The Sun.

Thursday, October 10, 1907.
Fair and warmer to-day, followed by rain in the afternoon or by night; fair to-morrow.

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STRAIGHT TAMMANY TICKET

[illegible] FOR SHERIFF, [illegible] FOR SUPREME COURT, FINELITE, FOLEY, [illegible] FOR REGISTER OF DEEDS.

Tom Foley for Sheriff, Gerard for Supreme Court, Finelite, Tom McKeon's Son, F. P. Donnelly and Peter Schmuck the New Men for the City Court Bench.

This ticket was nominated at the Tammany county convention held last night in Tammany Hall:

[illegible] of the Supreme Court, [illegible]

[illegible] of the Court of General Sessions, [illegible] and [illegible]

[illegible] of the City Court, [illegible], [illegible], [illegible], [illegible], [illegible], [illegible] and Peter Schmuck.

Sheriff, Thomas F. Foley.

The ticket was made up by Charles F. Murphy personally. It was not until within fifteen minutes of the meeting of the convention that Mr. Murphy finally completed his work. The formality was gone through of calling the executive committee together at 4 o'clock in the afternoon to make recommendations to the convention, but all that the committee did was to appoint a committee on nominations and adjourn until 8 o'clock. The committee on nominations didn't take the trouble to meet.

Between the adjournment of the executive committee and the meeting at night of the convention, Mr. Murphy, with Thomas F. McAvoy, chairman of the general committee of Tammany Hall, and about half a dozen of the men upon whom Mr. Murphy relies for advice, busied themselves in going through the list of candidates and making up a ticket which was finally presented to the convention. Several tentative lists were made up, and the great trouble that Mr. Murphy had was in compiling the tickets for City Court and General Sessions. There were many changes, and of the first list drawn by Mr. Murphy for the General Sessions Court the only one to survive was James T. Malone.

But it was in the selection of a candidate for Sheriff that Mr. Murphy had his greatest trouble. There were half a dozen or more candidates for this job, each of whom had a big backing. For six months Tom Foley has been told that he could have the nomination if he would take it, but even as late as last Monday he publicly stated that he would not be a candidate.

Yesterday Mr. Murphy sent for Tom Foley and asked him as a personal favor to take the nomination. He told Mr. Foley that he was the only man in favor of whom the other applicants for the office would retire without bad feeling and dissension in the organization. Mr. Foley agreed to sacrifice himself.

Last night's convention was a very perfunctory affair. Only once during the night was there any show of enthusiasm, and that was when Tom Foley's name was presented. Foley's friends to the number of three or four hundred occupied one of the side rows of boxes in the hall and for fully five minutes they kept up a tumult of cheers, blowing of whistles and horns. Outside of that demonstration the convention was a dead one.

Mr. Murphy in selecting speakers to nominate candidates told them that a three minute speech would be about the limit. The result was that every speaker confined himself to a brief eulogy of the candidate, and once or twice when one of them showed a disposition to branch out into oratorical pyrotechnics ex-Corporation Counsel John J. Delany, who presided, put a damper on them.

There was only one man, Rossy the lawyer, who ignored the signs of the chairman, but after he had gone about a five minute stretch he was squelched by the jeering applause of the audience.

After the formality of calling the roll Daniel F. Cohalan, chairman of the law committee, presented the platform, which said:

We approve the action of our representatives in the State committee in attempting to make elimination of all partisanship in the choice of Judges a permanent feature of our judicial system. The refusal of Republican managers to join in a movement so essential to the maintenance of public confidence in the judiciary by refusing to meet or confer with the Democratic committee we denounce as an unworthy attempt to make party capital at the expense of the highest interests of the State.

While our anxiety to effect this important reform in political procedure is proved by the action taken last Friday, we do not shrink from challenging the verdict of the people upon the capacity of the Democratic party to select upright, capable and faithful Judges. The history of contests over the selection of Judges in this city for twenty-five years has been the struggle of believers in a non-partisan judiciary to secure the reelection of Judges originally nominated by Tammany Hall and whose candidatures in the first instance had frequently been the object of violent attacks.

The same devotion to the public interests which has won for Judges selected by this organization the practically unanimous approval of the people at many recurring elections we pledge on behalf of the candidates named by this convention to-night.

Closely allied with the judicial system is the great office of Sheriff. We acknowledge it as an imperative duty to nominate for that office a man who through all his administration will be worthy to be the hands of the efficient, faithful and upright Judges who have long been the credit of this community, and we offer as proof of the loyalty with which we have discharged that obligation the character and record of our nominee.

For the ticket here nominated we ask the support of every friend of free government and equal rights.

James W. Gerard is 40 years old, and was graduated from Columbia College in 1890 and from the New York Law School in 1892. He is a member of Tammany Hall's law committee and is a member of the firm of Bowers & Sands.

Edward Swann is a Columbia man, who has for several years been an active member of the Tammany Hall law committee. He was in Congress in 1902-03 and ran for Congress against Chairman Parsons of the Republican county committee at the last election and was defeated.

Mr. Malone is 41 years old, a graduate of Harvard University and of the Harvard law school, and has for fourteen years been an Assistant Corporation Counsel. He was in charge of the condemnation proceedings of land acquired for building the Blackwell's Island and Williamsburg bridges.

Mr. Mulqueen is 45 years old, a graduate of the City College, and was a tutor in that institution for eleven years. He is also a graduate of the Columbia Law School and a trustee of the City College.

Judges O'Dwyer and McCarthy are renominated. Mr. McKeon is 38 years old and a graduate of Manhattan College and the New York Law School. He is a son of Thomas F. McKeon, chairman of the executive committee of Tammany Hall, who's brother retires from the General Sessions bench at the end of the year.

Alexander Finelite has served a term as a City Magistrate. Mr. Schmuck is a graduate of Columbia University and the Columbia law school and has been practising law in this city since 1898.

Thomas F. Donnelly served three terms in the Assembly and two terms in the Senate. He fathered the dollar gas bill of 1906 and the anti-trust law of this State.

Big Tom Foley is probably the most popular Tammany district leader. He was a lieutenant of Paddy Divver until he wrested the leadership of the Second Assembly district from Divver after a bitter fight. He was once a Councilman.

WILLIAMSON'S WIFE A THIEF.

Mrs. Charles J. Romadka of Milwaukee Confesses to Jewel Robberies.

CHICAGO, Oct. 9.—Mrs. Charles J. Romadke, wife of a Milwaukee millionaire, arrested two days ago in connection with a theft of diamonds, confessed to-day, according to the police, that she had robbed several homes in Chicago and one in Milwaukee, stealing diamonds valued at thousands of dollars. Mrs. Romadka said that she turned the property over to a negro, Jones, now a prisoner.

The confession, which clears up many recent robberies, was made to Francis Reno, special agent of the Fidelity and Casualty Company of New York, which has been investigating the case.

Mrs. Romadka acknowledged robbing the Clifford Beck home, 3840 South Park avenue, where $1,200 worth of jewels were taken. These jewels, she says, she gave to Jones, besides those which she was wearing when discovered dining with a Board of Trade man in the Baltimore Inn, where she was arrested. She also told of entering homes at about 1600 Sheridan road, at 4517 Vincennes avenue, in Logan Square and at near 6500 Yale avenue.

The Beck home was robbed at about noon on September 2. Mrs. Beck was asleep when Mrs. Romadka entered, walked up the stairway to the second floor and stole the bag containing the jewels.

WAS AUGUST WEIL A SUICIDE?

Empty Poison Bottle Near His Bed—Coroner to Make Autopsy.

An autopsy will be made to determine the cause of death of August Weil, who was found dead in bed yesterday morning at the home of his sister-in-law, Mrs. Lotta Weil, at 50 West Seventy-seventh street. On a small dressing table drawn up to the side of the bed was a vial that had contained prussic acid. Coroner's Physician Weston said there was nothing about the condition of the body to show that Mr. Weil had died from other than natural causes.

Up to a few days ago Mr. Weil occupied apartments with his wife and daughter at the Hotel Netherland. Mrs. Weil and her daughter are now on the ocean bound for Europe. Following their departure Mr. Weil went to live with his sister-in-law. On Tuesday Mr. Weil sent a cheerful cablegram to Queenstown to be delivered to his wife and daughter. In the message he wished them a pleasant trip and a successful return.

When Mrs. Lotta Weil went to call her brother-in-law yesterday morning there was no response to her repeated knocking on the door. She entered the room and summoned Dr. Fichel, the hotel physician. He called in two other doctors, one of whom, Dr. Lowengood, had been Mr. Weil's physician for a number of years. The three doctors saw at once that Mr. Weil was dead. The finding of the empty vial and the uncertainty of the cause of the merchant's death prompted the physicians to make a report to the Coroner.

Mr. Weil was the head of the Weil-Haskell Company, shirt waist manufacturers at 110 Fifth avenue.

JAPAN COULD TAKE ISLANDS.

Recapture of Philippines Impossible, Says Major Ahearn—Vast Forests.

Special Cable Despatch to THE SUN.

BERLIN, Oct. 9.—Major Ahearn, who has been at the head of the forestry department in the Philippines since 1900, in conversation with THE SUN correspondent to-day was enthusiastic over the commercial value of the islands and their possible development.

As to the military situation, he said that the islands are defenceless. They could be taken by the Japanese in ten days, and it would be impossible for the United States to retake them. The Major believes that the American fleet is going to the Pacific to stay. He said that fifty years would have to elapse before the Filipinos could be trusted with self-government.

He said the islands contain 40,000 square miles of valuable timber, chiefly pine. The forest products are waiting only to be cut and carried to the sea. Major Ahearn mentioned one concession of sixty square miles that already had returned a profit of $4,000,000. Thousands of such tracts are ready to be given away for a term of twenty-five years.

TELEGRAPHERS' STRIKE TO END?

Strategist Russell Says It Will Be Over Within a Week.

WASHINGTON, Oct. 9.—Daniel L. Russell, chairman of the strategy board of the striking telegraphers, left Washington tonight for New York. Before leaving he gave out the following statement:

"I feel satisfied that the telegraphers' strike will be over before this day next week. There will be no humiliation for either side. It is extremely desirable that the battle should terminate with a better understanding than has heretofore prevailed. Conservative members of the union are anxious to heal up all old wounds and establish friendly relations.

"The real assets of telegraph companies are their operators, and elements tending to prevent a mutuality of interest should be avoided. Antagonistic employees are a detriment rather than a benefit to employers. The time for suggestions from diplomatic agencies is opportune. Pending developments our plans will be held in abeyance."

Latest Marine Intelligence.

Arrived: SS Teutonic, Southampton, Oct. 2.

BALTIMORE OLD HOME WEEK.
October 13 to 19. Only $5.25 New York to Baltimore and return via Pennsylvania Railroad, October 13, 14, good to return until October 21, inclusive.—Adv.

DEWEY'S FRESH GRAPE JUICE.
Drink it right from the bottle. R. T. Dewey.
R. T. DEWEY STORE, 1st Ave. & E. 7th St., N. Y.—Adv.

EXPECT LUSITANIA TO-NIGHT

WITH GOOD LUCK SHE WILL BE A WEEK'S JOURNEY OF 4 DAYS.

All Records Broken Now—Averaged 24.76 Knots for a Day and Got 1,000 Miles in Five Days—Saw Four Ships From the Bank at Noon Yesterday.

The Lusitania, from Queenstown Sunday, was in touch with the land on this side of the Atlantic yesterday, and wireless messages sent by Capt. Watt to the company's representative here reported that the big turbine steamship was knocking big chunks off the westbound record, and for that matter off all records, and might get in late to-night.

At noon yesterday she was in latitude as far north and longitude 56.54 west, and about 885 miles east of Sandy Hook, and had averaged 24.76 knots for a whole day. If she maintains that rate of speed for the rest of her voyage she should be off Sandy Hook before 11 o'clock to-night.

She passed Daunt's Rock, near the entrance to Queenstown Harbor, where the voyage officially begins, at 10 o'clock on Sunday morning. Daunt's Rock is in longitude 8.15 west, and the difference of time between that point and New York is 4 hours 29 minutes. So the Lusitania started at 5:57 A. M. on Sunday, New York time, and if she gets to Sandy Hook lightship at 11 o'clock to-night she will have made the voyage in 4 days 17 hours 23 minutes. On her first trip this way she travelled 2,780 nautical miles and on the same course this time she will have averaged 24.5 knots if she is in at 11.

The shortest time across the Atlantic from land to land was made by the Lusitania on her first trip west and was 5 days 54 minutes. The fastest voyage was that of the Deutschland, made in 1900. She went from New York to Plymouth in 5 days 7 hours 38 minutes and averaged 23.51 knots.

Another record that steamship men are proud of is the best day's run. Until now this record has been held by the Deutschland. That vessel ran 601 nautical miles, which she made in August, 1901, and averaged that day 24.19 knots. Twice on this trip the Lusitania has beaten this record. On Tuesday she made 608 miles, figuring from noon on Monday to noon on Tuesday. Her actual running time was 25 hours 23 seconds and her average speed for that time was 24.32 knots. At noon yesterday she had made another fine run, this time 617 nautical miles. Her actual running time was 24 hours 55 minutes 40 seconds and her average speed 24.76 knots.

Several wireless reports were received from the Lusitania yesterday. The first, which came by way of Cape Race, gave the run up to noon on Tuesday. This said:

The Lusitania at noon to-day, October 8, was in latitude 48.38 north and longitude 40.10 west, having run 608 miles, beating all records for a single day's steaming. The average speed was 24.32 knots.

Another wireless sent at 9 o'clock on Tuesday evening said that the vessel was in latitude 47 north, longitude 45.20 west and was speeding at a 25 knot clip. It said she had covered 225 miles since noon and that the weather was calm.

Vernon H. Brown received a despatch dated at 10 o'clock yesterday morning which said that she was 924 miles east of Sandy Hook and averaging 24.76 knots. Capt. Watt estimated that the run to noon would be 619 miles. Later in the day another wireless was received which gave the run up to noon yesterday as 617 miles and the average speed for the day 24.76 knots. It placed the steamer in latitude 44.40 north and longitude 54 west. Capt. Watt said that for six hours of the run there had been fog, with a fresh southwest wind.

The Lusitania's daily runs so far are shown in the following table:

Sunday, 10 A. M., passed Daunt's Rock, longitude 8.15.

Date.	Lat.	Long.	Run.	Ave.
Monday, noon	51.01	24.54	593	23.55
Tuesday, noon	48.38	40.10	608	24.32
Wednesday, noon	44.40	54.00	617	24.76

At the offices of the Cunard Line the idea that the Lusitania was being driven for a record was poohpoohed. Mr. Brown said it was nonsense to think that a new steamship would be driven at her best so soon after she had left her builders. He admitted that she was doing well, though. If she gets up to the Hook to-night she will remain outside and come in through the Ambrose Channel early in the morning. The tide will serve from 6 o'clock on.

LINER STOPS IN STORM CENTRE.

Sixty Mile Wind Drops in an Hour to Twenty Miles.

When the steamship Kronprinzessin Cecilie got here yesterday from Bremen Capt. Hogemann told about a cyclone she was in on Tuesday. The wind blew so hard that he ran his ship dead slow for some time and then stopped her altogether for about ten minutes. This was when she was in the centre of the cyclone. Early on Tuesday morning, in longitude 62 west, the wind was light from the south. By noon, with a falling barometer, the wind had increased to about 25 miles an hour, and by 4 o'clock to between 50 and 60. Then it shifted to southwest, west and northwest and heavy rain fell. At 5 o'clock it was almost dark by reason of the rain and the vessel was slowed and stopped. She had by that time passed through the worst of the storm, and at 6 o'clock the wind had dropped to about 20 miles an hour and was coming from the west-northwest.

Among the passengers on board were Mrs. L. A. Bend, Miss Beatrice Bend, Mr. and Mrs. Ward M. Burgess, Justice and Mrs. Edward G. Bradford, Mr. and Mrs. Courtlandt F. Bishop, Col. and Mrs. Franklin Bartlett, Mr. and Mrs. A. B. Claflin, Willie Ginskey, member of the Austrian House of Lords; Mr. and Mrs. Otto C. Heinze, Mrs. Collis P. Huntington, Mr. and Mrs. Charles T. Kountze, Mr. and Mrs. C. W. Morse, Alfonso de Navarro, Mr. and Mrs. John S. Phipps, Mrs. H. McK. Twombly, Miss Ruth Twombly and R. S. Tarr, professor of geology at Cornell.

Board of Education Must Pay Coney Island Boy $4,000.

A jury in the Supreme Court, Brooklyn, yesterday, awarded John J. Abbott, 15 years old, a verdict of $4,000 in his suit against the Board of Education for personal injuries. While attending Public School 100 at Coney Island in May, 1904, the boy was permanently injured through the collapse of a defective ceiling. The ceiling was shaken down by the discharge of a coast defence gun at one of the forts.

Burnett's Vanilla Extract
is sold by all the best grocers everywhere. Try it.—Adv.

"ROOSEVELT WILL WEEP."

His Friend, Gov. Curry, Calls Him a "Passive, Receptive Candidate."

ALBUQUERQUE, N. M., Oct. 9.—Gov. Curry, the cowboy Rough Rider Executive of New Mexico and intimate friend of the President, said today:

"President Roosevelt will accept the Republican nomination for reelection next year if it is forced upon him by the rank and file of the party. He will make no effort to seek the honor, nor will any friends be authorized in any way, shape or manner to secure it for him.

"In a word, President Roosevelt is only a passive, receptive candidate for nomination. He prefers that it go to some other Republican—namely, Taft—but if the convention insists that he has no moral right to refuse to serve again, his party and country and nominates him against his wishes he will accept and make the race."

FEARS FOR FRANCIS JOSEPH.

Physicians of Austrian Emperor Suspect Inflammation of the Lungs.

Special Cable Despatch to THE SUN.

VIENNA, Oct. 9.—It is stated to-night in quarters which are believed to be well informed that the condition of the Emperor Francis Joseph is worse and that his physicians fear inflammation of the lungs. The Emperor is secluded at Shoenbrunn Castle, and although it is announced that he is transacting State business no audiences were given to-day.

The repeated reports that his condition is more serious are causing anxiety to the public, who distrust the official denials.

In addition to catarrh, the aged sovereign has a painful cough, notwithstanding which and the consequent irksomeness of talking he received Count Andrassy, Hungarian Minister of the Interior, and the Archduke Franz Ferdinand yesterday. It seems that he then overtaxed his strength, for audiences arranged for to-day with Dr. Wekerle, the Hungarian Prime Minister, and Baron von Beck, the Austrian Prime Minister, although of the greatest importance, were postponed, his physicians having ordered that he remain completely quiet.

It is expected that the programme for the visit of the King and Queen of Spain on October 18 will be modified. The Emperor was 77 years old on August 18. He is the fifth oldest sovereign in Europe.

STATEMENT FROM BRYAN?

Not Sure That He Will Declare Himself in Washington Speech.

BLOOMFIELD, Ind., Oct. 9.—William Jennings Bryan addressed the Democrats of the Second Congress district this afternoon and was listened to by 10,000 people. His speech in the main was a jollying of the Democrats of the State and cannot be said to possess political significance.

Mr. Bryan referred to the sentiment respecting a third term and said he was glad that President Roosevelt on the night of the election in 1904 had declared that he would regard the four years beginning in March as his second term and would not ask reelection.

"I am glad Mr. Roosevelt made this declaration," he said, "for if elected for a third term why not for life? And if for life what chance would there be for men of my age?"

Mr. Bryan was asked if it was true that he intended to make public announcement of his attitude toward the Democratic nomination in Washington next month.

"No; I have not made any definite plan for making such announcement," he replied.

PRESIDENT'S BAG STILL EMPTY.

Weather Good, but No Bear—May Try Wildcats Next.

STAMBOUL, La., Oct. 9.—President Roosevelt had another fruitless hunt for bear to-day. He started out from camp shortly after 6 o'clock this morning and a courier who came into Stamboul late to-night reported that up to the time he left no game had been brought in.

The conditions for the sport, however, were ideal to-day and the dogs had not been out long before they struck a trail. The hunters failed to get close enough to use their guns and Mr. Bear escaped, for the time being at least. All the members of the party are determined that the President shall have the first chance at a bear if they come within gunshot of one.

Although attended by ill luck thus far the President is still determined and intends to resume the hunt again early to-morrow morning. Dr. Milla of Mississippi has arranged to bring over a pack of eighteen cat dogs. Wildcats are plentiful in the woods where the President is hunting, several having been seen by the guides while they have been endeavoring to start a bear.

The people of Lake Providence and Stamboul are much disappointed over the failure of the President to get a bear, but are confident that he will succeed in the course of a few days.

ITALY FEARS ART THEFTS.

Special Committee Will Investigate All the Churches.

Special Cable Despatch to THE SUN.

ROME, Oct. 9.—Prompted by the case of Antoine Thomas, who is in custody at Clermont-Ferrand, France, on the charge of stealing artistic church treasures, the Government has decided to make a special investigation to ascertain whether there have been similar thefts in Italy.

There is reason to fear that there have been thefts and substitutions of valuable artistic objects belonging to churches in different parts of the country. No catalogue of these objects has been prepared since 1870.

The committee of investigation will have a big undertaking on its hands, as detection of thefts and substitutions will be difficult owing to the great number of such treasures throughout the country.

LIST OF NICK HAYES'S SPECIALS.

District Attorney Gets It by the Help of the Grand Jury.

District Attorney Jerome had to call in the aid of the Grand Jury yesterday to make any headway in looking up the records of the special deputies who were appointed by Sheriff Hayes at the primaries. Mr. Jerome was informed that many of the deputies who were appointed had criminal records.

Since Monday Assistant District Attorney Murphy has been trying to get from Sheriff Hayes a list of the deputies. Messengers were kept running from the District Attorney's office to the Sheriff's office, but they were told each time that the Sheriff had not been able to make up the list. Finally a Grand Jury subpœna brought the list. There are 625 names on it. The owners will be looked up.

After all, USHER'S the Scotch that made the highball famous.—Adv.

WOMAN MISSING IN THE WOODS

LIVELY SEARCH FOR MISS LOUISE PALMER.

Who Disappeared in Her Nightgown From Her Summer Home on Put's Hill, Near Greenwich, Conn.—She Had a Fever, but Got Away From Her in the Night.

GREENWICH, Conn., Oct. 9.—Somewhere in the woods which surround the new residence of Percival Rockefeller is supposed to be, dead or alive, Miss Louise Palmer, 48 years of age, who escaped from her nurse here last night at 11 o'clock, clad only in a night robe.

Her brother, Stephen Palmer, and her sister are at the Manhattan Hotel, New York, the former being a copper man with offices at 100 Broadway. Dr. L. L. Danforth, the family physician, came here from New York at noon and later authorized a reward of $100 for the finding of the woman, dead or alive.

All day long neighbors and friends of the family have searched for the woman, who was feeble mentally. The only clues are those discovered by Benjamin F. Kelley, who found the imprints of the woman's bare feet in the road a mile west of the scene of her disappearance and a long strip of what has been identified as a part of her night robe in a shed belonging to Dr. Robert C. Myles of New York.

At 4 o'clock this evening the reward was offered and to-night two dozen men with lanterns are searching the woods over again. Many of them have been without food and drink, and friends are hunting them up to give them food.

Miss Palmer has been a summer resident here, living in the E. J. Lobdell house at the top of Put's Hill. Three nurses have attended her until last week, when her condition was such that two nurses were discharged and preparations were made for her return next week to New York.

When the nurse awoke this morning she found her patient absent and the key to the kitchen door missing from its usual place. At midnight C. D. West of New York, residing half a mile from the Lobdell place, saw a female form in white dash by his house and he and Officer Flannigan searched for her, but she disappeared in a swamp near by. She evidently crossed the swamp in safety, scaled a wire fence and then hid in the Myles barn. It is hardly expected that the woman is alive.

DIVORCED PERSONS MAY MARRY.

Bishop Doane's Prohibitive Resolution Rejected by Episcopal Convention.

RICHMOND, Va., Oct. 9.—A resolution offered by Bishop Doane of Albany, N. Y., before the House of Bishops of the general Episcopal convention to-day, the purpose of which was to deny the ceremony of marriage to persons having living husbands or wives from whom they had been divorced, was rejected by the house after a long discussion.

The Bishop of Albany was the author of the resolution adopted at the Boston convention in 1904 which limited the remarriage of divorced persons to the innocent party.

The house in the afternoon discussed a series of resolutions introduced by the Arkansas delegation recommending that Bishops be appointed to preside over the African race. The introduction of the negro question created quite a sensation, a decision not having been reached when the convention adjourned for the day.

The Arkansas delegation recommended that the Bishops appointed to preside over the negroes be not allowed seats in the general convention, nor the Bishops through whom the appointments were made. A further resolution will be introduced suggesting that the negroes have a convention of their own.

MAYORALTY RECOUNT CASE.

Court of Appeals Devotes a Day to Hearing Arguments on Two Appeals.

ALBANY, Oct. 9.—In the Court of Appeals to-day the whole session was occupied in hearing arguments in the McClellan-Hearst Mayoralty recount case. The action is to determine the constitutionality of the bill passed by the last Legislature and known as Chapter 5381 of the Laws of 1907.

The case came up on two appeals on orders of the Appellate Division of the First and Second departments, denying two applications for peremptory writs of prohibition to debar William R. Hearst and his attorney, Clarence J. Shearn, from further entertaining or carrying on proceedings for a recanvass or recount of the ballots cast at the election for Mayor held in New York in November, 1905.

Since Mr. Hearst began the action to test the title of the office of Mayor McClellan has not received one cent of salary. His back pay now amounts to $26,250.

TALKED HIMSELF FREE.

Lawyer Released From an Insane Asylum On His Own Argument.

BINGHAMTON, N. Y., Oct. 9.—Irving L. Brayman of Walton, Delaware county, was released from Binghamton State Hospital on a writ of habeas corpus. Brayman is an attorney and argued his own case before County Judge Harston and proved by experts that he is not insane. Against Brayman were State Senator Harvey D. Hinman for the hospital and Theodore R. Tuthill, who was one of the attorneys for the defence in the recent trial of George E. Green at Washington.

GOV. HUGHES AT JAMESTOWN.

Ready to Help Celebrate New York Day at the Exposition.

NORFOLK, Va., Oct. 9.—Gov. Hughes of New York, accompanied by his staff, President Schurman of Cornell University and others who will participate in the New York State Day celebration at the Jamestown exposition to-morrow, reached the exposition grounds this morning.

The Twelfth New York Infantry and Squadron A of New York city arrived on the grounds some two hours ahead of the Gubernatorial party and were at the deep water pier with President Tucker of the exposition, Director-General Martin, Secretary Shepperd and others to meet them.

The Governor, under escort of the New York troops, proceeded at once to the exposition grounds and on to the New York Building, where he received a warm welcome. A banquet in his honor was given at the New York State Building to-night.

This was Delaware Day and Gov. Lea made an address.

Complete picture of Hudson River from great Day Line Steamers. See Advs. Music.—Adv.

HOW 10%-OF-GOOD TRAINS.

Commission Orders a 10 Per Cent. Increase on Elevated and Subway Lines.

The Public Service Commission issued yesterday peremptory orders for the increasing of the service on the elevated and subway systems.

The orders of the commission will mean that if the company obeys orders beginning October 14 there will be an increased service of about 10 per cent. on the elevated and subway lines in the non-rush hours. The commission has not directed the running of more subway express trains in the rush hours, for the reason that the evidence submitted at the public hearings made it appear that in the busy hours the express lines were being operated to practically their full capacity. The order directs the Interborough to notify the commission within five days whether or not it will comply with the new regulations.

DR. ZIEGLER'S $100,000 FEE.

Chicago Jury Allows His Claim Against the Estate of Mrs. H. G. McVicker.

CHICAGO, Oct. 9.—Dr. Ziegler was allowed his claim of $100,000 against the estate of Mrs. Harriet G. McVicker in Judge Tuthill's branch of the Circuit Court to-day. The verdict of the jury will be appealed.

Horace G. McVicker and the Illinois Trust and Savings Bank are defendants in the suit brought by Dr. Ziegler. The physician represented in court that he had given all his time in caring for Mrs. McVicker for several years in expectancy of $100,000 after her death. He produced a contract to this effect to substantiate his claim.

STAMPED OUT YELLOW FEVER.

No Trace of the Disease Now in the City of Cienfuegos.

Special Cable Despatch to THE SUN.

HAVANA, Oct. 9.—Capt. Thomason, who has arrived from Cienfuegos, reports that the city proper is free from yellow fever. There are a number of cases outside the city, but it is a considerable achievement for the United States Medical Corps to have freed the city itself of the disease, which had obtained a firm hold under the local authorities.

POLICE CAPTAINS FAIL.

Nine of Them, It Is Said, Passed Up by Surgeons—Others to Retire.

Acting under orders from Commissioner Bingham, Chief Surgeon Quigley and his staff yesterday examined nine captains who were ordered before the retiring board for a test as to their physical fitness to remain on the force. All the surgeons in the department were on hand when the examinations were made in the trial room. Dr. Quigley's report is said to have recommended the retirement of the entire nine.

Capt. Dennis Driscoll of the Hamilton avenue station, Brooklyn, will hand in his resignation to-day and not wait for the report of the surgeons. He is a civil war veteran and can get out on half pay. Capt. Fred Martens of the Eighty-eighth street station has filed an application for retirement rather than go before the surgeons.

If all the captains who have been ordered before the surgeons are retired Commissioner Bingham will have seventeen vacancies to fill.

WHACK AT COEDUCATION.

President of Tufts Finds Men Students Distressed by Proximity of Girls.

BOSTON, Oct. 9.—President Frederick W. Hamilton of Tufts College in his annual report condemns the system of coeducation now in vogue at Tufts. He prophesies that every institution in New England where the sexes are together in the classroom will ultimately become girls' colleges.

"The average young man," Dr. Hamilton says, "will not go to a coeducation institution. He is not comfortable with the women in the classroom. I do not believe that Tufts ought to go out of the business of educating women, but I do believe that it should educate its women separately.

"I should say that it would be safe to begin operations on the new plan if $250,000 could be available for building and salary funds. I regard this as the most pressing educational problem we have before us, and I have no doubt that failure to solve it means disaster to the college of liberal arts."

VANCOUVER RIOTER PUNISHED.

Six Months for Man Who Helped in Onslaught on Japanese.

OTTAWA, Oct. 9.—A. W. Reid, one of the Vancouver rioters in the Japanese riots, was there found guilty to-day and sent to jail for six months.

RADIUM CURES BIRTHMARKS.

Doctors Exhibit Photographs at Congress of Surgeons.

Special Cable Despatch to THE SUN.

PARIS, Oct. 9.—Drs. Wickham and Degrais announced to-day at the congress of surgeons that they had succeeded in many cases in removing the birthmarks known as port wine stains with radium.

They showed a series of photographs illustrating stages of the cure and final treatment, which left the skin in its normal condition.

DEMANDS FROM FIREMEN.

They Will Ask P. R. R. for Better Wages and Working Conditions.

PITTSBURG, Oct. 9.—Members of the governing board of the Brotherhood of Locomotive Firemen of the Pennsylvania lines East and West are at the Hotel Annex formulating demands to be made to the company for an increase in wages and better working conditions.

The delegates represent more than 2,000 firemen in the two grand divisions. It is claimed that some firemen are getting as low as 20 cents an hour and work fourteen hours a day.

The entry of the men from the Pennsylvania lines East is regarded as significant. It is the general belief that when demands are made every division of the system will join in the petitions.

TO BE MARRIED HERE?

Reported That Szechenyi-Vanderbilt Wedding Is Not for Newport.

NEWPORT, R. I., Oct. 9.—It was reported to-day that the wedding of Miss Gladys Vanderbilt and Count Szechenyi will take place in New York instead of Newport.

Mrs. Vanderbilt has planned a family party at the Breakers for Saturday night in honor of her daughter and her fiancé. Mrs. Alfred Vanderbilt is entertaining at dinner in honor of Miss Gladys to-morrow night at Oakland Farm.

NAT. PAID CIVIC FEDERATION

PART OF COST OF MUNICIPAL OWNERSHIP PROBLEM.

Majority of Investigators Decided in Favor of Legalized Monopoly—$10,000 Was Contributed Through Belmont—Other Payments Charged Up as "Loans."

The expenses of the National Civic Federation's committee which studied the problem of municipal ownership here and abroad were met in part by a $10,000 contribution from the Metropolitan Securities Company. This fact was brought out yesterday at the Public Service Commission's inquiry.

The money was paid by the Metropolitan to August Belmont as president of the federation. Mr. Belmont in making a third and final call upon the Metropolitan company for $5,000 wrote to H. H. Vreeland: "The work, as far as I understand, is very satisfactory." Apparently the $15,000 was paid under a guarantee by Thomas F. Ryan that the Metropolitan interests would stand behind the federation on the municipal ownership proposition to the extent of $20,000.

The ten members of the federation's committee set sail from New York for Great Britain on May 22, 1906, and were studying conditions there until August of that year. In the meantime others were doing up the situation in American cities. Among those who made the trip abroad were Prof. John R. Commons of the University of Wisconsin; Walton Clark, vice-president of the United Gas Improvement Company of Philadelphia; Prof. Frank Persons of Boston, Talcott Williams, Ralph M. Easley, F. J. McNulty and Frank J. Goodnow.

Advocates for and against municipal ownership were evenly divided on the committee. The symposium which the committee got out began with an instalment on July 8 of the present year and continued in weekly instalments until about August 1. The views of the committeemen varied widely, but the majority decided, among other things, that public utilities, whether in public or private hands, are best conducted under a system of legalized and regulated monopoly. Melville E. Ingalls, chairman of the Big Four Railroad's board of directors, was head of the public ownership committee.

Mr. Belmont's correspondence with Mr. Vreeland indicates that the entire $90,000 which was necessary for the expenses of the committee had been guaranteed before the consideration of the question began. What the Public Service Commission will want to know now is whether the Interborough interests were also behind the undertaking.

The federation's letter paper on which Mr. Belmont asked for and acknowledged the Metropolitan's payments contains these names, among others, as members of the executive committee:

Grover Cleveland, Andrew Carnegie, Cornelius N. Bliss, Oscar S. Straus, Charles W. Elliott, Seth Low, Bishop John Ireland, Bishop Henry C. Potter, Attorney-General Charles J. Bonaparte, David R. Francis, Isaac N. Seligman, James Speyer, Edward Macy, Ralph M. Easley, on the part of the public, and Samuel Gompers, John Mitchell and about a dozen others on the part of the wage earners. The employers also are represented by a separate group.

The Metropolitan's first payment of $5,000 was made on May 4. Three days later Mr. Belmont wrote Mr. Vreeland this letter:

I have received your letter of May 4 enclosing check for $5,000 as a special subscription on behalf of the New York City Railway Company toward the expenses of the municipal ownership investigation. As this amount is only a guarantee you will kindly have a check made to my order and oblige.

Yours very truly,
AUGUST BELMONT.

Mr. Ivins brought out the fact from Treasurer E. W. Sayre of the Metropolitan Securities Company that this check had been drawn payable to the National Civic Federation. In accordance with Mr. Belmont's request a check was drawn in his favor and the old one was crossed off in the Metropolitan's voucher book.

On May 11 Mr. Belmont acknowledged the receipt of the revised check with this letter:

DEAR MR. VREELAND: I thank you for your letter of May 8, with the check for $5,000, which I have credited against the guarantee of $20,000 in the matter of the municipal ownership investigation.

On June 14 there was a call from Mr. Belmont for a second payment of $5,000. This time he wrote:

DEAR MR. VREELAND: Will you kindly send me check to my order for $5,000, to be credited against Mr. Ryan's guarantee in the matter of the municipal ownership investigation connected with the National Civic Federation, and oblige.

Mr. Vreeland in reply enclosed the company check for the amount asked as representing "a contribution on behalf of the Metropolitan interests."

The third and last call was on August 20. Here is the letter Mr. Belmont wrote:

DEAR MR. VREELAND: I saw the chairman of the public ownership committee, Mr. Ingalls, to-day and he told me that the report of the commission will be very voluminous and will most likely be out of the printer's hands by the middle of next January. The work, as far as I understand, is very satisfactory.

The disbursements of the commission to date have been $78,857.50. On the other hand, receipts have been: From guarantors, $40,000; from contributors, $30,482.50—$70,482.50, leaving a present overdraft of $8,375. As, roughly speaking, the estimated total expenses will be about $90,000, it will be necessary to call another assessment of $5,000 each from the guarantors. I shall thank you to send me a check to my order for this amount. The budget made up at the beginning of the work was $87,000, so that you will see that the expenses have been kept pretty close to that figure.

An unsigned copy of a letter in reply to Mr. Belmont's third call says that the company "has pleasure" in enclosing herewith its check for the purposes indicated.

Mr. Sayre, the witness, said that he was an officer and a director of the Metropolitan Securities Company when these payments were made.

"Did the stockholders of the company know anything of these disbursements?" asked Mr. Ivins.

"No, sir."

"Did the directors ever pass a resolution authorizing such a disbursement?"

"No, sir."

"Did the executive committee ever pass a resolution authorizing such a disbursement?"

"No, sir."

All three of the checks were charged to