now is not an issue of the trial and nothing will be done by the Court unless a formal application for a commission is made by Mr. Jerome, based on evidence of Thaw's insanity now. As Mr. Jerome's experts have not had a chance to examine Thaw there is nothing on which to base an application for a commission by the District Attorney.

Everything possible will be done to produce testimony in rebuttal that Thaw was not insane when he killed White. From the standpoint of the prosecution the only evidence produced so far that Thaw was insane when he shot White is the opinion of two experts that he had a brain storm that night. Everything else Thaw did that night, according to the view of the District Attorney's office, was the act of a sane man.

The witnesses to be called by the prosecution in rebuttal are not known outside of the District Attorney's office, but it has been hinted that Mr. Garvan has gathered some evidence which will cause a sensation. A strong effort will be made to get in the affidavit which Mrs. Evelyn Nesbit Thaw is said to have made in Hummel's office. This affidavit was made in the fall of 1903 after she had been to Europe with Thaw. It was on this trip, while in Paris, that the young woman says she told Thaw the story about White. In the affidavit she is made to say that she never told this story to Thaw but that he heard it from other sources and that he tried to get her to bring proceedings against White, which she declined to do.

It is the contention of the District Attorney's office that the affidavit is admissible, as it bears on the question of whether she told this story to Thaw or not. Young Mrs. Thaw declared on the stand that she never made the affidavit, that it was dictated by Hummel after she had had a talk with him and that he put in a lot of things which she never told him and which she did not understand.

Two witnesses who will not be called by Mr. Jerome are Drs. Deemar and Bingaman, the physicians for the Thaw family. These doctors have made statements to Mr. Jerome concerning insanity in the Thaw family. Mr. Jerome has gathered a lot of other evidence about the Thaw family but it is not believed that it will be used now. The fact that the defence in the latter part of its case has avoided mention of hereditary insanity has shut off any chance of Mr. Jerome getting in evidence on this point.

Thaw's wife called on him in the Tombs yesterday and stayed for over an hour. She left just before Thaw's mother called. Despite the statements of the lawyers there is nothing to show that the relations between Mrs. William Thaw and the young woman are friendly. Mrs. Thaw never referred to young Mrs. Thaw by her name while she was on the stand. It was always "she" or "her."

Before young Mrs. Thaw left the Tombs she said that everybody was very glad that Mrs. William Thaw's testimony was over. She added that both Mrs. George Lauder Carnegie and the Countess of Yarmouth, sisters of Thaw, would call to see her husband before the day was over. They didn't call.

Lawyer Peabody and Dan O'Reilly had a talk with Thaw. Mr. Peabody expressed the opinion that the case of Thaw was in good shape and that the testimony of Mrs. William Thaw had had a very good effect. The only thing that came from the rotound and jovial O'Reilly was a copy of a letter which he said had been sent to one of Thaw's lawyers last month. The writer of the letter he said, was a man of standing in the community. The letter was written, Mr. O'Reilly explained, as a protest to stories that the Thaws had not been welcomed by persons of social standing. This is the letter:

February 9, 1907.

DEAR SIR: It is wrong that nothing is done to counteract the impression that Mr. H. K. Thaw has lived apart from good associations except at his home in Pittsburg.

I hesitated in sending this information, as his lawyers should dispel this bad feeling. Instead, they seem to pay attention to nothing beyond his rights in the trial.

Mr. H. K. Thaw has not only learned friends and scientific friends but also others of the most conservative society.

When last his mother was abroad he gave dinners for her at which she met all the best elements of society in town. The Prime Minister, the Grand Master of the Court and their wives and the heads of the best old Roman families. In Paris and London and other places he made her visit agreeable in the same manner.

Mrs. William Thaw would seldom leave her home and her philanthropic interests in Pittsburg, but I know of one occasion in this city when she was present at a large dinner where the other guests were well known New Yorkers, including Mr. and Mrs. Townsend Burden, Mrs. Van Rensselaer Cruger, Mrs. Stuyvesant Fish, Mrs. Ogden Goelet, Mr. and Mrs. Goodhue Livingston, Messrs. J. J. Astor, J. D. W. Cutting, Robert Gerry, William Whitehouse, Craig Wadsworth and several more.

I think Colonel and Mrs. William J. and Mr. and Mrs. Orme Wilson were among the guests.

The knowledge of Mr. Thaw has been anything but that of an irresponsible person before his terrible misfortune, that may have, at last, deprived him of reason temporarily.

I hope, from the good reports in the daily papers, this can have no effect prejudicial to his interest. I am sure, but may create some sympathy for the young man, for whom I have always felt a sincere regard. Very faithfully,

AN OLD FRIEND OF MR. THAW'S.

Those who read the letter remarked that there was a similarity to the literary style of the Thaw letters in evidence, but it was denied by the lawyers that Thaw had anything to do with writing it.

Unless there is a change in the plans of the prosecution the trial should not last much longer than another week. The experts for the prosecution will be examined on nothing but a hypothetical question. It may be that Mr. Jerome will introduce evidence in rebuttal that will call out a number of witnesses from the defence. One of the Thaw lawyers said yesterday that they were ready for Mr. Jerome on any line he took.

Within the last week Mr. Jerome has received a number of threatening letters. They come from all over the country. Even the Black Hand has threatened him with death for not being fair to Harry Thaw. Mr. Jerome has paid no attention to the letters.

SON TO CONTEST PLUME'S WILL.

Alleges That Undue Influence Was Used to Have Him Slighted.

WATERBURY, March 7.—The fight over the will of David S. Plume, the late banker, has begun. Frank S. Plume of Milford, Pa., the only son, has employed counsel to guard his interests. Frank was cut off with $25 a week, while his sister Emily, wife of John Gary Evans, former Governor of South Carolina, and the only other direct heir, gets the remainder of the estate, estimated at $300,000.

One of the grounds for attack will be undue influence of the former Governor and his wife, the allegation being that Mr. Plume spent much time with them in this city and at their home in South Carolina and was influenced against the son.

The answer will be that much money was spent on Frank and his family and that he got his share while his father was living.

NEW CITY HOSPITAL BUILDINGS.

Half a Dozen Structures to Be Erected on Blackwell's Island.

Raymond F. Almirall, as architect to the city, has filed plans for the group of new administration buildings to be erected on Blackwell's Island as annexes to the present City Hospital. The group includes two one story reception houses for patients to cost $25,000 each, an operating pavilion to cost $25,000, a three story kitchen and service building to cost $12,000, a three story and attic residence for the medical staff to cost $54,000 and to be called Janeway Hall and a two story and attic residence for the hospital superintendent to cost $20,000.

The same architect has filed plans for two new recreation pavilions to be built on the island for the inmates of the City Home for the Aged and Infirm.

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If the Venus Pencil is wanted with *indelible* lead, ask for Venus *Copying* No. 165.

PROPOSED TELEPHONE MERGER.

Two Witnesses Examined Before Referee Lawson in Albany.

ALBANY, March 7.—Three witnesses were examined to-day before Referee Joseph A. Lawson in the matter of the proposed sale of the United States Independent Telephone Company of Rochester to the American Telephone and Telegraph Company. The merger was halted recently by an injunction obtained by Attorney-General Jackson, alleging a combination in restraint of trade.

The witnesses were Frederick Eastman of Rochester, President Frederick P. Fish and Vice-President Edward J. Hall of the Bell Telephone Company. Attorney-General Jackson, with Deputy Attorney-General Frank H. Mott, appeared for the people, and former Judge D-Cady Herrick for the Bell Telephone Company's interests.

Mr. Eastman as a stockholder told why the merger was proposed. There had been millions spent on the plant in Rochester and then some six millions more were needed, which amount, he said, could not be secured in Rochester.

President Fish said he was approached in October last by the independents and asked to buy out their properties. He denied that his concern cared to secure the Carlson-Stromberg Company, which makes the independent telephone equipment. The Bell people had no use for that corporation. He declared that the effect of the proposed merger would be that the competition in telephones would be cut out and houses and places of business would only be obliged to pay for the one phone. He thought it would have a tendency to cheapen the cost of the telephone and to better the service.

The next session will be held in New York city on March 18.

SEEK MISSING MAN IN PRISON.

Son of New York Broker Thought to Be Incarcerated in Pennsylvania.

PITTSBURG, March 7.—Accompanied by a mysterious man who describes himself as "Mr. Wikins of New York," James Sweeney, a former detective in New York, who now conducts a private detective agency, is here looking for the missing son of a New York broker who, he believes, is confined in one of the Pennsylvania State prisons.

Capt. Sweeney went to the offices of Mayor Guthrie and Superintendent of Police McQuaide this morning, and after looking over the police records got several letters of introduction from the Mayor. He then went to the Western Penitentiary, where he spent the greater part of the day.

Capt. Sweeney and "Mr. Wilkins" both refused to discuss their mission except to say that they had every reason to believe that the person for whom they are searching is in prison. They would not divulge the name of the missing man or hint at the circumstances which they think caused him to be imprisoned. The police and the officials of the penitentiary refused to even discuss the visit of Capt. Sweeney.

DANCED AT GUN'S MUZZLE.

Crowd That Followed a Drunk Exercise to Pistol Music.

Charles Cheller, a laborer on a drunk, was followed out of the saloon of George Sauer at 111th street and Third avenue last night by about sixteen men who were curious to see how he would navigate.

Cheller resented their curiosity. He drew a revolver and ordered them to dance. They danced. Then they sang, one at a time and all together.

A big crowd gathered to watch the fun and Cheller kept the sixteen dancing. Some one in the crowd tried to stop the performance by getting Cheller's gun. This made him angry and he fired into the crowd. No one was hit. The sixteen grew tired and Cheller fired three more shots, this time at the dancers. Apparently he was using blank cartridges.

Policeman Abst got up behind Cheller with his club and didn't miss. Cheller was taken to the East 104th street police station, where one more cartridge was found in the revolver. It had a bullet in it.

FIRST SIGNAL CORPS INSPECTED.

Announced That a Wireless Station Will Be Established at the Armory.

The annual inspection of the First Signal Corps, N. G. N. Y., was held last night in the new armory at Thirty-fourth street and Park avenue, which the Signal Corps shares with the Seventy-first Regiment. The reviewing officers were Major Frederick T. Leigh, State signal officer; Capt. George C. Burnell of the United States Signal Corps, and Col. W. G. LeBoutillier, surgeon of the State National Guard. The Second Signal Corps of Brooklyn and Mrs. Leigh were guests of honor.

It was announced at the inspection that the De Forest Wireless Company had decided to establish a wireless station at the armory.

JUDGE FITZGERALD IN DANGER.

The Brooklyn Bar Association May Ask for His Removal.

The Brooklyn Bar Association, through its grievance committee, has under consideration the case of Judge Thomas W. Fitzgerald of the Court of Special Sessions, whose prolonged absences from his judicial duties have involved him in notoriety. Judge Fitzgerald is to appear before the committee at his own request and it is understood will explain that his frequent absences from the court were due to ill health. Should the Bar Association decide adversely to Fitzgerald application will be made to the Appellate Division for his removal.

Correct Dress for Men

Medium weight fabrics in suits and overcoats exactly adapted to wear between late Winter and early Spring—when heavy weights are too burdensome.

George G. Benjamin
Broadway, Cor. 26th St.

ALL FAVOR PASTEURIZATION.

EVEN DR. DARLINGTON HAS NO FAULT TO FIND WITH IT.

Nathan Straus Makes Clear to the Aldermen the Great Danger in the Unrestricted Use of Ordinary Raw Milk—He Quotes the Highest Authorities in the World.

The Health Committee of the Board of Aldermen gave a public hearing yesterday on the project to compel by ordinance the pasteurization of all the milk sold at retail or wholesale in this city. The hearing was attended by many persons interested in the matter and representing all shades of opinion. Several doctors addressed the committee and Nathan Straus himself presented an address on the subject, while a number of big milk dealers also had their say.

Health Commissioner Darlington did not appear, although he was expected, but instead sent one of his don't be too hasty communications. Alderman Jacobson, who is himself a physician, presided and there was a full attendance of the committee. Before the discussion had proceeded very far Alderman Grifenhagen presented for the consideration of the committee a resolution which if adopted by the board would have the effect of an ordinance. It was the result of the labors of many persons who believe that pasteurization is the only safe and sure means of assuring to the city an absolutely uncontaminated milk supply, and it is believed to represent the best and latest scientific thought upon the subject.

The resolution begins with the provision that after June 1 next no "raw milk or cream shall be sold at retail or offered for sale in the city of New York unless it comes from herds certified as free from tuberculosis and unless the milk or cream has been certified by the Department of Health as containing not more than 50,000 bacteria to the cubic centimetre."

"All milk and cream," it continues, "not from certified herds or not conforming to the said bacterial standard shall be pasteurized by exposure for at least twenty minutes to a temperature of 167 degrees Fahrenheit or by exposure for at least thirty minutes to a temperature of 158 degrees Fahrenheit. For the purpose of enforcing this ordinance it shall be unlawful to ship milk or cream into this city except in closed cans or bottles on which the name and location of the dairy are distinctly marked, and it shall be unlawful to offer raw milk or cream for sale unless it is certified and unless it is sold in bottles or from cans on which the name of the dairy is distinctly marked."

The resolution goes on to give details of the method of examining herds and certifying that they are in good health. It provides for bacterial examination by the Board of Health at least once a month for the purpose of certification and declares that these certificates under which raw milk and cream may be sold must be renewed from month to month.

"No milk or cream," it says, "shall be presumed to come within the required bacterial standard unless three samples taken from different cans or bottles within the month shall show counts of less than 50,000 bacteria to the cubic centimetre." This provision does not apply to milk or cream certified to by the milk commission of the County Medical Society and the Board of Health is not to be interfered with in its work of maintaining proper supervision over the sanitary conditions of dairies or creameries or milk shops.

On a first violation of the ordinance the offender is to be warned or the Board of Health may revoke his permit.

A third violation requires the Board of Health to revoke the permit peremptorily.

Soon after the committee assembled Nathan Straus addressed it. He said that he was particularly sorry that Commissioner Darlington was unable to be present because he had been assured that he was to be there and had therefore taken special pains to get to the hearing himself. He had prepared a statement for the committee, which he then asked Dr. Arthur R. Green to read.

After saying that the milk question was to his mind the most important one before the public he went on to call attention to the fact that Dr. Darlington had asserted that ideal conditions of purity could be obtained through the inspection of employees of his department, provided only that their numbers were increased.

"It requires no extraordinary perception," Mr. Straus then went on, "to realize that the milk supplied to New York city, which comes from five or six different States, the herds of which are all more or less infected with tuberculosis, cannot with the closest inspection be in that ideal condition which has been described. We must meet the conditions as they exist, not as we would wish them to be. I have nothing against the theory of inspection, except that I believe it to be an idle dream. To say that it is possible for inspectors of the Board of Health of this city, who have no real authority outside of this city, to control conditions on thousands of farms so as to make them ideally perfect does not seem even ordinarily reasonable.

"I shall welcome any good that comes from inspection, but I protest most emphatically against leaving the people of this city and country with no other protection than inspection."

Mr. Straus then quoted the Royal Commission of Great Britain as saying that cows' milk containing bovine tubercle bacilli was clearly a cause of tuberculosis in man and that a very considerable amount of disease and loss of life, especially among the young, must be attributed to this cause. Prof. von Behring, the discoverer of antitoxin, was quoted as saying that "the milk fed to infants is the chief cause of consumption in infants and adults," while to Sir Frederick Treves was attributed the statement that "the absolutely reckless use of raw, unpasteurized milk is little short of a national crime, for which we are paying very heavily in ill health, disease and death." Among the American advocates of pasteurization Dr. Abraham Jacobi was quoted.

Mr. Straus alluded to the charge that pasteurization would remove valuable nutritive qualities from milk and added: "The authorities I have quoted are the greatest scientific and medical experts in the world to-day. They have spoken only after thorough experience and experimentation. They are not alarmists. They know thoroughly whereof they speak. One and all deny these assertions as of the half-informed. Only recently Dr. C. W. Saleeby, the successor of Prof. Huxley, stated: 'In the present state of our ordinary milk supply the giving of unsterilized milk to a child is a potentially homicidal act. The objection to boiling milk is pure superstition.'

"I now speak of to-morrow literally, when tuberculous milk will be delivered, as it has been to-day, at innumerable doors in this city. What is to be done with it? That plain old answer for to-morrow is that it must be boiled. Direct all your efforts toward securing proper scientific pasteurization of such of the milk supplied to New York city as has not been certified. This would mean a very large proportion of it—about 90 per cent.

"The objection that pasteurizing milk would increase its cost should be exploded by the State, through its willingness to pay this added cost without increasing the cost to the consumer. The city and state pay for hospitals, for sanitary inspection and other methods of protecting public health. This is more important than any other and should be a municipal and State expense pure and simple. I have presented to you not only the results of my own study and experience but the precepts and experience of the greatest living authorities. If there be any opposition, compare its source and its standing with that of the great names I have presented to you."

Dr. Darlington's letter arrived about this time and was read aloud by the clerk of the committee. "The Board of Health," wrote the Commissioner, "has for many years felt and still feels that its first and most important work in this matter is the supervision of the conditions under which milk is produced, preserved, transported and sold. Its system had been broadened and rendered more effective from year to year as funds were available and it is believed that the scheme of supervision now in force is essentially correct and satisfactory in its general features.

"It is defective in that the force of men available is inadequate as related to the inspection and to the chemical and the bacteriological examination of the milk supply. The board maintains that the matter of the first importance is the furnishing of an abundant supply of clean, pure, unadulterated raw milk which has been collected, cooled, transported and sold under the best possible conditions compatible with reasonable price to consumers.

"There is much difference of opinion among those most competent to speak on what further is to be done to improve the character of the milk supply in addition to the extension of the supervision through inspection and chemical and bacteriological examinations. It is freely admitted on all sides that the present supply is far from satisfactory, though it is much better now than ever before in the history of the city.

"The Board of Health has for many years urgently advised during the summer months that all milk fed to infants be boiled or pasteurized. It has constantly cooperated with and striven to extend the use of the milk stations widely established through the munificence of Nathan Straus. The board has had under consideration what further measures could be propely adopted to hasten the attainment of this object and has been conducting investigations to that end. It is the intention of the board eventually to present a comprehensive scheme which shall be of such a nature as to commend itself to the approval not only of the Board of Estimate and the Board of Aldermen, but also of the people of New York city in general. The board feels that the adoption at this time of any partial measures or untried methods would be likely to delay or defeat the purpose in view."

Alderman Freeman said that he had been looking up the matter in the law books and he had come to the conclusion that if the board declined to adopt measures like those proposed for the protection of the public health and an epidemic should follow as a result of this refusal, the members of the board could be indicted for their negligence in the matter.

"We look around the streets," said Alderman Brown, "and we see heaps of snow and dirt and other violations of health ordinances, and it seems only fair to uppose that next summer we shall have to deal with an unsual condition of affairs. If there should be an epidemic some citizens might be inclined to hold the members of the Board of Alderman responsible for it, should they neglect to take all possible precautions."

Alexander Campbell of the Campbell Milk Company of Brooklyn declared that conditions in the milk trade were not what they should be, and he came out strongly for pasteurization of all the milk sold in this city. He admitted that there were ordinances now forbidding the exposure of milk and food products to contamination, but he said that to enforce them would require an inspector for about every food shop.

Dr. William S. Magill of 143 East Seventy-first street declared that it was universally admitted that pasteurization could do no harm to any milk and would benefit a great deal of it. He could not see why there should be the slightest objection to the scheme. He told of his visits to many foreign capitals, in many of which pasteurization was compelled by law. Several milk dealers came out for pasteurization. One demanded that all milk should be sold in sealed bottles, while two or three speakers declared that the root of all the trouble lay in diseased cattle and the food they ate.

At the conclusion of the debate Dr. Jacobson announced that the hearing would be adjourned for two weeks, after which the committee would take action in the matter.

EDWARD A. VANCE ON TRIAL.

Miss Schlegel Tells How the Bigamist Got Her Jewelry Before He Married Her.

Edward A. Vance was put on trial before Judge Dike in the County Court, Brooklyn, yesterday on an indictment charging him with grand larceny for stealing "by trick and device" $1,500 worth of jewelry from Miss Elsie W. Schlegel of Seventy-second street, Bay Ridge, whom he induced to marry him on February 6 last, although he had a wife living in Fifth street, Brooklyn.

Miss Schlegel said that Vance, who seemed to come from a good family, called on her, and that her father, George Schlegel, was favorably disposed toward him. Some time before the marriage Vance managed to get her to turn over to him for safe keeping her jewelry. He said there were so many robberies that he feared the jewelry might be stolen. He has never returned it and she said she had received information that he had taken it to Manhattan and pawned it.

After the marriage the couple went to the Grand Union Hotel, Manhattan, and then he told her that he had lost about $900 and she telephoned to a friend of her father and received $10. She said she had expected to go to Florida on the wedding trip. The following day Vance took her to the Carlton House, Brooklyn, and registered as "Wilson and wife." Then it was that he told her that "the jig is up" and that he was married and also dead broke. Counsel for Vance objected strenuously to any testimony regarding the bigamous marriage, but Judge Dike permitted District Attorney Clarke to get in as much of this as was necessary. The case is still on.

MAYOR TO BE HEARD.

Justice Greenbaum Refuses to Throw Demurrer Out as Frivolous.

Justice Greenbaum of the Supreme Court denied yesterday the application of Clarence J. Shearn, representing the Attorney-General, for an order directing Mayor McClellan to interpose an answer to the complaint in the suit instituted against the Mayor by Mr. Jackson to oust McClellan from office on the ground that he is a usurper and was not legally elected.

Mayor McClellan has demurred to the complaint, setting forth that William R. Hearst ought to be made a party to the suit. This demurrer Mr. Shearn denounced as frivolous, but Justice Greenbaum said that he was not prepared to throw out the demurrer so abruptly, and that therefore no judgment against McClellan will be entered for his failure to answer until the demurrer has been passed upon in the regular course of procedure.

Texas Prairie Fire Kills Many Cattle.

BALLINGER, Tex., March 7.—Hundreds of square miles of grazing lands are being swept by prairie fires in Cocho River Valley and the upper Colorado River districts. There has been great loss to farm property and hundreds of head of livestock have perished.

MRS. NORTON TELLS HER STORY

YALE FRESHMAN'S BRIDE DENIES CHARGES.

Says Her Husband Didn't Object to Her Drinking—How He Left Her and Went to Europe—Describes How the Detectives Shadowed Her, Even in a Cemetery

NEW HAVEN, March 7.—Mrs. Josephine Birney Norton, who is fighting the divorce suit brought against her by Edwin Kenneth Norton of New York, the former Yale freshman, was on the witness stand to-day. Her direct examination was not concluded when court adjourned at 5 P. M.

She swore that she is only 22 years old, that she was born in Savannah, Ga., and that she first became acquainted with Norton in August, 1905, when he was a freshmen in the Yale Scientific School, and that they were married on January 13, 1906.

The last she saw of her husband until they met in the court room on the first day of this trial was on February 8, up to which time she said they had been "supremely happy," to use her words to the Judge.

After acknowledging that she drank intoxicating liquors with her husband, Mrs. Norton was asked if her husband ever objected to it or the quantity she drank.

"Only to say he'd rather have me drink cordials and cocktails than beer, because beer would make me fat," replied Mrs. Norton.

She said that Norton and she had arranged to dine with two of their friends at a shore resort near this town the day he disappeared. He sent his Yale room mate, named Smith, to take Mrs. Norton and a girl friend to the shore.

Norton promised to follow, according to the story his roommate told Mrs. Norton. When he failed to show up at the dinner she went to his room and there found that he had skipped. That was when his father got hold of him and sent him to Europe. Mrs. Norton said that she had written several letters to Norton in the care of his brother-in-law begging him to write to her and appealing to him to know why he had left her. These letters went to C. C. Conway, Brookline, Mass.

She had lived at her home in this city after her marriage. Then, she said, she went to Hartford to get away from what she described as the persecution of detectives who were constantly shadowing her. She even went into a cemetery once to prove to herself that she was being followed. She hadn't been in there among the graves only a few minutes when one of the private detectives who had been on the case for Norton, sauntered leisurely through the graveyard casually inspecting the tombstone inscriptions.

She denied all the allegations of improper conduct that had been related by Norton's witnesses, declaring that the statements about embracing men or kissing them were untrue. She said she had been very careful of her acts. It came out that one of the letters which it is charged Mrs. Norton had written to a man was from a Yale divinity school student. The name was not made public. These are the letters which the defence said were stolen from Mrs. Norton's room while she was in Hartford. When it was stated in court that the letter was from a divinity school man, Attorney Jacob P. Goodhart, leading counsel for Mrs. Norton remarked:

"Why, we'll have the president of the university in here next."

Even the Judge laughed at the remark.

The Rev. Paul F. McAlleney, pastor of St. Peter's Catholic Church of Hartford was called by the defence. He testified that Mrs. Norton had sought his advice while she was in Hartford about getting into some Catholic home or institution there to get away from those who were persecuting her. He said that she told him about her life in New Haven. All such Catholic homes happened to be full at the time and Mrs. Norton could not be accommodated.

Miss Anna Degnan, one of Mrs. Norton's chums, identified a letter she had written to Mrs. Norton while the latter was in Hartford. The letter was written on Yale University stationery and was dated April 9, 1906.

It was addressed "Dear Jess," and deplored her loneliness, saying she had spent one of the loneliest Sundays of her life. "Gee, but I felt blue," she added. She also said in the letter that "there ought to be something wild doing when we three meet again." In reference to a new gown the letter read: "I wonder how the freshman class will like my new spring dress?"

Miss Deynan admitted that she meant the freshman class at Yale in the sentence referring to her dress. The letter also included the statement: "It looks as if we were dead sports."

Miss Degnan said she meant that since her marriage Mrs. Norton would not go anywhere, and that therefore she felt as if they were dead.

SUSPENDED FEE MAKES TROUBLE

Pushcart Men Didn't Know They Should Have Cards From the Aldermen.

An ordinance went into effect on March suspending for a month the ordinance requiring that all pushcart pedlers be licensed. This suspension is intended to apply chiefly to the large amount of business done on the lower East Side in the holidays connected with the Jewish Passover. In lieu of the regular license, for which a pedler must pay a small fee, each pedler is required by the ordinance of suspension to provide himself with a card signed by the Alderman of his district. This card is supposed to cost the applicant nothing.

The suspension is causing considerable confusion. Yesterday morning sixty-three pushcart pedlers were brought into the Essex Market police court, most of them by policemen attached to the Street Cleaning Department. It appeared in many cases that the pedlers had heard that they could now sell their wares without licenses, and had started right out without knowing anything about the card requirement. Others had the necessary cards, but had been arrested by policemen who were unfamiliar with the suspending ordinance.

Alderman Max Levine appeared for the majority of the prisoners and explained the situation to Magistrate Sweetser, who discharged all those prisoners whose arrests appeared to have been a result of the mixup.

"Who sent you out to make these arrests?" asked the Magistrate. Some of the policemen replied that they were detailed to the Street Cleaning Department.

"Well, then," continued the Magistrate, "I wish you would arrest some of the people who throw garbage into the street, instead of bringing in these poor people who are trying to make a living. I have been through the East Side a good deal lately, and the streets and sidewalks are in a most filthy condition. You bring the people here who throw refuse into the street and I will see that they are properly punished."

GEBHARDT OF ELIZABETH DEAD.

Proprietor of the "Town Hall" Dies Suddenly of Heart Disease.

ELIZABETH, N. J., March 7.—Frederick Gebhardt, the owner of a café here which has been for years the gathering place of Union county politicans of both parties, dropped dead this evening of heart trouble. The Gebhardt place is commonly known as the "Town Hall," because there political platforms have been framed, Aldermen have mapped out their plans, local commissions have decided on their policies and not a few members of the Legislature have gathered to discuss ways and means.

Italian Blackmailer Gets Five Years.

Giuseppi di Lupi, a Hoboken Italian who was convicted of working a blackmailing game on the instalment plan, was sentenced by Judge Blair yesterday in the Court of Special Sessions, Jersey City, to five years imprisonment in the State prison at Trenton. Di Lupi attempted to collect $5, $10 and $15 a week from his victims.

The "Themodist"

Solves the Most Important Problem in Piano-player Construction

As long ago as 1899 the following prediction was made in a magazine article:

"One thing is sure—the Pianola is a musical fact; it must be dealt with and cannot be argued out of court. At present the greatest need is for some method of individualizing single notes and subduing the accompaniments which are now too prominent. *From what has been already achieved, it seems likely that these defects can be remedied.*"

Since this was published a great many new Piano-players have entered the field but *not one* has been able to offer any solution of the problem.

As might have been expected, it was left to the manufacturers of the Pianola (who from the beginning have held the leading position in this industry) to finally perfect this most important improvement. It is *here to-day* in the shape of the Themodist, and it is

Exclusive with the PIANOLA and PIANOLA PIANO

The Themodist picks out and accents the vein of melody *no matter where it may run over the key-board.* It causes the theme or air *to stand out boldly above the accompaniment.*

Call at Aeolian Hall and hear with your own ears what wonderful effects are secured with the Themodist that were not obtainable with any previous Piano-player.

The AEOLIAN CO., Aeolian Hall, 362 5th Ave., near 34th Street, New York

LAW SCHOOL ELEVATOR FALLS.

Plunges Six Floors Loaded With Students—Clutch Prevented Harm.

The south elevator in the University Building, at University and Waverley places, occupied by the American Book Company and the New York University law school, fell from the eleventh to the fifth floor last night with Prof. Thaddeus D. Kenneson and sixteen students. No one was hurt.

The elevator was operated by Joseph Fuhrman, and after Prof. Kenneson and the students had entered the car Fuhrman put on power to go down. Two ⅝ inch cables holding the elevator's balance bar snapped and let the bar go crashing to the basement, the elevator following the bar.

The north elevator was on its way up, and those on it heard the crash and at the eighth floor saw the other car shoot past. Rufus Atkins, the boy on the north elevator, immediately started his car down, and at the fifth floor found the south elevator at a standstill, Fuhrman having had the presence of mind to throw on the safety clutch. Some one turned in a call for an ambulance and St. Vincent's Hospital quickly responded. There was a lot of excitement among the 1,500 students, who had heard that all in the car had been killed.

The only person treated by the ambulance surgeon was the colored elevator boy, Atkins, who had jammed his hand in the elevator door.

LABOR COURT HALTS A STRIKE.

Hears Plan of Both Sides and Disapproves Proposed Omaha Street Railway Tieup.

OMAHA, March 7.—The Central Labor Union took a hand in the proposed street car strike, which was ordered for Friday morning, and after an investigation of the claims of both sides to-day recommended to the workmen that they continue at work.

The Central Lab or Union practically formed a court and tried the case, rendering decision in favor of the company. The court consisted of the president and former presidents of the Central Labor Union.

President Wattles of the Omaha Street Railway Company presented the company's position, while Vice-President Behmer of the Street Car Workmen's Union represented that body.

The hearing continued all morning, both sides taking all the time they wanted. This afternoon the court recommended that no strike be called and asked the men, who are to-night balloting on the question, to vote that way.

Painters' Strikes Ordered.

The Brotherhood of Painters and the Amalgamated Painters' Society ordered strikes at a number of buildings yesterday to enforce the new wage scale indorsed several weeks ago at a conference between the officers of the two unions and of the American Federation of Labor. The strikes affected buildings at 138th street and Broadway, Eighty-fourth street and Amsterdam avenue, 112th street and Amsterdam avenue and Seventy-eighth street between Second and Third avenues. The demands of the painters are $4 a day for plain painting and $4.50 for decorative painting.

John Jameson

Three ★★★ Star

Whiskey

For those who are as particular about what they drink as what they eat.

W. A. Taylor & Co., Agents, New York.

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Avoid substitutes so-called "VICHY" offered by unscrupulous dealers

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WILL BE NO PRESSMEN'S STRIKE.

Win Some Demands From Typothetæ—Others to Be Arbitrated.

After conferences at 320 Broadway between the officers of the Typothetæ and the Internantional Printing Pressmen's Union lasting from Monday forenoon until yesterday forenoon the demands of the feeders in book and job offices were settled. An agreement was signed by President William Green on behalf of the Typothetæ and by President Martin P. Higgins and N. Gordon on behalf of the International Printing Pressmen's Union, by which the wages of the feeders on cylinder presses were advanced from $14 to $16 a week. The fifty-four hour working week will prevail until January 1, 1909, when the eight hour rule will go into effect. The wages of the feeders on the web presses will be left to arbitration. The arbitrators, two from each side, will be appointed on Monday. In case the arbitrators fail to agree they will select an umpire, whose decision will be final.

This agreement affects about 1,500 feeders who belong to the Franklin Association of Press Feeders, a branch of the International Printing Pressmen's Union.

BLAMES WOMEN'S HATS.

Mrs. Smith, With a Fractured Arm, Says It is Hard to Dodge Falling Things.

The trolley pole fell from the roof of a Bergen street car at the junction of Fulton and Adams streets in Brooklyn yesterday afternoon and struck Mrs. W. T. Smith, fracturing her left arm. While awaiting the arrival of a carriage to the Hotel St. George, where she lives with her husband, Mrs. Smith said:

"I suppose it is on account of our hats. We can't see things that fall from above as quickly as men can."

Take Hold and Lift

Did a kind word and a helping hand ever do you any harm?

We have hold of many who are down and discouraged, but we need your help in lifting.

Large and small needs call for large and small gifts, so do not hesitate to send $1, $5, $10, $25, $50, $100, or more. We will gladly write, if desired, just how your gift is used. R. S. Minturn, Treas., Room 211, No. 105 E. 22d St.

N. Y. Association for Improving the Condition of the Poor 1843 1907

BUSINESS NOTICES.

Mrs. Winslow's Soothing Syrup for children teething, softens the gums, reduces inflammation, allays pain, cures wind colic, diarrhœa, 25c. a bottle

DIED.

FOWLER.—Suddenly, March 6, at his residence 18 East 58th st., George Bingham Fowler, M. D., in the 60th year of his age.
Funeral services at the Madison Avenue Reformed Church, Madison av. and 57th st., Saturday, March 9, at 2 P. M. Interment at convenience of family.
THE MEDICAL SOCIETY OF THE COUNTY OF NEW YORK.—The members of the Medical Society of the County of New York are invited to attend the funeral of our ex-President, George Bingham Fowler, M. D., at the Madison Avenue Reformed Church, Madison av. and 57th st., Saturday, March 9, 1907, at 2 P. M.
WALTER LESTER CARR, President.
JOHN VAN DOREN YOUNG, Secretary.

KELLY.—Wednesday, March 6, at her residence 253A Madison st., Brooklyn, Rosa, beloved wife of John H. Kelly.
Funeral Saturday, 10:30 A. M., Church of the Nativity, Classon av. and Madison st.

McLAURY.—On March 6, at 11:55 P. M., of pneumonia, William N. McLaury, at his residence 225 West End av., New York city.
Funeral services Saturday, March 9, at 12:30 P. M., at Marble Collegiate Church, 5th av. and 29th st., New York city. Burial at Willow Grove Cemetery, New Brunswick, N. J., at 3:30 P. M. Boston and Philadelphia papers please copy.

MULLINER.—At East Orange, N. J., Thursday, March 7, 1907, Jane R. Malliner, widow of Alexander C. Malliner of Newburgh, N. Y., in the 97th year of her age.
Funeral private. Newburgh papers please copy.

RHOADES.—On March 6, 1907, at Camden, S. C., Lyman Rhoades of this city, in the 60th year of his age.
Funeral services will be held at the Church of the Transfiguration, East 29th st., Saturday morning, the 9th inst., at 10:30 o'clock. It is requested that no flowers be sent.

ROBINS.—Lidie D., wife of John N. Robins, on March 7, at 7:45 A. M., at the Hotel Majestic. Age, 57 years and 14 days.
Funeral services on Saturday at 11 A. M. at the residence of her sister, Mrs. Leander A. Berlin, 180 West 76th st., New York city. Please omit flowers. Interment private.

VAN TASSELL.—At his residence, East Lincoln av., Mount Vernon, N. Y., Benjamin A. Van Tassell, Sr., aged 83 years.
Notice of funeral hereafter.

PERSONALS.

FRANK—If you are living write; very anxious. B.