The Sun.

WEDNESDAY, JULY 18, 1906.
Showers to-day; fair to-morrow.

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MUTUAL TICKET A SURPRISE.

FOUR OF THE "INTERNATIONAL POLICYHOLDERS" NAMED.

Rogers and William Rockefeller Refused to Be Candidates—Rogers Writes Denying That Standard Oil Has Been Influencing Management—Peabody to Quit.

The trustees of the Mutual Life Insurance Company yesterday nominated the administration ticket of trustees which by law must be filed with the Superintendent of Insurance to-day to be within the legal time.

The ticket had some surprises. Henry H. Rogers refused to be a candidate for reelection, as did William Rockefeller. A letter from Mr. Rogers was given out in which he denied that the Standard Oil had been influencing the management of the Mutual.

The chief surprise was the fact that four of the new trustees named are leading members of the international policyholders' committee which has been formed to oust the present Mutual management. The four men named from the opposition are Judge George Gray of Delaware, Harlow N. Higginbotham of Chicago, Gen. B. F. Tracy of this city and Col. Alfred M. Shook of Tracy City, Tenn. All of these men signed an address in this city on July 9 denouncing the present managements of the Mutual and New York Life. It was asserted that none of them had been consulted as to the nominations and of course none had accepted. It was also declared that Judge Gray was not a policyholder in the Mutual and that the same was probably true of Gen. Tracy.

A further surprise came in the semi-official announcement that President Peabody would not be a candidate for reelection in any active sense and the intimation was made that he would not be a candidate in any sense. This is the full ticket of thirty-six as named:

John W. Auchincloss, New York; George F. Baker, New York; Hugo Baring, New York; Charles S. Brown, New York; Dumont Clarke, Dumont, N. J.; Frederic Cromwell, Bernardsville, N. J.; Cyrus Curtis, Philadelphia; Julien T. Davies, New York; Charles D. Dickey, New York; William P. Dixon, New York; H. Raiman Duval, New York; George Gray, Wilmington, Del.; Charles R. Henderson, New York; Harlow N. Higginbotham, Chicago; James N. Jarvie, Montclair, N. J.; Augustus D. Juilliard, New York; William H. Lambert, Philadelphia; Charles Lanier, New York; Sir Hiram Stevens Maxim, London; Emory McClintock, Morristown, N. J.; William C. McMillan, Detroit; George P. Miller, Milwaukee; Theodore Morford, Newton, N. J.; Thomas M. Mulry, New York; Charles A. Peabody, New York; Emile Oscar Philippi, Paris; Henry Phipps, New York; Alfred M. Shook, Tracy City, Tenn.; Leroy Springs, Lancaster, S. C.; George C. Rand, New York; Louis Stern, New York; Henry W. Taft, New York; Benjamin F. Tracy, New York; William H. Truesdale, Greenwich, Conn.; Hamilton McK. Twombly, New York; Cornelius Vanderbilt, New York.

These are the new members:

Messrs. Curtis, Duval, Gray, Higginbotham, Lambert, Maxim, Mulry, Philippi, Rand, Taft, Tracy and Shook.

They are to take the places of seven members and to fill five vacancies. The members of the board to retire are Herman C Von Post, Henry H. Rogers, William Babcock of California, George G. Hoven, Adrian Iselin, Jr., William Rockefeller and George S. Bowdoin.

The greatest interest in the ticket was in the number of the old guard, as it has been termed, left on the list. These are the holdovers, with the dates of their election: George F. Baker, 1879; Frederic Cromwell, 1880; Julien T. Davies, 1882; C. R. Henderson, 1883; W. P. Dixon, 1884; J. W. Auchincloss, 1885; Theodore Morford, 1886; A. D. Juilliard, 1888; J. N. Jarvie, 1896; C. N. Dickey, 1896; C. S. Lanier, 1899; H. McK. Twombly, 1900; W. H. Truesdale, 1900; Dumont Clarke, 1902; C. Vanderbilt, 1902.

Of the new blood Mr. Curtis is president of the Ladies' Home Journal Company. Mr. Duval is president of the American Beet Sugar Company. Mr. Higginbotham is the well known Chicago merchant and former partner of Marshall Field. Mr. Lambert was for many years the general agent of the Mutual in Philadelphia.

Sir Hiram Maxim is the well known gun manufacturer in England, a member of the firm of Vickers, Son & Maxim. Mr. Mulry is president of the Emigrant Savings Bank of this city. Mr. Philippi is a banker of Paris. Mr. Rand is a lawyer of this city. Mr. Taft is a lawyer of this city, President Peabody's counsel and the attorney who appeared for the Mutual before the Armstrong committee. He is a brother of Secretary Taft. Gen. Tracy of course is known to all. Col. Shook is probably the richest man in Tennessee, is insured in the Mutual for about $200,000 and has been one of the bitterest opponents of the present management. It was asserted at the Mutual's office yesterday that twenty-one of the candidates presented had not been previous members of the board.

Here is the letter from H. H. Rogers giving his reasons for declining to serve on the ticket:

MY DEAR MR. PEABODY: Now that the committee to nominate trustees for the Mutual Life Insurance Company has performed its duties, I see no reason for longer retaining from you an explanation of my unwillingness to put my name forward for election as a trustee. I have been a policyholder in the Mutual Life Insurance Company for thirty-two years and a trustee for twenty-one years. I have a policy on my life for $100,000, which has already cost me more than that amount in premiums.

When the troubles came to the company I felt it my duty as a trustee to stand by and do anything I could of service to my fellow members and policyholders. I believe I have rendered some assistance; at least you have been kind enough to say so.

The statement has been frequently made that I caused your election to the presidency of the Mutual company. No one knows better than you how false this is. You know that I had but the slightest acquaintance with you before your election; that I never exchanged a word with you respecting your candidacy, nor was I in any sense the inspiring cause of your selection. I am glad to say now, however, that I am proud of the acquaintanceship brought about by our personal intercourse since you assumed the duties of the office, and in my judgment you are the most desirable person to act as president of this great corporation.

I have repeatedly told you that the company should suffer no embarrassment on my account. Apparently the people who are most active in their hostility to the present administration are using the fact of my connection with the Standard Oil Company as a ground for criticism. While this is a suf-

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RICH MAN IN THE WORKHOUSE.

Patrol Wagon Instead of Ambulance Calls for Roswell S. Jones at 8th Ave. Hotel.

Roswell Sprague Jones, a wealthy mine owner of Los Angeles, Cal., and a descendant of an old New York family, was released from the workhouse on Blackwell's Island late last night after serving two days for intoxication.

Jones is 55 years old. He has a gray mustache and is of distinguished appearance. He was fined $10 by Magistrate Barlow in Jefferson Market police court last Sunday and on Monday was sent over to work out the fine.

Jones has a wife and two children in California. He owns zinc and lead mines in Colorado. He left his home in Los Angeles last January and stopped at a sanitarium in Battle Creek, Mich. He came on to New York last April and put up at the Fifth Avenue Hotel.

Last Friday night House Detective John Mulholland of the Fifth Avenue Hotel sent in a call for an ambulance, intending to have Jones taken to a hospital for treatment. A patrol wagon drew up instead and Jones was carried off to the Tenderloin police station. On Saturday morning he was arraigned with a lot of drunks and discharged.

On Sunday morning he was again a prisoner. Policeman John Foley recognized him as being in court the day previous, and so informed the Court. The $10 fine followed.

The defendant gave his name as John Jones and refused to give any information about himself. On Saturday inquiry was made for him at Bellevue by friends. He was not there, and as nothing was known about him an investigation was begun.

Jones has a large bank account with the Farmers' Loan and Trust Company, and the bank also got busy to find out where he had landed. The records of the Jefferson Market prison show the committal of John Jones. Mulholland, acting on this coincidence, went over to the Island last night, found Jones and paid the balance of his fine, $7.

Jones is now in a private hospital. He is weak and nervous. He is a grandson of Roswell Sprague, who made a fortune in the cotton business before the civil war broke out, and then retired and lived in Washington Square.

When asked why he preferred to do ten days rather than send word to his friends he said:

"I did ask one of the officials to send my check to my bank, as I was out of money, but I guess he forgot about it."

BUSMEN OPPOSE VANDERBILT.

Demand That He Be Made to Take Out a License for His Coach.

ATLANTIC CITY, July 17.—As a result of a protest lodged by members of the Busmen's Union of Atlantic City, Alfred Gwynne Vanderbilt may be compelled to take out a regular city license to run his coach Venture, which he is to tool between the Hotel Windsor and the horse show grounds at the inlet. Members of the Busmen's Union, irate over the danger of loss of fat fares during the week, met in special session late last night and incorporated their grievance in a resolution of protest.

The complaint was to have been lodged with Chief of Police Maxwell, but this had not been done at noon to-day. Mr. Vanderbilt was busy preparing his coach for the run to-morrow morning. Secretary Blitz of the Horse Show Association stated that the license would be taken out if city laws required it.

Should the license be taken out it would bring the Vanderbilt coach under the provisions of the ordinance which regulates fares to a maximum of 25 cents for the distance from the hotel to the grounds, but City Mercantile Appraiser Parsons stated that it was likely that the regulation would be waived and that Mr. Vanderbilt would be allowed to charge $1. Horse show officials are very angry at the busmen.

Charles Wilson, manager for Alfred Vanderbilt, denied a report that he had obeyed the say so of the local Busmen's Union by taking out a license for Mr. Vanderbilt's coach. Wilson said that city officials refused to take his money and told him that the taking out of a license would be unnecessary.

ENFRANCHISES 20,000 NEGROES.

Arkansas Poll Tax Declared Void After It Had Kept Blacks From Polls Ten Years.

LITTLE ROCK, Ark., July 17.—Attorney General R. L. Rogers threw a bomb into the camp of the State Democracy to-day with an opinion that the poll tax amendment to the State constitution was void because it had not been legally adopted.

This amendment was declared adopted ten years ago. It provided that every voter must pay a tax of $1 before being entitled to vote.

It virtually disfranchised 20,000 negroes in the black belt.

Democratic leaders to-day said the opinion would increase the Republican vote in the September election by 20,000.

"APPEAR" IN HOAGLAND WILL.

Court Asked to Say How Residuary Estate Was Meant to Go.

The personal property owned in this State by Hudson Hoagland, the banker, who died on January 30, 1904, has been appraised at $2,473,580, or $2,270,944 net. Mr. Hoagland owned no real estate in New York.

Among the securities, which are valued as of the date of his death, are 900 shares of Hanover Bank stock, $445,000; 120 shares of New York Security and Trust Company stock, $105,000; 805 Chicago and Northwestern, $134,837; 250 Standard Oil, $160,000; 900 Pullman Palace Car Company stock, $193,500; 545 Consolidated Gas, $105,320, and 200 Importers and Traders' National Bank stock, $118,000.

Mr. Hoagland was a childless widower. Among his heirs are some fifty nephews, nieces, grandnephews and grandnieces. He remembered all of these in his will, making direct bequests to them aggregating $1,285,379. He also bequeathed $100,000 to the Hampton (Va.) Normal and Agricultural Institute, and $50,000 to the First Presbyterian Church at Dover, N. J.

The will directed that the residue should be divided among the heirs to whom he had made direct bequests, "in the proportions which the respective gifts to them appear to each other." The executors and some of the heirs have begun an action in the Supreme Court for the construction of this clause, one question being whether the word "appear" should be read "bear." The executors are George Leask, Thomas H. Hoagland and Frederick N. Beach.

One of the grandnieces, Miss Mary F. Rose, put in a claim against the estate for $35,000 as compensation for services which she says she rendered her granduncle in his later years. The executors refused to allow this claim, so Miss Rose has begun suit to enforce it.

LAWYER GIBSON IN THE TOMBS

HELD IN $25,000 BAIL IN KINNAN MURDER CASE.

Proved Complete Alibi, but Irritated the Jury, Which Instructed Coroner McDonald to Hold Him—Couldn't Get Bail Last Night—Stenton Property Deals.

Burton W. Gibson, formerly attorney for Mrs. Alice Kinnan and her mother, Mrs. Stenton, was held last night for the Grand Jury by Coroner R. F. McDonald at the conclusion of the inquest into the death of Mrs. Kinnan, who was murdered on the evening of June 9 on the porch of the old house in The Bronx in which she lived. Ralph F. Baxter, a school janitor, who was the foreman of the Coroner's jury, read its verdict, which was that Mrs. Kinnan had "come to her death by the hands of persons or a person unknown to the jury, and the jury recommends that Burton W. Gibson be held for further investigation for the Grand Jury."

Gibson, who had manifested much uneasiness and was nervously chewing a cigar, turned several shades paler than usual and immediately walked up in front of the Coroner's bench. The Coroner said:

"Gibson, I could hold you without bail if I so desired, but I will not do so. I will make your bail $25,000. You are under arrest."

Police Capt. Price, who had been sitting near the attorney, came up and stood behind him. The captain believes that Gibson had nothing to do with the murder. Gibson expressed surprise at the bigness of the bail and pleaded with the Coroner to reduce it. He later suggested that he should be paroled in the custody of his lawyer, Luke B. Stapleton. The Coroner said that as Stapleton was not present that proceeding was impossible. The Coroner then made out a warrant for Gibson's arrest and Capt. Price went through the formality of serving it.

The friends of Gibson were unable, after three hours telephoning from The Bronx to Brooklyn, to get a bondsman for him. Among those who were asked to help him was Senator Patrick McCarren.

Gibson was started on the way to the Tombs about 11 o'clock under guard of Detectives O'Rourke and Wines to be locked up for the night. His counsel will apply to-day for a reduction of bail.

The party came down town by the subway, and got off at Worth street. From there they walked to the Tombs. Gibson was not handcuffed, and when he was turned over to Warden Flynn he entered a protest against the commitment paper.

The detectives, who had been smoking cigars with Gibson, bade him good-by then, and as the gates closed behind them, Gibson called Warden Flynn aside.

"I would appreciate it as a great favor, warden," said the prisoner, "if you could let me have an outside room this hot night. If there is any additional expense on that score I will be glad to pay it."

The warden laughed outright. "I guess," he replied, "that you'll find all our rooms on the inside, Mr. Gibson. I'm sorry, but I can't possibly accommodate you."

Members of the jury intimated that they would have named Gibson as the murderer in their verdict if he had not established an alibi. His antagonistic attitude toward them and his flippant and sometimes contemptuous tone made them unsympathetic. They grilled him with questions and several times got him angry. He called Coroner Schwannecke, who also took a hand in the inquisition, which resembled the French method in its unrestricted scope, a liar, and made tart comments on the questions of Coroner McDonald.

Gibson refused on Monday to answer questions regarding his professional relations with Mrs. Kinnan and Mrs. Stenton. Mrs. Stenton was led to the stand yesterday and gave Gibson permission to tell everything. Gibson leaned toward her and asked her if she meant "everything confidential," and she answered, "Yes."

Gibson told of meeting Robert Flaherty, a real estate man authorized by Mrs. Stenton to secure a reduction in her taxes. According to Gibson Flaherty did nothing and then Gibson took hold. He said he was retained by Mrs. Stenton on a 40 per cent. basis.

"Shortly after she retained me," Gibson testified, "she went down to see W. K. Aston, who had been her lawyer long ago. She insisted on my retaining him and dividing my fee equally with him. She finally executed a conveyance to Aston and myself by which I got an undivided one-fifth and he another.

After the property had been straightened out, Gibson said, it was sold to Archibald McFarland, as trustee, for $65,000.

In regard to awards to Mrs. Stenton in street opening proceedings, Gibson said it was his own business how much he would get out of them, and then asked angrily:

"What has all this got to do with the death of Mrs. Kinnan?"

Gibson said he had gone through the Stenton house after the murder and taken away legal documents with the approval of Captains Price and Brennan. He was not aware that he had done a wrong thing. He said the $90,000 sale had not gone through, but had been held up by Mrs. Stenton, adding, "on the foolish advice of one Hugo Winter."

Gibson admitted that with what he had received and what he expected to receive his profits from his management of the Stenton property would be about $20,000. Mrs. Stenton, when she got through with the litigation, would be in debt about $5,000 to the witness and Aston. Others who would profit by the sale were McFarland and Kelly and Joseph Gibson, the lawyer's father. Mrs. Stenton would get money "only as a sort of moral obligation." This last phrase inspired a juror to say:

"In other words, you mean that something that originally belonged to Mrs. Stenton and in which you had no interest now belongs to you?" The witness responded, "Not exactly." He said he had put up $3,000 to get the property. In answer to questions by Coroners and jurors he declared that on the night of the murder he left his office in Nassau street, Manhattan, and went to a café next door, where he drank vichy and milk with a Mr. Leehler and a Mr. Herrick. He then went to Brooklyn, dined at the Imperial Café and went to the Kings County Democratic Club, arriving there about 10 o'clock.

Walker C. Burton, Dr. Sylvester Byrne, Edward Chapman, John R. McDonald and several other witnesses declared that they had seen Gibson on the night of the murder at the places he mentioned.

ASKS $142,800 FROM ICE TRUST.

St. Louis Prosecutor Wants Charters Forfeited and Daily Fines Assessed.

ST. LOUIS, July 17.—The Grand Jury has been investigating the ice trust for two weeks.

Circuit Attorney Sager decided to-day that enough evidence had been got to make conviction possible.

Accordingly he instituted proceedings in the Circuit Court against the Polar Wave Ice and Fuel Company and the Merchants' Ice and Coal Company, asking for the forfeiture of their charters and penalties amounting to $71,400 in each case, to be assessed as fines for the 714 days that the alleged agreement between these companies has been in effect.

The charges are based on the statutes which provide that any association of individuals or corporations that combine to fix the price of any article shall be deemed guilty of conspiracy to defraud.

On June 29 seven corporations forming the Polar Wave Ice Company filed affidavits of dissolution.

TO GIVE WALES A MINISTER.

British Cabinet's Sudden Proposal Adopted in the House of Commons.

Special Cable Despatch to THE SUN.

LONDON, July 17.—The Government sprang a surprise in the House of Commons to-day by proposing without giving any warning the creation of a Minister for Wales.

In the course of the debate on the education bill Mr. Lloyd-George, president of the Board of Trade, announced that the Government accepted the principle of an Opposition amendment aiming to give Parliament more control of the proposed Welsh Education Council, provided a Minister and a separate department be established.

Ex-Prime Minister Balfour angrily denounced the casual way the announcement of a great constitutional change was launched in the House. He declared that such an announcement had never been heard in the whole history of Parliament, adding:

"The way this thing has been thrown at our heads without notice and without excuse is a deliberate insult to the House, such an insult as nobody in my recollection has ever dared offer before."

A long wrangle followed, which ended in the adoption of the Government's proposal by a vote of 279 to 50.

KISSING HALLUCINATION.

French Court Accepts Expert Evidence as to That Effect of Chloroform.

Special Cable Despatch to THE SUN.

PARIS, July 17.—According to expert evidence given in a divorce case here chloroform is productive of osculatory hallucinations in its recipient. A servant girl, who had been chloroformed for an operation, testified that as she recovered consciousness she saw the operating doctor kissing her mistress. The doctor denied this statement, declaring that those attaching credence to the girl's story were ignorant of the effect of the drug.

He called Drs. Debove and Brouardel, both eminent professors, to support him. They concurred in declaring that chloroform was well known to produce such imaginings, which were not only frequent during anæsthesia, but often persist after consciousness has reawakened. The servant had evidently been dreaming of kissing and upon regaining her senses imagined she saw the doctor kissing her mistress.

The Court accepted the expert testimony and rejected the evidence of the servant.

USED SWORD ON SHACKLED MAN.

Berlin Policeman's Treatment of Prisoner Arouses Indignation.

Special Cable Despatch to THE SUN.

BERLIN, July 17.—While Robert Liebig, a tradesman, was going home, accompanied by a friend, Sunday night, he was ordered by a policeman to cease singing. He declined to do so and was arrested, handcuffs being placed on him.

Liebig, indignant at being treated as a criminal and claiming that the handcuffs hurt him, tried to release his hands, whereupon the policeman drew his sword and slashed him over the head, inflicting a wound five inches long, from which blood poured. He was so badly injured that it was necessary to take him to a hospital.

The affair has caused great public indignation. The policeman contends that he would have been legally justified in shooting Liebig for resisting arrest.

GANG BEATS POLICEMAN.

Lein, Struck From Behind, Is Likely to Die—Can't Tell Who Hit Him.

In trying to break up a street brawl yesterday at the corner of 106th street and First avenue, Policeman James F. Lein of the East 104th street station house was set upon from behind and struck on the back of the head. He was knocked almost insensible and badly beaten.

Lein, who is an agile man, 38 years of age, has been patrolling that beat since the initiation of the two platoon system. A gang of roughs make the corner their headquarters, and yesterday morning about 2 o'clock there was some trouble among them. Lein ordered them to move on and they fell on him. The policeman's club was taken from him and he was badly battered. Then the roughs ran away.

Later Private Watchman McCabe found Lein in a dazed condition trying to find his way to the station house. A call was sent to the Harlem Hospital and he was taken there. About noon yesterday Coroner Shrady was called to take his ante-mortem statement, but he could give no information as to whom his assailants were.

HARGIS AND CALLAHAN FREE.

Kentucky Jury Finds Men Charged With Marcum Murder Not Guilty.

BEATTYVILLE, Ky., July 17.—The jury in the Hargis-Callahan trial returned a verdict of not guilty after being out twenty-two minutes. The men were charged with the murder of J. B. Marcum.

The verdict to-day is the culmination of a long fight to convict James Hargis and Ed Callahan as chief conspirators in one of the darkest crimes in Kentucky history. James B. Marcum was a mountain Republican lawyer of excellent standing. He was engaged three years ago as an attorney against Hargis and Callahan, respectively Democratic County Judge and Sheriff, to oust them from office on an allegation of corrupt election.

In May, 1903, Marcum was shot to death from ambush in the Jackson court house. Curtis Jett and Tom White were convicted and sentenced to life terms for the murder. It was charged that they were the tools of Callahan, Hargis and others. Jett, after conviction, confessed that he shot Marcum and that his act was inspired by Callahan and Hargis. On the witness stand he repudiated the confession and said he alone was responsible.

WIND HAS FUN WITH A CIRCUS

PANIC AMONG THE HUMANS—ANOTHER AMONG ANIMALS.

No Person Hurt, but a Camel Is Killed—All Hands and the Police Care for the Women and Children, and Then Pawnee Bill's Cowboys Go After the Beasts.

Pawnee Bill's Wild West show, which left Brighton Beach a few days ago because things were too quiet out there, fell in with many different kinds of excitement at Bayonne yesterday afternoon when the business end of the storm that hit Manhattan picked up the circus and tried to move it over to Newark a day before it was scheduled. The fact that there was only enough roof to the main tent to cover the seats saved a lot of persons from serious injuries by falling poles, but as it was the circus employees had a panic on their hands that necessitated calling in the whole Bayonne police department before order could be restored.

The smallest camel in the menagerie was killed and the biggest one got a sprained neck when a cowboy lassoed it as it was diving into Newark Bay. Pawnee Bill himself almost dislocated his shoulder from holding up a big tent pole long enough for a woman and her child to get from under it, but that was the extent of the casualty list.

The Pawnee Bill aggregation was at Twenty-eighth street and Avenue C under five tents, the main tent being in the centre of the vacant lot. The animal tent, which sheltered five elephants, nine camels, two water buffalo, two bison and 200 horses, and the side show tent were on one side of it and the dressing rooms and the dining tent were on the other. All the horses were hitched to the guy ropes of the big tent, while the other animals, which are city broken, were huddled together behind the horses.

The rows of seats, about eight feet high, were fairly well filled for the afternoon performance with women and children, numbering about 3,000. Shortly after the show began at 2 o'clock rain commenced to fall heavily, which quickly drove the people from the higher tiers of seats. About the time that a couple of tough looking black clouds that the circus folks spotted a long way off arrived over Bayonne the real aerial performance began with the ascension of the section of the tent that covered the band stand.

Major Lillie (Pawnee Bill) had just galloped into the arena at the head of a bunch of Arabs when he saw the band stand cover go and observed that the members of the band were preparing to follow suit. Pawnee Bill spurred his horse in that direction, pulled out his maneating .45, and yelled:

"I'll put a hole through the first man that leaves. Now you stay here and play the 'Star Spangled Banner' like hell."

The musicians weren't taking any chances and they nearly blew their lungs out, but by that time every woman who had one or more children with her was screaming at the top of her voice, while the circus hands were trying to coax them out into the open, where there was such a downpour of rain that the opposite side of the arena was scarcely visible.

By this time a cowboy who had been sent to police headquarters, a block away, for all the cops that could be found came back with Chief Yore, Capt. Riley, Detective Sergeant Griffin and twenty-two ordinary policemen. Acting under the orders of Pawnee Bill, who comes from Nebraska, where the cyclones grow, they pulled the women and children off the seats, and by forming a cordon with the circus employees they massed the whole 3,000 into the centre of the arena, where falling poles and flying canvas couldn't touch them. The moment the seats were vacated they collapsed in a bunch.

After all the tents had been levelled flat as a pancake a number of women began screaming for their children, and in spite of the efforts of the human cordon to control them many broke through and tugged away at the fallen canvas, believing that their little ones had been killed. Chief Yore, feeling certain that all had escaped, ordered the whole crowd shooed over into the street in front of police headquarters, through which an inch of water was running. There the mothers began to pick out their children, and inside of half an hour that part of the mixup was straightened out.

The human panic in the big tent wasn't a marker to the jamboree in the animal tent. When the stakes commenced to fly and the big tent flopped the horses broke loose and tore away the fastenings of the canvas that covered them. They went off in a hundred directions when the canvas and poles fell on them. The camels all hot-footed off toward Newark Bay and the elephants started a foot race in the direction of the Hackensack Meadows. The camels got tangled up in the canvas, but finally all worked free of the wreckage except a four-weeks-old camel that was born at Brighton Beach. The baby lay helpless from fright and was square in the path of the main pole, which snapped in two. Half of it caught him and broke his back.

While the elephants were passing the dressing tent the centre pole fell across the road and came down with a whack on the head of Chief, the biggest of the bunch. The big animal dropped on his side and was struggling to rise when Jack Rittenback, the trainer, caught up. The first-aid-to-elephant rules require a big injection of cocaine into the patient's jaw. Elephant Jack ran over his medicine chest, got a foot long hypodermic and injected a big dose of the stuff under Chief's tongue. He finally arose to his feet and went on after the other four, two blocks away. They were trumpeting for further orders, but quieted down when Jack got in their midst and went back with him.

Pawnee Bill's twenty-four cowboys, with their lariats out, went after the camels and buffaloes. The animals would have been in Newark Bay in ten minutes more. They were lassoed just in time. A big camel was stepping into the water when Head Cowboy Wayne Beasley roped him and yanked him back with such force that he will have a pain in his neck for a long time. The cowboys were still rounding up horses at a late hour last night.

Rossmore Ginger Champagne—Finest. True Ginger Flavor. Try it.—Adv.

THE PRESIDENT PUTS IN HIS HAY

He and Noah Seaman Had to Hustle When the Sky Threatened.

OYSTER BAY, N. Y., July 17.—When the rainstorm swept down the Sound this afternoon President Roosevelt and his hired man, Noah Seaman, had to hustle to get the hay crop in. Yesterday the President swung a scythe in the field back of the house, and the hay was made and cocked all ready to put in the barn when the lightning began to show along the edges of the storm clouds.

When the first big drops spattered down the President and Noah took off their coats and got busy. The President pitched up, and Noah stowed the load. They got the last load into the barn just as the shower broke.

President Roosevelt wore a flannel shirt and rough trousers. In the barn Noah stood in the mow and stowed while the President again pitched up. The President sent the hay through the air in generous forkfuls and Noah was put to it to keep pace.

ALD. JOHN T. M'CALL TO RESIGN.

Wants to Go to the Senate From the Eighteenth District.

Alderman John T. McCall of the Thirtieth district intends to resign from the board to accept the Tammany nomination for the State Senate from the Eighteenth district. The present representative of this district in the Senate is Jacob Marks, but he does not want a renomination and is working to get one of the places on the Tammany judiciary ticket.

Mr. McCall is the nominal leader of the Tammany members of the Board of Aldermen, but Little Tim Sullivan is the real captain and the situation has been irksome to Mr. McCall.

GIRL SAVES DROWNING BOY.

Mary Edick Is a Strong Swimmer, Even if She Is Only 11.

GRAND VIEW-ON-HUDSON, N. Y., July 17.—Although Mary Edick is only 11 years old, she is a fine swimmer. This afternoon she swam out to the end of the 225 foot pier which juts into the river from her father's place. The water there is sixty feet deep. Her ten-year-old playmate Tommy Williams, son of the proprietor of the Piermont Paper Company, not to be outdone, started to join her. He had got only about half way out when he became exhausted and cried for help. Samuel Edick, the girl's father, started to the rescue. Before he could reach the lad the girl swam to the spot and grabbed Tommy by the hair with her left hand. She pulled him to shore by means of vigorous overhand strokes with her right arm.

FULL HEARST TICKET

To Be Nominated by the Independence League for Next Election.

William R. Hearst filed formal notice yesterday with the Board of Elections that the Independence League will nominate a full State and judiciary ticket by petition. The notice was not required by the law.

BEIT'S GIFT TO SOUTH AFRICA.

Will Said to Provide for Establishing a University There.

Special Cable Despatch to THE SUN.

PRETORIA, July 17.—It is stated here that the estate of Alfred Beit, who died in London yesterday, will be vested in the trustees of the estate of Cecil Rhodes and applied to similiar purposes as the Rhodes estate.

Special provision is made for endowing on a prodigal scale a university, a technical college, and a secondary school on the Sachsenwald estate, between Pretoria and Johannesburg, which is bequeathed to the education department.

BEAR TAKES 400 FOOT PLUNGE.

Caught by Current He Is Swept Over Yellowstone Falls Before Party of Tourists.

HELENA, Mon., July 17.—The spectacle of a cinnamon bear going over the big falls of the Yellowstone was afforded a party of tourists yesterday.

The animal plunged into the river and struck out for the opposite side. In midstream he was caught by the swift current and was swept over the falls, tumbling 400 feet to the pool below.

It disappeared amid the clouds of spray and the body was not seen again.

6 FOOTER IN A PICTURE HAT.

Grocery Clerk in Woman's Togs Draws a Crowd That Blocks Trolley Cars.

James Neary, a grocery clerk, living at 2126 Eighth avenue, was arrested and locked up in the West 125th street station house last night on a charge of vagrancy because he masqueraded in feminine garb and caused an enormous crowd to gather and follow him along Eighth avenue. Neary dressed himself in a white skirt, black silk waist and a large picture hat. As he is a little over six feet tall, he presented a startling appearance. At 118th street and Eighth avenue the crowd that followed him became so large that trolley cars were stopped. Policeman Dunn decided it was time to act and placed Neary under arrest.

Neary is 23 years old and came here from Ireland only three months ago.

PRIZEFIGHT TO AID CITY.

"Good Clean Sport" to Raise Funds for Milwaukee's Proposed Auditorium.

MILWAUKEE, July 17.—That $100,000 can be raised for the auditorium fund by a series of entertainments, including horse shows, boxing and wrestling matches, and lectures by Mayor Becker, this city's boy Mayor, is the belief of William F. Hooker, private secretary to the city's executive. Mr. Hooker will submit a plan to the auditorium committee this week.

"I am confident," said Mr. Hooker, "that we can raise $50,000 on a boxing match alone. It will attract people from all parts of the country, and hundreds will come up from Chicago. It would be good clean sport under the close surveillance of the authorities."

Hope for Heir to Spanish Throne.

Special Cable Despatch to THE SUN.

LONDON, July 18.—The Madrid correspondent of the *Telegraph* asserts on the authority of a high personage that Queen Victoria is enceinte. King Alfonso is highly delighted. The news in not yet known in Spain, where it will cause general rejoicing.

King Alfonso and Princess Ena of Battenberg, now Queen Victoria, were married on May 31.

Genuine crystal pebble eyeglasses, the cool kind that never mist, at Spencer's, 12 Maiden Lane.—Adv.

NEW O. & O. LIMITED—10:55 A. M. Fast vestibule one-night train, coaches, Pullmans and Diner, New York to Cincinnati, Louisville, Indianapolis and St. Louis. Offices, 671, 353, 362 Broadway and 243 Fifth Av.—Adv.

THAW'S LAWYERS GET A WRIT

RESTRAINING DISTRICT ATTORNEY'S HUNT FOR EVIDENCE.

Delafield and the Olcott Firm Retained by Mrs. Thaw to Endeavor to Get Her Son Adjudged Insane—Gleason's Move in Part Based on What Garvan Didn't Say.

A rather unprecedented move was made yesterday by Harry Thaw's new lawyers in asking the Supreme Court to restrain the District Attorney from examining witnesses before the July Grand Jury. Following this a conference was held at the Hotel Lorraine between Mrs. William Thaw and the members of her family and Lewis L. Delafield and former Judge Olcott, the lawyers whose services Thaw announced he had dispensed with.

This conference lasted two hours. Mrs. Thaw came in from Roslyn on purpose to talk over the case and her son's extraordinary action with the lawyers. There were present also Mr. and Mrs. George Lauder Carnegie and Josiah Thaw.

Previous to the conference at the hotel Mr. Olcott and Mr. Delafield had had a long talk in Mr. Delafield's office. Mrs. Thaw retained the Olcott firm and Mr. Delafield, and from now on they are to do everything in their power, acting for Mrs. Thaw, to get her son adjudged insane and committed to the asylum for the criminal insane at Matteawan. They may have some difficulty in getting a commission appointed should Thaw oppose it through his new lawyers. The application for such a proceeding must come from the counsel for the defendant. In criminal proceedings the relatives are not recognized.

There is good reason to believe that an attempt will be made to show that Thaw is not capable of advising with counsel. Mrs. Thaw also holds the purse strings, which may have some influence in shaping the case.

The District Attorney may not oppose the appointment of a commission, but will attempt to show that Thaw was and is sane in the legal sense and should be put on trial.

After the conference which Mrs. Thaw had with the lawyers Mr. Olcott refused to say a word. It was learned, however, that a statement will be issued to-day by Mr. Olcott explaining Mrs. Thaw's position in regard to her son's case.

Thaw's new lawyers, who made the move in the Supreme Court yesterday, Clifford W. Hartridge and John B. Gleason, were utterly ignored by Mrs. Thaw.

It was impossible to get any statement from Mr. Hartridge or Mr. Gleason yesterday afternoon as to just what they thought of Mrs. Thaw's move. Mr. Hartridge repeated his daily assertion that he was Thaw's personal counsel in charge of his case and let it go at that. When asked if he would oppose an attempt of Mrs. Thaw's lawyers to get Thaw committed to an asylum, Mr. Hartridge said:

"I will not answer that question until such a move has been made. I have not made any statement so far that Thaw was either sane or insane. I have stated, however, and I want it emphasized, that the report which seems to have been spread that this is all a move to show that Thaw is insane and that it is a plan of Mr. Olcott's is absolutely without foundation. I have no other statement to make regarding the case just now."

The move which Lawyer Gleason, who is acting with Mr. Hartridge, made was to get a writ of prohibition from Justice Blanchard in Part II. of the Supreme Court commanding the members of the July Grand Jury to desist from making any investigation or taking any evidence in the matter of the killing of Stanford White; and also from issuing any subpœna in connection with the case. The District Attorney is also restrained from conducting any investigation before the Grand Jury.

The writ as it stands is only temporary. Both the Grand Jury and the District Attorney are ordered to show cause in Special Term, Part I. of the Supreme Court, this morning why it should not be made permanent. The order was served on Acting District Attorney Smyth yesterday, and also on the members of the Grand Jury.

Mr. Smyth, when the matter comes up this morning, will ask for an adjournment of a week, for the reason that District Attorney Jerome and Mr. Garvan, who has been in charge of the case, are out of town. The motion made by Mr. Gleason is based partly on newspaper interviews with Mr. Garvan, which Mr. Garvan has absolutely repudiated. One reason for asking the adjournment, it is understood, is that it will be necessary probably for Mr. Garvan to make an affidavit to the effect that he never made any of the statements.

In the long typewritten affidavit which Mr. Gleason makes it is recorded that the June Grand Jury took up the case and brought in an indictment against Thaw, and then it alludes to the fact that for the purpose of preparing the case for trial the District Attorney is issuing subpœnas for witnesses requiring them to appear before the July Grand Jury. He then goes on:

These subpœnas are not made for the purpose of seeking any new indictments for the killing of Stanford White, but for the purpose of procuring evidence to be used against the defendant at the trial. The witnesses are required by the District Attorney to be sworn as before the Grand Jury and the depositions are taken. The newspapers keep track of the witnesses thus produced and undertake to state the facts to which they have testified.

The taking of these depositions against the defendant has been chiefly intrusted to Assistant District Attorney Garvan, and from time to time interviews purporting to come from him have appeared in the public press in which the intent to take the depositions before the Grand Jury for use against Harry K. Thaw at his trial has been plainly stated.

The affidavit then refers to an interview appearing in an evening newspaper last Saturday purporting to have been made by Mr. Garvan in which he was made to say: "I have already taken the depositions of forty-three witnesses for use at the trial of Harry Thaw." The affidavit adds:

Deponent (Gleason) personally knows of at least two subpœnas which have been issued and served for attendance before the Grand Jury upon July 17 1906, in this proceeding.

Mr. Gleason goes on to say that on account of having been retained only recently he has not had time to get the affidavits of the reporters as to the authenticity of these interviews; but he says that he knows it to be a fact that these depositions are being taken

After all, Usher's the Scotch that made the highball famous.—Adv.