

Philadelphia depot of the Quartermaster's Department, and Col. Patton of the Quartermaster-General's office.

"DIVIDE PROFIT"—LITTAUER.

Interesting Memorandum From the Congressman to Lyon About Those Gloves—'We' Wouldn't Be Satisfied With Less Than 10 Per Cent. Profit—And Also 'That' Ought to Be 15 Per Cent.—'Top's' Profit Figure on War Department Knows Him—Who Are 'We'?

Representative Lucius N. Littauer of the Twenty-second New York Congress District, in the carefully prepared statement issued from his office in Gloversville, Wednesday, declared that neither he nor his firm, Littauer Brothers, had had any interest, direct or indirect, in the Government contracts for gloves furnished to the War Department in the name of Edmund R. Lyon of New York during the Spanish-American war. Herewith is printed the facsimile of a document in Representative Littauer's handwriting which Lyon received.



House of Representatives U.S. Washington.

Rats 36 x 14 4.80
Rats 36 x 5 1.00
All else 12.06 12.06 18.90
18.66 1.57 150%

Divide profit over this figure. 157 1/2
I'm above 60% figured profit
Direct indirect expense = 60% profit
nothing profit @ 98% no profit
Profit might be 15% over 157 1/2
= 23 1/2
= 1.97
I'm not feel satisfied in with case then
a profit of 117 over 157 1/2
= 1.57
= 1.73

Rats 30 x 14 1/2 4.35
30 x 5 1.80
12.06 1.57
17.91 146%

"Rats" you must know, means muskrat skins which were used in the manufacture of some of the gloves which Littauer Bros. supplied to the Government through Lyon. Here, in Representative Littauer's handwriting, is the cost of making, carefully computed in ink at \$18.90 per dozen or \$1.57 1/2 per pair. Beside this column, in Representative Littauer's handwriting, is another computation at \$18.84 per dozen, or \$1.56 2/3 per pair, and below come these interesting words to Lyon:

Divide profit over this figure. That is, over \$1.56 2/3. Then follow, in Representative Littauer's handwriting in ink, these words: In above 60c. per d. figured for Top's profit.

The War Department, it may be said, now knows who Top's is. Representative Littauer then writes: Profit ought to be 15 per cent. over 157 1/2.

We met [sic] feel satisfied with less than a profit of 10 per cent. over 157 1/2-15 1/3. Who is 'we' if not Littauer Bros., in which firm Representative Littauer is senior partner?

The War Department is now looking into the following contracts, which Lyon got in Philadelphia, these contracts having been admitted as evidence before the Hon. Bankruptcy Stanley W. Dexter on Tuesday:

Articles of agreement between Col. John V. Frey, Deputy Quartermaster-General, U.S.A., at Philadelphia, Pa., and Edmund R. Lyon, for 20,000 pairs of buckskin gauntlets at Philadelphia, Quartermaster's Department, Dec. 7, 1898, expires June 14, 1899; bond, \$7,000; sureties, William Littauer, a brother of the Littauers, \$7,000, and Louis I. Haber, \$7,000. (Haber being a friend of Lyon. This contract amounted to \$49,800.65.)

Articles of agreement between Col. Frey and Lyon dated Oct. 15, 1898, expires Feb. 1, 1899, bond \$10,000; sureties, O. L. Richard, \$1,000 (Richard is a brother-in-law of Littauer), and Haber, \$1,000.

Articles of agreement between Col. Frey and Lyon for 40,000 pairs of buckskin gauntlets, dated May 26, 1898, to expire Oct. 13, 1898; bond, \$13,000; sureties, Oscar L. Richard, \$13,000, and Haber, \$13,000. On this contract the name of William Littauer, surety for \$17,000, is erased, and the name of Mr. Richard substituted.

Lyon got the contracts. Representative Littauer, in his carefully prepared statement at Gloversville on Tuesday, says of Lyon: He was to my knowledge a successful bidder for United States Army contracts for muskrat fur caps and muskrat fur gauntlet gloves.

"In time of no business prepare for new business."

THE HOLIDAY over the year has turned. Monday morning send for a representative of The CHELTENHAM Press. 150 Fifth Avenue Southwest Corner Twentieth Street

as Representative Littauer says in his carefully prepared Gloversville interview: Our firm had no interest in these contracts. We simply sold our goods to Lyon. We entered into no contract with him whatever prior to the receipt of the various contracts by him.

I again reiterate that in none of our transactions with Lyon had we any other interest, direct or indirect, except that manufacturers selling goods directly to him. We had

no interest in the Government contracts which he received. We named our price to him, he accepted the contract from the Government at whatever price he desired to name, we sold and delivered goods to him and received our pay from him and gave him credit for the goods billed him until paid.

Lyon in his sworn testimony before Referee Dexter on Tuesday told of his contracts during the Spanish-American War. Here are the questions put to him by Lawyer A. H. Gleason of Hastings & Gleason; and Lyon's answers under oath:

Q. You say in connection with this business there was Littauer Bros. and they have anything to do with the contract? A. They were in with me on the muskrat gauntlets and the muskrat caps.

Q. You obtained the contract? A. I did. Q. And in the contracts in which they were interested, what did you do? A. The contract in which they were interested, there were some on division of profit and some were on a stated price per pair.

Q. How much? A. Five cents. Q. Was it in connection with adjusting these contracts that expert examination was made? A. That is it exactly.

Q. You were indebted to them at the time? A. Yes, sir. Q. Did they pay you all of the five cents and the profit? A. Yes, sir. Q. In what way? By settlement? A. By settlement and adjustment.

WOMEN POKER PLAYERS FINED. Caught in a Raid on Their House by the St. Louis Police.

St. Louis, Mo., July 3.—Mrs. Minnie Granberry, Phyllis Van Dusen and Rosa Anderson, women poker players, and John J. Jones, Joseph Woods and James D. Williams, their male companions, were fined \$10 each by Judge Pollard, today. The evidence disclosed that poker games in which women were used to beguile men to play had been going on several months at the home of Mrs. Granberry on Washington avenue, Mrs. Granberry acting as banker.

The arrests were made on Saturday night when the place was raided. When the officers rushed into the room Mrs. Granberry grabbed the money and poker chips from the table and threw them into a closet which she locked. The officers broke in the door of the closet and found \$28 in bills and a large number of poker chips.

Comptroller of Accounts in Texas. Austin, Tex., July 3.—Gov. Lanham today appointed J. W. Stephens State Comptroller of Public Accounts, to fill the vacancy caused by the assassination of Col. R. M. Love, a few days ago. Mr. Stephens was chief bookkeeper of the office.

A Guaranteed Cure for Files. Iching, a Guaranteed Prostrating Pile. Your druggist will refund your money if PILE OINTMENT fails to cure you. 50 cents—Ad.

NEVER SAID 'APPERTAININ' TO.

MR. DEVERLY FORMALLY DISAVOWS A FAMOUS PHRASE.

How It Got Into the Department Record of His Remarks He Can't Explain—Not in the Stenographer's Notes Now—Which Is Important to Ex-Cop Mencke

William Stephen Deverly, ex-Chief of Police and now Chief of the Bug, now denies that he ever made use of the immortal expression "touchin' on an appertainin' to." He not only denies it, but adds that the words were falsely put into his mouth by "them dispensers of public opinion," meaning the reporters.

This and some other valuable information concerning Big Bug Deverly and his manner of conducting police trials in the days gone by developed yesterday at a hearing before Abraham H. Lawrence, as referee, to determine whether or not the stenographer's minutes of the trial of Patrolman G. A. Mencke before Deverly on April 11, 1901, have been tampered with. Mencke was dismissed by Commissioner Murphy on the recommendation of Deverly, who was then First Deputy Commissioner. It was at Mencke's trial that the famous expression first sprang into notice as a creation of Deverly's fertile brain, though he now disowns it. Mencke was tried for neglect of duty in failing to report an attempted suicide. He is suing for reinstatement, alleging that Mr. Deverly was prejudiced against him and refused to allow him to call witnesses.

Police Commissioner Partridge made a return to the court, certifying that he had Mencke's trial, a certified printed transcript of the minutes of the trial. Recently the Corporation Counsel asked to be allowed to amend this return, saying that some fraud had been perpetrated and that the stenographer's notes had been altered so as to favor Mencke's allegations. Justice Blanchard appointed Mr. Lawrence referee to take testimony as to whether such alterations had been made.

Louis J. Grant, L. J. Hamel and Jacob Rouse appeared for Mencke. Messrs. Farley and Byrne, assistants to the Corporation Counsel, appeared for Police Commissioner Greene. Joseph A. Haggerty, a Headquartermaster stenographer, who acted as Mencke's trial, produced his original notes concerning Deverly's remarks to Mencke. He read them as follows:

Mr. Deverly to defendant—I don't think you want to do your duty. I am going to reserve decision with the recommendation that you be broke for failing to do your duty touching on this case. I have fined you thirty days. This case is closed and decision is reserved. I will recommend to the Commissioner that Mencke is dismissed from the department.

The version in the printed transcript, which, it is alleged, has been altered for Mencke's benefit, reads: Mr. Deverly: I don't think you want to do your duty. I am going to reserve decision with the recommendation that you be broke for failing to do your duty touching on this case. I have fined you thirty days. This case is closed and decision is reserved. I will recommend to the Commissioner that Mencke is dismissed from the department.

Haggerty swore that his notes were correct, but the court said that the transcript was different. He admitted that there were some erasures in his notes, but asserted that they did not affect that part of the case. Then Deverly was called by Mr. Farley.

"What was your official position on April 11, 1901?" was asked. Deverly testified at his big mistake, grinned and replied: "I was First Deputy Commissioner of Police."

"Excuse me," he continued, "that is, I was acting as chief of the bug, and I was Chief of Police, you know." And the Big Bug laughed aloud. In response to further questions, he said:

"I remember that this Mencke several times, but I ain't particular on the dates. I have forgot all about the Police Department, and I don't remember much about that time, but I remember that I was Chief of Police, you know." And the Big Bug laughed aloud. In response to further questions, he said:

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GAFFNEY AND MURPHY TURN UP

MEN ACCUSED OF DOCK FRAUDS SURRENDER THEMSELVES.

Their Lawyer, It's Said, Has Decided That the Old Charter Didn't Bar an Officer From Being a Stockholder in a Concern That Dealt With the City.

Assistant District Attorney Clarke, who is of generous physical build, sat down in his small office in the Criminal Courts Building early yesterday morning and mopped his brow and carried on the pursuit of the cases against the administration of the Dock Board of Mayor Van Wyck's administration.

Two of the men accused in the course of his work were arrested during the day. Mr. Clarke desired that it be understood that these arrests were by no means the climax of the scandal, but were merely incidental to the investigation as far as it has gone.

The two men arrested were Alderman James E. Gaffney and ex-Councilman John J. Murphy, brother to Charles F. Murphy, leader of Tammany Hall and former Dock Commissioner. They came into the chambers of Justice Mayer of Special Sessions, who had issued the warrants for them and gave themselves up.

They had with them their attorneys, James A. Deering and Peter A. Hendrick. When the warrants had been served Mr. Deering asked that the proceedings be dismissed because on the face of the depositions accompanying the warrants no crime had been committed. He asked for a week in which to present arguments to prove his point.

He went further and said that if Gaffney and Murphy were guilty of any crime, they were the members of the Low administration who were also criminals. By request of Mr. Deering the court released both prisoners in the custody of their counsel.

District Attorney Clarke went back and mopped his brow some more. He said that Mr. Deering was relying on a comparative reading of section 1338 of the Charter of 1897 (under which his clients are being prosecuted) and the revised Charter of 1901, section 1,333, reads:

No member of the Municipal Assembly, head of department, chief of bureau, deputy thereof or clerk therein or other officer of the corporation shall be, or become, directly or indirectly, as contracting party, partner, stockholder or otherwise, in the purchase or sale of any real property belonging to or taken by the corporation.

Mr. Deering will hold that the word "directly or indirectly" cannot be construed as applying to city officers prior to the adoption of the revised Charter who are stockholders of a corporation. As proof thereof Mr. Deering, Mr. Clarke expects, will cite the addition in the revised Charter of the words italicized above. "If the first law meant that," he will say in effect, "then there was no need to add those words to the revised Charter."

Mr. Clarke replied that the firm of Henry Day & Co. had a right to do business under that name, even though it hid the identity of its members. The on the other hand, he said, if the firm had been in non-filing a certificate with the County Clerk. Not taking the board into his confidence regarding his brother's business was merely an error of judgment on the part of Gustavson.

Mr. Clarke asked for time to examine the report and to submit a brief, so action will not be taken on the charges until July 13.

Rechercher Chamber of Commerce Gets Many Assurances of Support. ROCHESTER, July 3.—Numerous letters have been received by the Rochester Chamber of Commerce since its call was issued for a convention to protest against the \$101,000,000 canal project. These letters are without exception couched in the strongest language.

Senator Merton E. Lewis is one of the legislators who are opposed to the barge canal project. He admits the state of New York has taken in opposing a barge canal. He says:

"The articles The SUN has been printing about this barge canal business are the best I have seen. They are excellent campaign material. Some way should be devised to collect these articles and issue them as a pamphlet. The committee has received assurances from members of the State Grange that they will be present. It is expected that about 100,000 copies of the state of New York will be taken in opposing a barge canal. The Hon. Henry C. Brewster, banker, business man and ex-Congressman, will doubtless speak on the subject. The Chamber of Commerce is planning to hold a dinner in honor of the delegates."

HEEDED JUSTICE GAYNOR. Capt. Evans Made a Raid, but First Got Warrants. Capt. David Evans of the Fourth avenue station, Brooklyn, made a raid on Thursday night on the saloon and dance hall of John W. Miller, at 734 Third avenue, which, according to the complaints of several people in the neighborhood, was the resort of disorderly persons.

Mischievous of Justice William J. Gaynor's recent rebuke of police oppression in making raids, the captain had provided himself with warrants for the arrest of Miller and six women frequenters of the place, and when these were arrested, all the other men and women in the hall, to the number of fifty or sixty, were allowed to go about their business. The prisoners were held for examination on July 10 by Magistrate Tighe, William McCormack, a South Brooklyn contractor, becoming their bondsman.

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Murphy says he will appeal to the Supreme Court. He will continue to act as Mayor until the final decision is handed down.

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TORN BY HIS TRAINED BEAR.

SHOWMAN WINCHERMANN MAY DIE OF HIS WOUNDS.

Tony, His Biggest Bear, Pitted into Rink When His Back Was Turned—Had a Grudge Against His Master, It's Said—Muscles Torn From Trainer's Arm.

William F. Winchermann, an animal trainer who learned his trade of Hagenbeck of Hamburg, had a scrap yesterday morning with Tony, the largest and most intelligent of the Winchermann troupe of performing bears. As a result Winchermann is in a serious condition at the New York Hospital. He may get well, but the surgeons were making no guarantee that that effect last evening.

Winchermann, who is 36 years old and lives, when in New York, at 87 Seventh avenue, has just returned from Hamburg, where he went about eight weeks ago to buy more bears. He had closed his season in the variety shows and found lodgings for his bears and his monkeys in the stable of the Union Transfer Company at 124 West Eighteenth street. Then he and his wife sailed for Europe and returned with several cages of young bears and monkeys on Thursday.

He went around to the stable yesterday morning to give the members of his original troupe some exercise and a bath. Tony, a black Himalayan bear, which Winchermann bought five years ago from Hagenbeck when it was only a year old, was the last to take his turn in the bathtub.

Winchermann went to the second floor of the stable, unlocked Tony's cage and ordered him to come out. The bear hadn't seen his master for eight weeks, but he obeyed and came out and got naturally, waddled out of his cage and down stairs to the ground floor of the stable.

There Winchermann put him through some of his paces and gave him a good scrubbing. Tony submitted to it without so much as a growl. When the bath was over Winchermann said:

"Now, Tony, you're clean again. Go back upstairs and dry off." The bear waddled toward the stairs and his master turned for a moment to look into the cage of one of the newly arrived monkeys. He had hardly turned his back when he felt as if somebody had torn off the calf of his left leg. In another instant he realized what had happened. For Tony, leaping from behind, reared on his hind legs and knocked Winchermann down with one blow of his paw.

Having downed his master, the bear sprang upon him and, before anybody in the stable could give any assistance, the brute had torn away the biceps of the left arm, then seized out of his right arm and flung it to the ground floor of the stable.

Winchermann's cries brought assistance. The bear was taken to the hospital, and Winchermann was taken to the hospital. The surgeons were three hours in patching and stitching him up, and last evening he was still in the hospital. His injuries it was thought would be fatal. He would be able to do anything, and even then it was doubtful if Winchermann would ever again be the use of his left arm.

Last evening Mrs. Winchermann, who had been with her husband all day, said: "Mr. Winchermann is resting fairly comfortably now, but it was the narrow escape he ever had. Just before we went abroad he had to punish Tony severely. Bears have long memories and are very cunning. The prohibitions as to what he should do the first chance he got to square accounts."

BEAT A MAN TO DEATH? Hotel Manager Says He Only Pushed Fillmore, Who Was Found Dead. NEW BRUNSWICK, N. J., July 3.—The investigation made by the State shows that John W. Fillmore, who died at Maurers, near Perth Amboy, on Wednesday, presumably from the result of a fall following a push, did not meet his death that way. George Pavrovich, who was with Fillmore on Wednesday night, says that George Loewer, manager of the Excelsior Hotel, at Maurers, attacked Fillmore and beat him about the head.

It was out of his first report the case to the authorities. He said that he had merely pushed the man from the hotel porch, and later had found him dead. The authorities say they learned that Alphonse DeLeon found Fillmore's body. Loewer has been held without bail for the Grand Jury.

Fillmore was from Plainfield about three weeks ago.

"The Day We Celebrate." Brill Brothers The Four Convenient Stores are closed today. Monday morning "Get the Habit."

Crushed to Death by Elevator. Thomas McLaughlin, 40 years old, a driver of 154 East Fortieth street was crushed to death yesterday afternoon by an elevator at 115 University place. McLaughlin was delivering a load of furniture and attempted to force it into the elevator when it was caught between the floor of the car and the ceiling and was dead when his body was extracted. Harry Walters, the elevator boy, was arrested and remanded to the custody of the Coroner.

Sixteen Who Wouldn't Sell to the P. B. R. Justice Glogerich has appointed Col. Franklin Bartlett, Joseph P. Day and J. M. Mulry commissioners to appraise the value of sixteen parcels of property on Thirty-second street between Seventh and Ninth avenues, which are to be condemned for the Pennsylvania's big tunnel terminal. The sixteen parcels are all that the company wanted it and was unable to purchase them at what it considered a fair price.

The Place for an Outing. Colorado is the place for an outing. The climate is PERFECT—bright, sunny days and cool, sleep-inducing nights. The air is a revelation. It tempts you out of doors. It sends the blood hurrying thro' your veins. It makes you glad to be alive. Our book, "Under the Turquoise Sky," should be read by everyone who is looking for a place to spend the summer. Sent for six cents. Gives just the information you need—hotels, resorts and railroads. A. H. MOFFET, Gen'l Eastern Passenger Agent, 5th Ave. and 35th St. and 401 Broadway, New York.

SCORE GUSTAVSON'S METHODS.

But City Investigators Don't Find That He Benefited by Army Contracts.

After several weeks of investigation into the charges made by Comptroller Grout against John P. Gustavson, the suspended secretary of the Army Board, the Commissioners of Accounts submitted their report to the board yesterday. Gustavson was accused by the Comptroller of giving contracts for army repair work to his brother, Henry T. Gustavson, who contracted with the city under the name of "Henry Day & Co."

The report practically sustains all of the charges made by Mr. Grout, and it was added that Gustavson conducted the business of his office in a loose, irregular and most unsystematic manner. While the report states that inquiry failed to find that Secretary Gustavson was in any way connected with the firm of "Henry Day & Co.," that he personally benefited by the contracts given to that firm, it was asserted in the report that at least two instances of the kind of irregularity were not bona fide. The report went on to show that contracts for repairs at the armories were given apparently to favored individuals.

"There is evidently some motive behind these charges," said Mr. Kellogg, "for I have never seen such illustrations of wanton perjury as were committed by some of the witnesses at the hearings held by the Commissioner of Accounts." Gustavson treated this board very shabbily in allowing his brother to do work for the board under an assumed name," asked the Mayor.

Mr. Kellogg replied that the firm of Henry Day & Co. had a right to do business under that name, even though it hid the identity of its members. The on the other hand, he said, if the firm had been in non-filing a certificate with the County Clerk. Not taking the board into his confidence regarding his brother's business was merely an error of judgment on the part of Gustavson.

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