# ATTACK TURNED ON M'DONALD

## *MERCHANTS' ASSOCIATION HINTS AT FRAUD AT AQUEDUCT.*

**Counsel Tells of an Engineer Side Tracked After Refusing to Permit Deviations From Contract and of Rock Dust Used for Sand—New Inquiry Likely.**

J. Hampden Dougherty, former Commissioner of Water Supply, appearing yesterday as counsel for the Merchants' Association at the Aqueduct Commission's hearing on the association's charge that imperfect work has been done by the contractor for the Jerome Park reservoir, asserted that John B. McDonald, the contractor, had received more money than he was entitled to for his work on the aqueduct. Mr. Dougherty sought to show that this was due to the generous treatment which the contractor had received from Division Engineer Daniel Ulrich. Mr. Dougherty carefully refrained from making any direct charge, but hinted that things had happened in the last three years which need investigation.

Mayor Low and Comptroller Grout were present at the hearing. The Mayor has been attacked by the association for supineness in not taking up their charges. Yesterday, at the close of Mr. Dougherty's speech, he got back at them by remarking that it was the first time that a charge of malfeasance had been brought before him, and that, had the organization acquainted him at the outset with the nature of their accusations, the long delay which occurred through the "John Doe" inquiry might have been avoided.

"If you had come to us six months ago," Comptroller Grout told the members of the association, "instead of going to the District Attorney, you would have saved a great deal of time. I have always contended that a secret inquiry was unlawful, and had I been the attorney for the other side I can assure you that the fantastic idea of holding one would not have continued very long."

The Merchants' Association is fighting against the payment to Mr. McDonald of $200,000 out of the 10 per cent. reserve which is held for the proper completion of the work. McDonald has applied for this money on the ground that the work is so far advanced that he is entitled to it.

Mr. Dougherty said that when Alphonse Fteley was the Aqueduct board's engineer the work was properly carried out, but that since Mr. Fteley's time the retaining walls had not been built according to specifications. "The walls built since Mr. Fteley left office," he continued, "leak to such an extent that the reservoir, when filled, would lose four inches of water a day. One of the causes of this, as we will show, is that the contractor has been allowed to depart from the specifications with regard to mortar. We will show you that Alfred Craven, who was division engineer from 1895 to 1900, was approached and asked to allow the contractor to substitute rock dust for sand. Since Mr. Craven was transferred rock dust has been used. Sand would cost the contractor $1.50 a cubic yard, whereas rock dust costs nothing but the small expense of crushing.

"This is one of the reasons why the new walls leak while those erected under Mr. Fteley's supervision are impervious. Let me tell you this, too. When work on the Rapid Transit subway, for which Mr. McDonald is also the contractor, was begun, Chief Engineer Parsons of the Rapid Transit Commission was asked to permit rock dust to be put in the mortar instead of sand. Mr. Parsons declined to consider the suggestion for a moment."

Mr. Dougherty argued that the embankment had not been filled according to the specifications. He stated that there had been an indiscriminate filling in of rock covered over with soil to hide the violations of the contract, and that unless some of this imperfect work was removed there was danger of a catastrophe some day by the giving way of the embankment.

Engineer Fteley, Mr. Dougherty said, measured the field of work and ascertained the cost of it. When Mr. Ulrich took charge he replotted and recharted the field.

"Ulrich recharted in such a way that the contractor would make more money," declared Mr. Dougherty. "The engineer did not reclassify the diagrams by going over the ground himself. By some wonderful vision this man, in his office, reclassed the fields of excavation, and the result is that we charge that the contractor has been paid for work he has not done."

Mr. Dougherty also asserted that, for no apparent reason, higher prices for materials than were charged prior to 1900 are now allowed the contractor. "Mr Fteley allowed the contractor 50 cents a cubic yard for crushed stone for the making of concrete. Mr. Ulrich increased this allowance to $1.10, although it has since been reduced to $1. The previous charge of $5 a thousand for brick has been put up to $6. Cement, for which Mr. Fteley made no allowance is now being charged to the city at $2.60 a barrel.

"Another peculiar transaction I wish to bring to your attention is that some time ago Mr. McDonald delivered some piping at the reservoir for which he received a certificate for $1,806. The contractor was then doing some work in water mains in the upper part of the city. This work required some new piping and we are prepared to show that Mr. McDonald took away the pipes at the reservoir, which had been paid for by the city and delivered them to his sub-contractor at the mains."

Mr. Dougherty said that the Merchants' Association is prepared to prove these allegations, but that they desired to put the witnesses under oath. He suggested that as the Aqueduct Commission had no power to swear witnesses the Mayor should sit as a Magistrate. Mr. Grout said this would be merely going over the ground that Justice Mayer had covered, whereupon the Mayor suggested that the Commissioners of Accounts should undertake the inquiry. It was decided to adjourn the investigation for a week in order that an opinion might be obtained from the Corporation Counsel.

In a statement issued yesterday by the Merchants' Association, it was asserted that in 1899, when Mr. Craven was acting chief engineer of the reservoir, he was asked by the contractors to agree to changes in the embankment specifications and when he refused he was removed and put in charge of some insignificant auxiliary work in the country. The statement proceeded:

Mr. Edward Wegmann was put in the place formerly occupied by Mr. Craven. The contractors repeated to him that they had been losing money right along and had not been getting fair measurements. Mr. McDonald intimated to Mr. Wegmann that he had not been getting salary enough, that his salary need not stop at the sum fixed by the Aqueduct Commissioners, and later asked Mr. Wegmann if his salary had been raised, and being told that it had not, offered to intervene and cause it to be advanced. His offer was refused by Mr. Wegmann.

Immediately thereafter the contractors proceeded to excavate a certain rock section of the boundary wall from ten to thirty feet back of the line of the wall shown by the plans, and, started to fill up the void with masonry, by constructing a wall twenty feet thick where the plans called for six feet thickness. Mr. Wegmann stopped this departure from the plans and forced the contractors to return to the proper measurement, thereby requiring them to fill in the void behind the walls with earth, without payment, in place of filling it with rubble masonry at $3.84 a yard. One week thereafter Mr. Wegmann was sent back to the country and Division Engineer Ulrich was put in his place.

Jonas Waldo Smith, superintendent of the East Jersey Water Company, was appointed chief engineer to the Aqueduct Commission yesterday to succeed William R. Hill, who resigned recently on the plea of ill health. Mr. Smith will receive a salary of $12,000. Mr. Hill got $8,000. Mr. Smith is a graduate of Phillips Andover, and of the Massachusetts Institute of Technology.

### Judgment Against Laura Jean Libby's Husband.

Van Mater Stillwell, the husband of Laura Jean Libby, the novelist, gave to Edward J. McLaughlin of Bath Beach his note for $1,000 on July 3 last, for thirty days. McLaughlin deposited it in the Eighth Ward Bank. It went to protest and the bank has obtained a judgment for $1,034.54.

## *RICH BEGGAR JAILED AGAIN.*

**Charity Organization Society Men Say Vaughan Has $40,000.**

Charles Vaughan, a professional beggar, 56 years old, who is said by the officers of the Charity Organization Society to be worth $40,000, mostly in Brooklyn real estate, was sentenced to six months in the workhouse yesterday by Magistrate Barlow in the Essex Market police court.

Vaughan only recently completed a six months sentence in the Kings county penitentiary on a charge of vagrancy preferred by Agent J. E. Godfrey of the society. At the time of that sentence Vaughan hobbled into court on a pair of crutches.

Godfrey told the Magistrate that Vaughan was a fakir and had accumulated propery from his begging operations. When the sentence was pronounced Vaughan in a rage threw away the crutches and walked unassisted.

Godfrey learned that on the day after Vaughan's release from the penitentiary he had resumed operations on the ferry boats running to Brooklyn. After a search he found Vaughan on one of the boats of the Houston street line. This time Vaughan carried a sign announcing that he was deaf and dumb. He also carried a cane and pretended to be lame.

## *CONEY'S BIG FETE TO-DAY.*

**The Carnival for the Benefit of the Rescue Home Offers Many Amusements.**

The Mardi Gras celebration which will be held in Coney Island to-day to raise funds to rebuild the Rescue Home promises to be the biggest carnival ever seen on the island. The fête's sponsors say that inclement weather alone can dim the success of elaborate plans made by them. In the afternoon a water carnival will be held, with swimming races, exhibitions and demonstrations by the Volunteer Life Saving Corps.

Special attractions will be found at all the big amusement places, and a combination ticket sells for 50 cents and admits to twenty diversions. The ticket is valid for almost anything at Coney, from bowling alleys to big enclosed exhibitions. The great feature of the day, the night carnival, will find in line all the civic, business and amusement interests. The procession will be formed on Surf avenue between the Sea Gate wall and Twenty-first street. Starting from West Twenty-first street, it will proceed through Surf avenue to Seaside Park, where it will be reviewed and dispersed.

## *WRECK SHAKES UP PASSENGERS.*

**Collision Causes a Freight Engine to Run Away and It Has to Be Ditched.**

CALDWELL, N. J., Sept. 24.—An eastbound passenger train on the Caldwell branch of the Erie Railroad crashed into the rear of a freight train in Verona last night. The engineer and fireman of the passenger train jumped and both rolled down the embankment, but escaped with a few bruises. The tracks were not cleared until late this morning.

The passenger locomotive crashed into the rear of the box cars with terrific force and four of them were smashed and hurled from the track. The passengers were thrown in all directions and some of them suffered severe cuts and bruises.

The force of the collision threw the engineer and the fireman from the cab of the freight engine, with one car behind it, which started down the grade at a lively clip. The operator at the Great Notch tower saw the runaway and set a derailing switch. The engine ploughed into a bank of dirt at the siding and tilted over, but was not badly damaged.

## *BANQUET TO EUGENE L. ASHLEY.*

**The Man Who Built the Great Dam at Spier Falls Presented With a Loving Cup.**

SARATOGA, Sept. 24.—Eugene L. Ashley of Glens Falls, president of the Hudson River Water Power Company, was the guest of honor at a testimonial banquet accorded him at the United States Hotel to-night. It was gotten up by leading citizens of Glens Falls, South Glens Falls, Sandy Hill, Fort Edward and other towns. There were 300 present.

The banquet was presided over by Col. John L. Cunningham of Glens Falls, who said that the testimonial was in recognition of the indomitable pluck and perseverance displayed by President Ashley in successfully carrying forward the construction of the big granite dam that harnesses the Hudson River at Spier Falls, Saratoga county.

The works at Spier Falls cost over $3,000,000, and 50,000 horse power will be developed, which will be distributed within a radius of seventy-five miles. A handsome silver loving cup was presented to Mr. Ashley and an engraved parchment with a suitable heading was signed by the guests.

### Insolvent Bankers Indicted.

CHARDON, Ohio, Sept. 24.—The Grand Jury to-day returned two indictments against George H. and P. N. Ford, the bankers of Burton, Ohio, who, several months ago, failed with liabilities aggregating $1,125,000. The Fords are charged with obtaining property under false pretences, in accepting deposits after the officials of the institution are said to have known the bank was insolvent.

### Lightning Jim Stewart Held.

"Lightning Jim" Stewart and Edward Smith, who were arrested in the raid on the Garfield Republican Club, in East Thirty-second street Wednesday night, were held yesterday in $1,000 bail each by Justice Wyatt of Special Sessions for examination on Oct. 2 on a charge of conducting a poolroom.

### Harry W. Clark Missing.

At the request of his family the police have sent out a general alarm for Harry W. Clark, who has been missing from his home at 787 Sterling place, Brooklyn, since Friday. He is a buyer for a Manhattan concern and on Friday evening started from his place of business for his home, and he has not been seen or heard of since.

### The Weather.

Fair weather prevailed over all the country yesterday, save for some cloudiness in the morning in the Atlantic States from Virginia to Maine, with light rain in Rhode Island.

The pressure was low along the coast, with one centre of depression well to the east of Virginia and a well defined storm area which moved east from the Lake regions, passing out the St. Lawrence Valley and causing brisk to high winds from the lower lakes east to the New England coast and northward into Canada. An area of high pressure covered all the interior of the country, with clear, cooler weather. The temperature was ten to twenty degrees lower in the Missouri and Upper Mississippi valleys and the Lake regions, with some light frosts in these districts, but no freezing temperatures were reported.

In this city the day was cloudy in the early morning, but the weather cleared after 9 o'clock in the morning; wind, fresh to brisk northerly; average humidity, 58 per cent.; barometer, corrected to read to sea level, at 8 A. M., 29.72; 3 P. M., 29.80.

The temperature yesterday, as recorded by the official thermometer, is shown in the annexed table:

| | 1903. | 1902. | | 1903. | 1902. |
|---|---|---|---|---|---|
| 9 A. M. | 62° | 69° | 6 P. M. | 60° | 58. |
| 12 M. | 61° | 67° | 9 P. M. | 55° | 57° |
| 3 P. M. | 64° | 61° | 12 Mid. | 54° | 59° |

WASHINGTON FORECAST FOR TO-DAY AND TO-MORROW.

*For eastern New York, fair and continued cool to-day; fair and warmer to-morrow; fresh to brisk north to east winds.*

For New England, fair and continued cool to-day; fair to-morrow and warmer except in eastern Maine; fresh to brisk winds, becoming east Saturday.

For the District of Columbia, Delaware, Maryland, New Jersey and eastern Pennsylvania, fair and continued cool to-day; fair and not so cool to-morrow; light to fresh north to east winds.

For western New York, fair to-day; fair and warmer to-morrow; variable winds, becoming south and fresh.

# CALLS PANAMA TREATY A STEAL

## *WATTERSON SAYS $20,000,000 WAS FOR AMERICANS.*

**Intimates That the Senators Were in the Alleged Job—Frenchmen Were to Get $20,000,000—Bogota Men Wanted as Much, and That Killed It, He Asserts.**

LOUISVILLE, Ky., Sept. 24.—Henry Watterson, in the *Courier-Journal* this morning, in an answer to an editorial article in the Birmingham (Ala.) *Ledger*, makes the charge that some of the United States Senators sold out when the Morgan-Hepburn Isthmian Canal bill was up for consideration, and that the Panama Canal route is the result of a gigantic job. He says among other things:

"The Morgan-Hepburn bill designating the Nicaraguan route, supported by the report of a commission and by ample collateral testimony, had passed the House by an overwhelming majority, and was about to pass the Senate by a two-thirds vote, when M. Eduard Lampré, Panama, turned up at Washington. The rogues in France who had got possession of the fag ends of the old De Lesseps scandal and tragedy had first sent over one Hutin to spy out the lay of the land. Hutin talked about $150,000,000. He was only a 'feeler.'

"Having ascertained that $40,000,000 was about the figure that might be made practicable, $20,000,000 for the thieves in France and $20,000,000 for the thieves in America—Hutin went home and Lampré came. With his arrival upon the stage the scenes began to be shifted. First one newspaper correspondent and then another came out for Panama. First one alleged expert and then another came out for Panama.

"Public opinion thus manipulated and supposed to be adjusted, the gray wolves of the Senate began to show the whites of their eyes; then to wag their tails; then cautiously to come out into the open; finally, the Spooner act, setting aside the Morgan-Hepburn bill, and substituting Panama for Nicaragua. But, even here, the thieves had a little care for the looks of it; they were not wholly insensible of the finalities, and so—for appearance sake—they inserted a clause setting forth that if there was any hitch in the ratification of the proposed treaty with Colombia, the President should use his discretion and select a route.

"In other words, the gray wolves, in selling out to the French jobbers, who had nothing to sell but a few pots and pans and a lawsuit, were careful not to be too conspicuously in the service of the transcontinental railways, equally opposed to each and every canal project.

"Who should foresee that the thieves in Bogota, getting a whiff of the stealing from Washington, would contrive that, before the delivery of the goods, $20,000,000 should come to them? But, so it came to pass. Colombia rejected the treaty. The situation provided for in the Spooner act has arrived. The President is face to face with the precise contingency which even the thieves considered necessary to secure their rear and to save their bacon among the people in case there should be too great a row.

"And what do we see? We see appeals for delay; urgings for a new treaty, plans for a Colombian revolution and the secession of Panama; anything, everything, to make good the $20,000,000 to the thieves in France and the $20,000,000 to the thieves in America, completing the sum agreed upon in the Spooner act. Of course, if these avail, the $20,000,000 for the thieves in Bogota must be made good also, and will be inserted in the next treaty.

"If the President hearkens to the clamor and hesitates it will not mean that he is personally corrupt, with a share of the stealings coming to him, but it will mean that the power behind the steal is, like the power of Quay in Pennsylvania and Addicks in Delaware, too great for him—his nomination and election ahead—to resist it.

"Panama may have some engineering advantages over Nicaragua, but all other advantages—and they are overwhelming—are with Nicaragua. Nearly the whole of the Nicaragua route—through the San Juan River and the lake—already exists. It is safe to say that the cost of its completion will not exceed the cost of Panama. When it is completed we shall have a waterway, all our own—right across the Gulf of Mexico and the Caribbean Sea from the cotton States of the South, Florida, Georgia, Alabama, Mississippi, Louisiana and Texas,—the canal through a friendly, healthy, fruitful region, destined to be Americanized and to become, as Texas was before it was a State or Territory of the American Union—not a smell of a job anywhere.

"Meanwhile, time's up, Mr. President. The Colombian treaty is dead—killed by an overdose of rascality in Bogota. Will you act upon the mandate, unguardedly given you by the Spooner act, or will you continue to play politics of the Quay-Addicks brand, until the thieves get their second wind, working the while the scheme of the transcontinental railways for obstructions and delay?"

## *NO POLITICS IN ANTI-COLER SUIT.*

**It's a Plain Matter of Business Rights, Says Guardian Trust Lawyer.**

David B. Simpson, who is the attorney for Waller and others in their suit against Bird S. Coler, said yesterday that there is no animus in the suit nor any desire to hurt Mr. Coler politically.

"This is shown," said he, "by the fact that the suit was begun more than two months ago, at a time when Mr. Coler was loudly proclaiming that he was out of politics. The complaint filed the other day in the United States Circuit Court it an amendment to the previous complaint filed two months ago, and the amendment was made to meet certain technical objections made by Mr. Coler himself, and his co-defendants, who evidently wish to avoid a trial on the merits of the case. This suit is a matter of business, pure and simple. Numbers of stockholders other than the plaintiffs have signified their intention of coming into the suit and enforcing their rights."

Mr. Simpson also said that his plaintiffs were not as obscure as had been asserted. One of the things of which the plaintiffs complain, according to Mr. Simpson, was the investment of certain funds by Mr. Coler in such a way as to net a loss of $20,000 in interest to the Guardian Trust Company. They also assert that the company's stock has depreciated in value through gross mismanagement.

## *WOULD DESTROY GIBRALTAR.*

**Deranged Electrician Says He Has a Machine That Can Do It.**

ELIZABETH, N. J., Sept. 24.—Clovis Henquin, 26 years old, an electrician and civil engineer of this city, is mentally deranged as a result of overstudy. When arraigned this morning for examination he drew out of his pocket a pattern of a machine and to every question replied:

"Yes, Judge, this is it. It can put the Rock of Gibraltar out of business."

He has been held for further examination.

## *NEW BAPTIST MISSION.*

**Settlement Founded for College Girls on the East Side of Harlem.**

The Baptist City Mission Society has leased a house on the north side of 125th street, near First avenue, and is to open in it a settlement to be carried on by women college students. Their number has not yet been determined. It is proposed to call the settlement Neighborhood House. The work is the growth of a small neighborhood work begun a year ago by the City Mission Society in a house directly across the street from the one just leased.

## *ELLIS'S VISIT TO MENELIK.*

**Negro Cutting a Splurge in Europe Came From Texas.**

AUSTIN, Tex., Sept. 24.—William H. Ellis, who is named in London and Paris despatches as being at the head of a gorgeous expedition that is to visit King Menelik of Abyssinia, is a well known Texas negro. He was born at Victoria, Tex., and lived for many years at San Antonio, where his mother and brothers still reside.

When out of Texas, Ellis says he is a Cuban, but when at his old home he is known and treated as a negro. He has had an unusual career. His mother was very poor, but through the interest taken in him by white friends in San Antonio, Ellis got a good education. He speaks Spanish fluently. His mother and brother are black, but Ellis is a mulatto. His sister made a sensation at Chicago University a few years ago, when she attempted to associate with white students.

Ellis is the man who attempted to colonize several hundred Alabama negroes in Mexico several years ago. Smallpox broke out among the negroes, and most of them died. The good offices of the United States Government was necessary to get the survivors back to their Alabama homes.

Ellis was backed by a Texas banker, and went to New York city about ten years ago and opened offices on Wall street. He became connected with the Westchester Water Company and, according to reports which he has sent to his Texas acquaintances from time to time, he is now a multi-millionaire.

## *HIS FOURTH DIVORCE CASE.*

**Dr. F. A. Ruickholdt of New Haven Is Defendant in This Suit.**

NEW HAVEN, Sept. 24.—For the fourth time Dr. F. Arthur Ruickholdt of this city will appear soon in the Superior Court as the principal in a divorce case. Three times he has been released from matrimonial bonds upon his own petition for divorce. To-day wife No. 4, Mrs. Emma Ruickholdt, brought suit against him and attached his property in this city for $15,000 alimony.

Mrs. Ruickholdt No. 4 alleges that the doctor has been guilty of intolerable cruelty toward her, and asks a divorce on that ground. She was a domestic in the doctor's house before she became his wife on Dec. 9, 1902.

The doctor's three former wives meet occasionally and talk things over. The first divorce was granted to the doctor in May, 1875, the allegation being that "Mary Jane Ruickholdt has been guilty of such misconduct as to make the life of the petitioner unbearable." The next decree was secured on Dec. 19, 1889. The defendant's name was Lena Ruickholdt and infidelity was the ground. The last decree was obtained on June 19, 1902, and cruelty was the allegation.

Dr. Ruickholdt is a well known physician here.

## *DIVORCE PLEA TO FLAMMER.*

**Will the Kind German Judge Also Punish Mrs. Scholz's Butcher?**

Magistrate Flammer, who is sitting in the Yorkville court, got a twelve-page letter in German, yesterday, which proved to be a petition from Wilhelma Mary Louisa Paulina Frinzek, called Mina Scholz, née Posner, of 248 East Twenty-eighth street for a divorce from her husband, Frederick William Frinzek, a furrier.

The petition was addressed to the kind Deutscher Richter of the Magistrate's Court, Fourth district, Department of Divorce Proceedings. Besides a long itemized complaint of her husband's misconduct the writer asks that her butcher be punished for selling her bad meat and giving her short weight.

The letter contains this explanation of the selection of Magistrate Flammer:

"Your Honor, knowing you to be of my nationality and a gracious redresser of the wrongs of the Germans, I confide in you alone my family troubles and ask you to give me a divorce from my husband."

Magistrate Flammer instructed Probationary Officer Von Diezelski to invite the woman to call on him in court.

## *TO HAVE OPEN AIR WEDDING.*

**Miss Pratt Will Be Married in a Pavilion Built for the Purpose.**

The announcement of the coming marriage of Miss Helen Pratt, daughter of the late Charles A. Pratt, founder of Pratt Institute in Brooklyn, with the accompanying details of the novel and attractive out-of-door pavilion in which it is designed to have the wedding take place at the Pratt estate in Glen Cove, Long Island, is attracting the attention and enthusiasm of society in Brooklyn. The wedding is set for Oct. 8.

The specially designed pavilion is already under way. It will be constructed on the lawn of the manor house, and will be open to the sky. If the day should prove stormy a canvas cover will be stretched for a roof. The design is a double row of Corinthian columns over which canvas will be stretched to form the sides. Garlands of oak leaves and white roses will be arranged to give the classic effect desired.

The bridegroom, Ernest F. Dane of Boston, is of a prominent New England family. He is a graduate of Harvard, class of '92. Miss Pratt is a Smith College graduate.

## *CLEAN UP, CRIES GRAND JURY.*

**Loud Call on Cantor From the Criminal Courts Building.**

The Grand Jury, disgusted at the nasty condition of the Criminal Courts Building, concerning which Judge Newburger made complaint last spring to Borough President Cantor, passed a resolution yesterday condemning the building as filthy and unsanitary. District Attorney Jerome embodied this resolution in a letter to Cantor. He thought maybe Cantor might be moved to whitewash the place a little.

## *HELPED PARKERS TO FORGE?*

**Boy Arrested as the Accomplice of the Man and Women.**

Harry Gordon, 17 years old, was held in $1,500 bail by Magistrate Mayo in the Tombs police court yesterday, on suspicion, as an accomplice of Harry and Mabel Parker, whose forgeries led to their arrest a month ago. Detective Sergeant Clark, who arrested Gordon, says the boy stole letters that had been written by persons whose names the Parkers wished to forge.

## *BUSINESS TROUBLES.*

**Execution Against Fritz Lindinger's Co-operative Cigar Company.**

An execution for $4,093 against the Excelsior Consumers' Cigar Company, Fritz Lindinger, treasurer, has been turned over to the Sheriff by John Schreyer, who lent the money on the company's note. The concern is capitalized for $25,000, and its stockholders, many of whom are saloonkeepers, bought their own product.

Paul A. Jeanneret and Louis Hilbert (P. A. Jeanneret & Co.), manufacturers of gold watch cases at 75 and 77 Nassau street, made an assignment yesterday to Louis Wollstein. Liabilities, $15,000, and nominal assets, $6,000.

Abraham Krieger, manufacturer of furs at Mercer and Third streets, made an assignment yesterday to Gabriel L. Hess.

Remsen Darling, real estate mortgage broker of 90 Nassau street, has filed a petition in bankruptcy with liabilities $53,000 and no assets. Among the creditors are the estate of William A. Darling, $22,806, the Whiting Paper Company, $2,698, the Hampshire Paper Company of South Hadley, Mass., $2,003, and the West Side Bank, $1,537.

A petition in bankruptcy has been filed against the West Shore Dry Goods Company of Kingston, N. Y., by Peter W. Rouss, as executor of the estate of Charles Broadway Rouss, a creditor for $1,523.

The creditors of Oscar M. Lipton, café proprietor, have elected Roy S. Gove trustee. The liabilities are $103,122, and assets $57,507.

# FATAL JUMP FROM ELEVATED.

## *FIGHT WITH TICKET CHOPPER ENDS IN BAILEY'S DEATH.*

**King, the Ticket Man, Says Bailey Threw Him on the Tracks and Jumped Over the Stair Railing When He Was Pursued—King Arrested After a Row.**

A man believed to be F. E. Bailey, a switchman on the New York, New Haven and Hartford Railroad, got into a row with Joseph King, the ticket chopper at the uptown station of the Third avenue elevated road at Fourteenth street, yesterday afternoon.

He threw King from the platform to the tracks, and in getting away over the railing of the stairs leading to the street he received injuries that caused his death.

The police thought Bailey might have been thrown into the street, so they arrested King.

King, who is 29 years old and lives at 317 East Fifty-sixth street, told the police that Bailey reached the station platform through the north exit gate and hurried into the toilet room. A few minutes later Bailey left the toilet room and walked toward the upper end of the platform. King said he stopped him and asked him to get a ticket.

According to King, Bailey turned to him and said, "This is the only ticket you'll get," then he struck King a blow which sent him backward on the tracks. King said that a train was approaching, but that the engineer slowed up in time.

As he scrambled back on the platform King said he saw Bailey try to get out of the south exit gate and then run into the waiting room. Thinking to head him off, King ran down the north stairway and across the street to the south side. As he reached the foot of the stairs Bailey got to the head of the stairs and, seeing King below, threw himself over the railing.

The Rev. John Alexander Gray of 229 East Twelfth street, who was with his wife on the station platform waiting for a train, gave a somewhat different version of the affair.

"As I remember it," he said, "there was no train at the station when my attention was first attracted to the men. I heard some talk about tickets, and, turning, saw the gateman talking to a man in a gray suit. Soon afterward I heard a shout and saw the gateman lying on his back across the tracks close to the third rail and the gateman opposite hurrying over. The gateman got on the platform and ran after the man in the gray suit. I thought the gateman had the other fellow by the coattails. Both ran into the waiting room. A moment later the gateman ran to the platform and through the north exit gate down the stairs. I followed and saw the gateman about half way down looking over where some men were picking up the man in the gray suit. The gateman came up then and in answer to my questions said the other man had thrown himself over the railing."

The injured man was sent to Bellevue Hospital, where he died of a fractured skull an hour after arrival.

## *JUST MARRIED AND MISSING.*

**Bicack Hasn't Been Heard From Since the Morning After His Wedding.**

Albert Schneidt of 942 Tinton avenue, The Bronx, went to Police Headquarters last night and asked that a general alarm be sent out for his brother-in-law, Vincent J. Bicack of 981 East 163d street, who has been missing since the morning of Sept. 21.

According to Schneidt, the missing man was married the night before and in the morning asked his bride to accompany him downtown so he might introduce her to the boss of the shop where he worked. She complained of feeling tired and he left alone. Bicack has not been seen or heard from since.

### Mrs. Rutter's Coachman Stabbed in Saratoga.

SARATOGA, Sept. 24.—John Cook of New York city, 69 years of age, is in the Saratoga Hospital, where he was taken this afternoon after being stabbed three times by DeWitt Steenburgh of this village, a boss driver, 67 years old. The affray occurred in the United States Hotel barn on Division street. Steenburgh says that he did not use his knife until after being knocked down two or three times. It is believed that Cook will recover. For forty years he has been employed as coachman by Mrs. Georgiana B. Rutter of 814 Fifth avenue, New York city, who is stopping at the United States Hotel.


"Get the Habit."

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Single or double breasted, full or semi-military, medium loose back, or extreme full back, as well as the new English sack coat models, of Cheviot, Cassimere, Tweed, Worsted Cheviot, Rough Serge, Heavy Homespuns, Thibet, or Finished Surface Worsteds, in the latest and most effective designs and colors, which include plaids, overplaids, checks, stripes, combination patterns and the more conservative one-tone effects. $15.00 to $38.00

A Good Business Suit at $15.00.

Of Cheviot or Tweed mixtures embracing some of the new brown and olive colorings, as well as the modest gray effects. The garments are tailored to the Saks standard. Excellent value at $15.00

TOP COATS

of Imported or Domestic Covert, Whip Cord, English Twill Fabrics, Cheviot, Homespun, Diagonal Worsted, Vicuna or Thibet. $12.50 to $40.00

Fall Tourist, Paddock, Surtout and Shower-Proof Coats of Covert, Whip Cord, Worsted, Twill Fabrics, Venetian or Cheviot, in all the new shades of tan, olive and brown, as well as the one-tone effects of gray and black. $16.50 to $38.00

Two Exceptional Values in Top Coats.

The new 34-inch model of Twill Covert in two shades of tan lined with mohair serge, silk sleeve lining. Exceptionally good value at $12.50

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In the designing of our garments for the young men conservatism is, for the most part, honored in the breach rather than the observance. Strong, vigorous lines and little knacks which tend to give the garment character and snap mark those identified by the Saks label.

New single or double breasted military, semi-military, or loose back Sack coat models with single or double breasted waistcoat and peg top trousers of Cheviot, Worsted, Tweed, Cassimere, or Winter weight Homespuns in the very newest designs and colors, as well as black or blue smooth or rough surface fabrics. Sizes 32 to 38. At $12.50 to $30.00.

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Single or double breasted models of Cheviot or Tweed in the new brown, olive or gray mixtures. A representative variety of patterns from which to select. The tailoring and finishing of these suits is of a far better grade than you would expect at fifteen dollars. Fifth Floor.

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For Friday and Saturday.

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Soft hats in black, brown, pearl or nutria; Derbies in black only. They are of excellent fur felt, with heavy silk band and binding; the models, which include the new narrow brim effects, are authoritative Fall and Winter shapes. They are actually worth three, three-fifty and four dollars.

Opera Hats of ribbed silk, Five Dollars.
Silk Hats of imported plush, Five Dollars.
We have models for young men in both of them.

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Things for the strenuous hour, made to weather all the use and abuse to which they may be subjected. The prices have been radically reduced.

Parkhurst Shotguns, imitation twist double barrel, pistol grip, extension rib, thoroughly guaranteed. Value $12.50. Special at $9.25
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Striking Bags, full size double end, tested bladder. Value $1.50. Special at $1.00
Striking Bag Gloves. At 25c
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Boys' Drill Football Suits, with padded trousers and sleeveless jacket. Special at 85c

A Sale of Furnishings for Men

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NEW SCARFS FOR MEN

of heavy silks in the French seam Four-in-hand or folded square shape, convertible in ascot, once-over and four-in-hand. Special at 50c

FALL SHIRTS FOR MEN.

Fancy Stiff Bosom Shirts of percale in new patterns, excellently made, hand laundered, attached or detached cuffs. Value $1.50. $1.00

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Silk Suspenders, light weight, non-elastic, plain or fancy colors. Special at 50c