

BAN ON THE PEOPLE'S U.S. BANK

LEAD ORDER ISSUED AGAINST A ST. LOUIS CONCERN.

The promoter used the mails in securing sales of stock and soliciting deposits. He got \$2,000,000 from the public and loaned a third of it to himself.

Washington, July 9.—A fraud order against the People's United States Bank, which was issued by the St. Louis office of the Postmaster-General on July 6, has been referred to-morrow morning. The order is a full hearing of the case by the Assistant Attorney-General for the St. Louis Department.

In response to a citation to show cause why a fraud order should not be issued against the People's United States Bank and E. S. Lewis appeared before the Assistant Attorney-General for the Post Office Department on June 16, in the presence of George S. Sheld and Shepard Barlow, attorneys, and E. S. Lewis, Frank J. Carter and H. L. Kramer, who made answer to the charges.

The evidence in the case showed that Mr. Lewis used the mails as his principal means of promoting the sale of stock and securing deposits in the bank.

The People's United States Bank was organized to transact all the business by means of the mails. The plan was to receive deposits, carry on a certified check system and do exclusively a mail order banking business. Mr. Lewis began the promotion of this bank in the Woman's Magazine for February, 1904, and has in all subsequent issues of the Woman's Magazine extensively advertised this bank.

Among the false and fraudulent representations and promises which Mr. Lewis made in the promotion of his scheme were those relative to the amount of capital stock which Mr. Lewis had subscribed and would subscribe, representations relative to the independent, strong, capable men who would compose the board of directors, representations and promises that all funds of the bank would be loaned by a committee composed of fifteen directors of the principal banks in St. Louis, and that the funds would not be loaned to himself or other directors.

The Postmaster-General found that in his early articles in the Woman's Magazine and in his other advertising literature about the bank Mr. Lewis represented that he would subscribe to the capital stock a dollar for every dollar subscribed by all others, so that he would own half of the capital stock, and that later he represented that he had pledged his entire fortune, every dollar he had, and his publishing business in the banking enterprise, and that his subscribers would exceed a million dollars. These representations were found to be false and made with intent to deceive.

The inspectors found that Mr. Lewis had not cooperated to the extent of a single dollar of his own money, although the bank had been in operation seven months, and had a paid up capital stock of \$2,000,000. The inspectors found that Mr. Lewis had made an admission to that effect to Bank Examiner Cook and Nichols on April 3, 1905. The inspectors and their office force in St. Louis made a careful checking of the subscription books, finding that on March 15, 1905, Mr. Lewis had received and held as payment for shares of stock in the bank \$2,289,043.41, and had accounted to the bank in an amount not exceeding \$2,204,903.05.

This showed that every cent of the \$2,000,000 capital stock which had been paid in was paid out of subscription money received by Mr. Lewis from the public, and that none of his money had been invested in the enterprise. This was found to be the fact, although Mr. Lewis had stilled in writing to the inspectors that \$465,750 of the \$900,000 paid in at the original incorporation of the bank were his personal funds.

Subsequently, at the hearing before the Assistant Attorney-General, Mr. Lewis admitted that that money was received by him from the people and was not his own. Although asked to do so at the hearing, Mr. Lewis failed to produce any evidence whatever that any of his personal funds had gone into this enterprise or that he ever intended to subscribe, or was in a financial condition to subscribe for the large amount of stock which he represented he would take.

On March 15 Lewis had loaned from the bank's funds to himself and his enterprises \$384,043.22, the paid in capital stock of the bank being half a million. On March 29, \$125,000 of the capital stock had been paid in, a statement furnished by Mr. Lewis at the hearing showed that he had loaned to himself and his enterprises \$907,538.85.

The University Heights Realty and Development Company, which had borrowed from the bank \$346,163.20 and the stock of which to the extent of 1,277 shares Mr. Lewis sold to the bank, has assets consisting for the most part of land purchased for \$200,000 as a speculation in suburban property, and upon which Mr. Lewis stated about \$50,000 had been expended in improvements. Its liabilities are shown to be \$674,700.53.

It appears further that Lewis endeavored to obtain proxies from all stockholders appointing himself to vote the stock, which proxies should remain in force for three years at least, and in case revocation was desired in that time Mr. Lewis was to have authority to purchase the stock.

On April 8, 1905, the cashier of the bank loaned to the promoters \$431,385.00, and told the inspectors that had been loaned and in every instance the shareholder had signed a proxy to the above effect.

It appears that it is the intention of the bank to increase its stock to \$5,000,000 and remittances are being asked for on that account.

It is understood that the funds of the bank which have not been borrowed by Lewis and his enterprises, amounting to about two-thirds of total amount received, are deposited in banks and will be available toward reimbursement of the stockholders, who number upward of 65,000. It is the intention of the officers of the Post Office Department to cooperate with the Secretary of State of Missouri in every proper way for the interests of the investors and depositors.

CALLS SON-IN-LAW BLACKMAILER

Young Man Who Married Girl Secretly in College Arrested.

Frederick W. Germann, the twenty-four year-old son of Charles P. Germann, a wealthy retired citizen of 90 Norman avenue, Brooklyn, was arrested yesterday on charges of blackmailing his father-in-law, Dr. William C. Hallock of 465 East Fifth-street, Flatbush, who alleged that Germann had sent him threatening letters demanding \$750.

While Germann and a daughter of Dr. Hallock were at college, four years ago, they were secretly married, Germann says. They agreed not to let their secret become known until Germann was able to support his wife in the manner to which she was accustomed.

Germann obtained a position as chemist in a large Manhattan drug house. Last spring the Hallock family learned of their daughter's marriage and took immediate steps to have it annulled on the ground that the girl was under 17 when married.

Then Germann wrote letters to his wife asking her to join him. She gave the letters to her parents and told them that she considered her marriage a girlish prank and had no intention of ever living with him.

Not obtaining replies to his letters, Germann began to write threatening letters to his father-in-law. The latter paid no attention to the letters, but did not destroy them.

A month ago, it is alleged, Germann began to demand \$750 from Dr. Hallock under threats. Dr. Hallock received the last letter on Saturday. He got together all the letters and took them to Magistrate O'Reilly, who issued a warrant.

Germann was released on bail last night. He will be arraigned to-day.

When Mrs. Hallock, the mother of the girl, was seen last night she would neither deny nor confirm that her daughter was married to Germann.

MRS. SHAW AIDS POOR BOY.

Rich Woman, Out With Nurse, Meets and Befriends a Cripple.

Mrs. R. N. Shaw of this city, who is worth several million dollars in her own name, and who has been in ill health and under the care of a nurse at Flushing, noticed a few days ago in walking on Main street in Flushing with her nurse a newsboy cripple who has suffered from a hip disease since birth. He is Joseph Pedowski, 11 years old, and he gets around with the aid of a stick.

Mrs. Shaw bought a paper from him and began to question him about his ailment. Joseph told Mrs. Shaw that he was saving all the money he made from selling papers so that he could go to a hospital and be treated for hip disease. The boy admitted that up to date he had been able to save only a few dollars.

Mrs. Shaw took his name and address and said she would see that he got proper treatment in a hospital. She told the boy to talk to his parents on the subject and find out what their desires were in regard to sending him to a hospital.

"By the way, Joseph," asked Mrs. Shaw, "are you fond of ice cream?" Joseph said he was. Mrs. Shaw took him into an ice cream parlor and to the proprietor she handed her card.

"Give Joseph two ice cream sodas every day as long as he wants them and send the bill to me," said Mrs. Shaw.

STEPS ON DROWNED MAN'S BODY.

Princeton Student Loses Life Bathing at Brighton Beach.

Henry Clifford Cromwell, a broker at 71 Broadway, stepped on a human body as he was wading into the ocean near the Parkway Baths, Brighton Beach, at 7 o'clock last night. Cromwell brought the body to shore.

The police learned a few minutes later that Joseph McCormick, a Princeton student, from Schuylkill, Pa., was searching for his friend, Edwin D. Hein, who had come from Princeton with him in the afternoon to spend a day at the seashore.

McCormick identified the body as that of Hein. He couldn't explain how his friend happened to be drowned. They had been in bathing together, he said, and suddenly Hein disappeared. McCormick thought for a while that he had gone to the lighthouse, but when he searched for Hein there and didn't find him he became alarmed.

Hein was 22 years old, and his home was in Schuylkill Haven. The body was taken to Havron's morgue at Coney Island.

MAYER READY FOR EQUITABLE.

Has the Hendricks Testimony and Will Begin to Prepare Papers.

Attorney-General Mayer will begin to-day active preparation for the suit which he is to bring against Equitable directors to compel them to disgorge their wrongfully made profits and retire from the directorate. He has been delayed in the work by the failure of the State Insurance Department to place in his hands the testimony taken in its investigation. To-day the Attorney-General will begin in earnest the job of examining this testimony. This in itself, it is said, will be a laborious task, as twenty or twenty-five witnesses were called, some of them several times.

Mr. Mayer will do the greater part of his work on the testimony at his office in this city at 27 William street, where he will have within easy reach all the witnesses, in case he should desire any explanations. Although Mr. Mayer's examination of the testimony will be made chiefly with a view to obtaining ground for civil actions, he will not disregard anything which he may learn of a proper matter for the criminal courts. The Attorney-General had a conference with a representative of the District Attorney on Saturday. What its purpose was Mr. Mayer refused to say yesterday, but it is understood that it has to do with the testimony which Supt. Hendricks had turned over to him.

The District Attorney's office has been waiting for a copy of the testimony for more than two weeks and, like the Attorney-General's office, has not been able to attempt to investigate without it. It was said last night that a copy of the testimony would probably be delivered to Mr. Jerome to-day. If it is, a conference with Mr. Jerome will follow. It was said last night that Attorney-General Mayer would probably know by the end of the week pretty definitely what directors he will sue, although the announcement may not be made until later. The Attorney-General spent Sunday in town, being at the Bar Association a large part of the day.

It was said yesterday that the resignation of Archibald C. Haynes as the Equitable general manager for this city would have a serious effect on the society's business in New York. Mr. Haynes's resignation, it was said, does not go into effect until Dec. 31.

BATTERY-WEST FARMS TRAINS

THE SUBWAY THROUGH ROUTE OPENED THIS MORNING.

All Express Trains to Run to the Battery—Battery Station a Loop With a Sharp Curve One Side Platform—Bowling Green an Island Station.

All subway express trains and some locals will run to the Battery station to-day and make stops at the Bowling Green. The first Battery-Bowling Green train left West Farms at 12:01 o'clock this morning bound for the Battery.

In the motorman's place was Supt. Merritt of the Interborough company and riding in the first car with him were Trainmaster Hayes and D. M. Morrison, the motor instructor of the company. Fifteen passengers got aboard at the start, but at each stop more boarded the train. At the Mott avenue station, the first before entering the tube underneath the river, 100 people were waiting to take their first ride under the Harlem River, over which they had crossed so many times.

Once in the tube the air became cooler and the passengers seemed to think that there had been a drop of at least fifteen degrees. At the 135th street station, the first this side of the river, Supt. Merritt stopped running the train and turned the care of it over to a motorman. Mr. Merritt said that from any previous opening of the tunnel the train at the 135th street station having seen that everything was running smoothly.

The first train from the Battery pulled out of the station a few minutes after midnight. This was a Broadway train. Edna Thorman, an eleven-year-old girl living at 500 East 144th street, brought the first ticket. She had induced her parents to bring her down to the Battery so that she might ride all the way home. Edna was disappointed when she learned that the first train was going up Broadway instead of Lenox avenue.

At the Bridge the Lenox avenue passengers were told to change cars and wait for a Lenox avenue train. The Lenox avenue cars run every seven minutes and all go through the Harlem tunnel. The Lenox avenue train that left the Bridge at 11:15 was the first to go through.

The two downtown stations offer in type from any previously opened. The Battery has only one side platform. The trains will round the loop, open the doors on the right and clear the cars, and will then take on passengers from the same platform. Repeaters, who are riding on the subway for the fun of it, will be able to mix with the crowd and, returning to the cars which have just left, can go uptown on the same fare. However, experience at other stations has shown that repeaters are so plentiful that it is not worth while watching for them.

The Bowling Green station is an "island" like those at the other express stations. There are no side platforms at the Brooklyn Bridge and Seventy-second street and, as both express and local trains will run on the same track below the Bridge, there is no need of two islands, as at the Grand Central station. The Bowling Green station is the longest in the subway system, which is built on a curve, is 400 feet long. This curve is so sharp that there must necessarily be considerable space between the platform and the car door, and passengers will have to "mind the step" pretty carefully.

The tiling is all finished at the Bowling Green station. The design consists of panels of buff and drab with a conventional flower border. The walls of the Battery station are unfinished and the workmen have not even begun on the upper layer of ornamental tiles. The design here will be rather elaborate, and will include a frieze showing the old Battery sea wall. As the contract for the division of the road below City Hall prohibits advertising, passengers will be able to see these decorations.

The conditions in these two new sections of the subway last night went to indicate that it is the least engendered by the electric trains which makes the subway so infernally hot these days. At 10 o'clock, when no regular trains had been run as yet, these stations were the coolest places in New York.

There will be two entrances and one exit at the Bowling Green station. The southern entrance will not be opened for several days, as the stairs are not finished.

COP SHOTS PICKPOCKET.

Found Him Going Through a Stoop Sleeper in Brooklyn.

Patrolman Regan of the Hamilton avenue station, Brooklyn, fearing that his life was in danger from an Italian whom he had discovered picking the pockets of a sleeping man, fired one shot and struck the man in the right side, causing a serious wound. Thomas Thompson of 36 Manhattan place sat down on a stoop at Cole street and Hamilton avenue at 3:30 o'clock yesterday morning and half an hour later was sleeping. Francesco Bonvivo, 25 years old, of 32 Carroll street, came along and seeing the sleeping man stooped over him and was ransacking his pockets when Patrolman Regan came in sight. The Italian ran, but after a chase of several blocks turned on the officer and placed his hand on his hip pocket.

Patrolman Regan, believing the Yellow was about to pull a revolver, hastily drew his own and fired one shot.

The bullet struck Bonvivo in the right side. A call for an ambulance brought a surgeon from the Long Island College Hospital, who said the wound was dangerous but not fatal. The patrolman failed to find a revolver when he searched the Italian.

FOUND A TRUNK TO FIT HER KEY.

Evangelist Who Lost Her Baggage Narrowly Misses a Hairpinning.

ASBURY PARK, N. J., July 9.—Miss Helen Gertrude Rumsay, who leads the White Shield meetings in Ocean Grove, has lost her baggage. Yesterday she saw a trunk at the depot which looked familiar, so she decided to try her key. It fitted the lock, and the lid flew open.

What the young woman saw is not disclosed. Evidently there was something in the tray that ought not to be carried by an evangelist. At any rate, the trunk was not hers.

Another excited female, edging her way through the crowd, saw Miss Rumsay rummaging in the trunk. "What are you doing in my trunk?" she demanded. "The woman was in a hairpinning mood, but finally gave way under the dulcet pleadings of the Ocean Grove girl. Miss Rumsay is still searching for her baggage.

WRECK IN LONG ISLAND YARD.

Four Persons Hurt and the Road Tied Up for Hours.

Two engines attempting to use the same Y switch to enter the Long Island Railroad terminal at Long Island City last evening resulted in the tying up of several tracks for hours during the rush last night and the injury to four persons. Robert Ludlum, the conductor, being the most seriously hurt.

The engines wrecked were 95, drawing the Patchogue Express, and a drill engine which was switching across the yard. The express engine reached the Y first and as it crossed the drill engine struck it.

Next to the engine was a parlor car and behind that were a baggage car and ten coaches. There were only a few persons in the parlor car. It was dragged from the rails, as was the baggage car. The passengers injured were hurt by the flying flanges. They were Cornelius Leonard of 680 East 144th street and William Tuxton of 482 East 140th street, ball players, and Miss Margaret Williams of 813 East Twenty-ninth street.

Miss Williams, after being treated on the scene, went home. The young men went to St. John's Hospital, where their injuries were dressed.

Ludlum, the conductor, was on the platform of the baggage car when the crash took place.

HIS FAREWELL TO WASHINGTON.

Count Cassini Comes to This City and Will Sail for Europe To-morrow.

WASHINGTON, July 9.—Count Cassini, retiring Russian ambassador, left Washington for New York at 11 o'clock this morning. He was accompanied to the station by his successor, Baron Rosen, and members of the Russian Embassy. Mr. Seibert, Second Secretary of the Russian Embassy, accompanied Count Cassini to New York, but will return to Washington after the Ambassador has sailed.

Count Cassini's departure this morning marked his farewell to Washington, for he sailed to Paris going to St. Petersburg for instructions before taking up his work as Ambassador at Madrid. Official leave-takings occurred last week, the last of these being on Saturday, when the Ambassador called on the Acting Secretary of State.

Friends from official and social life of the capital have been calling at the embassy the past week, bidding adieu to Count Cassini. To all the retiring diplomat expressed deep regret at going. He has made many friends and was popular in the society of the capital, and when Baron Rosen presents Count Cassini's letters of recall to the President on Thursday and himself takes the reins of Russia's diplomacy it will mean not only a new Ambassador but another dean of the Diplomatic Corps.

Notwithstanding stories of friction between Count Cassini and his successor, they were both in each other's company to all appearances, good feeling existing between them.

JAPAN WANTS GRISCOM TO STAY.

Report That He Is to Enter the State Department Causes Regret.

Special Cable Dispatch to THE SUN. TOKYO, July 9.—The reported transfer of Lloyd Griscom, the American Minister here, to the State Department at Washington was published to-day and was received with regret on all sides.

No Minister since Mr. Bingham has so commended the conduct of Japanese statesmen and commercial men. The latter would be especially affected by his transfer. Mr. Griscom's training and tact have secured the settlement of American claims of long standing without estranging the Japanese. His relations with the merchants and the Japanese are closer than those of any Minister in twenty years. Mr. Griscom has also been successful in adjusting the differences between the various sects of missionaries, and he has created an efficient American staff.

Your correspondent learns that the Japanese Government, through a high official, has expressed unqualified regret at the report of Mr. Griscom's recall and the hope that the report is not true.

THREE SAVED FROM LAUNCH.

Two Were Exhausted and the Third in Serious Distress.

Arthur and Frederick Nutting and James B. Stiles, all of Arlington, N. J., narrowly escaped death yesterday off the Dream-land pier at Coney Island while attempting to make the beach in a disabled naphtha launch, in which they had sailed from Newark, through Newark Bay, around Staten Island and into the ocean off Norton's Point.

James Fuller, a life guard, hurried to the rescue, taking the three young men into his boat and subsequently towing in the disabled launch. The men were exhausted and a doctor and later told the story of their trip. They left Newark early in the day, intending to spend some hours at Coney Island. The launch was towed by a small motor boat and when they broke down and became absolutely unmanageable. The three decided to fight their way to Coney Island and took turns at the oars. Stiles and Frederick Nutting became exhausted and the other brother was on the verge of giving up when help arrived. The rescue was witnessed by thousands.

BOY'S HALT RUN-AWAY.

Stop Horse as He Dashes Upon Asbury Park Boardwalk.

ASBURY PARK, N. J., July 9.—Courageous parts were played by two youngsters on the boardwalk early this evening when they stopped a runaway horse which imperiled the lives of a crowd of Sunday promenaders. The animal, attached to an empty runabout owned by W. H. Fleischmann of New York, a summer resident of Bradley Beach, bolted on Ocean avenue. At Third avenue the wagon collided with a pole and the horse reared up, his head striking the crowd, the crowd fleeing for safety behind benches and bathhouses.

The animal was prevented from proceeding up the walk by the two boys, who propped him by the head and held him until the arrival of the owner. They were cheered by the crowd.

ELECTRIC CURRENT GRIPS GIRL.

She Forms Circuit by Holding Telephone and Turning on Light.

MONTECLAIR, N. J., July 9.—Miss Janet Wheeler of the New York and New Jersey telephone office last night while holding the transmitter on her desk turned on an electric light. Her contact with the two instruments caused the full current to pass through her body and she was unable to move.

Chief Operator Clarence Loper tried to free her and received a severe shock. For five minutes Miss Wheeler was held by the current until Loper cut the wires. When released the girl was hysterical and had to be taken home.

AUTO BUMPS A COURT HOUSE.

APPELLATE DIVISION'S MARBLE RAILING WRECKED.

William A. Moll's Machine Bucked at the Madison Avenue Corner and Twice Crashed Into the Balustrade and Sent Thirty Feet of It Into the Area.

About thirty feet of the handsome marble balustrade around the Appellate Division court house, at Twenty-fifth street and Broadway, was carried away by an unruly automobile yesterday afternoon. The auto is the property of William A. Moll, an advertising agent with offices at 100 William street and a home at 1062 Bergen street, Brooklyn. Mr. Moll was driving the machine down Madison avenue. With him was his driver.

As Moll attempted to turn east into Twenty-fifth street something went amiss with the steering gear, and after whirling around the street the auto plunged on the sidewalk on the Twenty-fifth street side and, crashing into the railing, sent the marble uprights and the heavy top slabs tumbling to the bottom of an araway six feet below. Just twenty-two feet of the balustrade was hurled into the araway and broken into small bits.

The automobile rebounded to the street after the first collision and, despite the efforts of Moll, scooted into Madison avenue, waited around once more and then shot against the balustrade on that side of the building. Eight feet of the marble railing toppled over.

It looked for a time as if the auto would plunge headfirst into the araway. However, at the corner of the balustrade was a tall marble post that supported an electric light. When the auto hit this post it came to a stop long enough for Moll to shut off the engine. Mr. Moll's driver was thrown out during one of the collisions with the corner post, but he escaped with a shaking up.

As a result of the collisions, the front of the auto was smashed. The machine is a 40 horse-power affair and Mr. Moll was taking it from a repair establishment uptown to his Brooklyn home.

Among those who heard the racket was Justice of the Peace, and despite the wait around once more and then shot against the balustrade on that side of the building. Eight feet of the marble railing toppled over.

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LIVE 73 HOURS UNDER WATER.

Fresh Air Again Pumped to Six Survivors in Nunken French Submarine Boat.

Special Cable Dispatch to THE SUN. PARIS, July 9.—At 9 o'clock this morning six survivors of the submarine boat Farfadet, which sunk at Sidi Abdallah, Tunisia, last Thursday signaled that they were experiencing difficulty in breathing. At 10:30 o'clock they signaled that they could last only a quarter of an hour longer.

The boat was then being towed along the bottom. A final attempt was made to lift her by the stern until her after hatchway was above the surface of the water. This was done and when the hatchway was out of the water it was found possible to renew the air in the after compartment through a small porthole. It was also possible to talk with the six men.

When the hatch had been got about a yard out of the water the crane broke. A second attempt failed to raise the boat.

From what the men said while the stern was out of the water it appears that they had never given way to the frenzy of despair.

PRESIDENT IN WHITE AT CHURCH.

May See Shonts and Stevens About Canal To-day.

OSTON BAY, July 9.—President Roosevelt and Mrs. Roosevelt spent a quiet Sunday at the Sagamore Hill. This morning they and their guest, Col. R. L. Ferguson of the Rough Riders, attended Christ Church and heard a sermon by Bishop Albion W. Knight, who is in charge of the Episcopal missions in Cuba.

The President was clad wholly in white duck and the usual crowd of sightseers watched him enter and leave the church. There were no callers at Sagamore Hill yesterday, but it is said that Theodore S. Shonts, chairman, and J. F. Stevens, chief engineer of the Panama Canal Commission, may call on the President to-morrow.

SCOTT IS WHIZZING EAST.

Death Valley Census Starts on His \$5,500 Trip to Chicago.

LOS ANGELES, Cal., July 9.—Walter Scott, the Death Valley Crusader, began his record-breaking run half way across the continent in a special train at 1 o'clock to-day. Scott paid \$5,500 to the Santa Fe Railroad and orders were given to have the best equipment placed at his disposal. By the contract the Santa Fe is to run the special through to Chicago, making the first full stop at Kansas City, at the fastest possible speed.

Should the record of 50 hours and 45 minutes made by the Lowe special from Chicago to Los Angeles be beaten, the Santa Fe will retain the full \$5,500, but if the schedule be not lowered \$500 of the amount will be returned.