A JAIL WITH MANY EXITS.

AND CAN OPENERS, TOO, HAVE BEEN SMUGGLED TO PRISONERS.

An End of It Now, at Least as Far as the Tin Roof Is Concerned—Live Wires, a Network of 'Em, Are the Thing—Let Any Prisoner Try to Escape Now!

To-day the seventy prisoners in the Middlesex papier maché county jail, at New Brunswick, N. J., will have positively their last chance to break jail with a can opener by way of the roof. Exits 2, 3, 4 and 5 will still be available, but before to-night Warden Charles Rogers hopes to have the roof, or Exit 1, hermetically sealed with a network of live wires that are being strung from the brand new sixty foot pole that was planted in the jail yard yesterday.

Owing to the disagreeable weather none of the prisoners broke jail yesterday or last night. Just how much the jail will be "owid" to-day, however, cannot be told until Night Watchman George Bach comes on the job this evening and chases the remaining prisoners into their cells to be locked up for the night. Then George can check off those that have decided to stay, and by subtracting the total number he had last night the exact number of escaped prisoners can be told to the dot. It's on the plan of a gas bill. George knows well that even if a man is as slippery as an eel he can't beat mathematics.

The Middlesex county jail began its record of the most broken out jail in the country about seven years ago, when one of the prisoners thought to pass the time away by throwing a hard rubber ball against the ceiling of his cell and catching it on the rebound. When he happened to hit the same spot twice the ball went though the thin shell of lath and plaster and the single coat of rusty tin that forms the roof. The prisoner, who was of an inquisitive turn of mind, straighway placed his cot on end and shinned up the iron bed slats as if the cot were a ladder to see if the hole made by the ball could be enlarged. Sure enough it could. As the ball didn't belong to the prisoner he naturally went outdoors through the hole to look for it. He is still searching.

Ginger Jack Snyder, who got a ninety day sentence in Perth Amboy on "general principles about two months ago and who has just completed two-thirds of his term, was standing idly at the front door of the jail yesterday afternoon when THE SUN reporter called to see the new electric roof protection. There were raindrops on Ginger Jack's hat and foam drops on his red mustache. Ginger Jack gave evidence of having just returned from an afternoon stroll. Just back of him could be seen the iron barred door leading to the cell corridor. It was swinging idly to and fro just under a large sign that read: "Admission by permission only."

Ginger announced the visitor's presence and the warden came from the depths to explain his electrical contrivance. At the top of the new pole in the centre of the jail yard, said the warden, an arclight will blaze to-night, or to-morrow night at the latest. The current that feeds this light will come through a network of wires strung along the roof, and so hereafter a prisoner will have to clip through these charged wires after he makes a hole in the tin over his head. Any one can see where this leaves the prisoner.

The current will be "diluted" through so many wires that it will not be strong enough at any one spot to kill a man, the warden explained pleasantly. Nevertheless when a man at the top of an iron cot connects his can opener with one of the five wires he will doubtless be in the same position as the man who remarked as he fell off the Flatiron building, "Now for a peach of a bump!"

Warden Rogers said that no prisoners have escaped since he has taken charge of the jail—he has been in office only a short time—but that he has noticed seven holes in the roof through which men have gone away from there. Two years ago nine left together one evening permanently, but as a rule they prefer to go out one by one.

"And by the way, Snyder," said the warden, turning to Ginger Jack, "the Judge down in Perth Amboy that sentenced you for ninety days sent me word to-day that if you've been a good boy you can go home. So there's nothing to keep you here—you're discharged."

"Y'aint goin' to toin me out in dis rain, are yuh, warden," pleaded Ginger Jack, gazing fondly toward the iron barred door idly swinging to and fro.

"Oh, well," said the warden kindly, "if you don't want to go trot in there and get locked up."

One of the saddest cases of a prisoner kept out of the attractive New Brunswick jail is that of Mr. Beany Ryan. The last time Beany was up before the New Brunswick Magistrate his sentence was suspended on the understanding that if he was arrested for being drunk within three months he would be sent to the Trenton penitentiary. As Beany hasn't been arrested lately he is technically sober, but slowly and steadily he is floating off on the ebb tide.

"If Beany can only hold out a few days longer," said Warden Rogers anxiously yesterday. "If he does, then he can get drunk right, be arrested and come back to us. He comes in to see us almost every day, because, like most of them that come here steady, you can't chase 'em away."

This week the jail is minus the prison poet also. Limerick Guerin is his name, and when he can get a little time off from the cell that is always kept ready for him in the north wing of the prison he goes to beautify with his presence the village of South River, five miles down the Raritan. Besides Limerick, the village also has a few hundred houses and twenty-six saloons. A travelling show called "Little Coney Island" is doing a week's turn in South River this week, and Limerick has added himself to the attractions by reciting one of his own creations called "The Drunkard's Dream." The poem is very touching. As an encore Limerick is reciting another selection from his collected works, the well known ballad that begins:

Little Joisey boldies poiched upon the coib—
Hear 'em choip; hear 'em choip; hear 'em choip!
Colly headed boys and goils, prithee don't distoib
The little Joisey boldies poiched upon the coib,
For if you hoil that stone, my goil, you'll coitainly pertoib
The boldies' pretty choip, choip, choip!

Every now and then Mayor Joe Marks of South River feels the spirit move him to send Limerick Guerin up to stay with Warden Rogers for a month or three. Limerick heads straight for his own cell when he is taken to the jail and straightway sits down to write poems at the Warden. Between times he writes and mails to Mayor Joe Marks many more. Usually the Mayor gets half way down the page before he discovers that it is not prose he is reading and then it is too late to stop. After a few weeks of this the only thing left for the Mayor to do is to commute Limerick's sentence.

"We allow good fellows like Limerick," said Warden Rogers yesterday, "and Busty Chapman, Blackie Hazard, Moose Whitlock and Kankakee Kenny to have cells in the upper tier, near the roof, but prisoners that we think anything of we keep in the ground floor cells at night and tell them when we turn them out in the big corridor during the day not to go upstairs."

Inside a wide corridor were Rooster Brown, Crip Smith and fifty or more other prisoners splashing water on each other and having a good time generally. They were given to understand that they must not go up the stairs that lead from the corridor while the Warden was showing the visitor the different exits.

A former warden saw that the prisoners were abusing his hospitality by kicking out a wooden door and not coming back. This occurred one night two years ago when Dipper Donahue and another prisoner named Quarts Schwartz had an argument in the prison about the spelling of Gen. Lafayette's name on the old register that is kept in the historic Bell Hotel down from the jail on Albany street. Dipper said that the patriot had signed his name with a capital F and Quarts denied this so strenuously that naturally the only thing left for them to do was to kick down the wooden door and go out to see. After they had settled the argument they unfortunately climbed into a Pennsylvania box car bound for New York instead of coming straight back to jail, and just for that the then warden had the wooden door lined with steel.

Exit 4 is another door where the new prisoners are taken into the cell corridor from the warden's office. Many of the prisoners that were too tired to out their way through the roof used to escape through exit 4 by detailing two or three of their number to grab the guard when he opened the door to take a recent addition in and holding him while any of the others that wanted to go out did so. Exit 5 is a ventilator three feet in diameter that opens on the roof. If prisoners continue to go out this exit as they have in the past the freeholders are going to close it.

But all things considered, the most popular way to leave is to climb toward the ceiling armed with a can opener. There are enough holes in the roof now to make the can opener superfluous, but it seems to be part of the ethics of the game that no prisoner with an ounce of self-respect will use a second hand hole. If this warden's live wire scheme is all that he hopes, however, both the old and new holes will be useless after this week, and hereafter when a prisoner is put in a cell he will have to resign himself to the fact that so far as the roof is concerned he will have to stay put.

WHAT

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LAWYER LOEWI KILLS HIMSELF.

A Yale Graduate and Had Been Republican Captain in His District.

Oscar Loewi, a lawyer of the firm of Gay & Loewi of 18 Wall street, killed himself yesterday at 925 Madison avenue, the home of his brother-in-law, Dr. A. V. Moschowitz. Loewi, who was 30 years old, had been practising law several years, but was dissatisfied with his progress. He lived with his father, Valentine Loewi, a retired merchant, at 14 East Eighty-first street, but while the others were spending the summer at Long Branch he stayed with Dr. Moschowitz. Loewi came home at noon yesterday and told the servants to call him when lunch was ready. They saw him go up stairs and heard nothing more until Dr. Moschowitz returned.

The doctor looked for Loewi in his room. He was not there, and the doctor decided that he had gone out again and took lunch without him. After the doctor had left the house the servants noticed Loewi's hat on the stand. One went up to the top floor, where there is an untenanted room. A bit of cotton protruded from the keyhole.

The other servant came up and the two women opened the door. Loewi lay on the floor with a revolver in his right hand. A bullet had made a hole in his right temple and emerged at the back of the head.

The women ran down stairs and rushed out of the house screaming. Roundsman Thompson and Patrolman Donohue came up, and Dr. Jameson was summoned from the Presbyterian Hospital. He said Loewi had been dead more than an hour. He was graduated at Yale in 1898 and from the New York Law School in 1901. He was for several years Republican captain in the Eighteenth Election district of the former Twenty-ninth Assembly district.

REBUKE FOR POLICEMAN.

Magistrate Breen Says That Dunn Tried to Mislead the Court.

The next policeman who appears in the Tombs court before Magistrate Breen and swears to flimsy evidence in order to have his prisoners held for a felony will find himself in hot water. The Magistrate let that be known yesterday when he gave some advice to Policeman Dunn of the Old Slip station and discharged two sailors arraigned by Dunn on the charge of having tried to rob a third and drunken sailor in South street on Wednesday afternoon.

Dunn swore he knew the two sailors, Harry Mathewson and Christopher Sanderson, "to be bums and panhandlers who ain't worked for two months of my own knowledge." He said he caught them in the act of going through the other sailor's pockets. The two men convinced the court that they had come ashore only a few days before and were honest Norwegian sailors.

They said they had a drink or two with their alleged victim earlier in the day and had gone about their business. He continued his drinking, and a few hours later they happened to see him staggering along the street and fall. They were trying to lift him when Dunn appeared and arrested them.

"I am satisfied that you have tried to mislead the Court," said Magistrate Breen to the policeman. "You said you know these men to be panhandlers and not to have worked in two months. I am convinced that this is not true. You don't know anything about them. If I had not taken extreme care and used up a lot of valuable time I might have held these men, who appear to be decent, hard working fellows, and they might have been sent to prison for a long term of years. Policemen must be more careful in presenting cases in this court or they will get into trouble."

James Hobart Moore Very Ill.

CHICAGO, Aug. 2.—Depression has been caused among the friends of James Hobart Moore, one of Chicago's leading financiers, by reports received to-day concerning his condition from Glenwood Springs, Col. where he is taking cavern baths.

The reports received by friends are taken as an indication that he will never reenter the financial arena, where with Judge W. H. Moore he has been a power for more than a decade.

The Weather.

The strong high pressure area lingered yesterday over northern New England, causing cloudiness, showers and sultry conditions in the Atlantic States as far south as Georgia, with thunderstorms in the southern parts. On the north Atlantic coast the winds were brisk on shore from the northeast.

In the Lake regions and the Central Valleys the weather was generally fair. In the upper Mississippi valley there was a storm area accompanied by thunderstorms, which were also scattered throughout the Rocky Mountains. It was considerably cooler in the Dakotas and southwest to Colorado and it was warmer in the Lake regions; elsewhere the temperature changes were slight.

In this city rain fell all day; wind fresh to brisk northeast; average humidity, 93 per cent.; barometer, corrected to read to sea level, at 8 A. M., 30.31; 8 P. M., 30.28.

The temperature yesterday as recorded by the official thermometer is shown in the annexed table:

	1906.	1905.		1906.	1905.
9 A. M.	67°	67°	6 P. M.	70°	79°
12 M.	68°	75°	9 P. M.	69°	72°
3 P. M.	70°	79°	12 Mid.	69°	69°

The highest temperature, 73°, at 4:15 P. M.

WASHINGTON FORECAST FOR TO-DAY AND TO-MORROW.

For eastern New York, eastern Pennsylvania and New Jersey, local rains to-day; fair to-morrow; light to fresh southeast to south winds.

For New England, fair to-day, except showers on the south coast; fair to-morrow; light to fresh southeast winds.

For the District of Columbia, Delaware, Maryland and Virginia, local showers to-day and to-morrow; light to fresh south winds.

For western Pennsylvania and western New York, local rains to-day and to-morrow; fresh south winds.

CROOK WALKS OUT OF COURT.

FRANCIS, WORST OF THREE GORMANS ARRAIGNED, POSES AS JOE.

Gone Half an Hour Before His Escape Was Discovered—Made Tracks When Half Way Down Stairway—Swiftly Took Advantage of Coincidence of Names.

That it was easy for a prisoner to escape from the Court of Special Sessions was demonstrated yesterday morning when Francis P. Gorman, 37 years old, of 485 Eighth avenue, and No. 6,499 in the Rogues' Gallery, calmly walked out without exciting comment or attracting notice from any of the dozen cops on guard. He got away by impersonating Joseph Gorman, whose case for failure to provide for his family preceded that of the man who escaped. Gorman was gone half an hour before anybody in the court knew it.

There were ninety-two cases on the calendar. Justices Deuel, Zeller and Olmstead were on the bench, Deuel presiding. Prisoners who had been unable to get bail are brought over in batches of fifteen from the Tombs and penned in a small railed enclosure at the right side of the court room. Francis P. Gorman was seated there. The charge against him was petit larceny, the theft of $25, and he had been unable to get the $2,000 bail fixed by Magistrate Barlow in the Jefferson Market court on July 27. His case on the calendar was No. 77.

Outside the rail on the benches with the witnesses and spectators were two other Gormans, Frederick, charged with assault, and Joseph, charged with failure to provide for his wife and children. The first was on bail, the second on parole. Frederick Gorman's case was No. 39, that of Joseph No. 55. The three cases were about half an hour apart.

When No. 39, the assault case, was called, Clerk Culkin had to repeat it twice before Frederick Gorman responded. Francis P. Gorman in the pen sat up straight, as if he thought his case was being called and even started to rise to go to the bar. The cop at the gate of the pen motioned him back and just then the man wanted hurried forward. His case was continued on bail and he left the court. After nearly half an hour of the dreary routine of small cases the clerk called loudly:

"Joseph Gorman, failure to provide, on parole." Without a moment's hesitation Francis P. rose quickly, and the cop at the gate, believing two Gormans must be the limit, let him out this time. The prisoner got to the bar in four steps and looked right at Justice Deuel. Waiting for a few minutes to see if Agent E. F. Jenkins of the Society for the Prevention of Cruelty to Children or anybody else would interpose any objection, Justice Deuel concluded that the prisoner was doing his duty as a husband and father and said that he might go, that his parole would be continued another month.

Bending his head humbly the prisoner turned and walked out of the court room. He had to pass the gate through the outer railing, where a policeman is stationed, and out through the door leading into the corridor, where two policemen are on guard. Once half way down the stairway leading to the ground floor Gorman decided it was time to hurry. He took the fifteen steps of the bottom half in two jumps and went across the corridor on a run and off toward Broadway.

"That lawyer must be in a turr'ble hurry," said the elevator man, who later recalled the incident.

When case No. 77 was reached Joseph Gorman, said to be slightly deaf, who should have answered to No. 53, walked slowly forward. He had been so far back he had not heard his name called and thought his turn had now come. Just as his examination was about to begin Henry Greenfield of 1700 Washington avenue, The Bronx, the man alleged to have been victimized by the prisoner who had escaped, jumped up and told the court that there was a mistake, that the prisoner at the bar was not the man who had swindled him.

Then there was a hurried investigation and it was clear that the worst Gorman of them all had made his escape. The cops made a great show of hunting for him, looking under benches and desks, and one excited policeman even pulled out the drawer of a rolltop desk as if he hoped to find Gorman there.

Gorman posed as the secretary of the Underwriters' Fire Extinguisher Company and advertised for agents, offering a salary of $20 a week. From each he exacted a cash bond varying from $25 to $250, as the dupes' circumstances permitted. To all he gave an alleged fire extinguisher, which proved to be wholly unusable, and when they would return after a hopeless canvass and demand their money his method was to glibly tell them to first keep their end of the bargain—to canvass for three months. That provision had been inserted in every contract. As a rule they just threw up their jobs and said good-by to their deposit.

Young Greenfield brought the matter to the attention of the District Attorney, who had Gorman arrested. While the case was pending an investigation was made and twelve additional complaints were secured, in sums ranging up to $250. This evidence will be given to the Grand Jury and indictments for grand larceny on several counts are expected daily against Gorman. Assistant District Attorney Lockwood felt so sure of this that he had asked Special Sessions to have a care and hold Gorman when his case came up. He hoped to send him to Sing Sing for many years.

As Gorman had been in the Tombs and could hardly have heard of the coincidence of two other Gorman cases on the same docket so as to make his plans the cleverness of his escape stands out. Some even insisted that Gorman did not at first realize the situation, and that it was only when he heard the Court say "Your parole is continued" that he woke to his chance. Clerk Culkin thinks Gorman up to that point was honestly answering what he supposed was his own call. He must have done some rapid thinking in that event.

Gorman's escape is attributable more to the system of arraigning prisoners than to any negligence by the policemen on guard. Prisoners entirely unknown to the cops are let up in batches of fifteen from the prison downstairs. With them, as they come up, are the papers which go to the clerk. All that the policemen in the room know is that they are responsible for so many prisoners at a time and they don't know one from another.

SECOND WILL BY MISS TALMAGE.

It Does Not Mention the Beneficiaries Named in the First Will.

WASHINGTON, Aug. 2.—A second will executed by Jennie DeWitt Talmage, daughter of the late Rev. T. DeWitt Talmage, was placed on file for probate here to-day. It is dated December 24, 1902, which is six months later than the instrument offered for probate a few weeks ago. No information is given as to the discovery of the new will. By the first will the bulk of the property was given to Miss Madge Armour of Millersburg, Ohio, and Miss Leila Wonham of Montreal, Canada. Neither of these names appears in the second instrument. The only similarity in the two documents is in the disposal of the testator's jewelry and personal effects, which are given to relatives.

The other bequests, which are totally different from the first will, are as follows: $1,000 to each of the children of Frank DeWitt Talmage of Chicago; $1,000 each to Doris Mangam and Genevieve Mangam of Brooklyn, N. Y.; $1,000 each to the children of Mrs. Edith Dinnan of Richmond, Va.; $1,000 to Hazel Talmage Smith of Brooklyn, N. Y.; $2,000 each to Maria Whittemore and Bessie Bok of Brooklyn, N. Y., and $14,000, or whatever remains of the estate, to Florence Hunt of New York city. Ernest H. Pfisterer of Brooklyn is named as executor.

CALLED HIM A "KISSING BUG."

Response of Matron Lynch to Charges of Dr. Davenport White.

Because she called a young Bellevue Hospital surgeon a kissing bug Miss Minnie V. Lynch, a matron attached to the East Thirty-fifth street station, was up on charges before Third Deputy Commissioner Mathot, who presided at the trials at Police Headquarters yesterday. For fourteen months Matron Lynch, who is a comely little woman, was detailed to watch prisoners in the female alcoholic ward at Bellevue. She held down the job until she met young Dr. Davenport White.

After a tilt with Dr. White she not only lost her detail, but was brought up on three charges—using unbecoming language to a physician, refusing to watch a prisoner and not appearing in uniform while on duty. Miss Lynch avers that these charges were trumped up against her just because she called Dr. White a kissing bug.

The Third Deputy reserved decision to think over the case and come to some solution of the puzzle whether a man can be both a gentleman and a kissing bug.

Two weeks ago Matron Lynch was taken ill in the alcoholic ward and she sent for a physician. Dr. White, who that day had been assigned to duty in the alcoholic ward, responded to the call. When the young physician made himself known to the matron, she exclaimed: "Oh, and this is Dr. White, is it?" He thought Miss Lynch should have shown more reserve and not become so familiar with him at first sight.

"I have not been introduced to you," the matron says he said, "and therefore you should not address me so familiarly."

When the matron and Dr. White met, according to the matron, he told her she was far beneath his station in life, so far in fact that he couldn't deign to notice her.

"I guess that got your Irish up, didn't it?" asked the Third Deputy.

"Well, I should say so," replied Miss Lynch, smiling sweetly.

The doctor told the Third Deputy that he had a patient with "terrible suicidal tendencies" whom Miss Lynch didn't guard properly.

Miss Lynch denied calling Dr. White a liar and no gentleman. She denied not properly guarding the patient, but confessed that on one occasion, when she was excited after a tilt with the doctor, she forgot to change her plain waist for her uniform of blue.

SUES HIS SISTER.

Says She Agreed to Pay Him $27,500 Out of Money Their Mother Left.

G. Edwin Jones, whose home is at 43 Twenty-second street, Chicago, but who is in New York temporarily, has begun a suit in the Supreme Court to recover $27,500 from his sister, Mrs. Harriet G. Sabin, wife of Nathan Henry Sabin, on a written agreement which he says she signed in February last.

The agreement was written, he says, on paper of the Hotel Buckingham and reads as follows:

This is to certify that when the estate of Harriet N. Jones is settled, and I receive my share, I will pay G. Edwin Jones $27,500, and he is to give all the assistance required in said settlement. HARRIET G. SABIN.
February 27, 1906.

Harriet N. Jones was the mother of Jones and Mrs. Sabin. She died in Chicago some months ago. Her estate was wound up, Jones says, in the Probate Court of Cook county, Ill., and the proceeds were distributed on June 20 last, but he has not yet got his $27,500. On June 29 he got an attachment here against Mrs. Sabin's bank account in the Fifth Avenue Bank. This account amounted to $11,500.

Jones says that he had many interviews with his sister and her husband since the date of the agreement, and that the promise to pay him promptly had been frequently renewed, even as late as the very date, June 20, when the money became due. Since then he has heard nothing from his sister or brother-in-law, who are spending the summer at their country home, in Williamstown, Mass.

ELECTION RIOT IN MEMPHIS.

The Disturber Killed, One Election Judge Fatally and Another Badly Wounded.

MEMPHIS, Tenn., Aug. 2.—J. G. Wellington is dead; W. J. Cooke, judge of elections at the Fifteenth district polls, is dying, and B. E. Conn, another judge, is badly hurt as the outcome of an election riot which took place shortly after the polls closed this afternoon.

Wellington, who is said to be in the gang of divekeepers who this week threatened the lives of all such officials as endeavored to suppress them, had been aggressively endeavoring to vote a large gang of negroes in the interest of certain so-called independent, but in reality Republican, candidates for county offices, and was also thought to be working for one of the candidates for Congress in place of M. R. Patterson, though this is emphatically denied.

Wellington made trouble all day by his methods and after the polls closed demanded that he be allowed to watch the count. He was admitted to the booth, but again became troublesome and so delayed the count that he was ordered out. An attempt was made to eject him, and Wellington then drew a revolver and in another moment a fusillade was fired in the small room. Outsiders forced the locked doors, and when the smoke cleared away Wellington was found dead, Cooke fatally wounded by Wellington's bullets and Conn badly wounded. Cooke is reported dead to-night.

JOHN W. NEFF CONVICTED.

Former Auditor of Erie County Found Guilty on Charges of Graft.

WARSAW, N. Y., Aug. 2.—John W. Neff, former Auditor of Erie county, was found guilty early this morning of grand larceny in the first degree. The jury had been out for eighteen and a half hours and the District Attorney had given up all hope of a conviction.

Neff is the second man to be convicted in the graveyard scandal, which has stirred up Buffalo and Erie county for two years. Rowland J. Conover, the man who had the contract to clear the graveyard for an armory site, was the first to be convicted. Sentence upon him had been held up for several months, and he was the chief witness for the people.

Others indicted in this case were Frederick Greiner, one of the big Higgins leaders in Buffalo and the postmaster of Buffalo; Frederick O. Murray, the Collector of the Port; Gibson, Jackson and Stock, supervisors, who, it is alleged, shared the swag with Neff. Greiner was tried for bribery and acquitted, the court holding that the evidence of an accomplice uncorroborated was not sufficient. Murray, Gibson, Jackson and Stock are waiting sentence. Neff will be sentenced here on Monday. Bail was refused, and he is now in the custody of Sheriff French.

Court Calendars This Day.

Supreme Court—Appellate Division.—Recess.

Supreme Court—Special Term.—Part 1. Motion calendar called at 10:30 A. M. Part II.—Ex parte matters.

Surrogates' Court—Chambers.—Motion calendar called at 10:30 A. M. Wills for probate—Ann E. Everitt, Georgiana B. Robinson, Fannie A. Judson, Isaac R. Pereira, Belle M. Herts, Eliza Roberts, Joseph Russell, Annie Braun, James H. Mergentune, Eliza McKibbin, Maurice Kalingsberger, Mary L. Worcester, at 10:30 A. M.

City Court—Special Term.—Court opens at 10 A. M.—Motions.

Army and Navy Orders.

WASHINGTON, Aug. 2.—The following army order was issued to-day:

Capt. Cornelius C. Smith, Fourteenth Cavalry, from recruiting service at Jefferson barracks to Philippines Division.

These navy orders were issued:

Lieutenant-Commander D. W. Blamer, from recruiting station, Chicago, to home leave two weeks, thence to Washington.

Lieut. J. E. Lewis, from the Franklin to recruiting station, Chicago.

Midshipman R. L. Irvine, from the Princeton to the Franklin.

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DREARY WEATHER USHERS IN N. Y. Y. C. CRUISE.

Downpour Ceases While Commodore Vanderbilt's North Star Steams Into Glen Cove Harbor—Fleet Captains Discuss Details—First Run to Morris Cove.

Dull leaden colored clouds hung like a pall over the yachts that gathered at Glen Cove yesterday. All the morning and for the greater part of the rest of the day they poured down copious floods of water and made every one and everything uncomfortable. The wind blew steadily from the northeast and every minute rolled up fresh supplies of cloud and water and so spoiled what is usually the best yachting spectacle of the year.

Only for a short time during the afternoon did it stop raining and that was when Commodore Vanderbilt's yacht North Star, with the commodore and his staff on board, steamed into the harbor and was saluted by more than a hundred guns. Then the rain had stopped falling and it was fine just long enough for the captains of the hundred yachts to go over to the flagship and attend the meeting and then get back again to their own vessels. Just at that time, too, a thin streak of yellow light showed through the leaden deadness in the west and this was taken as an omen by all that the storm would pass over and that there would be fine weather for the annual cruise of the New York Yacht Club.

It was gloomy all day until about 4 o'clock, when the fleet began to assume large proportions. Vessel after vessel went to the anchorage and about that time Vice-Commodore Henry Walter's steamer Narada anchored and those captains who were familiar with the new yacht routine promptly dipped their ensigns and the salute was returned by the Narada dipping hers. Col. Thompson, who has just chartered the auxiliary Intrepid, was the first to salute.

The flagship arrived a few minutes before 5 o'clock. Just as the order was given to let go the anchor and before the anchor had splashed into the water the gun on the Intrepid sounded a big boom and this was followed at once by guns from all the other yachts in the fleet. One gun from the flagship acknowledged these salutes and the next instant two strings of flags fluttered from the halliards calling a meeting of the captains on board the flagship at 5 o'clock.

Gigs and cutters were lowered away from all yachts and soon the white steamer of Commodore Vanderbilt was surrounded by small boats of all sizes, and from the bow of each fluttered a pennant which signified that the owner was on board. One after another the captains boarded the flagship and one continuous strain on the boatswain's whistle sounded as each one went up the companionway and was received by Commodore Vanderbilt and his aide, Fleet Captain Grenville Kane. The rest of the commodore's staff on board are the regatta committee, H. de B. Parsons, Ernest Lorillard and Walter C. Kerr, Secretary George Cormack and Fleet Surgeon J. McG. Woodbury.

The captains gathered on the bridge deck and discussed the details of the cruise. The commodore and his aides had planned things so well that no changes were made in the programme and the racing will begin this morning with a run to Morris Cove. The harbor start will be made on signal from the flagship at 8:30 o'clock. The regatta committee will then establish the starting line and at 9:30 o'clock the first signal to send the racers off will be made.

Commodore Vanderbilt had the Seventh Regiment band on board and a concert was given during the afternoon, and later in the evening when there was a reception on the flagship the band played again.

Considering the weather, the gathering was a very large one. There were more than 100 yachts by actual count in the harbor when the meeting was called. Many of the best were missing. They are stormbound to the eastward and will have to hustle to get there before the racing begins this morning. There has been bad weather to the eastward and the fog has been so thick that the yachts could not leave the harbors where they have been overhauling. If the weather had been fine there is no doubt that the fleet would have been one of the largest ever seen off the Glen Cove station, and the fleet captain and the regatta committee are sure that before the squadron arrives at Newport it will number nearly 300 vessels.

Among the more prominent vessels in the harbor were the following:

Commodore Cornelius Vanderbilt's North Star; Vice-Commodore Henry Walters's Narada, and Rear Commodore Seymour L. Husted's Crusader II.

The Steam Yachts—Colonia, ex-Commodore F. G. Bourne; Admiral, George R. Sheldon; Cayuga, T. W. Slocum; Florence, Alphone H. Alker; Gunhilda, W. L. Harkness; Mayita, C. B. Mason; Nirvana, W. Rodman Sands; Sultana, E. H. Harriman; Crescent, George Rose; Ignita, Ernest E. Lorillard; Visitor, W. H. Brown; Seneca, E. B. Webster; Elsa II., C. B. Alexander; Mirage, Cornelius Vanderbilt; Mermaid, J. P. Morgan, Jr.; Niagara IV., C. K. G. Billings; Alvina, Alexander S. Cochrane; Weent, John T. Pratt; Corinto, Col. A. E. Austin; Sea Otter, H. L. Willoughby; Corsair, J. Pierpont Morgan; Tuscarora, Walter N. Jennings; Celt, J. Rogers Maxwell; Gundreda, Winslow S. Pierce; Haouli, Frank M. Smith; Niagara, Howard Gould; Norman, Frank Tiford; Venetia, Morton F. Plant; Cactus II., C. E. Proctor; Duchess, Warren M. Leeds; Hiawatha, Julius Fleischmann; Onondaga, S. M. Roosevelt; Nanita, Clifford D. Brokaw; Cynthia, Merrill B. Mills; Roamer, N. G. Herreshoff; Wanetche, W. B. Duncan, Jr.; Alert, W. D. Hoxie; Christobel, Walter Ferguson; Tarantula, W. K. Vanderbilt, Jr.

The Auxiliary Schooners—Tekla, Howard Willets; Ariadne, Henry W. Putnam; Atlantic, Wilson Marshall; Seneca, George Mercer, Jr.; Vencedor, A. de Goicouria; Emerald, F. Lewis Clark; Cachelot, R. T. Wainwright; Grilse, J. T. Pratt; Idler, Henry T. Sloane; Invincible, R. M. Thompson; Intrepid, Lloyd Phoenix; Mohican, J. B. and O. Harriman; Julia, J. H. Sanderson; Viking, James D. Smith, and the yawl Katherina, John F. Baudouine.

The Schooners—Corona, Arthur F. Luke; Elmina, F. F. Brewster; Queen, J. Rogers Maxwell; Rosamary, Converse D. Marsh; Venona, Robert and R. W. Olyphant; Eclipse, L. J. Callanan; Lasca, R. P. Doremus; Ariel, Francis L. Leland; Similar, Eustis L. Hopkins; Palestine, H. C. Tinker; Endymion, George Lauder, Jr.; Invader, Roy A. Rainey; Andromeda, Carlton W. Nason; Sea Fox, Dallas B. Pratt; Taormina, W. S. Eaton; Cara II., George E. Ide; Muriel, Charles Smithers; Idlewild, Edward R. Sumner; Savonilla, J. Price Wetherill.

The Yawls—Sybarite, W. Gould Brokaw; Phantom, H. G. S. Noble; Vigilant, W. E. Iselin; Mohican, J. A. Burnham.

The Sloops—Rainbow, Cornelius Vanderbilt; Neola, E. D. Kinz; Irolita, E. Walter Clark, Jr.; Hester, Cleveland H. Dodge; Doris, S. Reed Anthony; Pelegrina, Robert Toland; Alera, A. H. and J. W. Alker; Atair, G. C. and J. E. Meyer; Adelaide, Adee Brothers; Banzai, Clifford D. Mallory; Cara Mia, S. Wainwright; Yankee, Harry L. Maxwell; Weetamoe, Harry F. Lippitt; Effort, F. M. Smith; Isolde, Fred M. Hoyt; Humma, Robert W. Emmons, 2d; Petrel, H. V. R. Kennedy; Minx, Howard Willets; Neola II., George M. Pynchon; Dahinda, W. Butler Duncan, Jr.; Tabasco, W. Barklie Henry; Phyne, C. W. Wetmore; Nautilus, Hanan Brothers.

The run to-day will be to Morris Cove. The start will be made from a line off Weeks Point to a line south of the west or outer breakwater, and yachts will leave Lloyd's Point bell buoy to starboard. The distance is 39½ miles. The warning signal will be made at 9:30 o'clock. The 30 footers will be started at 9:40, the next division of sloops, including classes K, L, M, N and P, at 9:45, class J at 9:50, classes F, G and H at 9:55, the small schooners at 10 o'clock and the large schooners at 10:05. Then the auxiliaries will be sent off.

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M'CARREN WILL FIGHT SUIT.

SERVED WITH SUMMONS, HE SAYS, BUT NOT WITH COMPLAINT.

His Friends Declare That Mrs. Dixon Was Pushed to Bring the Suit for Breach of Promise by His Political Enemies When State Committee Was to Meet.

Supreme Court Justice Truman C. White in special term in Brooklyn granted an order yesterday to show cause why the default should not be opened and the defendant served with a copy of the complaint in the suit of Mrs. Mary A. Dixon for the recovery of $200,000 from Senator Patrick H. McCarren for alleged breach of promise.

In the papers attached to the application Lawyer Whitehouse admits that Senator McCarren was served with a summons on June 28 at the Kings County Democratic Club, but declares that McCarren never received a copy of the complaint and had no knowledge of the nature of the suit brought against him by Mrs. Dixon until the facts became known through the newspapers. Mr. Whitehouse goes on to say in the papers that when he was served with the summons he was told by the young man representing Lawyer Wyvell that he would be served with a complaint in a few days. Senator McCarren paid no further attention to the matter until he read of the suit in the newspapers.

The order is returnable on next Monday at 10 o'clock and will be argued before Justice Dickey, who will preside at special term.

Sheriff Flaherty was also served with an order from Justice White for the appointment of a Sheriff's jury to assess damages in the case. This order preceded the order to show cause, and Sheriff Flaherty has set Wednesday, August 8, as the time for the taking of testimony. Should the court decide in favor of McCarren there would be no occasion for the Sheriff to take action.

Mr. Whitehouse, counsel for McCarren, said yesterday that the case would never reach trial and that it was never intended to be tried.

"Political animus," said a close friend of the Senator last night, "underlies the present suit."

Manton M. Wyvel, Mrs. Dixon's lawyer, has desk room, it is said, in the law office of former Senator John Ford and Joseph N. Tuttle. Mr. Ford is one of the leading men in the Municipal Ownership League. He ran for Comptroller during the last municipal election. It is said, however, that Mr. Wyvel has nothing to do with the firm and that the firm has no knowledge of Mr. Wyvel's affairs.

"Mr. McCarren's friends," said Lawyer Whitehouse yesterday, "believe that politics is back of the suit against him. They have known who