all of the newspapers would print the truth about my decisions."

"That is, that it does not make the 10 cent fare illegal?"

"Yes just that."

Justice Gaynor deprecated the fact that violence had followed his opinion as given out from the bench on Saturday.

"I do not approve of violence as a remedy for wrongs," said he. "I would counsel everybody who does not believe the double fare just or legal to pay it rather than have an exhibition of violence follow the refusal to pay. This dispute about the Coney Island fare will be settled in time if we only exercise patience."

"Are you a candidate for the Governorship?" Justice Gaynor was asked.

"I don't see why you ask that. No, I am not."

Before THE SUN man called, Justice Gaynor had given out a formal statement, in which he said:

"But you ask what should a man who is going alone or with his wife and children to Coney Island for a day of rest now do, pay the double fare sooner than have violence, or refuse to pay it? I answer that I would pay it sooner than have any violence, however ill I could afford it; and I advise every one to do the same.

BE PATIENT, AS GOD IS.

"God is patient and we must be patient. This little life of ours is no time for violence if it can be avoided. Violence is never lawful until all other means have failed. Everything comes right in time, even though slowly. This dispute about the fare to Coney Island, accompanied by acts of violence, is nothing new. It has been occurring every summer for several years.

"Application was made to the Attorney-General of the State to bring the necessary proceedings to settle it, and which no one but he can bring, but it remains undecided or ignored to this day. Such control of public officials by powerful individuals is a scandal. This does not refer to the present Attorney-General. For seven or more long years this company also persisted in refusing to give transfers to the public as the statute required, leading to repeated acts of violence. It ignored all the decisions of judges and courts, until finally the matter got to the Court of Appeals at Albany and its final decision had to be obeyed.

"It must not be forgotten, however, that the railroad company was not a party to the case before me, and that makes a difference in respect of how far it is bound by my decision. It must also be borne in mind that the decision is of only one judge, and one of the least of his brethren. In time a bench of judges will consider the question and may decide it differently.

"I have no pride of opinion about it; I can only act according to my best lights. Two months ago, in a matter submitted to me as arbitrator in my private capacity, I decided against four thousand men on strike, and sent them back to work. Some of them may have thought I erred, but they did not abuse me nor hire lawyers to falsify my decision. They had a sense of decency and knew I did the right as I saw it. The public will show patience and decency in this matter, however little of either the other side will show. I am sure they will not enter upon violent strife.

"It is a serious matter to the great majority of men whether they shall pay twenty cents apiece to take their wives and children to Coney Island and back, instead of only ten cents, as they did under the Nassau company, but they will not become violent for that or disrespectful and contemptuous of the law."

REBATE CHECK FOR EXTRA FARE.

The officials of the railroad company, after consultation with their lawyers, yesterday accepted a proposition made by Acting Mayor McGowan that pending a trial of the legality of their ten cent charge to Coney Island they should issue to passengers paying the full fare a rebate check good for five cents should the courts finally decide that the five cent fare alone is legal.

Acting Mayor McGowan made the proposition to John F. Calderwood, general manager of the B. R. T., early yesterday morning, and Mr. Calderwood laid it before a meeting of officers of the company at the offices of Parker, Hatch & Sheehan.

E. W. Winter, president of the railroad company, who got in town yesterday from his country place at Little Compton, R. I., took charge of the proposition. The sentiment of the meeting was in favor of it, but Mr. Sheehan wanted to have a change made in the wording of the contract on the slip, so that the name of the court which might settle the affair could be left out.

Mr. Calderwood called up the Acting Mayor, who was at the time with Assistant Corporation Counsel Connolly, and told him that the company wanted a change in the wording of the contract.

"No, it can't be changed," said the Acting Mayor. "It must stand."

"Well, wait a minute," said Mr. Calderwood. "Mr. Sheehan wants to talk to you."

Mr. Sheehan argued with th Acting Mayor and with the Assistant Corporation Counsel. He said that if any court were mentioned it should be the Supreme Court in Washington, because he believed that trouble, annoyance and time would be saved by taking the case there. He did not explain how he hoped to get it there.

Eventually he gave in, and the company will give out tickets printed in the following form:

RECEIPT FOR FARE—NOT TRANSFERABLE.

Received from bearer the sum of five (5) cents fare for carriage over its lines. If it shall finally be determined by the Court of Appeals of the State of New York that the railroad company had not the legal right to demand and receive such fare, the said sum of five (5) cents will be returned to the passenger by the company on demand.

BROOKLYN, QUEENS COUNTY AND SUBURBAN RAILROAD COMPANY,
By C. D. MENEELY,
Secretary and Treasurer.

The signatures will be changed for other subsidiary roads under the B. R. T. system.

Mr. Calderwood said that tickets could hardly be prepared before next Saturday. The fact that they will have to be engraved and numbered to prevent counterfeiting will necessarily take some time.

Acting Mayor McGowan was highly pleased over the successful result of his scheme and said that he believed that even if these tickets were not forthcoming until Saturday the fact that they were going to be issued would limit rioting and disorder to a great extent.

OFFER COLER A CHANCE.

Immediately following the announcement of this came out two statements from the office of Parker, Hatch & Sheehan, one a letter from President Winter to Bird S. Coler, the other a general statement on the present situation The letter to Mr Coler said:

The unfortunate relations now existing between some of the patrons of the Brooklyn Heights Railroad and the railroad company arising out of conditions which involve the right of the railroad company to charge a 10 cent fare to Coney Island, has produced a condition wherein law has been and may be continuously violated.

You are the representative head of the Borough of Brooklyn, within which jurisdiction are operated the lines of this railroad company. By virtue of its charter the railroad company is bound to transport passengers for the fare which it is by law entitled to receive, to preserve peace and order and to protect the passenger in the full enjoyment of his right secured by payment of the fare. You, upon the other hand, are bound to conserve the public peace, maintain law and order, preserve property and secure, so far as lies within your power, the safety of every individual within the borough wherever he may be.

The dispute respecting the right of the Brooklyn Heights Railroad Company to charge a 10 cent fare to Coney Island must be settled according to law and in the form authorized by law. To accomplish that end you and the railroad company are pledged. A failure to observe the rules which may settle this question only incites riot and disorder.

There is now a decision of the Appellate

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Division of the Supreme Court covering the jurisdiction within which the railroad company operates its railroad, which in terms legalizes the charge made by the railroad company. A recent *obiter dictum* by a Justice of the Supreme Court has challenged the correctness of this decision. And it has been made the basis by you to oppose the course of management in railroad operation and influences you to interpose your power and authority between the legalized rate and the patrons of the line.

Without argument as to whether the course adopted by you can be justified, we pass the point, and now propose to you in order that a settlement may be had of the rights of the travelling public and of the railroad that a case be agreed upon in which you shall represent the public, the railroad company to be a party thereto, and present it to the Appellate Division. This can be easily done. We can prepare and agree upon a case which shall present the questions involved, wherein the rights of the public on the one hand and of the railroad upon the other can be made clearly to appear. This being agreed upon, it will need but your voice to quiet all disorder.

Under the decision of the Barnett case as it now stands the right of the railroad company to charge the ten cent rate of fare to Coney Island is upheld. We assume that the same desire exists upon your part to procure a speedy decision from the Court of Appeals as exists upon the part of the railroad company. To that end we ask that you consent to a formal decision of the question involved based upon the decision in the Barnett case and from the order to be entered thereon an appeal be immediately taken to the Court of Appeals and that court be asked to advance the case upon its calendar and hear argument thereon at the earliest possible day.

We stand ready to meet you at any moment in the arrangement of lawful means through which public tranquillity can be restored and the point in dispute finally adjudicated. We have heretofore made this proposition to you when the public mind was less excited than at present and received no response. The existing condition seems now to urge that you take prompt action, accept this proposition and restore the community to a law abiding condition.

This proposal if accepted will be met by representatives of the railroad company and you, or your representative, without the slightest delay.

COLER MAKES OBJECTIONS.

This letter was handed to Col. T. S. Williams, who took it over to Brooklyn to present to Mr. Coler. It was said that, as the Court of Appeals meets in October, it was believed that the case might even come up then, as the need was so urgent.

Mr. Coler took the letter and had his lawyer make out a reply, in which he took exception to the statement that an opportunity to bring such a suit had been offered to him. He denied that he ever heard anything of it. A representative of the company said that the offer was made at the time Mr. Coler made his complaint to the State Railroad Commission in July, when the company challenged his lawyer to bring such a suit. Coler's statement said in part

The suggestion by you of the method to be pursued will not meet the situation, as I am advised that there are legal objections thereto. The quickest and most satisfactory way will be for you as president of the various railroad companies to join with me as President of the Borough of Brooklyn in a petition to the Attorney-General, this petition to contain all the facts upon which the controversy has arisen and in which you and I will request the Attorney-General to take steps to secure a mandamus to be granted *pro forma* and upon our joint consent compelling you to run your cars within the boundaries of the city of New York for a single fare of 5 cents, without prejudice to your right to appeal from the order directing the writ to issue to the Appellate Division, and without prejudice to the right of either of us to appeal to the Court of Appeals which-ever way the Appellate Division decides, both of us to abide by the decision of th Court of Appeals.

This method is the quickest because a proceeding by the Attorney-General is preferred on the calendars of all courts. It is the most satisfactory because, as I am advised, there can be no question about the authority of the Attorney-General to apply for the writ.

ASKS MAYER ABOUT IT.

Mr. Coler then closed by asking that the company put in operation the rebate check, which had already been done. He said that until the slips were issued he would advise the public to refuse to pay the additional fare. Then he had the following telegram sent to Attorney-General Julius M. Mayer

Will you upon joint petition of the President of the Borough of Brooklyn and of the president of the Brooklyn Heights Railroad apply for a mandamus to test the question of the latter's right to charge a ten cent fare? Answer urgent.

This was signed by Stephen C. Baldwin, Coler's lawyer. It was explained that a mandamus would place the case before all others on the calendar and insure a speedy decision.

Mr. Baldwin got an answer to his telegram late last night. Mayer's message, which was dated from Malone, N. Y., was as follows:

"Have tried to reach you by telephone. Will act as you suggest on joint petition of President of Borough and President of Brooklyn Heights Railroad Company. This proceeding will lie. Please wire me fuller instructions."

Mr. Baldwin and Mr. Coler were waiting at the Brooklyn Club. They were overjoyed at receiving it and seemed to think that the prompt action of the Attorney-General presaged victory for them. Mr. Baldwin sent the following reply:

"Railroad company asks me to agree upon a case to secure speedy decision. I have suggested we agree to a mandamus on your application with rights to them to appeal as the only quick way to test question. Will have their answer and wire you to-morrow. I am gratefully yours."

Mr. Baldwin said last night that the members of the court before which the case will be tried will be assembled as rapidly as possible, and added that he believed a trial might be had in less than three weeks.

SINGLE FARE DOESN'T PAY.

President Winter's statement was a rebuke for those who have been foremost in advising the public to refuse to pay the second fare and also said that the company could not afford to run the road for a single fare. He said:

When the situation is understood rightly, and it is getting to be, it will be plain enough that the Brooklyn Rapid Transit Company is not only within its rights but that it is following the only course possible to preserve them. In doing this it has invoked no riot, has not appealed to the mob passion or promoted violence. It has simply done its best toward continuing to perform its duty to the public and collecting the fare legally and morally attaching to the service rendered. This it will continue to do. If violence and unseemly happenings occur in connection with this, it is incident to a state of affairs deliberately planned and created by a few men who, to put it mildly, are lacking in a proper sense of official responsibility and, manifestly, the belongings of good citizenship as well.

Whether the five cent fare to Coney Island would be profitable is just now beside the question, but I may as well take this occasion to say, as a transportation man of many years experience, that I know the excursion business would not, and from pretty nearly four years close study of the situation, feel qualified to say, cannot be made to break even on a five cent fare with any known means of passenger transportation above or below ground.

The Coney Island excursion movement is a business by itself, calling for payroll and other expenses far out of proportion to periods during which the actual movement takes place. It is in evidence only four or five months of the year and then in large volume, only a few days of the week and a few hours of the twenty-four, varying widely according to the weather conditions, which cannot be foreseen. It is essentially a one way business. Over 90 per cent. moves one way while empty cars run the other. It will continue so. This means double car service for very nearly the entire traffic With a five cent fare in effect it would not be a question of building up a profitable business, but of so handling it as to incur the minimum loss.

VERY LITTLE DISORDER

It looked yesterday as if the backbone of the B. R. T. disorders was just about broken. The police had the situation well in hand all day and the trains were sent through in better order and more regularly than on any other day since the trouble began. The B. R. T. people did not, however, attempt to restore the discontinued trolley service to the Island on the Culver line and still held to a fifteen minute schedule for the elevated trains. They probably will not undertake to put the full schedule in operation on all the lines again until they are sure that there will be no repetition of the disorderly scenes of the last few days.

Some persons protested yesterday and were ejected, but the whole thing seemed to have simmered down to the desire of young hoodlums to cut up and of lawyers of the frayed trouser type to get an opportunity to bring suit against the company. There was a decided disposition on the part of the unprotesting passengers to score the kickers, and in some instances the protesting ones were openly denounced. One young man who held up an entire train was taken to task by a large, middle aged woman who sat near him:

"Young man," said she standing up, "have you no consideration for other people? I can't wait here in this way; I have triplets at home waiting for me. I will pay your fare."

The young man allowed her to hand over the extra nickel. There were many other occurrences of a similar sort, some of the passengers encouraging the B. R. T. inspectors in their work.

Up to 7 o'clock last night, there had been only four arrests. Only one of these cases threatened to be at all serious. Charles Rosenor of 241 Washington street, Brooklyn and William Rachsell, also of Brooklyn, were in a Coney Island express on the Sea Beach route, which reached Avenue P, the jumping off place for five centres, about 1 o'clock in the afternoon. Each of the men had a lath hammer, or rather hatchet. They refused to pay the extra five cents and were so ugly about it that the inspectors didn't try to put them off. The police placed them under arrest and took them on to the Coney Island Police station.

A WOMAN WITH A HAT PIN.

There was one exciting incident at the Kensington station on the Culver line late in the afternoon, when Inspector Charles R. Herting of 231 Ninteenth street, Brooklyn, tried to collect the second nickel from Mrs. Adeline Miller, 24 years old, of 497 Seventh avenue. Mrs. Miller refused, and, the inspector alleges, drew a hat pin, threatening to stick him if he laid a hand on her. When he took her by the arm, she had him arrested for assault, and then he lodged a complaint against her for having threatened him. They were taken to the Parkville station and bailed out.

FLAHERTY QUIESCENT.

Sheriff Flaherty was quiescent yesterday in the B. R. T. matter. In his jail in Raymond street there were six or seven men last night who were arrested for disorderly conduct, following their refusal to pay second fares. They had been unable to get bail and were sent to the jail to await trial. Early in the day there were about twenty men in the jail, but most of them got bondsmen.

Assistant District Attorney Smith got seven more warrants yesterday for the arrest of inspectors, and these will be served to-day. Some people came in to see him, and they were sent back to get better information for their affidavits.

YESTERDAY'S COLERISMS.

Anent McGowan and Metz—Metz Hits Back (Verbally)—McGowan, He's Just Waiting.

An interesting story was being told around yesterday afternoon in Brooklyn that Bird S. Coler had endeavored to get Comptroller Herman A. Metz to get on the band wagon and be a hero. This was right after Coler had said that Acting Mayor McGowan was a ladylike old gentleman and the Acting Mayor had replied that if Coler really said that he would like to have him tell it to him to his face.

The way the story goes is that the Comptroller and Coler and Senator McCarren and another man were at lunch in the Clarendon Hotel yesterday and Coler said:

"You want to get on the band wagon, Herman. Get on the side of the people. Come with me to Coney Island and I'll show you how to make a hit. We'll refuse to pay our fares and then we'll both be arrested. We'll be two martyrs in the eyes of the public."

"Look here, Coler," Mr. Metz is credited with having replied, "if you are a damn fool I am not. I am not looking to become popular here. I can get along in the world just as well without being one. And I want to tell you another thing. If I were the head of the railroad company I would pay a man $10 a day to watch out for you. I would instruct that man that if you refused to pay your fare to punch you in the nose and then take you by the slack of the pants and throw you off the car."

Mr. Coler couldn't remember the last part of this at all.

"Why, I wouldn't want to have Metz along with me. He's too wabbly," said Mr. Coler. "Anyhow, his boss, McCarren, wouldn't let him. I never sat at a table with him anyhow. McCarren and I don't speak. What did happen was that I was going through the room and Metz called out loud, 'How's the war going?' I turned around and said, 'Get on the band wagon, Herman.'

"Now that's all that happened."

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FUSION FAILS IN NEBRASKA.

DEMOCRATIC CONVENTION NOMINATES SHALLENBERGER.

Lacking Bryan's Guiding Hand for First Time in Ten Years, Delegates Are at Sea—Platform Indorses "World's First Citizen" and Discusses State Issues

LINCOLN, Neb., Aug. 15.—The First Nebraska Democratic convention held in ten years without the presence and guidance of Col. W. J. Bryan Assembled here this afternoon. An unusually large number of delegates were in attendance, only seven counties being unrepresented.

A bitter fight arose over the question of whether a Populist, in the person of George W. Berge, or a Democrat should be nominated for Governor. Berge was pushed forward by a large number of Democrats because of his availability, having run far ahead of the Presidential tickets two years ago. He was opposed by the Bourbon Democrats, who demanded a Democratic ticket entire, with no fusion.

Late to-night ex-Congressman Shallenberger, the Democrat, was nominated, 455 3-5 to 321 2-5 over Berge, the fusionist. Shallenberger is a banker.

The platform as adopted renews the allegiance of the Nebraska Democracy to the party of Jefferson, Jackson and Bryan, and continues:

"We rejoice in the rapid growth of Democratic sentiment throughout the country and appreciate the compliment bestowed upon the party when its principles and doctrines are bodily appropriated by the few progressive leaders of the Republican party.

"We watch with interest their efforts to force their party to accept Democratic doctrine and we deplore the helplessness of their task. To their followers, however, we extend a hearty invitation to be come Democrats in fact as they are in spirit, and to join the Democratic ranks under the leadership of America's distinguished statesman, William Jennings Bryan.

"We extend to Mr. Bryan a hearty welcome. We rejoice that he stands to day a a conspicuous and central figure in the great moral and political revolution which is now sweeping over the country. While all of the States rejoice that he has become the first citizen of the world it remains only for our State to boast that it gave him political birth and started him upon the highway of fame and usefulness."

State issues are discussed at great length in the platform. Declarations are made in form of the direct primary system of making nominations: for a law making the issuance of a free pass by a railroad official a misdemeanor and its acceptance by a public officer cause for forfeiture of office: for a two-cent passenger fare: for an elective railroad commission to regulate rates within the State and censuring State officers for favoritism to railroad corporations.

A spirited debate ensued over a recommendation of the platform committee that the convention nominate a candidate for United States Senator. G. M. Hitchcock wanted to amend this by providing that all Democratic Senatorial candidates submit their claims to the voters on the election ballot, pledging Democratic legislators to support the man receiving the majority of the votes. This was opposed by W. H. Thompson, the leading candidate for Senator.

After the convention got out of a parliamentary tangle it declared in favor of the convention nominating a Senator. A resolution in favor of Government ownership of railroads was opposed on the ground that the convention ought not to embarrass Mr. Bryan by putting forth national issues in advance of his New York speech. On rollcall the resolution was defeated.

TEXAS INDORSES BRYAN.

Late Session Devoted to a Tedious Roll Call to Nominate for Governor.

DALLAS, Tex., Aug. 15.—The Democratic State convention to-day indorsed Bryan for the Democratic nominee for President in 1908. The resolution went through with a whoop. The other feature of the day was Senator Culberson's speech, most of which was devoted to denunciation of trusts and railroad aggressions.

The platform advocates a blanket primary election law, with a direct majority vote, to take the place of noninations by conventions. Prohibition is sidestepped entirely. A law is demanded to prohibit corporations from contributing to the campaign funds of any individual or party or to defeat any measure of legislation.

The calling of the roll on Governor for the 233 counties on the first ballot will not be finished until midnight, as each county's primary election vote is being called out by the secretaries for the individual candidates, and also the prorated convention delegate vote down to the fraction of one-one thousandth of a vote. The State committee's tabulation, which will probably be verified by the convention, gives the following approximate result: T. M. Campbell, 212½; O. B. Colquitt, 169½; C. E. Bell, 164½; M. M. Brooks, 155½.

When this tabulation is verified Brooks will be dropped as the low man and the real fight for the nomination begin among the remaining three candidates on the second ballot. The second ballot cannot possibly be reached before to-morrow.

SECRETARY ROOT'S WELCOME.

Visits Schools in Buenos Ayres and Also Attends the Races.

Special Cable Despatch to THE SUN.

BUENOS AYRES, Aug. 15.—Secretary Root passed a strenuous day to-day. He began by visiting a number of the public schools, at which he made brief addresses.

In the afternoon he attended the races. The weather had improved, and there was an immense crowd, estimated to number 25,000 persons, at the track. The clubhouse presented a beautiful spectacle. It was decorated with intertwined Argentine and American flags, and there was most lavish display of flowers.

After the races Mr. Root returned to the Palace Hotel, where he reviewed a parade of three hundred automobiles. To-night there was a gala performance at the opera house, which was attended by all the high officials and the leaders of Buenos Ayrean society.

The newspapers comment favorably upon President Alcorta's remarks at the State banquet last night, praising and supporting the Monroe Doctrine. Mr. Root's visit will create a lasting and favorable impression upon all classes here.

ODELL BEATS HIGGINS BY 1

Continued from First Page.

convention so long in advance of the convention. Mr. Payn, who has been in every State convention of his party since 1860, said that it was customary to select the temporary officers of the convention at the meeting held the night before the convention. Mr. Payn thereupon moved that Mr. Hendricks's motion naming Mr. Bruce for temporary chairman at this time be laid upon the table.

Mr. Hendricks, replying to Mr. Payn, stated that if the temporary chairman of the convention was selected at this time it would give him ample time to prepare his speech. Mr. Hendricks went on to say that in other States it was customary to select a temporary chairman a considerable time in advance of the meeting of the convention. In reply to a question, however, Mr. Hendricks, who has been an active force in the Republican politics of the State for more than a quarter of a century, admitted that so far as he knew there was no precedent in this State for the action which his motion proposed.

William Halpin asked Mr. Hendricks if Mr. Bruce had indicated that he would accept the place of temporary chairman of the convention and Mr. Aldridge spoke up and replied that Mr. Bruce had been sounded on the matter and had intimated that while he would not declare himself a candidate he would accept the post if the committee should wish to offer it to him.

Lemuel Ely Quigg opposed Mr. Hendricks's motion on the same grounds as those advanced by Mr. Payn, that it was unprecedented in the annals of the Republican organization of the State. Mr. Quigg added: "Mr. Bruce has no warmer friend than myself and there is no Republican whom I would so delight to honor, but if this unprecedented action were taken at this time inferences would be drawn by the people and by the newspapers which would be prejudicial."

Mr Quigg seconded the motion that Mr. Hendricks's resolution be laid on the table. The Higgins people won by a vote of 19 to 18, the vote being as follows:

NOES.

Dist.
2—T. L. Woodruff, proxy for Robert M. Johnston.
3—L. M. Swasey.
4—Jacob A. Livingston.
5—F. J. H. Kracke.
6—George H. Roberts, Jr.
8—George Cromwell.
9—Charles H. Murray.
19—William L. Ward.
22—Cornelius V. Collins.
23—William Barnes, Jr.
26—John F. O'Brien.
27—Thomas Wheeler.
28—John T. Mott.
29—Francis Hendricks.
31—Charles H. Betts.
32—George W. Aldridge.
34—John A. Merritt.
35—John Grimm, Jr.
Additional member—Charles W. Anderson.

AYES.

Dist.
1—J. W. Demarest, proxy for Leander B. Faber.
7—D. H. Roiston, proxy for Michael J. Dady.
10—L. E. Quigg, proxy for James F. [illegible]
11—William Halpin.
12—Smith Ping.
13—Edward Lauterbach.
14—John H. Gunner.
15—W. M. K. Olcott, proxy for Abe [illegible]
16—Frank Raymond.
17—Samuel Strasbourger.
18—William H. Ten Eyck.
20—B. B. Odell, Jr.
21—Louis F. Payn.
24—Reuben L. Fox.
25—Cyrus Durey.
30—George W. Dunn.
33—J. B. H. Mongin.
36—William C. Warren.

George H. Witter of the Thirty-seventh was absent and sent no proxy.

Mr. Ten Eyck then introduced a resolution, the usual one on such occasions, that when the committee adjourned it be to the United States Hotel, Saratoga, on the evening of September 24, and this was carried unanimously

Mr. Livingston of Brooklyn then brought about the sensation of the day when he rose and stated that he had not understood the significance of the vote on Mr. Hendricks's resolution to name Mr. Bruce temporary chairman of the State convention and he moved to reconsider the vote. Mr. Livingston's resolution to this effect was seconded by Mr. Ralston and was carried by the vote of 19 to 18, the only difference in the names being that Livingston made the nineteenth vote on the Odell side.

Mr. Durey had the committee adopt a resolution naming the United States Hotel, Saratoga, as the headquarters of the committee during the convention, and the committee thereupon adjourned.

A famous political Washington correspondent once said that if it were fair to judge politicians as a class they were the stupidest class on earth. Republican politicians at the hotel said that the events of the day justified the statement. In the judgment of many of these Republicans the work leading up to the meeting of the State committee, the events at the meeting and the whole results of the political campaign of the Republicans up to this hour had been marked by an unfortunate series of tactical mistakes. It was said that if Mr. Odell had been stupid in publicly attacking Gov. Higgins, the Republican Governor of the State, the Higgins people had been equally stupid in precipitating contrary to the precedent of the party a resolution naming at this time the temporary chairman of the convention. A good many hard words were said all around. It was declared that Mr. Aldridge, as the younger and more active, and perhaps more experienced representative of Gov. Higgins, should have seen to it that the Higgins people had the votes in the committee to pass Mr. Hendricks's resolution, or it should not have been introduced. But the friends of Mr. Higgins had decided early in the morning, after reading Mr. Odell's attack on Gov. Higgins, that there should be some sort of a lineup on the committee which should show to the Republican voters of the State Gov. Higgins's strength with his own organization. All of the Governor's friends—now known as the "Big Four"—Mr. Aldridge, Mr. Hendricks, Mr. Franchot and Mr. O'Brien, were consulted about the Bruce resolution and thought they had insured its passage, but the Platt-Odell combination, learning about it, got busy themselves. Mr. Woodruff, it was asserted last night, told Mr. Livingston of the Bruce resolution before the committee assembled, and Livingston, a friend of Michael J. Dady, informed Mr. Woodruff that he would vote for it, as he did. The anti-Higgins people were startled when Livingston so voted, and in the last moments of the committee's meeting Mr. Odell had a talk with Mr. Livingston which resulted in Mr. Livingston seeing a new light and moving to reconsider.

Senator Platt was present at the session of the committee and he and Mr. Quigg took away from the Higgins forces such men as Mr. Gunner and Mr. Raymond, Mr. Quigg himself occupying Mr. Pegnam's place on the committee. Mr. Dunn also voted as Mr. Platt's friend against the Hendricks resolution. The friends of ex-Governor Frank S. Black, Mr. Olcott, Mr. Payne and Mr. Durey, voted against Mr. Hendricks's resolution, while Mr. Collins, State Superintendent of Prisons, and one of Mr. Black's stanchest friends, voted with Mr. Hendricks for the first time in many years. Mr. Mongin left Mr. Barnes, a Higgins man (formerly one of Mr. Platt's chiefest lieutenants) and voted with the anti-Higgins people.

The sorry event of the day, in the estimation of many Republicans, was the vote of Mr. Demarest, proxy for Mr. Faber, against the Higgins people, Mr. Faber's Congress district being that in which President Roosevelt is a voting resident. It was explained that Mr. Faber, the committeeman for the district, was very deeply interested with Mr. Odell and Mr. Odell's friends in Long Island real estate ventures.

The mystery of the day was the absence without a proxy of Mr. Witter, the committeeman from Gov. Higgins's Congress district. Gov. Higgins's friends explained this by saying that they had understood that Mr. Witter had given his proxy to Representative Vreeland, and Mr. Vreeland turned up in town yesterday morning expecting to receive Mr. Witter's authority to represent him in the committee. But Mr. Vreeland heard no word from Mr. Witter, and didn't find the proxy until the meeting was over. With Mr. Witter, or Mr. Vreeland as proxy, present for the Thirty-seventh Congress district, Mr. Higgins's district, Mr. Livingston's motion to reconsider the vote by which Mr. Bruce had been selected temporary chairman by a vote of 19 to 18 would have been lost.

"So President Roosevelt's own State committeeman falls down at a time like this and Gov. Higgins's own committeeman stumbles by the wayside," was the comment of Gov. Higgins's friends.

Senator Platt said that the vote on the Bruce resolution indicated that Gov. Higgins's chances had been very seriously, if not fatally, damaged. Gov. Higgins's friends insisted that the vote was without deep political significance and that they were still confident of controlling a large majority of the delegates to the convention. But not a mother's son of the men who put up the battle for Gov. Higgins yesterday could tell up to last evening if the Governor is a candidate for renomination, and this matter was most distressing to them. They said that Gov. Higgins had made a fine Republican Governor and that there was no reason why he should not be renominated, but that the Governor's negative position concerning the nomination perforce weakened his friends when a fight came. Gov. Higgins was therefore spoken of rather harshly by some of the people who had been his friends.

"He leaves us," said a Higgins State committeeman last night, "to hang on by the eyelids and toenails and compels us to confront an active opposition, all the time remaining in his shell himself. It isn't exactly a candid way to play politics."

Mr. Odell told his friends that the events of the day precluded the renomination of Mr. Higgins for Governor, and with almost glee he pointed out that Mr. Woodruff of Brooklyn controlled only four of the six State committeemen from that territory. Of the ten State committeemen in New York county, Mr. Odell and Mr. Quigg pointed out, the anti-Higgins people voted nine, and it was argued that this vote indicated the defeat of Mr. Parsons for re-election as president of the New York county committee.

While the friends of Gov. Higgins were insisting that he would be renominated, if he wanted a renomination, other folks were saying that at the last moment Senator Brackett, Mr. Bruce or Senator Frederic C. Stevens, or possibly Charles E. Hughes, would cut out the running for the Republicans this fall, as a candidate for Governor

Mr. Odell was very angry because Mr. Betts had attacked him in the meeting of the State committee. Mr. Odell told his friends that there was no precedent for such a speech as Mr. Betts had delivered.

Gov. Higgins's friends insisted that there was a warrant for it, and recollected that Mr. Odell in public interviews had said that the Governor was "a nice little man," that "I own him, body, boots and breeches," that "Higgins is a chump," and so forth, and so forth. Mr. Odell's friends, replying to this, said that Mr. Odell had given Mr. Higgins the nomination for Governor and that Mr. Higgins had defeated Mr. Halpin, Mr. Odell's candidate for reelection as president of the New York county committee, and Mr. Merritt, Mr. Odell's candidate for Speaker of the Assembly. Gov. Higgins's friends rejoined that it was a pity the Governor had not kept his hand on the plough and turned out Mr. Odell as State chairman.

Friends of Gov. Higgins, through his secretary, Frank E. Perley, made this statement last night:

"The object of to-day's test vote in the State committee was to learn where certain members stand. That object was attained. The vote was cast by committeemen elected two years ago whose term will expire when the State convention assembles next month. In the coming convention there will be 1,010 delegates. A careful and conservative canvass shows that more than 750 of these delegates will oppose the reelection of Mr. Odell as chairman, will oppose the continuance of his leadership, and will favor the renomination of Gov. Higgins and the upholding of the clean administration of President Roosevelt in Washington and of Gov. Higgins in Albany.

"No good Republican should be misled by to-day's vote. Dr. Witter, member of the State committee from the Thirty-seventh district, was unable to be present and telegraphed his proxy to Congressman Vreeland, authorizing Mr. Vreeland to act with the friends of Gov. Higgins. This proxy was sent to the Fifth Avenue Hotel, where the committee met, but was not received by Congressman Vreeland until after the committee had adjourned. Mr. Vreeland was in the hotel and would have been present at the meeting of the State committee had he received Dr. Witter's proxy promptly. The test vote then would have been 20 to 18 against Mr. Odell, and the present State chairman would have met a signal defeat at the hands of the same committee which two years ago unanimously elected him as its chairman."

Secretary Perley's statement is the first inkling that Gov. Higgins is a candidate for renomination.

Representative Edward Butterfield Vreeland of Salamanca, it may be stated in the interest of fact, was at the Fifth Avenue Hotel yesterday morning and even meandered among the political mastodons there present. He is known to all the courteous clerks of the hotel; to the ablebodied, fluffy banged telephone young women and maybe to Col. Jim Gray and Col. Pat Hare, who dispense solace one moment and regrets afterward.

RIOT IN OHIO CONVENTION.

John R. McLean's Faction of the Cincinnati Democracy Put to Rout.

CINCINNATI, Aug. 15.—Turbulent scenes marked the Democratic county convention to-day. The Lewie Bernard wing of the local Democracy, which has been in more or less open revolt against Mayor Dempsey's following, were whipped to a standstill in the fight over a permanent chairman. After that the Dempseyites had easy sailing. Bernard has long been considered John R. McLean's chief lieutenant and has also for years been called, by his enemies especially, an ally of the Republican leader George B. Cox. Dempsey led the local anti-boss column last fall in the overthrow of Boss Cox and his veterans.

Chairman Charles Nobel of the county committee, a Bernard man, called the convention to order. On the report of the advisory committee being read, which presented the name of Gideon C. Wilson for temporary chairman, Nobel quickly put the motion and declared the report carried notwithstanding a roar of "Noes" and a score of excited men yelling for recognition.

There was a rush for Chairman Nobel, who stood gavel in hand. The crowd surrounded Nobel, several seizing him by the arms and wildly jerking him. Nobel was kicked, pulled, pushed and jostled all over the platform and a number of blows were struck.

"Put Bernard out," went up the cry from several parts of the hall.

There were only four policemen in the hall, and they hurried to the stage, but the crowd there kept increasing. Some of the Dempsey people tried to throw Chairman Nobel out of the hall bodily, while the Bernard men rushed to Nobel's assistance in a general mixup.

Dempsey adherents were shouting out a motion to have the name of John J. Molloy substituted for Wilson's as chairman.

Nobel finally weakened and entertained the motion, and also changed the rule to allow the recording of the vote by wards.

Molloy was then chosen, 182 to 106. The business of the convention then went forward with comparatively little friction.

The platform indorses Bryan as Democratic leader and Dempsey as a good Mayor; demands the Federal plan of city government, home rule for cities, taxation of corporations, the initiative and referendum, the merit system in city government, the separation of local and State and national politics and approves the recent work of the Drake committee that unearthed shortcomings under local Republican rule.

NEW ACCUSERS FOR "WIDOW."

Friend Wouldn't Tell Name of Mrs. Verrault's Fourth Victim—Retaliation.

Assistant United States District Attorney Carmody heard yesterday of a fourth victim of Mrs. Bina F. Verrault's love letters. A friend of the victim told the story. The man himself wouldn't for many times the amount he lavished on his charmer let his name be made public and his friend declined to tell it.

At 72 West Eighty-second street neither Mrs. Verrault nor Mrs. J. Pemberton Brown was at home to callers. Hugh Gordon Miller, counsel for the woman, said she was out of town, but that if any more of the seekers after her fortune wanted to complain to the authorities about her letters she would come back in a jiffy and "put them to rout, as she did Keisler and Zalinoff."

George T. Verrault, who, the defendant admits, is her husband, made another call on Mr. Carmody. He had learned, he said, that his wife was going to have him arrested for non-support. He asked what was he to do, seeing that she had deserted him. Mr. Carmody took occasion to tell Verrault that there was no truth in the report that the Federal authorities were trying to let the woman off and to that end were turning witnesses down.

"The cases haven't been dropped by any means," said Mr. Carmody, "and we will do our best to get evidence of the woman's intent to defraud."

Verrault promised to appear as a witness when the cases come up for trial in September.

ALLENTOWN, Pa., Aug. 15.—Edward Schaeppe, formerly of St. Petersburg, a landscape gardener, who did much to beautify the estates of Helen Gould, at Tarrytown, and John D. Rockefeller, in the Pocantico Hills, is in Allentown working after a disastrous financial experience with Mrs. Bina Verrault Hamilton. Schaeppe is about forty and has the aspect and manners of a man of the world.

Schaeppe started to winter in New York with a wad of about $8,000. Last spring he answered one of Mrs. Verrault's matrimonial advertisements. He met her at Asbury Park, which she suggested as a trysting place. He fell in love. He bought her a $500 engagement ring, and while he denies having handed her any cash he declares she was awfully expensive to entertain. About the time he was broke she dropped him.

To make another wad he came here to fix up the town's new $40,000 city park. Schaeppe says he won't appear in any court against Mrs. Verrault.

VETERANS DIE AFTER PARADE.

Killed by the Heat and Exertion in G. A. R. Encampment March.

MINNEAPOLIS, Minn., Aug. 15.—Twenty-two thousand eight hundred veterans of the civil war marched here to-day. It took the old soldiers three hours and forty minutes to pass the reviewing stand where Commander in Chief Tanner of the G. A. R. sat.

The heat caused sixty or more to fall. An automobile Red Cross corps carried the stricken to emergency hospitals.

Col. Charles W. Keeting, department commander of Mississippi and Louisiana, and Thomas H. Martin of Washington, D. C., senior vice-commander of the department of the Potomac, died immediately after being removed from their positions at the heads of their departments It is feared that other fatalities will result.

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