engine houses and requested the stationers to supply them with the money. President Astley convened a special meeting of the Relief Association on Wednesday night. Meeker did not attend, although he was summoned. It is clear that he caused his arrest and President Astley made a complaint and obtained a warrant.

Capt. Meeker is said to have been speculating recently in a small way in the effort to retrieve his losses through the failure of the Republic Trust and Savings Association, in which he had several thousand dollars. He has shares in several sound local building and loan associations, but what his assets are cannot be ascertained at present.

The members of the Firemen's Relief Association and the Newark Firemen's Relief Association, which was organized in 1852, are angry that Capt. Meeker was hopelessly injured. The firemen think that his shortage is between \$100,000 and \$125,000. They think financial institutions were closed yesterday nothing definite could be learned about cash or securities.

TABLET TO MISS DAVIS.

PHILADELPHIA, Dec. 25.—A storm of protest has been raised over the proposition to place a memorial tablet to Miss Winnie Davis, the daughter of the Confederacy, in Grace Baptist Temple, the big church with the college attached at Broad and Berks streets. The matter will be placed before the congregation meeting on Monday.

The proposition to place a tablet to Miss Davis's name was made when the tablet to the late President McKinley was unveiled. Several Southern women were in the city at the time and on their return home they wrote to Dr. Russell Conwell, pastor of the church, asking if they might place a small tablet to the memory of Miss Davis in the church.

Although Union soldiers himself and a Grand Army man, Dr. Conwell thought it an excellent idea. He conferred with the Daughters of the Confederacy here and they approved the plan. The upshot of the matter was that on Monday evening the idea was decided, instead of putting in a small tablet, to raise \$500 and put in a large tablet. The plan was approved and the plan from the pulpit and asked if there was any opposition. Apparently there was not.

Soon after this letters of protest began to pour in on Dr. Conwell. They came from all over the country. Every day they have increased in number and in bitterness until the anti-Davis movement has reached its vigorous proportions.

In the Bronx, where traffic is not so heavy, the streets under four inches of snow would be cleared from the Battery to Long Acre Square by 7 o'clock this morning and the streets under four inches of snow would be cleared from the Battery to Long Acre Square by 7 o'clock this morning.

AUSTRALIA SUFFERING.

VANCOUVER, B. C., Dec. 25.—The steamship *Noana*, which arrived to-day, brings news of the results of drought in Australia. The great losses of sheep in the past few weeks might be viewed in the light of a national calamity. The Federal Government is appealed to for aid. Though their constitution forbids them to take the duty off of food, Premier Barton has promised that any State desiring to do so will not be criticized by the Federal powers.

THEODORE B. STARR.

Diamond Merchant, Jeweler and Silversmith, MADISON SQUARE WEST.

Established 1862. 25 years as above.

SPECIAL NOTICE.

No connection with any other house in this line of business.

SNOW TOO MUCH FORELEVATED.

PACKED BESIDE AND OVER THE THIRD RAIL.

Just After a Collision That Blocked the Sixth Avenue Track at Rector Street.

The elevated railroads had a hard time with the Christmas snow. The Sixth avenue line the troubles began to pay car and a car loaded with lamps on a switch at Rector street not only started a fire but blocked the tracks. Just as this complication was straightened out and the first train began crowding up the avenue, the snowstorm began.

The snow was wet and fell in big flakes into the board runway along the third rail and filled it almost at once. Then the shoes of the motors on the cars came along and packed the snow down into a compact layer on top of the rail. Then, usually, the train stopped.

By 5 o'clock when trains were supposed to begin running on the regular day schedule, pretty much everything was tied up all along the lines all over the town. On Third avenue there was an hour between 5 and 6 when, so far as could be learned, not a wheel turned, and the ticket sellers sat easily on the steps of the station and turned people away. The Sixth avenue trains were not so completely tied up, but trains were two hours or more in running the length of the road until pretty late in the morning. The working force of the elevated railroads was reduced to such an extent that the day was a holiday with only a small fraction of the usual traffic.

By noon the snow had stopped and the third rail channel had been cleared and trains were making excellent time at regular intervals. A number of steam trains were crowded up the avenue, and they apparently kept running smoothly.

TRIED SUICIDE BEFORE.

Joyce Dudley, Manicure Girl, Once Attempted to Leap From a Ferryboat.

It became known yesterday that Joyce M. Dudley, the manicure girl who committed suicide Wednesday by taking carbolic acid at 307 West Fifty-second street, where she had a furnished room, had once attempted to kill herself two weeks ago.

On the night of Dec. 8 she tried to jump from a Twenty-third street ferryboat when the boat was in midstream.

Samuel Strauss, the proprietor of Turn Hall, in Meersole street, Williamsburg, at 600 North 11th street, had a woman who jumped from a boat when she was on the water.

The young girl's room was removed out of an undertaking establishment yesterday. She has a sister, Mrs. John Gibson of 148 West 11th street, Greenpoint, but she was not in yesterday.

Because a lot of Mormon literature was found in the girl's room it was thought she might have been a Mormon convert, but a Miss Florence Buckle of 241 West Forty-third street, who knew Miss Dudley, said the literature was given to her by a friend, as a curiosity.

CONTRACTOR GETS AT THE SNOW.

A 3-1/2-Inch Fall Gives Bradley His First Job—Carts Scarce.

Yesterday's snowfall was about three and a half inches. The snow thawed rapidly into slush much of which was easily swept through the gutters into the sewers. For a great part of the day, the snowblowers of the Street Cleaning Department were detailed to keep the gutters clear and to clean crossings. None of the carts was used in hauling snow because they were needed to remove the ashes and garbage that had not been touched on Wednesday.

About noon the snowfall ceased and Contractor Bradley was instructed to put his men to work clearing Broadway from Forty-second street down to the financial district, and the streets leading to it, in the lower part of the city. While the contractor was able to get laborers to work on the snow in piles, he was not able to induce teams to take out their trucks on Christmas Day after the weeks of late hauling preceding the holiday.

THE LEGISLATIVE COMMITTEES.

MALBY WORKING HARD TO BE CHAIRMAN ON FINANCE.

Brackett Wants Worden Made Railroad Commissioner—Speculation on the Attitude of Odell, Republican, and Cunnenn, Democrat, Toward Trusts.

Gov. Odell is to be down here within a few days to talk with Senator Platt, Col. George W. Dunn, chairman of the Republican State Committee; Lieutenant-Governor-elect Higgins, Senator John Raines, who is to be leader of the majority in the Senate, and Speaker S. Frederick Nixon, who is to be re-elected, as to the makeup of the committees at Albany. All that has been decided is that Senator Horace White of Syracuse shall be leader of the Senate Committee on Affairs of Cities. Mr. White gets this place as the senior member of the committee, succeeding the Hon. Nevada N. Stranahan, Collector of the Port.

There is rivalry between Senator Malby of Watertown for the post of chairman of the Finance Committee, which Mr. Higgins has held for several years. Mr. Raines is the next in seniority, but as he is the leader it is the opinion that the precedent established by Senator Ellsworth will hold, and that is that the leader of the upper house shall not be chairman of this very important committee.

Mr. Malby and Mr. Brown are on the committee now, Mr. Malby ranking Mr. Brown in length of service but Mr. Brown's friends point out that Mr. Malby is already chairman of one very important committee, Insurance, and is to retain this place. Mr. Malby's friends, however, intend to make him chairman of the Finance Committee if the work and argument will do it. The head of this committee must be stingy and alert.

Senator Brackett of Saratoga Springs is said to be in the chair of the Judiciary Committee and he would like to make William W. Worden also of Saratoga Springs a Republican, in place of either Col. Ashley W. Cole of Brooklyn or Frank M. Baker of Otego.

The Democrats are to be led in the Senate by Thomas Francis Grady, and he has had talks with Lieut.-Gov.-elect Higgins, urging the appointment of three Democrats to the minority on the important committees instead of two as in the past few years. A decision in this matter will be reached when the Republican Major-General gets together within a few days.

Intense interest is manifested in the policy to be pursued by Attorney-General-elect James C. Cunnenn, who has a number of talks with David B. Hill. Of course, Mr. Cunnenn owes his nomination to Mr. Hill, and some said yesterday that Mr. Hill's attitude to corporations and the trusts would reflect the views of Mr. Hill.

Letters with whom Mr. Cunnenn has talked said that he was pretty stout in his individual views as to the policy he should adopt and that his temperament had been marked for conservatism on commercial problems when political demagoguery was menacing. But the attitude of Gov. Odell toward the trusts is not the most powerful official in the State. Attorney-General Cunnenn, Democrat, promise to be one of the most interesting features at Albany this and next winter.

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PISTOL, KNIVES AND FISTS.

All Used in an Affray of Italians—Three Men Wounded.

Policemen Rooney and Kanelly found a knot of Italians stabbing and punching each other opposite 44 Baxter street yesterday. They had knives, one was snapping an empty revolver and three more were defending themselves, not very successfully, with their fists. One of the latter ran away at the sight of the policemen. The other two, who had wounds in their shoulders, were sent to the Hudson street hospital and their assailants were locked up at the Elizabeth street station. The man who ran away was later found by a patrolman at 170 Leonard street, stabbed through the right lung.

While returning to his post, Rooney saw a man who was carrying a large sack of luggage at Albert Isola of No. 3, on the Baxter street corner. Isola lost the lobe of an ear. The man, who is 14 years old, was sent to the Gerry Society's care.

A Sale of Overcoats of the Highest Grade.

Regular Prices \$38.00, \$40.00, \$45.00, \$50.00; Now at \$32.00.

We have just two hundred and seventy-eight Overcoats that are as good in fabric and tailoring as human hands ever fashioned. They are expressive and impressive garments that evince the intelligence and spirit of the craftsman in his handiwork. They represent an external manifestation of his cleverness; the fulness of Overcoat possibilities, no matter under what condition they may be produced, whether ready-made or made-to-order.

They are made in the Surtout and 42 or 45-Inch Box Models, of the finest imported coatings, which include John Erskine's Sons' Patent Beavers, German Eskimos, English Elysians and Sedan Montagnacs; they are lined throughout with the highest grade satin Duchesse or silk Merveillex. Desiring to reduce our stock of these high-grade, high-cost overcoats, we have decided to offer you your choice of any of them at \$32.00.

THE SALE BEGINS THIS MORNING.

Saks & Company

Broadway, 33d to 34th Street

SAYS WIFE KILLED HERSELF WHILE HE WAS STRUGGLING WITH MAN IN HALLWAY.

Terry Resented the Action of Brady, Who Brought His Terry Home at 2 o'clock in the Morning, and She Resented His Interference—Won Her by Cunt's Toss.

William Terry, a barkeeper, living at 54 West street, Newark, went into the Fourth precinct station in that city at 3 o'clock yesterday morning and reported that his wife had shot herself and was dead. He was detained and officers were sent to his home, where they found Mrs. Josephine Terry, 31 years old, dead on the bed, with a powder-stained bullet hole in her left breast. Dr. John Nydeth and Mrs. Lang were waiting when the police arrived. The doctor had been called by Terry.

Terry said that when he left home in the morning his wife told him that she was going to see her sister in Elizabeth and would not be home until late at night. He got home at 1 o'clock yesterday morning and found a scuff on the floor in the hallway, which he found to be the blood of a man. He went out again and was gone for more than an hour. When he returned he met Frank Brady, who occupies a room in the house. Brady was in the hallway, about to go out, and Terry asked where he was going.

"I'm going out," said Brady. "I just brought your wife home." "Come back and I'll see about that," said Terry, seizing Brady's arm and dragging him to Mrs. Terry's bedroom, where he found her considerably intoxicated. He was angry and struck Brady. Brady tried to escape as a scuff on the floor in the hallway. Mrs. Terry cried out: "Let him go. Let him go. I'll end all this."

Brady broke away and Terry was pursuing him toward the door when both heard a shot fired. He did not stop, but chased Brady down the street. Falling to catch him, Terry went back to the house and found his wife lying against the wall with a pistol belonging to Brady in her hand. She told him that she had tried to take her life because her sweetheart, to whom she was to have been married, had died and she was left alone.

The young man's body was removed out of an undertaking establishment yesterday. She has a sister, Mrs. John Gibson of 148 West 11th street, Greenpoint, but she was not in yesterday.

Because a lot of Mormon literature was found in the girl's room it was thought she might have been a Mormon convert, but a Miss Florence Buckle of 241 West Forty-third street, who knew Miss Dudley, said the literature was given to her by a friend, as a curiosity.

STRIKE HOLDS UP FUNERALS. Cab Drivers of St. Louis Demand New Agreement With Employers.

ST. LOUIS, Dec. 25.—The headquarters of the Cab Drivers' Union was a busy place to-day. Scores of callers who had friends or relatives awaiting burial crowded into the rooms in an endeavor to persuade the union to permit its drivers to work. While expressions of sympathy were freely meted out to them, the officers declined to allow any of the members to work for firms which had refused to sign the agreement.

Members of the Employers' Association of undertakers, Embalmers and Livory men sent word that they would recognize the union and accede to all its demands but would not agree to work for firms which declined to do so.

Over 300 cabbies ate their Christmas dinner at home to-day, as one result of the strike. The union has a membership of 520. Thus far only one firm has yielded.

STOLE \$1,000 DIAMOND STUD.

Porter on a West Shore Sleeping Car Arrested and Admits the Theft.

The GILL ENGRAVING COMPANY at 140 Fifth Ave., New York. Has the finest Photo-Engraving Plant in the world. We make illustrations and cuts of all kinds, in black and white or colors, by the Half-tone process. Send for catalogue, advertising and other purposes.

DICKERMAN'S The Mark Quality DESKS. "The Mark Quality" is the highest quality of desks made in America.

SINGLE BLOW LET OUT LIFE. QUICK WORK BY YONKERS POLICE IN CATCHING MURDERERS.

Flynn Had Trouble in a Barber Shop, and Later, While Going Home With Christmas Presents, Was Stabbed to Death While Fighting With His Disputant.

YONKERS, N. Y., Dec. 15.—Within twenty-four hours from the time of the commission of a crime two men were arrested, examined by the coroner and held for the Grand Jury without bail on the charge of murder in the first degree.

On his way home to his wife and six children with a number of Christmas presents James Flynn of 441 Nepperhan avenue was stabbed to death by one blow in a quarrel.

Flynn and John McGrudden were in a barber shop about midnight last night and had an argument with a stranger over whose turn it was. The stranger got the man and left the barber shop. After Flynn and McGrudden had been shaved they went to a nearby saloon and had a drink, after which they started for home.

On the way they stepped into a hallway at 450 Nepperhan avenue, and were there when a man and his wife, tenants in the house, entered. The man was Paul Gellert, the one who shot him. They had argued in the barber shop.

Gellert ordered the two men out of the house, and when they refused to go a scuffle ensued. While this was going on Flynn stepped in, "I'm out," and the fight stopped. Gellert and his wife went upstairs and McGrudden then notified Policeman Madden and the latter called out the reserves and the ambulance of Dr. Osing was notified.

When Dr. Van Hest arrived Flynn was dead. McGrudden attempted to get away but he found that Flynn was dead, but was prevented by a very unwilling witness, who finally made many damaging admissions. He admitted having owned a pocket knife of a long blade, but could not produce it. It was the conclusion of all at the inquest that the stabbing was done by Gellert, who was very short and Flynn and McGrudden are both tall. All are married and have families and are employed in the carpet mills.

DR. F. L. BRADY DIES IN HOSPITAL.

Served With the Rough Riders in the Spanish War—Typhoid Kills Him.

John Jameson Irish Whiskey. In cases where the human organism is subjected to that wasting agony or premature aging. W. A. Taylor & Co., Agents, 29 Broadway, N. Y.