could lend a great deal of money at 5 per cent., but not safely.

MORTGAGE BUSINESS SECOND HAND.

Mr. Hughes went into the Mutual's relations with the United States Mortgage and Trust Company. The United States company lends its money on mortgages, puts up the mortgages as collateral for debentures, and these are taken by the Mutual Life. The Mutual gets 4 per cent. on its money invested in these debentures; the Mortgage and Trust company gets 4½ on its mortgage loans. The Mutual thus loses ½ per cent., providing it could have taken the mortgages itself.

Mr. Cromwell contended that the Mutual couldn't get the mortgage business first hand; that the insurance company tried to do so at first, but that it was practically forced to form connections with other companies.

Mr. Hughes wanted to know what precautions the Mutual Life took to satisfy itself of the worth of the mortgages behind the debentures. The witness said that the United States Mortgage and Trust Company also guaranteed the debentures, but counsel for the committee pointed out that the Mutual Life itself owns half the capital stock of the Mortgage and Trust company, and to the extent of its holdings thus guaranteed, the bonds which it held.

Mr. Cromwell said that there were members of the Mutual's board of trustees on the governing board of the United States Mortgage and Trust Company and also a representative from the Mutual's treasury department. Mr. Cromwell said that he personally was satisfied that the property behind the mortgages was good after it had been passed on by the Mutual's representatives.

Mr. Hughes asked the witness to have a statement prepared showing the Mutual's transactions in the United States Mortgage and Trust Company's debentures.

ARBUCKLE BROS.' DEALS.

James N. Jarvie said that he was a director in the National Bank of Commerce, the Guaranty Trust Company, the Mutual Alliance Trust Company and the Morton Trust Company, in each of which the Mutual Life is a large stockholder. Mr. Jarvie said that in his opinion it was necessary for the life insurance companies to participate in syndicates because in the first place it was profitable and in the second place they couldn't acquire large lines of securities under any other circumstances.

He said that personally he had never participated in any syndicates in which the Mutual had been interested or from which the Mutual had purchased bonds. Arbuckle Bros., the firm of which he is a member, had, however, been interested in syndicates with the Mutual Life. Mr. Jarvie objected to disclosing any of the transactions of his firm. He was perfectly willing, he said, to make the statement that his personal judgment had never been affected by the fact that the Mutual had entered a syndicate, and he thought that was sufficient.

Mr. Hughes replied that Mr. Jarvie's declaration was important, but that it was necessary to get at the facts as regards the transactions of his firm. Mr. Hughes wanted to know whether Arbuckle Bros. were interested in the Pennsylvania convertible 4s syndicate. Mr. Jarvie appealed to the chairman of the investigating committee and asked whether it was necessary for him to answer that question. Assemblyman Wemple, who occupied the chair, in place of Senator Armstrong, said that the witness would have to answer.

Mr. Jarvie replied that Arbuckle Bros. had participated in that syndicate to the extent of $200,000, and also in one of the Imperial Japanese bond syndicates in which the Mutual was interested.

Mr. Hughes told the witness he might go, but as he was leaving the stand James M. Beck, the Mutual's counsel, arose and said, addressing Mr. Jarvie:

"If by reason of your connection with the Mutual Life Insurance Company you were not permitted to invest your private funds and the funds of the firm of which you are a member as you pleased, would you remain a trustee of the Mutual Life Insurance Company?"

Mr. Jarvie answered that he woul d not.

WHERE WOULD TRUSTEES COME FROM?

"Then," continued Mr. Beck, "do you think the Mutual Life Insurance Company could get a board of trustees composed of men of experience and affairs to continue members of such a board of trustees if they were not at liberty to invest their private means as they pleased?"

"I think not," was Mr. Jarvie's reply.

Mr. Hughes quickly recalled the witness to the stand, and asked rather sharply:

"Do I understand that you consider it proper for you or your firm to make money out of the purchase of bonds by the Mutual Life Insurance Company?"

"We never had made money out of that," replied Mr. Jarvie.

Q. You do make money out of it when the Mutual Life Insurance Company buys bonds from the syndicate managers and you have a profit in the syndicate? A. As a participant of that syndicate, yes——

Q. Now then—— A. I think I have answered that question in this way. I told you that when Arbuckle Bros. went into a syndicate or participated in a syndicate that the Mutual Life Insurance Company going in had no influence in their judgment.

Q. That is not the question I am asking. I want to know whether one of the conditions of your being a trustee of the Mutual Life Insurance Company is that you can make money out of the Mutual Life Insurance Company by the purchase of securities? A. No.

Mr. Beck interrupted with:

"Such was not my question."

"I knew that it wasn't, but it is mine," retorted Mr. Hughes.

CAN'T GET BONDS FIRST HAND.

Mr. Henderson gave it as his opinion that it was practically impossible for the Mutual Life to get bonds directly from the vendors, from, for instance, a railroad. A banking house, when it takes a series of bonds, wants the entire issue, and it is more satisfactory to the house to have the Mutual participate in the syndicate underwriting the bonds. Mr. Hughes wanted to know whether it wasn't a fact that the Mutual went into syndicates sometimes because it didn't want to prejudice its relations with banking institutions, and Mr. Henderson replied that he didn't think so.

Mr. Henderson said that his firm participated in the Pennsylvania Railroad shares syndicate to a small extent and also in two of the Imperial Japanese bonds syndicates, in each of which the Mutual Life was interested.

George F. Baker testified that he was a director in the Guaranty Trust Company, the United States Mortgage and Trust Company, the Morton Trust Company and the National Bank of Commerce. He said that the Mutual Life maintained a considerable cash balance in the First National Bank, of which he is president. Mr. Baker is a member of the Mutual's finance committee, as are also Mr. Henderson and Mr. Jarvie.

THE "DEATH CLAIMS" ACCOUNT.

The Mutual's account in the First National, he said, amounted on an average to about $1,000,000. It is the company's "death claims" account. When money is appropriated for the payment of a death claim it is deposited in the First National Bank. The witness said the account was active.

Q. But still the balance is about $1,000,000 as maintained? A. That balance is considerably made up of floating checks they send to a person—their heirs—and sometimes the heirs don't get around to the bank for quite a while, and we get the benefit of it.

Mr. Hughes said that all of the committeemen recognized Mr. Baker's position in the community and the value of his opinions on the subjects which the committee had under investigation and that they would be glad if Mr. Baker would express himself as to the advisability of an insurance company going into syndicate operations.

"Well," replied Mr. Baker, "it enables the insurance company to get its bonds at a cheaper price than it otherwise could."

Q. That would be the only justification? A. I think that is the only thing at the present time in my mind.

Q. Is it necessary for an insurance company with funds at its command to such a large extent as the Mutual to take bonds through syndicates—can't it get them directly at "ground floor" prices? A. I don't believe they could, sir.

Q. Suppose it were known that the Mutual Life and the Equitable Life and the New York Life would take bonds directly from a railroad company that wanted to borrow money, don't you suppose they could get as advantageous a price as they could through any banking house? A. If it was a small issue, I think they could; but in the recent issue that you were speaking of, the Pennsylvania $100,000,000 loan, it is very possible they wouldn't want to take so large a volume as to affect the negotiations of the bankers.

Q. And of course if the bankers undertook the flotation they would want to control the thing entirely? A. Yes, sir.

Q. And it would be for the interest of the railroad company to make an arrangement satisfactory to the bankers? A. They all seem to think so.

Q. The result would be that the bankers would get control of the issue, and then the insurance companies, to get in, would have to deal with the bankers? A. Practically.

Q. That is about the way it works? A. Yes, sir, and the bankers generally let the insurance companies in on what you might call the hard pan basis.

Mr. Hughes wanted to know whether the bankers didn't realize that it would greatly assist in the flotation of the securities if institutions which have a reputation for conservatism take large blocks, and Mr. Baker replied that he didn't believe the bankers would let the institutions have the securities if they didn't think so.

Mr. Baker said that he got his participations in syndicates through his position as an officer of the First National Bank.

Q. And the relation of the Mutual Life to the matter did not enter into your thoughts at all? A. Not in the slightest degree.

Q. At the same time, the fact remains that you and the Mutual Life were participators in several syndicates together? A. Yes, sir.

Mr. Hughes asked the witness to furnish the committee a statement of his participations in syndicates in which the Mutual was interested, sohwing the profits in each transaction.

ILLINOIS CENTRAL WOULDN'T SELL TO MUTUAL.

Treasurer Cromwell of the Mutual Life asked permission to say something in regard to the Mutual Life's efforts to purchase bonds from the venders. A few years ago he made an effort to purchase Illinois Central bonds directly from the company, and although the Mutual Life was in a good position to ask a favor from the railroad company, a representative of the company told the Mutual frankly that the railroad couldn't afford to sell its bonds to the insurance company, that the necessities of the road required that the bonds should all go through the bankers' hands.

Q. The railroads must keep with the bankers in order to float their bonds? A. Yes.

Q. And the insurance companies must keep in with the bankers in order to get the investments they want at low prices? A. That is it.

Q. But the bankers control the situation? A. No question about it.

Q. But what do you think the reason is for this? A. Why, to keep a market for the bonds.

Mr. Cromwell said he thought the flotation of the bonds would be carried through successfully without the aid of the insurance companies.

"Why," said he, "they (the bankers) sell more bonds in Europe in a week than we buy in a month. This is a very big world. Pardon me for saying it."

The witness testified that the Mutual Life carried a cash balance of about $200,000 with the Morristown Trust Company, in which the insurance company, as well as several of its trustees, are stockholders.

Speaking of the Mutual Life's relations generally with the trust companies, Mr. Cromwell said:

"We overlook everything in the trust companies."

"You mean," said Mr. Hughes, "that you look over everything in the trust companies."

"Yes," replied the witness, somewhat embarrassed.

BUYS MORTGAGES SECOND HAND.

Mr. Cromwell said that the Mutual Life had an agreement with the Title Guarantee and Trust Company, in which the Mutual Life as well as some of its trustees is a stockholder, to take over $4,000,000 of the company's mortgages each year, the trust company to guarantee the mortgages and the Mutual Life reserving the right to reject them. The Mutual Life got 4½ per cent. on its money in these transactions.

Mr. Hughes asked Mr. Cromwell to explain how it was that the Mutual Life disbursements for "advertising, printing, stationery and postage" were so much larger than those of either the Equitable or New York Life last year. The Mutual's figures for these expenditures are $1,134,000. The New York Life spent for the same purposes $851,284, and the Equitable $772,000. Mr. Hughes took the names of the persons in the Mutual Life who are responsible for payments on this account.

Mr. Dutcher, describing the methods of the Metropolitan Life in conducting its business, admitted that there had been a good many purchases of securities of which he as a member of the finance committee knew nothing until they were brought before the committee for approval. Mr. Dutcher said that the only reason he could give for the company's having bought such a large amount of its securities from Vermilye & Co. was that the transactions were most satisfactory.

Mr. Dutcher said that he participated personally in a Western Pacific bond syndicate to the extent of $50,000. The Metropolitan had a participation in this syndicate of $3,000,000. He had taken a participation also, he said, in a Wabash syndicate for $50,000 in which the Metropolitan was interested, but he had turned his interest in the syndicate over to the Hamilton Trust Company.

Sometimes, the witness testified, Vermilye & Co. bought for the Metropolitan as brokers doing a Stock Exchange business. When the Metropolitan decided it wanted certain stocks it gave orders to Vermilye & Co. to buy in the market at the price named by the company. That, however, was not the usual method. Usually the Metropolitan bought from Vermilye & Co. as representing the vendors.

The hearing will be continued this morning.

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JUSTICE GAYNOR'S RETURN.

Leaves the Ship With His Mind Undecided About the Nomination.

Justice William J. Gaynor arrived yesterday aboard the White Star liner Baltic looking somewhat pale and nervous. He had been ill of a cold when the ship sailed from Liverpool, and the voyage, which was somewhat rough at times, had not benefited him much. Thomas Gilleran and C. Augustus Haviland of the Municipal Ownership League, Charles H. Hyde and Ira Leo Bemberger met Mr. Gaynor at Quarantine and accompanied him to the White Star pier.

He told them what he also told the reporters, that he had been away a month, and had not paid any attention to politics. Asked if he would take the fusion nomination for Mayor he answered with some hesitation, tugging nervously at his mustache, that he was surprised at the situation developed, but that as he had been on the water eight days he was unprepared to say offhand anything about the matter.

His original intention before seeing his friends, he said, was to take the 6:30 P. M. train to his home in Ridgefield, Conn., which was accessible by telegraph and telephone; but he might stop over night and prepare a statement.

He said he had stayed in his cabin on every day of the voyage except the last. He had received several wireless dispatches while the ship was nearing port asking him if he intended to take the nomination. One was from the *Evening Post*. He had not answered any. He also had received, when about to depart from the other side, a basketful of cablegrams relating to his attitude toward the Mayoralty nomination.

NO WARSHIP FOR NICARAGUA.

ORDERS NOT YET ISSUED IN THE ALBERS CASE.

The Plan to Send a Naval Vessel to That Country Was Intended to Be Kept Secret—Minister Don Luis Corea Gives the Nicaraguan Side of the Case.

WASHINGTON Sept. 14.—The publication this morning of the Government's intention to provide W. M. Merry, the American Minister to Costa Rica and Nicaragua, with a warship to take him as near as possible to Ocotal, Nicaragua, where William S. Albers and his brother are in prison, created considerable stir in the State and Navy Departments. It had been intended to keep the matter secret. Government officers absolutely refused to discuss the situation or even to confirm the statements already published. It is believed here that the plan to send a warship to Mr. Merry's aid emanated directly from Oyster Bay, and the perturbation over the leak is thought to be mainly due to that fact.

The situation apparently remained unchanged to-day. If any steps have been taken it is not now likely that they will become public until the State Department is ready to make an announcement. At the Department it was said that the gunboat Princeton, the vessel which will probably be sent to carry Mr. Merry from Costa Rica to Nicaragua, had not been ordered to leave Panama, nor had any other warship been placed at Mr. Merry's disposal.

Señor Don Luis F. Corea, the Nicaraguan Minister, to-day gave the Nicaraguan side of the Albers case in an interview and in a formal statement sent to the various newspapers. He also called on Acting Secretary of State Loomis, eager for news of any action this Government proposed to take in the case. He told Mr. Loomis that Albers was really not a good citizen and was not considered such in Nicaragua. He also gave it as his opinion that the letter from an American who while in Nicaragua on a scientific mission investigated the Albers case, and which was printed this morning, was written by a disappointed concession seeker.

The communication set forth the case of the Albers brothers in a light that made the conduct of officers of the Nicaraguan Government seem pretty bad and worthy of drastic action on the part of this Government. Señor Corea says that the Nicaraguan Government and its officers had acted within the law, both in the case of the two Alberses and in that of Chester Donaldson, the American Consul at Managua, whose exequatur was cancelled by the Government after he had offered violent protest against the imprisonment of the Americans.

A new phase of Mr. Donaldson's case is set forth by Señor Corea, who says that the Consul, without any diplomatic rights, wrote three times to President Zelaya, the third letter being very insulting and incidentally expressing the wish of the writer to be out of the country. Señor Corea says the Government took Mr. Donaldson at his word and canceled his exequatur, thereby ending his official existence, although he is still drawing salary.

It became known at the State Department to-day th t Mr. Donaldson is on his way to the United States. For several weeks he has been ill with typhoid in Nicaragua, and is granted leave on account of illness. It is not known by what route Mr. Donaldson is returning home, and accordingly it is not known just when he will get to Washington. He will come here direct, in all probability, and tell officials of the State Department the details of his case.

Señor Corea's statement differs greatly from the facts as they have been set before the State Department. He says that Albers was arrested for contempt of court—refusing to obey the law enacted to prevent smuggling. According to the report of Mr. Donaldson, which reached the Department several weeks ago, the charges were various, including resisting arrest, threatening to shoot an officer and defaming the President of the republic. The letter from the American who investigated the case, whose name must be withheld, differs entirely from Señor Corea's version of the affair. The facts set forth in the letter have been taken as true. Minister Corea's story of the Albers case is as follows:

"The offense for which Mr. Albers was arrested was that of contempt of court. He refused to obey the law of Nicaragua enacted to prevent the smuggling of tobacco and the evasion of the license tax. When the Mayor of Jalapa and the chief of police, in his capacity of inspector of finance, called upon him to comply with the orders of the court, he raised the American flag over his house and armed his laborers for resistance, thus committing a breach of the peace and inciting a riot.

"Instead of making forcible entry, the Mayor of Jalapa officially reported to his superior in Ocotal the breach of law, and on April 7 a judicial investigation was begun by the District Court of that city. After the inquiry, which lasted four months and which had been very thorough, was concluded, Albers was arrested and imprisoned, but not without the privilege of giving bail, of which he did not choose to avail himself.

"Since Albers's arrest he has had the service of counsel, especially provided by the tribunal, to defend him, as well as the privilege of retaining any other attorney. That his family or his business interests might not suffer during the period of his imprisonment, President Zelaya telegraphed instructions to the Chief of Police of Jalapa to take extra precautions to guarantee the safety of the family and adequately protect the property.

"Following the arrest of Albers the American Consul, Chester Donaldson, who enjoyed no diplomatic privileges whatsoever, as he was simply a commercial representative, took the extraordinary course of appealing in a note directly to President Zelaya for Albers's release. President Zelaya in a personal note politely replied that, as the case was wholly within the jurisdiction of the judiciary, he was without authority to interfere before a verdict was rendered and sentence imposed.

"Again there was a similar exchange of personal correspondence between President Zelaya and Consul Donaldson, after which the Consul addressed an offensive letter to the President, beginning with the third person and concluding in the first, but not signed, demanding the release of Albers within twenty-four hours, saying that if this were not done he would not be responsible for the consequences. This letter was not only offensive but it contained false asseverations, and in it Mr. Donaldson intimated the desire to leave Nicaragua. Thereupon the Assistant Minister for Foreign Affairs was sent to personally inquire if the Consul was the author of the letter and to give him the opportunity to withdraw it. Mr. Donaldson acknowledged the authorship and reiterated his demands, whereupon his exequatur was canceled."

In addition Minister Corea says President Zelaya has always shown the greatest consideration for Americans.

Yellow Fever on the Isthmus.

WASHINGTON, Sept. 14.—During the first two weeks of September there have been seven new cases of yellow fever in Panama, according to a cabled report received at the offices of the Canal Commission to-day from Gov. Magoon. Of the seven cases only one was of an employee, an Italian, in Panama. Four deaths have resulted, all being non-employees and none of them an American.

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SOME MEDICINES ARE LIQUORS.

These Whose Chief Ingredient Is Spirits Will Be Subject to Special Liquor Tax.

WASHINGTON, Sept. 14.—Under a decision rendered by the Commissioner of Internal Revenue every druggist who after December 1 of this year may sell certain so-called patent medicines having whisky or other distilled spirits as the chief ingredient will be obliged to pay a special tax to the Government as a liquor dealer. The manufacturers of these medicines will be required to pay the special tax imposed upon rectifiers and liquor dealers.

The subject of placing certain patent medicines in their proper classification has been under consideration by the internal revenue authorities for some time. In 1901 the matter was considered by the Commissioner of Internal Revenue, but it was decided at that time that if the preparations in question "are composed of spirits in combination with drugs, herbs, roots, &c., and are held out as remedies for diseases stated in labels on the bottles, they are to be regarded as medicines until the facts ascertained as to the purpose for which they are usually sold or used show them to be beverages, and until such facts are obtained druggists and merchants who sell these compounds in good faith as medicines only are not to be called upon to pay special tax as liquor dealers on account of such sales."

This decision, according to the announcement to-day, is now revoked.

Commissioner Yerkes, who promulgated the decision after conference with Secretary of the Treasury Shaw, is convinced that several so-called medicines widely advertised and extensively sold are really not medicinal in their character beyond the inherent medicinal quality which may be possessed by the alcohol or other distilled spirits which forms their chief ingredient. In his order imposing the special liquor tax on dealers handling those so-called medicines Commissioner Yerkes says:

"The fact that these compounds during the existence of the statute imposing a tax on proprietary medicines were, without the necessity of investigation into their medicinal character, by the terms of the law made subject to that tax because they were held out to the public as medicines, does not afford ground for relieving the manufacturers from special tax as liquor dealers under the provisions of section 3244, revised statutes and amendments. It is held that the statute requires the exaction of this special tax from the manufacturer of every compound composed of distilled spirits, even though drugs are declared to have been added thereto, when their presence is not discoverable by chemical analysis, or it is found that the quantity of drugs in the preparation is so small as to have no appreciable effect on the alcoholic liquor of which the compound is mainly or largely composed.

"The same ruling applies to every alcoholic compound labeled as a remedy for disease and contagion containing, in addition to distilled spirits, only substances or ingredients which, however large their quantity, are not of a character to impart any medicinal quality to the compound; but where substances undoubtedly medicinal in character are contained with whisky or other alcoholic liquor and are used in sufficient quantities to give a medicinal quality to the liquor other than that which it may inherently possess, such compound is, of course, not to be included in this ruling. The question in each case arising under the terms of this circular will be determined by this office, not merely upon examination of the formula submitted by the manufacturer of the compound, but upon the result of the analysis made in the chemical laboratory here of samples obtained in the open market and sent in by the local internal revenue officers and agents."

In order to relieve druggists and other dealers from loss, the ruling will not go into effect until December 1 next.

DORDAN WHOOPS FOR DORDAN.

Tells the Faithful He's It—Billy Lee Sails Into G. W.

John E. Dordan, who is running for leader of the Fifteenth Assembly district against George Washington Plunkitt and The McManus spoke at the corner of Eighth avenue and Fifty-second street last night. Cahill, who runs the saloon on the northwest corner and has posters of all the candidates displayed in his window, did a good business

Dordan got a rousing reception and told his hearers that he had canvassed the district and couldn't see how any one else but Dordan could possibly win.

In the meantime McManus was having a meeting from the tailend of a truck at the Ninth avenue corner, and Alderman Richter was jumping on former Assemblyman James E. Smith, who is an ardent Dordan man since he fell out with Plunkitt. Smith heard of the attack, and he and Billy Lee, known as the fighting Tammanyite, came up from Forty-sixth street, where they were speaking, and told the crowd at the Dordan meeting what they thought of Richter, McManus and, incidentally, of Plunkitt.

"That McManus is a flip-flopper," said Lee. "He ain't a Democrat and he never was one. He's beat. So is Richter. Alas, poor Yorick, I knew him well. He can stand on the side of his grave and console himself that G. Plunkitt and The McManus are going in the hole with him.

"Let's get at this Plunkitt first. He came from the people, but he is a multimillionaire now. He hasn't been fair in his division of the spoils. Plunkitt's too old; he's past 40, and Dr. Osler says no man is any good after that. McManus is a Mugwump."

The meeting was supposed to be under the auspices of the German Democratic Club, but, except Andrew Helbig, who acted as chairman, most of the speakers and the greater part of the audience seemed of Celtic strain.

At the close of the meeting, after the drum corps had played "Tammany" for the fifteenth time, Chairman Helbig told his hearers that he wanted them all to come around Saturday night and join in the Dordan demonstration which the Tallahassee Club is going to have. There are going to be 100 head of horses ridden by men with sashes, and the Cab Drivers' Union has promised 200 cabs guaranteed to hold three men each. Besides, there will be persons on foot wearing high hats, and there will be several bands. What else Helbig didn't promise.

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CITS BOLT FUSION MOVEMENT.

Continued from First Page.

Hearst's men to suggest candidates of their own. Mr. Halpin and Max F. Ihmsen, Mr. Hearst's representative, refused to be drawn. They were waiting for Justice Gaynor's reply. Mr. Cutting knew it, and knowing also that whatever candidate the Citizens' Union put forward, would be outvoted, he withdrew.

Mr. Cutting and the conservative members of the Cits who are behind him had decided weeks ago that they would not stand for any radical candidate running on a socialistic and populistic platform. Mr. Cutting and his friends were only too anxious to find a decent excuse to break loose from the Odell-Hearst fusionists.

Apparently Mr. Halpin and those behind him had not thought that Mr. Cutting would carry out the threat he had made in the earlier part of the day. At a meeting held just before the conference last night Mr. Halpin told Mr. Cutting that he would surely carry his motion for postponement, and added, so it is said, that the Citizens' Union could not afford to break away from the fusion movement just because a few days delay was asked for.

At the meeting, after Mr. Halpin had made his motion for delay, and by a *viva voce* vote it was declared to be carried, Mr. Cutting arose and, motioning to his colleagues, started to leave the room. Immediately Mr. Ten Eyck, who was presiding, and Mr. Halpin sought to detain them. Mr. Halpin appealed to the Citizens' Union men to wait a moment. Then he started out to make a long speech in justification of his attitude.

Those who were at the meeting say that Mr. Cutting, with his hat in his hand and standing, listened to Mr. Halpin, and that when Mr. Halpin got through he remarked: "The Citizens' Union must nevertheless withdraw. We came here prepared to consider the question of candidates, and the opportunity to do so has been withheld from us."

After they left the conference Mr. Cutting and his associates issued this statement:

"The Citizens' Union committee of sixteen has retired from the fusion conference. At the first session, on August 31, upon a motion being made to adjourn, the Citizens' Union requested the conferees to take up the question of candidates and presented the name of Mr. Jerome. Objection was made to Mr. Jerome by the Municipal Ownership League, and the Republican party declined to express any opinion about him. In reply to a question of the Citizens' Union the other conferees said that they had no candidate to propose at that time.

"The conference adjourned to Sept. 7. On that date the conference met again. The Citizens' Union withdrew Mr. Jerome's name and asked for the immediate consideration of other candidates. The Republican party, the Municipal Ownership League and the German-American Municipal League again declared that they had no candidates to present at that time, and a resolution was carried appointing a sub-committee on nominations.

"Four meetings of the sub-committee on nominations were held, at each of which the Citizens' Union endeavored to obtain immediate consideration of candidates. It was met, however, by the objection of the Republican party on each occasion, and motions to adjourn were carried at each meeting, in spite of the protest and vote of the Citizens' Union.

"At each adjournment the Citizens' Union received assurances that at the next meeting the Republican party would be ready to proceed. At each of these meetings the Citizens' Union expressed a desire to discuss the names for nominations, with the object of deciding on the strongest available candidate. On the other hand, the Republican party has been negotiating with candidates whose names they refuse to disclose for consideration by the conference.

"The third meeting of the full conference was held to-night. At this meeting the sub-committee on nominations had nothing to report. The Republican party reported that they were considering a candidate, but they refused to disclose his name even to a sub-committee of four. The chairman of the conference and the Republican party were advised before the meeting that if an adjournment was taken without consideration of names the Citizens' Union would withdraw, and in the course of the discussion the whole conference was notified to the same effect. A motion was then carried against the vote of the Citizens' Union.

"The Citizens' Union has thus been reluctantly forced to the conclusion that the purpose of the conference was not to confer, but to force upon the Union candidates chosen by other members of the conference."

Mr. Cutting added to this statement by declaring that the withdrawal of the Citizens' Union from the fusion movement was final. He said that the action taken by himself and the members of the committee of sixteen last night would be reported next Monday night to a general meeting of the city committee, and that it would rest with that body to decide if the Citizens' Union would put a separate ticket in the field.

"Supposing that the fusionists put up a candidate that would be agreeable to you, would the Citizens' Union go back?" Mr. Cutting was asked.

"I cannot conceive of any circumstances," he said, "under which our organization would resume conferences with the bodies we have just withdrawn from. Our action is final, as I understand it."

Mr. Cutting said that he was unable to predict what action would be taken by the city committee at its meeting next Monday, but he intimated that he thought he bolt made by him and his fellow committeemen last night would be ratified.

The upshot of last night's developments undoubtedly means the end of the Citizens' Union. There are dissensions among them so acute that the organization cannot continue as it is at present constituted.

It is understood that Mr. Cutting and his friends will come out in support of Mayor McClellan. Mr. Cutting, Mr. Huntington and other conservative leaders of the Citizens' Union, as well as the respectable Democrats of that body, have all along been in favor of indorsing Mayor McClellan.

WANTS 1,218 NAMES REMOVED.

Delaney, Who Is Fighting Haggerty in Brooklyn, Is Partially Successful.

Supreme Court Justice Dickey in Brooklyn yesterday heard argument in the application to strike 1,218 names from the enrollment books in the Tenth Assembly district. Ex-Deputy Police Commissioner Henry F. Haggerty's leadership of the Democratic faction is opposed this year by John H. Delaney, who declares the rolls contain the names of 1,218 men who have either died or moved from the district. Both sides made a hard fight in court and about 50 per cent. of the names acted upon were ordered stricken out by Justice Dickey. The case will be resumed this morning. The dispute between Magistrate Furlong and Court Clerk James P. Sinnott for supremacy in the Twenty-first Assembly district will come up to-day. Magistrate Furlong asks to have 1,262 names stricken from the rolls.

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SHOT HUSBAND GOING TO WORK

YOUNG WIFE SAYS HE THREW HER OVER WHEN BABY DIED.

She Waylaid Him and Sent Bullet Through His Body After a Quarrel—He's Likely to Die—She Was a Stenographer, and Her Mother Says He Ruined Her Life.

Elizabeth Wilson, 24 years old, sent a bullet through the body of her husband, Edward, yesterday morning, as he was about to enter the doorway of 122 Centre street, where he is employed as a compositor. Wilson is in the Hudson street hospital, where the opinion is expressed that he has slight chances for recovery. The woman, a thin, frail, hysterical thing, is in the Tombs.

The married life of the pair has been unhappy. After their marriage they lived together intermittently. Three months ago, when their child died, they separated. Wilson's refusal to contribute to the support of the woman led her to have him arrested some time ago, and Magistrate Barlow, in the West Side Court, ordered him to pay her $4 a week. According to the woman's statement to the police after the shooting, Wilson paid no attention to the order, and gave her nothing.

Wilson, who lived at 149 East Fifty-second street, came downtown on the Third avenue elevated road yesterday and got off at Canal street. At the foot of the station stairs he was met by Arthur Herbst, a fellow workman, who lives in Long Island City. A moment later the woman, clad entirely in black and wearing a long cloak, appeared. The police think she was waiting for her husband at the foot of the stairs.

Herbst says that the couple immediately began quarreling and that Wilson continued to walk west toward Centre street at a swift pace. Not caring to be an eavesdropper, Herbst slackened his gait and allowed the Wilsons to get some feet ahead of him. He says he heard the woman cry out angrily:

"I don't want to go to work. I want to make an appointment with you. What time can I see you? Where can I meet you?

"Any time you feel like it," Herbst says he heard Wilson reply.

The couple continued walking side by side quarreling in a low tone all the time until they reached Centre street. Turning south, they continued the dispute and, finally, in front of the building where Wilson was employed the woman shrieked "You will, will you!"

With this she whipped a revolver from beneath her cloak and a shot rang out. Wilson staggered into the hallway and fell. The woman continued down Centre street at an ordinary gait.

Herbst called to a small boy, Harry Weinberg of 40 Forsyth street, and told him to follow the woman and have the first policeman arrest her. The boy had seen what happened and knew what to tell Policeman Howe when the woman turned through White and Bayard streets into Mulberry Bend Park. As Howe placed his hand on her arm she shook him off as if annoyed and said:

"Now don't make a scene; I'll go quietly."

Howe took the prisoner to the Elizabeth street station, where she refused to answer any questions.

Meanwhile the husband had been taken to the hospital in an ambulance and the woman was taken there in order that Wilson might identify her. When led to his cot the woman seemed calm. Her husband positively stated that she had shot him.

"I knew this was coming," said Wilson; "it's just what I expected, and I guess I'm done for. A week ago she threatened to shoot me, and she has kept her word."

Guarded by Policeman Howe and Miss Coleman, a probation officer, the prisoner was taken to the Tombs police court and arraigned before Magistrate Breen. She seemed hysterical. As she was stood before the Magistrate she shrieked.

"They have taken my baby from me. They've got him in a box in the next room. Oh, won't you, please, give him back to me?"

Lawyer Samuel Noat, who represented the woman when she had her husband arrested for non-support, was in court, and Magistrate Breen asked him to act temporarily as her counsel. The Magistrate saw that an examination of the case at the time would be useless, so he committed the woman to the Tombs without bail to await the result of her husband's injuries.

During the trip to the hospital after her arrest the woman made a statement to Policeman Howe. Howe quotes her as saying:

"He wouldn't support me, though he made good wages. I was a stenographer when he married me. Though he made money enough to support both me and the baby, he wanted me to go right on working, just the same. When our child was born I had to stop working, and after it died he threw me over altogether. I didn't propose to work when I knew my husband was able to support me, and this is why I had him arrested. He promised the Judge to pay me $4 a week, but he never paid it."

Although she told the police she was homeless, it was learned that she had been living in a furnished room on East Sixty-eighth street. Mrs. Wilson's mother lives at 541 East Eighty-seventh street. When told of the shooting she said:

"That man ruined my daughter—he wrecked her life. She was well educated and held a good position as a stenographer. But as soon as she met him it was the beginning of the end."

Wilson's condition is serious. The bullet entered the left side and is lodged somewhere in the abdominal region.

ITALIAN BLACKMAILERS CAUGHT.

Pinkerton Man Nabs 'Em Taking Cash They Demanded of Greciano.

John E. Greciano of 346 East Twentieth street, a bookkeeper, gave up $100 some months ago after he had received several letters from Italian blackmailers threatening him with death if he didn't pay. Greciano thought he had bought his freedom from this sort of molestation, but three days ago he got another letter demanding $40 more.

The letter in which this demand was made told him to deposit the money on a window sill in a closet in a saloon on Central avenue in West Hoboken, at 7 o'clock last night. Greciano' boss, L. I. Ughetta, a baker of 335 West Fourth street, got the Pinkertons this time, and last night when three Italians grabbed the money, which was in marked bills, Assistant Supt. Bailey of the agency and a detective of West Hoboken nabbed them.

The prisoners were locked up in the West Hoboken police station.

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MARRIED.

KELLY—THURESSON.—Edmond Kelly to Edith Thuresson, by the Rev. Dr. Houghton, at the Church of the Transfiguration, on the 22d of August, 1905.

DIED.

Department of State.

[Official.] Washington, D. C., Sept. 13, 1905.

ELIAS.—Information has been received at this Department from Mr. John B. Breuer, American Consular Agent at Wiesbaden, Germany, of the death on the 6th of July, 1905, at Wiesbaden, Germany, of Michael Elias, an American citizen.

The legal representatives of the deceased can obtain further information by applying to this Department.

Per despatch No. 343.
Dated Aug. 4, 1905.

FLEISCHMANN.—Suddenly, on Sept. 13, at Buffalo, N. Y., Henry A. Fleischmann, aged 67 years. Funeral services from his late residence, 1523 Madison ave