

RUSSIANS' DANGER

Japanese Reported Near Mukden to Cut Off Retreat.

MORE TROOPS LANDING.

Force South of Newchwang, Which Russians Have Abandoned.

Official Russian Reports Tell of Some Skirmishing, but Give Little Idea of the Japanese Advance—Friction Between Alexeff and Kourapatkin Over Conduct of the Campaign Growing More Acute—Latter's Desire to Abandon Port Arthur—Manchurian Village Burned by Russians as Punishment for Harboring the Chinese Bandits.

Special Cable Despatch to The Sun. LONDON, May 18.—The unofficial report, dated "Russian headquarters, Mukden," and stating that the Japanese are thirty miles northeast of the Mukden line, fixes the principal attention in the war news to-day.

Nothing is known of the strength or exact whereabouts of this force, and the writer of the despatch admits that little trustworthy information can be obtained. Nevertheless, a section of the press accepts the report without question and treats it as being of the utmost importance.

According to this view, Gen. Kourapatkin's position is critically dangerous, and he must instantly withdraw from Liaoyang unless he is prepared to meet the fate of Marshal MacMahon at Sedan and be shut in by the converging movement of the Japanese. Everything, it is urged, depends upon whether he knew of the movement and has already removed his baggage and the bulk of his forces from Liaoyang.

There is no hint in Gen. Kourapatkin's own despatches that the Japanese are anywhere in his immediate neighborhood. Indeed, if his reports are accepted as a true picture of the Japanese advance, they are hardly any further north than Fengwangcheng.

The Japanese themselves are absolutely silent, not troubling themselves even over the issue of such mystifying despatches as those of the Russian commanders are probably intended to be.

The question of how the invaders can have, as alleged, reached a position northeast of Mukden has let loose speculation.

It is pointed out that three divisions landed in Corea early in the war that have not since been heard of. It is assumed that they number fully 60,000 men. They may have been pushing toward Mukden by unknown routes.

The more conservative newspapers treat the whole thing as merely an interesting report.

LANDING SOUTH OF NEWCHWANG. There is little of importance that can be added to the official Russian despatches concerning the operations on the west coast of the Liaotung Peninsula. Telegrams from Newchwang state that Japanese troops have landed, and make no mention of a fleet. The firing covering the landing of the troops is described as a terrific bombardment by four warships. The shore defenses were silenced at 4 o'clock in the afternoon, the Russians retreating toward Tashichao.

The Japanese advanced rapidly, and, according to one story are outflanking the Russians at Tashichao and Newchwang. Another correspondent, however, says that a Japanese advance is not expected at present, as rains have converted the country into a quagmire.

Despatches from Shanhaiwan report that the Japanese have occupied Tashichao.

TRY TO SURROUND RUSSIANS. Japanese Reported Near Mukden—Another Landing South of Newchwang.

Special Cable Despatch to The Sun. ST. PETERSBURG, May 17.—An unofficial report of the appearance of a Japanese force in the neighborhood of Mukden is much commented upon, but the military authorities profess that there is no cause for anxiety. Assuming the accuracy of the report it is obviously to be inferred that the Japanese mean to try to harry Gen. Kourapatkin's retreat northward while the main army attacks Liaoyang and Mukden.

Such a plan, say the military commentators, would have good prospects of success if the Japanese were in sufficient strength, but they are convinced that the enemy is not strong enough, and if they attempt to carry out such a plan it will fail.

MORE JAPANESE LANDING. A despatch from Gen. Kourapatkin, dated May 18, says:

"Seventeen of the enemy's steamships approached Sungyuecheng about noon and opened fire on the town, while five vessels steamed in to the shore. Three large steamers arrived at 1:30 o'clock off the cape near the village of Huangtaishang. A force landed there at 3:20 and began to march toward Kaiping."

Gen. Sakharoff, under date of to-day, telegraphs that Gen. Samsonoff reports that the Japanese only made a feint at landing at Sungyuecheng and Kaiping. Their ships fired on Sungyuecheng, the Russian garrisons and the coast. They departed at about 4:30 o'clock, going to the south.

Continued on Second Page.

MAYOR ON A HUNT FOR FOOD.

Had Been Hunting Houses Down Jersey Way—Buns and Milk at Last.

Mayor and Mrs. McClellan went down the Jersey coast yesterday to hunt for a summer house. At Seabright they got hungry and David B. Keeler of 9 Pine street, a real estate agent, who accompanied them, recommended a nearby hotel kept by Edward Pannell. Keeler said he wanted hungry himself and would meet them later. At the hotel door a man met them and said he wasn't sure whether he could give them anything to eat.

"He acted as though he had got out of bed on the wrong side this morning," said the Mayor last night, "and we didn't bother with him any longer. We saw a fine large sign down the road a ways marked 'Restaurant' so we made for that. When we got there the place was closed."

Finally, the hungry couple found a bakery, where they bought buns and milk. The Mayor said the buns were very good, so good, in fact, that he expected to dream about them last night.

The Mayor didn't find a house, although he spent the entire day hunting for one, and drove from Atlantic Highlands to East Long Branch in a carriage which he said cost about \$20 an hour. He said he never supposed there were so many houses to rent and had been spending the evening trying to differentiate them in his mind. He was asked if President Forney had signed any of the thirty thousand bonds while he was away.

"No," he replied. "They are not ready yet. But when I do sign them I will have the assistance of four mechanical devices which have been sent me to fasten to my wrist."

"One of them is especially interesting. Directions with it say that after I had signed 30,000 bonds with the aid of the machine I would have an immense wrist development. I tried it once, and I guess I would get the development all right or have a broken wrist."

STABBED AND KNIFE TURNED

Fearfully Lacerated Man Dies Shielding His Murderer.

ARMORE, Pa., May 17.—George F. Kreuger, a prominent florist at Narbeth, one of the exclusive suburban towns along the main line of the Pennsylvania Railroad, died this morning at the Bryn Mawr Hospital from terrible stab wounds in the abdomen and the left side, which had even pierced the diaphragm.

To the last he refused to throw any light on his murderer, protesting that he had cut himself on some glass about the greenhouse. The autopsy to-night clearly shows that a knife had been thrust in to the hilt, and then twisted around with murderous force.

From the facts gathered since his death the authorities are convinced that Kreuger was struck down not far from his own home, if not actually on his own premises.

Kreuger's strange reticence in the shadow of death is explainable from only two possible points of view. Either there was some person connected with the tragedy whom he desired to shield, or else he was anxious to spare his invalid mother the shock of the notoriety that would follow a legal investigation into his murder.

If the latter were the motive that impelled the dying man to lock his secret in his own heart, his sacrifice was unavailing.

Mr. Kreuger is prostrated from the shock, and it was said to-night that her life was despaired of. Charles Kreuger, the brother and only other member of the family, is prostrated in bed as a result of the probable murder.

Kreuger was away from home almost all of Monday. Whether he was in the city or at some place near by his family did not know. He returned to the house shortly before 6 o'clock. This is the usual hour for the family to sit down to dinner. George, however, only remained in the house a moment, saying he had to go to the greenhouse.

Three-quarters of an hour later he walked into the house. His face was ghastly pale, his steps were unsteady and the left side of his body from his shoulders down was red.

The police are investigating a story of a quarrel with a negro.

DIES IN A RESTAURANT.

Alonso E. Wemple Stricken in Shanley's Uptown Place.

Alonso E. Wemple, secretary of the Jay C. Wemple Company, manufacturers of window shades, at 35 East Twentieth street, died suddenly last yesterday afternoon in Shanley's restaurant on Broadway, north of Forty-second street.

Mr. Wemple, who was a sufferer from heart trouble, entered the restaurant at 4:45 o'clock and ordered a light luncheon. The physician found Mr. Wemple prostrate that a glass of water be brought to him as soon as possible. After Mr. Wemple had drunk the water he collapsed in his chair.

Manager James Bowley rushed to his side, as did Dr. W. A. Shoales of 151 West Forty-third street, who was dining with a few tables from where Mr. Wemple was seated. The physician found Mr. Wemple unconscious and on his advice the sick man was carried to one of the apartments upstairs. He died a short time afterward.

The dead man lived with his wife and two daughters at 180 West Fifty-ninth street. He was a member of the Atlantic Yacht, the New York Athletic and Brooklyn clubs.

FOUND HIDDEN JEWELS.

Chicago Man in on the Bremen Looked Bumpy to Customs Sleuth.

Special Customs Sleuth Tim Donahue saw a cabin passenger who had left the North German Lloyd steamship Bremen having his shoes shined standing on the pier, and incidentally exposing a protuberance amidships. Tim fell against the protuberance and suggested that he cut the sleeve off without surgical operation. He did, after taking the man into a room on the pier. The result was one brooch and six small boxes of jewelry.

The man identified himself as Dr. Josef Henninger of Chicago. He is said to be the proprietor of a large sanitarium there. The value of the jewelry was estimated at about \$1,000. Tim accompanied the doctor to the ferry, read him a lecture on the immorality of not declaring the things that he took with him on his way across the ferry to this city. The articles were confiscated.

ABEEL BATTED OUT.

James N. Abeel, who posed as J. Ogden Goebel, was released in \$3,000 bail yesterday pending appeal from his conviction for forgery Edith Beckwith Smith, a relative, gave as security her house at 20 West Ninetieth street.

James' Extract of Vanilla Has Brought Gold medals against all other brands.

MRS. H. LE ROY JONES MISSING

LEAVES HOME, WRITING THAT SHE'LL WORK FOR HER LIVING.

She Was the "Martha Cutting" for Whom the Police Were Asked to Look—Disappeared at the Races—She Has Been Ill—Hint That She'll Go on the Stage.

It was Mrs. Herman Le Roy Jones of 6 East Twelfth street who was being sought on Monday night by Robert L. Cutting at the Tenth Avenue police station. She disappeared, she was at the races at Morris Park on Monday afternoon. Apparently she slipped away from them purposely, for she sent a note on Monday evening to her husband's home in which she said that she was going to work for her own living. She used to be an actress.

According to Mr. Cutting, a friend of the family, Mrs. Jones has been ill recently and has been subject to slight attacks of dementia. That was the cause ascribed by him yesterday for her action.

Mrs. Jones was formerly Augusta Kingsland. She is 32 years old. Mr. Jones, who is the son of Mrs. Herman Le Roy Jones, well known in society, is her third husband. He is several years younger than his wife. They were married at Ravenswood, L. I., on Feb. 16, 1898. Their marriage was a surprise to their friends, the fact of their engagement having only just become known. After the marriage Mr. Jones took his wife to his mother's house, at 6 East Twelfth street, where they have been living since.

Mrs. Jones is a tall brunette. She and her husband mingled much in society, but both are fond of sports and have requested the races. Mr. Jones is a member of the board of governors of the Morris Park track.

According to Mr. Cutting, who is Mr. Jones' counsel, he decided on Monday to take his wife to the races, thinking that the excitement would do her good. They called for Mr. Cutting at his office downtown and the three went up to Morris Park in Mr. Jones' automobile. On the way, Mr. Cutting says, Mrs. Jones matted gayly and seemed to be in good spirits.

The party had a box in the grand stand. Mrs. Jones watched the first race with her husband and Mr. Cutting sitting beside her, and she betrayed no sign of having any other idea than of enjoying the sport. After the first race had been run, Mr. Jones and Mr. Cutting decided to go down to the betting ring. They left Mrs. Jones in the box and told her to be back to wait for them the next race with her.

They spent some time in the ring and got back just as the horses were going to the post. Mrs. Jones was not there. They looked around for her, thinking that possibly she was visiting friends in another seat. When she did not return to the box later they became anxious, and Mr. Jones began making inquiries of attendants. None of them had noticed her. Apparently nobody had seen her leave the box.

Mr. Jones and Mr. Cutting became alarmed then. They went through the clubhouse, asking all they met if they had seen Mrs. Jones. They also had some of the private detectives nearby. They waited until after the last race and almost everybody had departed before they gave up the search. Mr. Jones, according to Mr. Cutting, felt certain that his wife must be in the grounds.

When they got back to town they inquired for her at several places that she was in the habit of visiting, but could get no trace of her. They arrived home a little after 6 o'clock.

Half an hour later there was a ring at the doorbell of the Jones house. It was a boy with a note for Mr. Jones. It was from his wife and was written on the stationery of the Lafayette-Brevort Hotel at Eighth street and Fifth avenue. In it, Mr. Cutting said yesterday, Mrs. Jones declared her intention of leaving her husband and going to live for her own living. Mr. Cutting intimated that she had hinted at returning to the stage.

As soon as they received the note Mr. Jones and Mr. Cutting hurried around to the hotel. They were told by the clerk that a woman answering Mrs. Jones' description had gone into the writing room and after writing a note and calling a messenger had gone away. It was then that Mr. Cutting did not want Mrs. Jones' name to become public, although he did want the police to look for her. The police, without any name to go by, sent out the alarm for "Martha Cutting." Mr. Cutting said this was a mistake and he had the police recall it. Then he called up his friend, Deputy Commissioner Lindsey, and asked him what to do, explaining that under no consideration must the name be put out without the name, but with Mrs. Jones' description, although he said that the police would hardly know how to go to work on such a case.

It was not until late yesterday afternoon that consent was finally obtained from Mr. Jones to make his wife's name public. In the meantime Inspector Molinsky had been appealed to and detectives were sent out to see if they could find any trace of the woman. They failed to get any trace of her yesterday. They believe that she is in the house of some friend.

Mr. Cutting said yesterday that Mrs. Jones had not been well for some time and for this reason she had been in the country until recently. "She is subject," said Mr. Cutting "to slight attacks of dementia and Mr. Jones thinks it was one of these attacks that caused her to leave him before to my knowledge, and she never gave away before to my knowledge, and the couple have had no other trouble which might cause her to do such a thing."

Deputy Commissioner Lindsey said that Mrs. Jones had been in a sanitarium several times for similar attacks. It was said that she left the sanitarium and went against the advice of a prominent alienist.

Mrs. Jones is a granddaughter of Philip Hone, a former Mayor of New York and founder of the Union Club. Her father, Philip Hone, was a rich wine merchant. In 1890 she married Archibald Kerney Mackay, and after two years married a Sioux, a native of the grounds of cruelty and desertion. Two days after getting the divorce she married Paul Tupper Wilkes, a young actor, who was the son of a Judge of the South Dakota Supreme Court.

In St. Paul, several months later, Wilkes shot and nearly killed a drummer, who, he alleged, had insulted his wife. He wasn't prosecuted because the drummer fired the first shot. The Wilkeses went to London, separated and united again. His wife got a divorce from Wilkes in Brooklyn in August, 1895, and went on the stage as "Virginia Paul," playing minor roles in "The Sporting House" and other plays. She left the stage in February to marry Mr. Jones. He is a stock broker.

CALIFORNIA FOR HEARST.

He Captures His Own State After a Bitter All Day's Struggle.

SANTA CRUZ, Cal., May 17.—To-night, after an entire day spent in wrangling and after savage attacks on the floor of the convention on Hearst by half a dozen of the most prominent Democratic leaders of the State on voted by 365 to 348 to send a delegation to St. Louis instructed for Hearst.

This result was due entirely to liberal use of money and promises of influence by Hearst managers. When it was found last night that only 23 votes were needed to give a majority for an instructed delegation, the Hearst barrel was broken open. Several San Francisco delegates who were broke when they struck Santa Cruz had pocketful of twenty-dollar gold pieces and spent money freely in barrooms last night.

To-day everything was delayed in order to permit Hearst managers to exercise influence over weak-kneed delegates. The result is that Hearst won although he received such a flying in open convention from leaders of his own State as no candidate probably ever received before. The result adds to the bitterness between the factions of the California Democracy.

MONTANA CONVENTION.

The Democrats Send an Uninstructed Delegation to St. Louis.

GREAT FALLS, Mont., May 17.—United States Senators W. A. Clark and Paris Gibson, Gov. J. K. Tool, Martin Maginnis, W. G. Conrad and Harry Galway were to-day elected as delegates to the Democratic national convention at St. Louis.

They were uninstructed, except that the platform declares that the nominee shall, if elected, enforce the policies of that convention. The Kansas City platform was endorsed, as was the national irrigation law.

The tally-ho Good Times, which makes trips from the Waldorf-Astoria and the Morris Park racetrack, had a mix-up last night with a Broadway electric car at Sixty-second street. There were no passengers on the coach. Aurel Batonyi, the well known whip, was driving.

The coach had been hired for the day by Mrs. John Gerkin. In her party were Mr. and Mrs. H. A. Good, Mr. and Mrs. Clarence Williams, F. Meyers, Mr. Thomas Ferguson, S. Megargee Wright, Miss Catherine Fischer, and G. Jason Waters.

The tally-ho got back from the races at about 6 o'clock and Mrs. Gerkin and her party left at the Waldorf-Astoria. Mr. Batonyi drove up Fifth avenue across Fifty-ninth street and up Broadway. With him were Christ Kerns of 303 East Seventy-eighth street, a groom, and another man, whose name could not be learned last night.

The Good Times stables in the Mincola stables, at 44 West Sixty-second street. Mr. Batonyi attempted to turn into the side street, just as the electric car came bowling along.

John Conley, the motorman, couldn't stop his car in time to avoid the collision. The car struck the front wheels of the coach and knocked the wheelers down. The two wheels were smashed and several windows in the car shattered. Some of the flying glass cut the four coach horses.

The weren't hurt much. All three men on the coach were thrown to the ground. Mr. Batonyi hurt his leg slightly, but was able to go home. Kerns got a few bruises. The third man escaped injury.

LEWISOHN INDICTED.

Gives \$1,000 Bail on Contempt Charge and Goes to the Races.

Jesse Lewisoahn was indicted yesterday by the Grand Jury for criminal contempt of court, as the result of his refusal to answer the questions of the Grand Jury as to whether he had ever been in Richard A. Canfield's and had ever played roulette there.

Lewisoahn appeared before Judge McMahon in the Court of General Sessions five minutes after the indictment was found, and surrendered himself without waiting for a bench warrant. He furnished \$1,000 bail and then went to the races.

All three men on the coach were thrown to the ground. Mr. Batonyi hurt his leg slightly, but was able to go home. Kerns got a few bruises. The third man escaped injury.

The street car was crowded at the time of the accident.

PUNCHED THE PHOTOGRAPHER.

Husband of Mrs. T. W. Pierce Wanted Her Pictures and the Negatives.

SALER, Mass., May 17.—Because Edward Brown, a local photographer, would not sell to him or destroy negatives of several poses of Mrs. Pierce on blooded horses, which were published in Boston newspapers against his wishes, Thomas W. Pierce, a wealthy man of Topfield, late yesterday afternoon went into the photographer's studio and gave him a drubbing. It is expected that a warrant for Pierce's arrest will issue in the local court to-morrow morning.

Mrs. Pierce, who was a prominent figure in the New York, Newport and Boston horse shows, recently sanctioned several poses of herself on horses for illustrating a story.

The pictures were not approved by her after they were finished.

RAMAPO, SAYS GROUT.

As a Preliminary to Asking Otell to Call a Special Session?

Comptroller Grout is not inclined to accept the statement made by Governor-Charles Otell that he signed the bill which prohibited the city from obtaining additional water from the streams of Dutchess county because of his desire to protect the interests of the people who earn their livelihood in the factories along the streams.

"There is no doubt in my mind," the Comptroller said, "that the Governor was acting more in the interests of the Dutchess county people."

Water Supply said yesterday that the Governor-Chairman would undoubtedly be asked to call a special session of the Legislature to reconsider the subject.

BRIDEGROOM DEAD ON THE SHIP

BRIDE LEFT HERE FRIENDLESS, HER ROMANCE ENDED.

They Were on a Honeymoon Trip Around the World Under Assumed Names "For Private Reasons"—Her Story of the Courting of Architect Patrick Burns.

On the passenger list of the North German Lloyd steamship Kaiser Wilhelm der Grosse, which arrived last evening from Bremen, Southampton and Cebu, were the names of Herr and Frau Harrison. The man was a florid and good looking Briton of middle age, and the woman—who is now his widow—is not more than 25 years old, and is handsome and well educated.

The tragedy of his death caused her to reveal his right name, which she says is Patrick Burns of Doncaster Lodge, Kensington Road. She says that he is a well known London architect.

On Sunday evening while Mr. Burns was descending the main companionway to dinner in the saloon, he either slipped or became dizzy and fell the length of a flight of stairs. He was picked up unconsciously by stewards and carried into his room, bleeding much from cuts on the head and face. His plight caused much excitement among the passengers who were in the saloon at the time.

Two hours later Mr. Burns died in the arms of his wife without regaining consciousness. The ship's surgeon made an examination of the body and decided that death was due to apoplexy. The surgeon said that the wounds Mr. Burns received in falling were not sufficient in themselves to cause death. It was then that Mrs. Burns made known to Capt. Coppers her husband's real name. She told the romance of their courtship and marriage.

Eight years ago, at Weymouth, when she was only 16 years old, she saw but did not become acquainted with Mr. Burns, who was staying at a hotel, recuperating from an illness. He had a little dog, which got into the compartment of the car in which she and her sister were returning to London. After keeping the dog three days she found out the address and notified him. He sent his groom with a note and got the dog.

The lady, who refused to give her maiden name last night, answered the note, and finally a love correspondence resulted. Mr. Burns, the young widow intimated, had been unhappily married before. About a year ago he gave up his business on account of his health. The pair were married in London on May 1. They went to the Kaiser Wilhelm der Grosse, intending to come here, proceeded later to San Francisco and to China and finally to return to England, making a honeymoon tour of the world.

"Now," said the young widow last evening, "I've got to leave my poor boy here."

With the help of some of the ship's officers Mrs. Burns got a Hoboken undertaker to take charge of the body of her husband last night. She had pleaded successfully with Capt. Coppers not to bury it at sea, although there was no coffin aboard the ship in which to place it, and one had to be improvised. The burial will be in a cemetery attached to a Catholic church in Hoboken, at which, to-morrow morning, mass will be said for the soul of the deceased.

Mrs. Burns stayed last evening at Naegli's Hotel in Hoboken. She said that, as she had not a friend or even an acquaintance in America, she would take the next North German Lloyd steamship home. She said she could not divulge the reasons why she and her husband travelled under assumed names, as they were strictly private.

YALE SENIOR ENJOINED.

Relative of Wealthy but Aged Widow Say E. H. Hurd Was Getting Her Money.

NEW HAVEN, May 17.—A temporary injunction has been granted by Judge James Bishop, in the Common Pleas Court, against Ernest H. Hurd, a senior in the Academic Department of Yale, to prevent him from longer living in the home of Mrs. Lavinia H. Foy, a wealthy widow. She is 90 years old.

Two years ago the relatives of Mrs. Foy thought she ought to have some man in the house for protection and Hurd, who is 22 years old, was recommended by the college authorities and by the officers of the Y. M. C. A. He was working his way through law school, very quiet and studious. His home is in Wilton, Conn.

It was reported that Mrs. Foy was lavishing money on the young student and her relatives made an investigation, the result of which was an application for the injunction to keep Hurd out of the house and to stop him from corresponding with the aged widow for a month. Hurd has not been able to enter the house or to see Mrs. Foy, nor do any of his letters reach her.

In addition to the injunction, Hurd has \$10,000 of her money which it is alleged, Mrs. Foy has let him have.

The relatives of the widow charge that Hurd has influenced her that he has gained control of her mind. They charge also that he has obtained from her large sums of money and that he also managed to get enough out of her to the last two summers to take trips to Europe.

Within a week Mrs. Foy has been induced to create a trust of all her property. By the terms of the trust she is to have the care of her property. She can do as she likes with the income. Upon her death her property will be disposed of in accordance with a will she made in 1900. The relatives feared that if the trust was not established some of her property might get into the possession of Hurd.

Not long ago Mrs. Foy gave \$30,000 to the City Auditorium at the local Y. M. C. A. Her son is former Adjutant-General George H. Hurd. The result of her action was that she had inherited a corner which was named after her aid in the manufacture of which her husband had spent a vast sum of money, which she inherited.

Young Hurd denies that he used undue influence over Mrs. Foy. He will tell his story in court on Monday when he will ask to have the temporary injunction set aside.

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FAIRBANKS WILLING.

Friends Say the Senator Will Not Refuse to Run With Roosevelt.

INDIANAPOLIS, May 17.—It is understood among the close friends of United States Senator Fairbanks that he will offer no further objections to accepting the nomination for Vice-President. So confident are they that he will be nominated that Gov. Durbin and other aspirants for his seat in the Senate are pledging Republican nominees for the Legislature to vote for them.

Senator Beveridge and Senator Fairbanks talked the matter over just before Congress adjourned, and the former assured Mr. Fairbanks that he would render all the assistance possible in the way of speaking in other States if he would accept the second place on the ticket.

MRS. OSBORN SUES HUSBAND.

The Dressmaker-Playhouse Manager is After a Divorce.

The appointment by Supreme Court Justice Dugro of a referee in a suit entitled "Josefa N. Osborn vs. Robert A. Osborn" disclosed the fact that Mrs. Osborn, who has achieved notoriety both as a playhouse manager and a dressmaker, has begun an action for a divorce from Robert A. Osborn, a broker, whom she married some years ago.

Francis L. Patton, Jr., is the referee, and he is directed to take evidence in the suit and report his conclusions as soon as possible.

The Osborns have not lived together for some time, he spending most of his time in London, while she has occupied herself with many things in New York. The husband's return from Europe recently was the signal for starting the suit.

DR. MACKAY TOO LATE.

His Mother Dies in Scotland While He is Travelling to Her Residence.

The Rev. Dr. Donald Sage Mackay, pastor of the Fifth Avenue Collegiate Church, who sailed suddenly on Thursday afternoon on the Deutschland hoping to reach the bedside of his sick mother in Eudale, near Glasgow, Scotland, will arrive there too late to see her alive. She died on Monday. Dr. Mackay received the news of her illness on Thursday morning by cable just in time to catch the swift German liner. He cancelled his engagement to speak at the dinner of the Homeopathic Medical College, at the Waldorf-Astoria, in the evening and sailed at once.

Mrs. Mackay's mother, Mrs. William Murray Mackay, B. D., who for forty years was pastor of the Young Street Presbyterian Church, in Glasgow, Scotland, was the wife of the Rev. William Murray Mackay, B. D., minister of the Free South Church, Aberdeen. The latter was with his mother at her death.

CANT HOLD THE RAILWAYS.

Texas Loses Its Suit Against Missouri, Kansas and Texas Under Anti-Trust Law.

AUSTIN, Tex., May 17.—The State of Texas lost its case against the Missouri, Kansas and Texas Railway Company and the American Express Company for the recovery of \$235,000 penalties for alleged violation of the Anti-Trust law in the District Court here.

About forty other similar cases for penalties aggregating about \$10,000,000 are pending in the District Court here, and are directly affected by the decision.

The court holds that railroads are not covered by the provisions of the Anti-Trust law.