

HUMMEL, GUILTY, IN PRISON.

BUT SOON LET OUT ON \$10,000 BAIL. PENDING AN APPEAL.

Sentence Was the Limit. Year on the Island and \$500 Fine—Jury Soon Agreed. Jerome Says Hummel's Firm Has Merit. Menace to Decency for 20 Years.

Mr. Hummel was put behind prison bars tonight, but not to stay there long. For a year on \$10,000 bail. He was convicted in the afternoon of conspiracy in conniving with the defendant to break up the marriage of Charles W. Morse, a banker and a man of high standing. He was immediately sentenced to a year in the penitentiary and pay a fine of \$500, or serve 100 days more—the maximum penalty for conspiracy, which is a misdemeanor. The defendant himself does not bar him from practicing law again, as only conviction for a felony carries with it disbarment, but application to disbar, based on a conviction of misdemeanor, may be made to the Appellate Division.

HUMMEL EXPEDITED THE SENTENCE.

It was on Hummel's own motion that he was sentenced at once, as he was anxious to begin proceedings to appeal from the conviction. He thought he might be let out on bail overnight, which was expected to-day, but District Attorney Jerome would not consent to that proposition. It was then that Hummel demanded to hear the sentence of the Court.

Mr. Jerome was ready for the emergency. He declared with some bitterness that he was ready to show by affidavits that Hummel and his firm had been a menace to the community for twenty years, and that if the Judge would prepare to impose the maximum penalty he would be ready to submit affidavits in aggravation of sentence.

BLOCKING HARRIMAN'S SCHEME.

The Hill Railroads Fighting an Extension of the Pacific Coast Line. Tacoma, Wash., Dec. 20.—Hill railroads are taking legal means to block the use by Harriman lines of the old Union Pacific right of way between Portland and Tacoma, constructed in 1891 at a cost of over \$1,000,000. The Northern Pacific has commenced a suit at Olympia to foreclose on delinquent tax certificates covering this right of way, which it holds in name of Northwest Improvement Company.

INnocent As a Babe, He Says.

In the Tombs he was taken to a cell—Cell 122, in the second tier, two floors above the ground floor on the Center street side. There the reporters saw him an hour later. He came out into the corridor to greet them. He had to walk through a long line of the little prisoners with a tall hat worn over a naturally pale face, now sallow. His neat single-breasted frock coat, nicely buttoned and air of prosperity seemed out of place.

QUEER HUNT FOR LOCAL COLOR.

Woman Who Years to Write Accused of Shoplifting. Miss Lillian Cherry of Minneapolis came to New York to look for a husband. She is now 31—teaching had been her vocation, writing her ambition. She was held in Jefferson Market police court yesterday on a charge of shoplifting in a Sixth avenue department store.

JUDGE'S CHARGE HIT HIM.

Hummel came to court with some fear as to the outcome after Assistant District Attorney Rand's arraignment the night before. But there were some things that cheered him. The jurors were said to be indulgent over some newspaper caricatures and felt also that they should not have been looked up over Tuesday night but that the case should have been given to them after Mr. Rand had summed up. If the jurors were pleased with the authorities' testimony, it might be favorable to Hummel.

ONLY ONE JUROR IN DOUBT AT ANY TIME.

The jury was out for a little over two hours—from 12:40 until 3 o'clock P. M. The jurors refused to go to lunch, which was taken as an indication that a verdict would be reached quickly. It was learned that they practically stood 11 to 1 for conviction from the start. One of the jurors was doubtful about the Dodge signatures on the two letters he wrote to Rigor and the signatures to the two affidavits he made in Hummel's office. He wanted to be consulted and asked to see the letters and the affidavits. Mr. Rand and John B. Stanchfield consented, and they were taken into the jury room. Fifteen minutes later it was announced that the jury had agreed.

MEANTIME HUMMEL HAD BEEN OUT TO

Continued on Third Page.

USED INDIANA'S STATE FUNDS.

Secretary of State Forced to Pay Up \$77,000 and Trustees His Property.

INDIANAPOLIS, Dec. 20.—Daniel E. Storms, Secretary of State, has been forced to place his property in the hands of a trustee in order to raise money to make a settlement with the State.

Storms at the time David E. Sherrick, Auditor of State, was removed by Gov. Hanly was practically in the same condition as the Auditor and was forced to call upon his bondsmen for aid. When the Governor pounced down upon Sherrick there was considerable uneasiness on the part of the banks that held Storms's securities, and they called in their loans on him. He could not raise the money, as he could not sell his securities.

His bondsmen held a meeting and then appealed to the banks. The amount needed was \$77,000, but they could not raise it all, and when every effort had been made there was still lacking \$41,000 to make good Storms's debt to the State. It was then determined to place the securities of all property which Storms held in the hands of a trustee and attempt to raise the balance of the money. Individual friends contributed to the fund, and he was finally able to pay the amount due into the State Treasury.

In the same connection it developed that Storms had been short \$20,000 at the July settlement and that this sum was carried over to October, making the total due the State at that time \$77,000. John A. Apple, a real estate dealer of this city, was made trustee of the Storms property, and all the securities in which money belonging to the State had been invested, together with other property, were turned over to Apple to dispose of and repay the sums that the bondsmen and personal friends had advanced.

THE HILL RAILROADS FIGHTING AN EXTENSION OF THE PACIFIC COAST LINE.

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TAHITI HEARS WE WANT HER.

Tahiti hears we want her. The French government has lately removed its military garrison at Tahiti to another island, and that orders have been received to send the garrison to another island.

LABOR BUREAU GUARDED.

Police men at scene of bomb explosion. Other threats made.

ANOTHER RATE BILL TO COME.

Democratic Senators decide to prepare one that will meet their views. WASHINGTON, Dec. 20.—The situation in regard to rate legislation has been complicated still further by the decision of the Democratic Senators to frame a rate bill that will meet the views of the Democratic minority in the Senate.

STOPPED FOR A RESCUE.

Freight Train Crew Save Three Persons From Drowning.

ONE NIGHT IN CHARGE.

By the Twentieth Century Limited of the New York Central.

FLORIDA'S FAMOUS TRAINS.

By the Florida East Coast Line.

RAILROADS VOTE TO BE GOOD.

COMMITTEE TO REPORT ILLEGAL ACTS BY WESTERN LINES.

The West Roads Had Been Giving Secret Rebates by Various Dodge-Club of Threatened Exposure Expected to Be Effective All Lines Agree.

CHICAGO, Dec. 20.—At a meeting of the executive officials of all Western railroads held here to-day an agreement was entered whereby every road bound itself to inform the Interstate Commerce Commission of any illegal acts of any kind.

A committee, composed of representatives of all the traffic associations in the West and Southwest, has been appointed to watch the payment of rebates, and upon the first scintilla of evidence that any road is paying a rebate to report the circumstances to the Interstate Commerce Commission.

This plan means that the railroads will turn informers against themselves. The membership of this committee will be made known within the next few days. The associations which will designate members are the Transcontinental Freight Bureau, the Western Trunk Line Committee, the Missouri Freight Rate Committee, the Southwestern Rate Committee and the Texas Lines. One man will represent each association.

BEET SUGAR INSURGENTS ANTIPOATHIC WITH BILL TO REPEAL CUBAN RECIPROITY.

WASHINGTON, Dec. 20.—Representative Needham (Rep., Cal.) to-day introduced a bill to repeal the Cuban reciprocity treaty whereby Cuban products are admitted to the United States at a reduction of 20 per cent. of the Dingley duties and American goods entering the island enjoy a similar advantage.

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KAISER MISS FARRAR'S FRIEND.

American Girl, to Whom Crown Prince Was Special, Scores Operatic Success.

Special Cable Dispatch to THE SUN. BOSTON, Dec. 20.—Miss Edith Farrar, the American singer, appeared to-night for the first time in a Wagnerian rôle, singing the part of Elizabeth in "Tannhäuser" at the Opera House here. She achieved a conspicuous success, being recalled eleven times. The Emperor and Empress were present.

Miss Farrar appeared in the character of the special desire of the Emperor.

Miss Farrar has scored previous successes in Berlin in lighter operatic rôles, and her name was also brought into prominence two years ago through stories of the attentions paid to her by the German Crown Prince, who has since married. It was said at the time that the young man's devotion became so marked that the Kaiser interfered. Then a German newspaper printed a story that said that a libel suit was started by the singer's father, Sydney Farrar, a former professional baseball player. Miss Farrar is now about 22, and has been abroad since 1899.

FIGHT PHILIPPINE TARIFF.

Beet Sugar Insurgents Antipathic With Bill to Repeal Cuban Reciprocity.

WASHINGTON, Dec. 20.—Representative Needham (Rep., Cal.) to-day introduced a bill to repeal the Cuban reciprocity treaty whereby Cuban products are admitted to the United States at a reduction of 20 per cent. of the Dingley duties and American goods entering the island enjoy a similar advantage.

The President is giving notice of the termination of the convention within ten days after the passage of the bill.

The introduction of this bill is a part of the plan of the beet sugar insurgents to fight the passage of the Payne Philippine tariff bill, which Chairman Payne gave notice in the House to-day would be called on immediately after the holiday recess.

Mr. Needham offered his bill as an amendment to the Philippine tariff bill in the Ways and Means Committee yesterday, but it was ruled out as not being germane.

There is a strong sentiment among certain Republicans of the House in favor of revoking the Cuban reciprocity treaty on the ground that it causes a material loss of revenue while our trade with the island is small, owing to the fact that Cuba buys largely in Europe.

If trade advantages are to be extended to the insular possessions of the United States, say the advocates of the Needham measure, they ought to be withdrawn from Cuba, as that she may be placed on the same basis as South and Central American countries.

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ODELL MAKES ODD SPEECH.

SAYS HE'S BEEN HOUNDED TO HIS GRAVE, BUT WANTS TO FIGHT.

Turn Me Out if You Can and Fight It Out Now—I Won't Submit to Dictation From Any Man, No Matter How High—But I Am for Reform and Loyalty to the Party.

B. B. Odell, Jr., delivered what many who heard him took to be a valedictory at a dinner given by Edward H. Healy, the Republican leader of the Thirty-fifth Assembly district, to his captains at Fisher's Casino in the Bronx last night.

Gathered about the table were about 200 Republicans—distinctly of the Bronx. Gov. Higgins and Lieut-Gov. Bruce were invited, but sent regrets. Leader Healy in his opening address said that this would probably be the last dinner of the captains together, as the political map of the Bronx would be changed next year.

"This dinner," said Healy, "might be termed our parting up." Then he introduced Odell, who said:

"If I believed everything I read in the newspapers, I would feel like saying I, too, was packing up and moving. Whatever the result may be, I cannot be robbed of my devotion to and love for the Republican party, which I have served loyally for many years."

"Because of the decision of the Republican County Committee for a straight ticket in New York city, it having been impossible to combine with the forces opposing Tammany Hall, I was blamed. Of course, we lost, but in our defeat we learned some great lessons. One of the greatest was the one taught by the immense vote cast for a candidate who was very nearly successful."

"Republicans all over the city felt that the administration of city affairs by Tammany Hall was not everything that it should be, and they grasped the opportunity to vote for this nearly successful candidate in an effort to bring about improved conditions."

General Managers Marshall, Smith, Schaaf and L'Hommedieu and Supt. Deems of the mechanical department were appointed a committee, to be known as the board of pensions, to establish rules and regulations for operation of the pension fund and the conditions of benefit thereunder and fix the date when the pension allowance will become effective.

FARM CROPS IN 1905.

Final Returns to the Bureau of Statistics, Department of Agriculture.

WASHINGTON, Dec. 20.—Final returns to the Bureau of Statistics of the Department of Agriculture from regular and special correspondence, supplemented by reports of special field agents, show the production of the principal farm crops of the United States in 1905 to have been as follows:

Corn, 2,077,993,540 bushels; winter wheat, 428,622,834 bushels; spring wheat, 269,516,658; oats, 659,216,819; barley, 126,651,029; rye, 27,819,045; buckwheat, 14,885,622; flaxseed, 28,457,537; rice, 12,933,459; potatoes, 200,741,294; hay, 60,531,611 tons; tobacco, 636,037,319 pounds.

The average weight per bushel is shown to be 56.3 pounds for spring wheat, 58.3 pounds for winter wheat and 32.7 pounds for oats.

SNOWBOUND AUTOISTS RESCUED.

Searchers Found Them Just in Time in a Deep Mountain Pass.

FLAGSTAFF, Ariz., Dec. 20.—The searching party which left here yesterday afternoon to locate two lost transcontinental automobilists, Perry F. Megarag of New York and David F. Fassett of Lansing, Mich., found them late last night in a desperate condition, snowed in without food or gasoline, eighteen miles from town near a deep pass in the mountains.

The automobilists had saved themselves from being frozen to death by using gasoline to build a fire. Smoke from this fire led the rescuers to the spot. A squirrel was their first food for over thirty-six hours.

COLBY DOES NOT BOLT.

Attends Caucus of Republican Senators, but is Released From Pledges.

TRENTON, Dec. 20.—Senator-elect Colby, the Essex county reform leader, and the Republican organization which he has been opposing, got together in a way here to-day at the caucus of the legislative senators.

Mr. Colby intended to bolt the caucus as his associates in the Assembly bolted the House caucus last night, but at the last moment he decided not to do so, and in the instance of Senator Wakeley of Bergen county, the caucus adopted a resolution releasing Mr. Colby from the pledges to the reformers.

LIBBIE GARRABRAND FREED.

Famous Murderess Paroled After an Imprisonment of 34 Years.

LIBBIE GARRABRAND of Paterson, N. J., who was sentenced to life imprisonment in the Trenton prison for the murder of Charles Burroughs, was paroled yesterday by the Board of Pardons after serving thirty-four years of her sentence. She is the only woman ever sentenced to New Jersey to life imprisonment.

When she went to prison she was a girl of 17. Now her hair is streaked with gray and her face is almost ruined. Regularly for the last twenty years her case has been before the Board of Pardons twice a year.

The murder for which Libbie Garrabrand was imprisoned took place so long ago that few remember it. While a silk winder in a Paterson mill she met a carpenter, Jim Winkel Bogart, who was much older than herself, and went to live with him. They took rooms with Charlie Burroughs, a bridge tender. One day Bogart sent the woman to the drug store to buy some "white powder." She procured some arsenic, which, at Bogart's request, she sprinkled over Burroughs' food. His death followed quickly.

At the trial she was convicted and sentenced to be hanged. The sentence was afterwards changed to life imprisonment on account of her youth.

HOLIDAY TOUR TO WASHINGTON.

Leaves New York, December 28, via Pennsylvania.

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HERPACH FELLELEN-HUSBAND.

Woman Hacks Up Court Proceedings With a Well Aimed Blow.

PHILADELPHIA, Dec. 20. Mrs. Agnes D. Nagle, who is seeking to compel Theodore M. Nagle of Erie, president of the York Iron Works, to support her daughter, Theodora, to-day supplemented the court proceedings by knocking her ex-husband out with a punch on the jaw.

The episode occurred just outside the doorway of the despatch office. Some years ago Mr. Nagle got a divorce from his wife and ever since has been a disbeliever in the right of women to support their children. Every time her case has come up Nagle has succeeded in having it postponed.

Mrs. Nagle grew weary of this, and another postponement to-day made her angry. Mrs. Nagle waited in the corridor until her husband came out of court, took the gloves off his coat and landed a punch on the nose. Nagle went down and took the full count.

"Get up and let me hit you again!" Mrs. Nagle urged. He wouldn't. "I'm glad I landed," she said, "I practiced that punch for days."

SECOND \$1,000,000 CLARK BABY.

The Montana Man Gives Another Grandchild to Good Start in Life.

SAN FRANCISCO, Dec. 20.—Another million dollar baby was born this morning. The little one is the daughter of Mr. and Mrs. Charles W. Clark, who are now at San Mateo.

As soon as the birth of the child was announced Senator W. A. Clark of Montana, her grandfather, followed it with a second announcement that he would settle \$1,000,000 upon her.

Seven years ago Senator Clark gave \$1,000,000 to his first grandchild. Since then his son Charles married Miss Celia Tobin of this city, and the daughter born today is their first child.

SULZER'S CHRISTMAS PRESENT.

Mr. Carnegie Sends Him 24 Bottles of 30 Year Old Scotch Whisky.

WASHINGTON, Dec. 20.—Representative Sulzer to-day received a Christmas present the bestowal of which he greatly appreciates, but the use of which will not benefit him personally. It was a case of twenty-four quart bottles of Scotch whisky, thirty years old. The donor was Andrew Carnegie, and the gift was accompanied by an expression of holiday greeting from the ironmaster. Mr. Sulzer does not use intoxicating liquors, but Mr. Sulzer has friends who have no scruples against good old Scotch, when ice, fizzy water and lemon peel are added.

N. Y. CENTRAL PENSIONS.

Funds to Be Created by Central, Lake Shore, Michigan Central and Big Four.

At meetings yesterday of the directors of the New York Central, the Lake Shore and Michigan Southern, the Michigan Central and the Big Four railroads each decided to establish a pension bureau to take care of faithful employees who have been in the service of the company for a great number of years and are no longer fitted for active duty.

Vice-Presidents Brown and Carstensen, General Managers Marshall, Smith, Schaaf and L'Hommedieu and Supt. Deems of the mechanical department were appointed a committee, to be known as the board of pensions, to establish rules and regulations for operation of the pension fund and the conditions of benefit thereunder and fix the date when the pension allowance will become effective.

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The automobilists had saved themselves from being frozen to death by using gasoline to build a fire. Smoke from this fire led the rescuers to the spot. A squirrel was their first food for over thirty-six hours.

While searching for the automobilists, the party came across the frozen body of Thomas Smith, a logger, who had been lost for two days.

"SCOTTY" MISSING TEN DAYS.

Mule He Rode Returned Without Him With a Bullet Hole in the Saddle.

LOS ANGELES, Cal., Dec. 20.—A letter was received here to-day from William Scott, brother of Walter Scott, the "Death Valley" "Crosby," saying that "Scotty" had been missing ten days and efforts to locate him have been unsuccessful. A bullet hole was found in the saddle and the saddle itself was smeared with blood. William Scott, accompanied by a mule, immediately started for two days, when it became obliterated by a sandstorm. They were unable to find any trace of "Scotty."

MAIL FOR CHICAGO'S WATER.

First Conviction Growing Out of the War With the Teamsters.

CHICAGO, Dec. 20.—Scoring the Chicago teamsters' unions and their allies for lawless methods in the recent strike, Judge Kohlsaat in the Federal Court to-day sentenced Daniel Garrigan, a city fireman, to serve three months in the DuSable county jail at Wheaton for contempt of court in violating the injunction issued by the court restraining interference with the business of the Employers' Teaming Company.

The penalty imposed on Garrigan indicates the fate that Cornelius P. Shea, international president of the Teamsters' Union; Charles Dold, president of the Chicago Federation of Labor, and others of the sixty labor leaders cited for violating the same order.

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ODELL MUSTERING HIS MEN.

SAYS HE WILL PETITION GOV. HIGGINS AGAINST WADSWORTH.

Merritt Keeps On Calling the Governor a "Boss" and Rogers Thinks of Going Back Into the Race—Odell Decides He's Got to Fight and Call a Caucus.

Gov. Higgins, in the estimation of his friends, has not been a turbulent political scrapper. Temperamentally he is genial and almost placid. Yet he is known to have pretty deep rooted convictions. B. B. Odell, Jr., chairman of the Republican State committee, is perfectly aware of Gov. Higgins's indisposition to quarrel with folks and yesterday Mr. Odell at the Republican Club and elsewhere told his friends that he was going to "throw a scare" into Gov. Higgins on the Speakership matter.

Mr. Odell talked with Senator Malby and Assemblyman Merritt, Odell's candidate for Speaker, and it was then decided to get the Odell-Merritt Assemblymen together and have them sign a paper asking Gov. Higgins to recede from his support of Assemblyman James W. Wadsworth of Livingston for Speaker.

Mr. Odell said that he was to send a delegation of Assemblymen to Albany to ask Gov. Higgins to reconsider. Mr. Odell said that these Assemblymen would number 27—others said that all that Mr. Odell and Mr. Merritt could muster was 25—and that Gov. Higgins was to be asked if all of the old Assemblymen were to